

# ***THE JOURNAL OF PARLIAMENTARY INFORMATION***

**RELEASE OF COMMEMORATIVE POSTAGE STAMP  
ON THE LATE SHRI G. V. MAVALANKAR, FIRST  
SPEAKER OF LOK SABHA**

**ADDRESS BY THE SPEAKER AT THE CONFERENCE OF  
PRESIDING OFFICERS**

**VOLUME XXVII, No. 1  
MARCH, 1981**

## THE JOURNAL OF PARLIAMENTARY INFORMATION

*Editor: AVTAR SINGH RUKHY*

The Journal of Parliamentary Information, a quarterly publication brought out by the Lok Sabha Secretariat, aims at the dissemination of authoritative information about the practices and procedures that are continuously being evolved in Indian and foreign legislatures. The Journal also purports to serve as an authentic recorder of important parliamentary events and activities and provides a useful forum to Members of Parliament and State Legislatures and other experts for the expression of their views and opinions thereby contributing to the development and strengthening of parliamentary democracy in the country.

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## EDITORIAL NOTE

A commemorative postage stamp in honour of late Shri G. V. Mavalankar, first Speaker of Lok Sabha, was released by the Prime Minister Shrimati Indira Gandhi on 27 February 1981 at a function held in the Parliament House Annexe. We publish in this issue the Address by the Prime Minister as well as the speeches on the occasion by the Chairman of Rajya Sabha, the Speaker of Lok Sabha and the Minister of State in the Ministry of Communications.

We also publish in this issue, as in the past, the address by the Speaker at the Conference of Presiding Officers of Legislative Bodies in India which was held in Bangalore in January this year.

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

—Avtar Singh Rikhy

**RELEASE OF COMMEMORATIVE POSTAGE STAMP ON THE  
LATE SHRI G. V. MAVALANKAR, FIRST SPEAKER OF  
LOK SABHA**

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A commemorative postage stamp in honour of late Shri G. V. Mavalankar, first Speaker of Lok Sabha, was released by the Prime Minister, Shrimati Indira Gandhi, on 27 February 1981 at a function held in the Main Committee Room in Sansadiya Soudha (Parliament House Annexe). We reproduce below the Address by the Prime Minister as well as the speeches by Shri M. Hidayatullah, Chairman, Rajya Sabha, Shri Bal Ram Jakhar, Speaker, Lok Sabha and Shri Kartik Oraon, Minister of State in the Ministry of Communications, on the occasion.

—Editor

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**SPEECH BY SHRI KARTIK ORAON, MINISTER OF STATE IN THE MINISTRY OF  
COMMUNICATIONS**

Honourable Vice-President, Honourable Madam Prime Minister, Honourable Speaker, Lok Sabha and distinguished guests:

I consider it a proud privilege to be present here on the occasion of the release of the commemorative stamp in honour of late Shri Ganesh Vasudeo Mavalankar, the first Speaker of Lok Sabha, to mark his 25th death anniversary. Shri Mavalankar's contributions to the parliamentary life and institutions of this country are too well-known to be recounted here. We are extremely grateful that our beloved Prime Minister, Shrimati Indira Gandhi has been able to find a few minutes from her precious time to be present here. It is indeed a fitting tribute to the worthy son of India that this stamp is being released by an illustrious daughter and Prime Minister of this country in this Parliament House Annexe.

Dadasaheb Mavalankar was a parliamentary giant. Besides being an ardent educationist, an eminent lawyer, an able parliamentarian, he was

above all, out and out a devoted patriot. He sacrificed all his other interests in the cause of freedom struggle and took keen interest in guiding and shaping the parliamentary institutions of this country.

Dadasaheb Mavalankar's acumen in parliamentary affairs was acclaimed the world over. We, the parliamentarians owe him a duty—a duty of gratitude as he helped most of us in taking up the right causes in the right manner at the right moment. I am sure that our homage to this great personality through this commemorative stamp will spread his message everywhere—far and wide.

The Posts and Telegraphs fraternity considers it a special privilege to be associated with this function and deems it a signal honour to issue a stamp in honour of this great Indian.

Thank you, Jai Hind.

SPEECH BY SHRI M. HIDAYATULLAH, CHAIRMAN, RAJYA SABHA

Madam Prime Minister, Hon'ble Mr. Speaker, Hon'ble Minister of State in the Ministry of Communications, Members of Parliament and friends;

It is in the fitness of things that the Posts and Telegraphs Department has decided to issue a commemorative postage stamp in honour of Dadasahab Mavalankar, an illustrious son of India and the first Speaker of our Parliament. Postage stamps mean more when they record the love and affection of a nation and seek to perpetuate the memory of a life as worthy as that of Dadasaheb's. I feel privileged in being present today at this function arranged for the release of this postage stamp in his honour and to get an opportunity of joining you all in this homage to his memory.

Dadasaheb Mavalankar was one of those who played a key role in the building up of parliamentary democracy in our country. It was our good fortune that we had a person of his calibre and background to occupy the Chair in the crucial transitional years of our new born democracy and the beginning of parliamentary institutions. Mavalankar's profound knowledge of parliamentary practices and procedures, backed by his firm grasp of legal principles; helped him to establish sound traditions and practices. He had in abundance qualities that make a successful Speaker. He was impartial to the extent of a fault. An observer, who had watched him function in the Chair, once said that Mavalankar had a rare personality, a personality that inspired respect without the need for enforcing many of the sanctions available to a Speaker, Gentle and affable always, he was firm in his rulings. He stood for the authority of the House and the rights of its members. The struggling backbenchers

received from him as much courtesy and consideration as the stalwarts on the front benches. Shri Mavalankar is remembered as a great Speaker whose influence continues and shall continue in the Legislatures all over the country for years to come.

Shri Mavalankar's contribution to the cause of the parliamentary institution extended beyond our shores. During his tenure as Speaker he participated in a number of international parliamentary conferences where his contributions earned for him universal respect. His election as Chairman of the Commonwealth Parliamentary Association was indeed a tribute to his personal standing in parliamentary circles.

Mavalankar was a true Gandhian in his thought and living—in his simplicity, truthfulness and unostentatious dedication to the cause of the lowly and suffering. He was a man of strong principles and once he made up his mind there was no question of his temporising or wavering. He could intuitively see what was the correct line to take in any particular matter and he was often right. It was through his initiative that the name Empire Parliamentary Association was changed to Commonwealth Parliamentary Association, thereby doing away with a reminder of former days.

Men like Dadasaheb are rare to come by. He was gentle and noble, whose life, purposefully lived in the service of the people, will be a beacon light for others.

#### SPEECH BY SHRI BAL RAM JAKHAR, SPEAKER, LOK SABHA

Mr. Vice-President, Madam Prime Minister, Hon'ble Minister of State in the Ministry of Communications, Shri Kartik Oraon, Members of Parliament and friends:

The Posts and Telegraphs Department have befittingly thought of bringing out a Commemorative Stamp on the 25th death anniversary of late G.V. Mavalankar, the first Speaker of our Parliament.

Shri Mavalankar occupies an honoured place not only as the first Speaker of Parliament in independent India but also as a true patriot, a fighter in the cause of freedom and a dedicated public worker. His sincerity, humility and genuine solicitude for the poor and the down-trodden endeared him to everyone from the highest to the lowest, earning him the affectionate appellation "Dada Saheb".

It is a striking coincidence that Gujarat which gave us our first elected Speaker before Independence, President Vithalbai Patel, also gave us Shri Mavalankar, the first Speaker of our Parliament in free India. From his early years Shri Mavalankar's interest lay in social work and in



politics. He came into contact with Gandhiji in 1915 when Gandhiji returned to India from South Africa. Shri Mavalankar was elected to the Ahmedabad Municipality in 1919. Two years later he gave up his legal practice to work as Secretary, Gujarat Provincial Congress Committee. He was Chairman of the Ahmedabad Municipality from 1930--1933 and again from 1935-1936. He underwent several terms of imprisonment in the thirties and early forties for his participation in the freedom movement.

Shri Mavalankar was elected Speaker of the Bombay Legislative Assembly when the Congress Government assumed office in 1937. His reputation as a Presiding Officer in Bombay was such that when it came to the Presidentship of the Central Legislative Assembly in 1946, the choice most naturally fell on him. Later, in November 1947 he was unanimously elected Speaker of the Constituent Assembly (Legislative); and, with the commencement of our Constitution, became the Speaker of the Provisional Parliament. And, after the first general elections in 1952, he was elected Speaker of the First Lok Sabha. Unfortunately, before completing his term, he passed away.

Shri Mavalankar was guiding the deliberations of our Central Legislature for over ten years, which were indeed the most crucial years in the development of our parliamentary institution. And this he did with great dignity, ability, uprightness and impartiality. Like Mr. Speaker Patel he stood for the independence and authority of the House and the Chair. He filled the office with great distinction and enhanced the prestige of Parliament. He was, as so aptly described by Jawahar Lal Nehru, truly the "Father of the Lok Sabha".

With his passion for form and procedures, Shri Mavalankar helped evolve many sound practices and conventions and gave the institution a shape and direction. As a successor in the Chair I would say this that the conventions and traditions he left us should themselves constitute a lasting monument to his memory.

Shri Mavalankar's contribution was not confined only to the work of Parliament at the Centre. As Chairman of the annual Conferences of Presiding Officers of Legislative Bodies in the country, he did much towards evolving uniform practices and procedures in legislatures all over the country. Indeed, for his contribution to the cause of the parliamentary institution Shri Mavalankar was a highly respected figure in parliamentary circles the world over, particularly in the Commonwealth countries.

Shri Mavalankar's reputation as a Presiding Officer has tended to overshadow what he did in other spheres. A great part of his work lay in the social field. Besides being the President of the Gandhi Smarak

Nidhi and the Kasturba Memorial Trust, he was associated with the management of as many as 52 trusts, which speaks volumes about the confidence he enjoyed among the public. His dominant concern in all this was the relief of suffering humanity. As a true disciple of Mahatma Gandhi, he was thorough in whatever he undertook; he laboured selflessly and never spared himself wherever the welfare of the downtrodden was involved. He had such deep passion for constructive work that he hardly seemed satisfied even with all this. In one of his letters to a friend he wrote:

“...It has been my dream for several years to sit down to constructive work, of the type of the Servants of India Society, with a handful of devoted workers; but fate has drawn me in a different direction. However, I carry a feeling of satisfaction that I am trying to discharge the duty allotted to me in whatever sphere I am placed.”

Shri Mavalankar was also an ardent educationist. He was to a large extent responsible for the growth of the Ahmedabad Education Society, the Gujarat University and several other educational institutions in and around Ahmedabad. He was a loving *pater familias* to all these institutions, which grew up under his fostering care.

Such was the multifarious contributions of Dada Saheb Mavalankar. I sincerely hope the commemorative stamp being released will help perpetuate the memory of this inspiring life.

I would now request Madam Prime Minister to kindly release the stamp.

#### ADDRESS BY SHRIMATI INDIRA GANDHI, PRIME MINISTER

Mr. Vice President, Mr. Speaker, Shri Kartik Oraon, Hon. Members and distinguished guests:

It gives me great pleasure to release the stamp on Shri Mavalankar. As previous speakers have said, he was one of the leading lights of the first years of freedom, who gave guidance to Parliament and to our democracy. As the Speaker had told you just now, my father called him the Father of Parliament. And at that time I know how much the Members looked up to him and what loving, considerate guidance and advice he gave to them. As the first Speaker of independent India's Parliament, he laid down healthy conventions in the formative stages of Parliament, during what at that time people thought was a difficult time, and under difficult conditions.

And it was largely due to the conventions which he set up that Parliament was able to proceed peacefully and with dignity even after he left us. I should like to quote my father on him. He said:

“Throughout early days, difficult days, formative days, it was Shri Mavalankar who sat as the guardian deity, helping us, chiding us, trying to keep us on the right path, laying down and making precedents to be followed later and moulding the development of parliamentary life in India. . . .”

Later on, he said:

“ . . . I must say that I and perhaps some others had become so much used to Shri Mavalankar as our Speaker and had come to rely on the way he would deal with any situation that might arise, with courtesy and at the same time with firmness, that we could hardly think of this Parliament without him. He was an inseparable part of it, the cementing link between us all.

But, of course, I think that although at that time people thought that those were difficult days, Shri Mavalankar did not have all the difficulties that, for instance, our present Speaker or our present Chairman have to face—neither the noise, nor the type of defiance that one sees at times now.

Parliament is a bulwark of democracy; and, therefore, Parliament has not only the grave responsibility of passing legislation or discussing important items—with everybody, members of all parties and all types of opinion, participating in such debates, discussions and decisions—it has also a very heavy task of keeping an image that will gain it the faith and respect of the people. Because if that is lost, then I don't know what could happen later.

Democracy gives privileges to every individual in the country. But as Gandhiji said so often, every privilege has its corresponding obligation; every right has its corresponding duty. I think that is equally true of Members of Parliament, as anybody else.

Democracy demands tolerance, understanding, mutual respect and adjustment. Government and the Opposition, being important partners in national progress and integral parts of the democratic system, must learn to live together and to respect one another. As I have said many times, while it is the legitimate function of the Opposition to criticise the Government so that its performance is kept at a high level and is improved wherever such improvement is needed, it must be remembered that there is a third party, the supreme party, and that is, the people of India. All of us who are elected are responsible not only to Parliament but also to this larger Parliament, which is outside the round walls—the people of India. So, in our behaviour inside or outside, we have to keep this in view and I

sincerely hope that all members, irrespective of the party to which they belong will feel themselves duly-bound to serve the people and keep this good image of Parliament alive. They should not forget that they are being constantly watched by the people. Sometimes, specially the younger people—I do not know what impression they get, as to how they should behave themselves. So nothing should be done which can in any way bring down the dignity or decorum of our two Houses.

The privileges of Parliament exist to enable members to make their contributions freely and fearlessly. As I said earlier, no privilege should be used in such a way that it nullifies itself, so to speak. We must all conduct ourselves with restraint and responsibility and see that this does not interfere with the legitimate day-to-day business of administration and of passing legislation. For the parliamentary system to function efficiently, it is essential to improve the quality of political life as a whole and to keep it at a high level. If it is allowed to deteriorate, then people's faith in democratic institutions itself will suffer.

Hon. Members often ask the Speaker for protection. I do not know how many of them think of protecting the Speaker when he is in need of it. So, I think Mr. Mavalankar, although he was a great personality and he functioned at a high level, did get far greater cooperation from the then Parliament than is evident today in our Parliament. So, when we expect the people to function well, let us give them the full opportunity of doing so.

I have great pleasure not only in releasing this stamp,—which is a nice stamp and I must congratulate the Minister—I do not know whether you can see it from this distance, it is simple but effective—but also in paying this tribute to an Indian whom we all admire and respect.

Thank you.

ADDRESS BY SHRI BAL RAM JAKHAR AT THE CONFERENCE  
OF PRESIDING OFFICERS HELD AT BANGALORE ON  
17 JANUARY, 1981.\*

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MY ESTEEMED COLLEAGUES, LEARNED SECRETARIES AND FRIENDS:

It is with great pleasure that I join the Presiding Officers of the Karnataka Legislature in extending a hearty welcome to all of you gathered here this morning. We are meeting, I notice, in our Forty-fifth Conference, and the institution itself is now sixty years old. I am new to this Conference and so must be many of you here. But from what I have come to know of it, I have been looking forward to this meeting, so to say, for some time now, particularly for the opportunity I would have of meeting with all of you and getting to know each other more closely, apart from many other benefits that we may take back from this Conference.

There are many things to commend this institution of ours, foremost among them, in my view, the practice of rotating its venue. Can there be a more natural way of being reminded of the vastness and diversity of our land and our people, and of realising our togetherness as inheritors in common of an ancient and priceless heritage of civilization and culture? And that in my view is very important for it reminds us of our responsibility to see that the democratic institutions we have the privilege of serving, subserve the cause of people and sustain and preserve the integrity of our country.

Karnataka calls to mind silk and sandalwood, ivory and exquisite handicrafts. It is a land of ornate palaces and well laid-out gardens; of colourful festivals and of hospitable people. Karnataka has been noted all along for its liberal traditions and its composite culture. One of the progressive States even before Independence, Karnataka is now one of

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\*Edited version of the Address.

the leading States in industry. Teeming in forest wealth and mineral and other resources, she has an immense potential for growth. May the contribution of Karnataka to the mainstream of our national life be, like its famed sandalwood, refreshingly fragrant.

Friends, since the last Conference at Jaipur much has happened in the country. In what we witness today there is much that is disquieting, and should cause concern to every thinking individual in this country. There is a growing atmosphere of restiveness. One hears of demands from every side, without anyone stopping to ask himself what he could do for the country. Perhaps for historical reasons, individual rights have received undue emphasis without proper stress on corresponding obligations and responsibilities. That was why the far-seeing Gandhiji long ago said that he would speak of the duties of man, rather than of his rights. These two being complementary are inseparable and must go together. The age-old quality of mutual respect for all has to be revived and we have to play a vital role to achieve it.

With the universal recognition of the welfare obligations of a State, every Government is expected to vindicate itself in terms of the public good it is able to advance. I need hardly say that the chief merit of democracy lies in combining freedom with progress and bringing about change with consent. In the Third World milieu, the democratic system has to face up to the challenge of development. We have to realise that development calls for sustained hard work where each one gives of his best and does not indulge in the luxury of overpitching demands.

This takes us to the crucial role of the legislature in our day. It has to be the great integrator bringing together the diverse interests and forces in the society. Above all it has to show qualities of leadership and concern for resolving the problems of the common man. It is here that the different voices in the country must converge to get blended into national consensus. It is therefore very necessary that we cultivate the habit of talking to each other instead of at each other. It has to be an ongoing dialogue carried on with civility and mutual respect observing the rules of courtesy and fair play. The tensions in the polity have to be resolved within the democratic framework, through democratic processes. Our proceedings must become more and more productive and business like, so as to make optimum use of floor time to cope with the ever growing agenda. This calls for reasoned speeches. It also calls for solid work on the part of Members, a determination and concern for the overall interest of the people and a dedicated approach for public good. It is only then that we can win the people's affection and inspire in them confidence for our representative institution.

Let me now refer to procedural and other developments in Lok Sabha since the last conference held at Jaipur in October, 1978.

Concern has been expressed from time to time that as large a number of questions as possible should be taken up for oral answer during the Question Hour. This has been engaging our attention. We had the matter reviewed in the Business Advisory Committee. It has now been agreed that not more than eight minutes would be devoted in the House over answers to an oral question including supplementaries. Where detailed and lengthy answer is called for a statement could be laid on the Table in order to save the time of the House. I am happy to observe that Members by and large have been cooperating with the Chair in this regard.

I may refer to another problem in this context, that is, the absence during the Question Hour of Members in whose names questions are listed for oral answers. Such absence, I need hardly say, results in important questions remaining unanswered in the first round, not to speak of the time and energy spent by the Government departments in collecting material for likely supplementaries going infructuous. I have discussed this with Leaders of Parties and Groups in the House. It is our view that Members in whose names starred questions appear should try to be present in the House during the Question Hour, and in case of unavoidable absence they should at least send timely intimation.

Under Lok Sabha rules, ordinarily a Minister/Member quoting from an official document is required to lay the document on the Table. In a recent case a Member cited extensively notings on file and sought to lay on the Table the relevant extracts. When these were referred to the Government for verification of their authenticity the Ministry declined to deny or confirm. Following a past ruling, I allowed the extracts to be treated as laid on the Table.

I would like to mention a word about Adjournment Motions. There is an increasing tendency to take resort to this device for raising various issues. I need hardly remind that this is to be used only on such rare occasions when developments are of such urgency, public importance and grave nature attracting Government's responsibility which can brook no delay and call for the setting aside of the scheduled business in order to give precedence to a discussion on that topic. Members would do well to resort to this only when they must and use more extensively other procedures like Call Attention and statements under Rule 377.

Calling Attention, as you know, is a very popular procedure and a large number of notices are received every day. Under the previous practice, Members whose notices were not selected had to renew their notices from day to day. This was found to be somewhat inconvenient and the

matter was considered by the Rules Committee. Now, following the Committee's recommendations, all notices received in a week are kept alive for the week, at the end of which those not selected are deemed to have lapsed. The same procedure now applies to the notices under Rule 377 as well.

I have been allowing liberally notices under Rule 377 to Members belonging to all parties of the House with a view to provide well regulated opportunity for ventilation of matters of public interest which are not ordinarily covered by other rules. While this has been well-received, Members have been emphasising, time and again, that there should be greater responsiveness to these statements by the Ministers who should inform them in due time of the action taken. I feel that the Members' demand is genuine and calls for earnest and timely action by Government.

Our Rules provide, in general, for previous intimation to be given to the Speaker and the Minister concerned, if a Member wants to make allegations on the floor of the House.

In order that allegations are properly founded and are not casually made, we had the matter discussed in depth at a meeting of Leaders of Parties and Groups in the House. As a result, certain guidelines have now been evolved. According to these, Members should not base their allegations on mere Press reports but should satisfy themselves about the correctness of the facts and be prepared to take full responsibility for them. Allegations are not to be made normally against outsiders who are not in a position to defend themselves. Similarly, allegations are also not to be made against officials, as the constitutional responsibility lies with the Minister. Where, however, such allegations have to be made, sufficient advance notice should be given to the Speaker and the Minister concerned and the details of the charges should be spelt out in precise terms and be duly supported by the requisite documents. In case a Member persists in making serious allegations in the House without following these guidelines and without the permission of the Chair they may not form part of the proceedings of the House.

I share the concern of my predecessors about issue of ordinances particularly on the eve of a Session. The effort should be to get the legislation enacted by following the normal procedure.

As you know, there is no specific provision in our Constitution or in the Rules of Procedure of Lok Sabha for a Censure Motion against an individual Minister. However, such Motions have been admitted in the past as No-Day-Yet-Named Motions. In such cases there should be purposeful discussion and Members should exercise restraint, particularly



in the matter of use of words. If any charges are to be made, the Members making such charges should take full responsibility for the same.

Let me turn to privilege issues. An interesting point was raised whether replies from the Government on a matter concerning a notice of privilege referred to them by the Speaker should be signed personally by the Minister concerned or it could be issued under the authority of an officer of Government. The matter was examined in depth, and it was decided that where factual information was called for and the Minister was not directly concerned (as, for example, in the case of omission or incorrect mention of a member or his party affiliation in a radio/television broadcast), the communication might be signed by an officer of the Ministry, indicating clearly that the communication was being sent with the specific approval of the Minister. Where, however, the notice of privilege related to a reply given by the Minister in the House or to his conduct as Member of the House, the facts should be furnished over the signature of the Minister himself.

The Bureau of Parliamentary Studies and Training has continued to maintain the tempo of its activities and has been particularly active in arranging seminars and orientation programmes for new Members of the 7th Lok Sabha. I am very grateful to the States for enthusiastic participation in the Seminars and in generously sharing their experiences with Members of Parliament. Apart from holding training and refresher courses for officers and staff working in Parliament, the Bureau has been holding courses for the officers belonging to All India Services as well as officers at the desk and intermediate administrative levels.

You would be glad to know that the Bureau organised under the Special Commonwealth African Assistance Plan (SCAAP) attachments for parliamentary officials from the National Assemblies of Lesotho and Zambia. The utility of such attachments is demonstrated by the fact that in this case as a result of the suggestions made by the Zambian officials on the basis of their study in India, a number of changes have been effected in the rules and procedure of the National Assembly of Zambia, among them being the formation of a "Committee on Government Assurance", there broadly modelled on the Indian Committee.

In response to demand received from some State Legislatures, courses are being organised not only for their officers but also for Members.

We organised recently two notable exhibitions which were well received. One was on Mahatma Gandhi organised on the occasion of the anniversary of the setting up of the "Gandhiana" Section in the Parliament Library. A discussion meeting on the "Relevance of Gandhi to Modern Times" was also arranged on the occasion in which, besides Members of Parliament, legislators from States and prominent Gandhian thinkers participated.

Another exhibition was organised on the 91st birth anniversary of Late Pandit Jawaharlal Nehru. The exhibition sought to depict Nehru's personality as a Patriot, Parliamentarian and Nation Builder. A booklet containing excerpts from Nehru's speeches and writings was also brought out on the occasion.

A highly successful Seminar on Parliamentary Practice and Procedure was held in New Delhi from 22 to 25 October, 1980 under the auspices of the Indian Parliamentary Group (which functions as the India Branch of the Commonwealth Parliamentary Association) for the CPA Branches in the Asia and South East Asia Regions of the CPA comprising India, Bangladesh, Sri Lanka, Hong Kong, Malaysia and Singapore. In all, 57 delegates from CPA Branches in the said Regions took part in the Seminar which included 10 delegates from Overseas CPA Branches, 10 delegates from India Main Branch; and 37 delegates from State Branches in India. About 40 Associate Members of the Group also attended the Seminar as Observers.

The subjects discussed at the Seminar were; (i) The Executive and Parliament; and (ii) The Role of Private Members—how to make their contribution more effective. This Seminar, held for first time in India earned encomiums from the delegates from the Overseas CPA Branches as well as participants from within the country. We are grateful to the States for their whole-hearted cooperation and participation.

Friends, this, in a way, is a historic meeting, for we stand on the threshold of the Eighties; the achievements of the Sixties and the uncertainties of the Seventies are behind us. Let us resolve that Legislatures and Parliament would provide the lead in guiding the country and people on the load of development and that special care would be taken to deepen our links at the grassroot level. We have to recognise the truth that majority of our people live in the rural areas and their hopes and aspirations and just demands should receive an equitable response. There is no reason why the minimum amenities like drinking water, basic health-care, communications and transport should not become available throughout the length and breadth of our country in order to facilitate integration and discourage the growing exodus from rural areas to cities, particularly metropolitan areas. There has to be a just and equitable balance between the prices of agricultural commodities and industrial and other goods, so that all march forward together and no sector lags behind. We have to find larger opportunities for our teeming millions and the key perhaps to that lies in creating an environment and climate which puts a premium on productivity, better utilisation of our existing resources and capacities, and a dependable infrastructure of power, transport and communication which helps to turn faster the wheels of industry. Above all, it calls for dedicated and disciplined work at all levels. These hard

realities have to be realised and met with determination and confidence by our people if we are to meet the rising expectations of the younger generation and raise ourselves to the level of other developing and developed countries.

We are at the cross roads. Our people and the whole world is watching how wisely and well we run our parliamentary democracy. This is a testing time. Being the repository of the confidence of all sections of the House, the Presiding Officer has a special responsibility. It is our sacred duty to see that members of the Legislature, irrespective of their party affiliations, have fair opportunities to give vent to their views and feelings on matter of public importance. It is the role of the Presiding Officer to see that the deliberations proceed in an orderly and well regulated manner. We are to be guided by the rules and procedures framed by the House for the conduct of the business of the House. These should be very judiciously and firmly applied. I wish there was no instance where the dignity of the high office of the Speaker was lowered in public esteem by generating avoidable controversy, because the Speaker is the pivot of democratic life. If Speakers position assailed or derogated, it can harm the very foundation of democratic life. We have to be very careful—both the members as well as the Speakers to maintain a well coordinated, synchronized approach so that the nation may be proud of all of us. We have to safeguard against this trend. We have to ensure that our independence is strictly maintained and the office is kept immune from any influence or pressure from any quarter. It is our sacred duty to see that the voice of dissent is duly heard in the House, subject, of course, to the provisions in the Rules. At the same time it is also the responsibility of the Opposition to be objective in their approach, be amenable to reason and in general to be constructive. After all, we have all the common aim of serving our people and contributing to their welfare; we have to ensure that the public interest is subserved by the deliberations in the House.

It remains now for me to express on behalf of all of us, our sincere thanks to our hosts—the Presiding Officers and the Secretary of the Karnataka Legislature and the Chief Minister and the Government of Karnataka—for the excellent arrangements they have made in connection with this Conference. I am sure all of us are enjoying our stay here thoroughly and would be carrying home happy memories of our meeting here.

May I once again extend to you a hearty welcome and express the hope that our deliberations here would be fruitful. Thank you again and thanks again to all the Presiding Officers and to the Government of Karnataka.

## PARLIAMENTARY EVENTS AND ACTIVITIES

### CONFERENCES AND SYMPOSIA

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**I. Forty-fifth Conference of Presiding Officers:** The forty-fifth Conference of Presiding Officers of Legislative Bodies in India was held in Bangalore (Karnataka) on 17 and 18 January, 1981. Shri Bal Ram Jakkar, Speaker of Lok Sabha and Chairman of the Conference presided. Almost all the Presiding Officers of the Legislative Bodies in India as also the Deputy Speaker of Lok Sabha and Deputy Chairman of Rajya Sabha attended the Conference.

On 17 January, 1981, Shrimati Basavarajeswari Chairman, Karnataka Legislative Council delivered her welcome address. Thereafter, the Chairman of the Conference Shri Bal Ram Jakkar delivered his address.

The Conference discussed the following points on the Agenda:

- (1) *Debates* : The role of Presiding Officers in regulating the debate in the House,
- (2) *Ordinances*: (a) Whether there is need of taking positive steps to impose a check over the rising tendency of running the Government by promulgating Ordinances?  
(b) Is it not an abuse of the provisions contained in article 213 of the Constitution?
- (3) *Adjournment of House*: The necessity of incorporating the decisions arrived at in the Emergent Conference of the Presiding Officers held at New Delhi on 6&7 April, 1968 by bringing in appropriate amendments to the Rules of Procedure and Conduct of Business of the Legislative Assemblies.
- (4) *Judges*: To what extent restrictions should be put on discussions in the Legislature about the conduct of any Judge of the Supreme Court or of a High Court in the discharge of his duties?

- (5) *Committee System* : (a) How to make Committee system more purposeful and effective?  
 (b) Experience of Kerala Assembly in the working of Subject Committees?
- (6) *No-Confidence Motion*: When the House has got an opportunity to vote down the Motion of Thanks for the Address by the Governor or during the discussion and voting on Demands for Grants, should a notice of no-confidence against the Ministry be admitted and discussed? Further, whether it is proper to allow No-Confidence Motion during every session?
- (7) *Privileges*: What procedure should be adopted for dealing with a matter of breach of privilege or contempt of the House committed by a Minister on the floor of the House where the Minister is a member of the other House or is not a member of either House of Legislature?
- (8) *Legislative Secretarials Staffing Pattern*: What has been the progress in the implementation of the recommendation in Part I of the Report relating to the Staffing Pattern since it was discussed last in the Presiding Officers Conference held at Bhubaneswar in January, 1978?
- (9) *Members*: What steps should be taken to prevent the recurrence of recent events, agitational behaviour of members on different issues and blocking the normal functioning of the House?
- (10) *Rules of Procedure & Conduct of Business*: Is the existing infra-structure of Rules of Procedure and Conduct of Business in the Legislatures adequate to meet the challenge of the modern times? If not what steps should be taken to remodel it?

## II. Conference of Secretaries of Legislative Bodies in India.

The twenty-sixth Conference of Secretaries of Legislative Bodies in India was held on 16 January, 1981 in Bangalore (Karnataka). Shri S. S. Bhalerao, Secretary-General, Rajya Sabha presided. Shri Avtar Singh Rikhy Secretary, Lok Sabha and Secretaries of State Legislatures attended the Conference

After the welcome speech by Shri M. Subba Rao, Secretary, Karnataka Legislature, Shri S. S. Bhalerao, Secretary-General, Rajya Sabha and Chairman of the Conference and Shri Avtar Singh Rikhy, Secretary, Lok Sabha addressed the Conference.

The Conference, discussed subjects of and administrative interest.

**III. Presiding Officers' Conference—Symposium:** A Symposium on the subject of "Legislature and Social Change" was held in the Assembly Hall of Karnataka Vidhan Sabha, Bangalore on Monday, 19 January, 1981.

The Speaker of Lok Sabha, Shri Bal Ram Jakhar, who is the Chairman of the Conference of Presiding Officers, presided and delivered the opening address. The Inaugural address of Shri R. Gundu Rao, Chief Minister of Karnataka was read out by Shri Y. Ramakrishna, Minister for Law and Parliamentary Affairs and Veterinary and Animal Husbandry as the Chief Minister could not attend the Symposium due to unavoidable circumstances. The Deputy Speaker, Lok Sabha, Deputy Chairman, Rajya Sabha, the Presiding Officer of State Legislature, and M.Ps. and M.L.As from Karnataka participated, in the Symposium.

*Conference Session of Palestine National Council, Damascus (Syria):* On the invitation of His Excellency Mr. Khaled Al-Fahoum, Chairman of the Palestine National Council, an Indian Parliamentary Delegation led by Dr. Bal Ram Jakhar, Speaker, Lok Sabha attended the Conference Session of the Palestine National Council, at Damascus (Syria) from 10 to 13 April, 1981.

#### PARLIAMENTARY DELEGATIONS FROM ABROAD

*Visit of the Speaker of Sri Lanka to India:* On the invitation of the Speaker Lok Sabha, His Excellency Mrs. M. A. Bakeer Markar, Speaker of the Parliament of Sri Lanka accompanied by his wife visited India in January, 1981. They called on the Speaker, Lok Sabha on 9 January, 1981. On the same day, the Speaker, Lok Sabha hosted a dinner party in their honour.

Besides Delhi, they visited Agra, Jaipur and Ajmer.

*Ghanian Parliamentary Delegation:* In response to an invitation from India, a 10-member Ghana Parliamentary Delegation led by H.E. Mr. E.D. Mahami, First Deputy Speaker of Ghana Parliament visited India in March-April, 1981. The Delegation called on the Speaker, Lok Sabha on 24 March, 1981. The Speaker, Lok Sabha hosted a dinner party in their honour on 25 March, 1981. A meeting was held on 26 March, 1981 between the delegation and Members of Parliament. Besides Delhi, the delegates visited some places of cultural and industrial interest like Agra, Ludhiana, Chandigarh, Bangalore, Mysore, Bombay and Pune.

*Indonesian Parliamentary Delegation:* In response to an invitation from India, a 7-member Indonesian Parliamentary Delegation led by Hon. Mr. R. Kartidjo, Vice-Speaker, Parliament of Indonesia visited India in March-April, 1981. The Delegation called on the Speaker Lok Sabha on 31 March, 1981 who hosted a dinner party in their honour on the same day. A meeting between the Delegation and Members of Parliament was also held on that day.

Besides seeing places in and around Delhi, the delegation visited Agra, Bangalore and Madras.

*Jordanian Parliamentary Delegation:* In response to an invitation from India, a 6-member Jordanian Parliamentary Delegation led by H.E. Mr. Bahjat Al-Talhouni, President of the Jordanian Senate, visited India in April, 1981. A meeting between the delegation and Members of Parliament was held on 13 April, 1981 and on the same day the Minister of Parliamentary Affairs and Works & Housing hosted a dinner party in their honour. The Delegation called on the Speaker, Lok Sabha on 14 April, 1981.

Besides Delhi, the delegation visited Agra, Bangalore and Mysore.

#### BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period 1 January-31 March, 1981, the following Programmes/Courses/Study Visits were organised by the Bureau of Parliamentary Studies and Training:

*Orientation Programme for New Members of Parliament:* A Discussion Session on "Legislation: How it is framed and how it is passed", was held on 6 March, 1981 as part of the Orientation Programme for New Members of Parliament in Parliament House Annexe. After three key-lectures on the subject by Shri Edurado Faleiro; MP, Smt. Geeta Mukherjee, MP and Shri Era Sezhiyan, MP, the subject was thrown open for discussion among the participating Members. Shri Eduardo Faleiro conducted the proceedings.

The following Members spoke during the discussion:

1. Dr. M. S. Siddhu, M.P.
2. Shri J.S. Akarte, M.P.
3. Shri Cbandrabhan Athare Patil, M.P.
4. Shri Satyanaryan Jatiya, M.P.
5. Smt. Margaret Alva, M.P.
6. Shri Oscar Fernandes, M.P.

*Fourth Appreciation Course for IFS Probationers:* The Fourth Appreciation Course for the Indian Foreign Service (IFS) Probationers (1979 Batch) was held from 27 January—2 February, 1981. The course, attended by 18 IFS Probationers, was inaugurated by the Speaker, Lok Sabha, Shri Bal Ram Jakhar, on 27 January, 1981, Shri Bal Ram Jakhar also delivered the opening lecture on "Parliament in the Indian Polity".

There were in all fourteen talks and a Question-Answer Session during the six-day Course. The Probationers were addressed by, among others, Shri P. V. Narasimha Rao, Minister of External Affairs; Shri P. Shiv Shanker, Minister for Law, Justice and Company Affairs; Prof. H. N. Mukerjee, Hony. Adviser, Bureau of Parliamentary Studies and Training, Shri S. S. Bhalerao, Secretary--General, Rajya Sabha, Shri Eric Gonsalves, Secretary (East), Ministry of External Affairs, Shri A. C. Bandyopadhyay, Secretary Department of Personnel and Administrative Reforms; senior officers of the Lok Sabha and Rajya Sabha Secretariats and the Government of India and other guest speakers, on various aspects of the working of Parliament. The Question-Answer Session, presided over by Shri Avtar Singh Rikhy, Secretary, Lok Sabha, was held on the conclusion of the Course on 2, February 1981. The Probationers called on the President, the Vice-President and the Prime Minister on 26, 27 and 28 January, respectively.

*Ninth Appreciation Course for IAS Probationers:* The Ninth Appreciation Course for the Indian Administrative Service (IAS) Probationers (1980 Batch) was held from 14—19 February, 1981. It was attended by 50 IAS Probationers. The Course was inaugurated by the Speaker, Lok Sabha, Shri Bal Ram Jakhar, on 14 February, 1981, who also delivered the opening Lecture on "Parliament in the Indian Polity."

During the five-day Course, there were in all 15 talks, followed by a Question-Answer Session on the last day. The Probationers were addressed by, among others, Giani Zail Singh, Minister of Home Affairs; Shri P. Shiv Shanker, Minister of Law, Justice and Company Affairs; Shri Pranab Kumar Mukherjee, Minister of Commerce and Steel and Mines; Shri S.B.P. Pattabhi Rama Rao, MP, Chairman, Estimates Committee; Shri Ram Niwas Mirdha, MP; Prof. H.N. Mukerjee, Hony. Adviser, Bureau of Parliamentary Studies and Training, Shri S. S. Bhalerao Secretary-General, Rajya Sabha, Shri S. M. H. Burney, Home Secretary, Shri A. C. Bandyopadhyay, Secretary, Department of Personnel and Administrative Reforms; and senior officers of Lok Sabha and Rajya Sabha Secretariats, on various aspects of the working of the Indian Parliament and its relationship with the different organs of the Government. The Question-Answer Session on 'Parliament and Its Working' presided over by Secretary, Lok Sabha, was held at the conclusion of the Course on 19 February, 1981. The Probationers called on the President, the Vice-President and the Prime Minister on 16, 17 and 18 February, respectively.



*Tenth Appreciation Course for IAS Probationers:* The Tenth Appreciation Course for the Indian Administrative Service (IAS) Probationers (1980 Batch), organised from 24—28 February, 1981, was attended by 74 IAS Probationers. Like the earlier Course, this was also inaugurated by the Speaker, Lok Sabha, Shri Bal Ram Jaxhar, on 24 February, 1981 with an address on 'Parliament in the Indian Policy'.

Then followed a series of talks on subsequent days by, among others, Shri P. Shiv Shanker, Minister of Law, Justice and Company Affairs, Shri Pranab Kumar Mukherjee, Minister of Commerce and Steel and Mines; Shri S. B. P. Pattabhi Rama Rao, M.P., Chairman, Estimates Committee, Shri Ram Niwasa Mirdha, M.P.; Shri S. S. Bhalerao, Secretary-General, Rajya Sabha; Shri A. C. Bandyopadhyay, Secretary, Department of Personnel and Administrative Reforms; and senior officers of the Lok Sabha and Rajya-Sabha Secretariats on various subjects of parliamentary interest. At the end of the Course, a Question-Answer Session, on "Parliament and Its Working" presided over by Shri Avtar Singh Rikhy, Secretary, Lok Sabha, was held on 28 February, 1981. The Probationers called on the President on 28 February and on the Vice-President on 25 February, 1981.

*First Appreciation Course for IA & AS Probationers:* The First Appreciation Course for the Indian Audit and Accounts Service (IA & AS) Probationers (1980 Batch) was held from 9 to 13 March, 1981. It was attended by 17 IA & AS Probationers. A nominee of the Government of Bhutan, Shri Nim Tenzie Sherpa, who had been attached for training with the IA & AS Staff College, Simla, also attended the Course as an observer. The Course was inaugurated by Prof. H. N. Mukerjee, Hony. Adviser, Bureau of Parliamentary Studies and Training, who also delivered the opening lecture on "Parliament in the Indian Polity".

There were in all 13 talks and a Question-Answer Session during the five-day Course. The Probationers were addressed by, among others, Shri S. S. Bhalerao, Secretary-General, Rajya Sabha; Shri A. C. Bandyopadhyay, Secretary, Department of Personnel & Administrative Reforms; Shri T. Rangachari, Deputy Comptroller and Auditor General of India; and senior officers of the Lok Sabha and Rajya Sabha Secretariats and the Government of India. The Question-Answer Session, presided over by Shri Avtar Singh Rikhy, Secretary, Lok Sabha, on "Parliament and its Working", was held on the conclusion of the Course on 13 March, 1981.

*Attachment Programme for Foreign Parliamentary Officials:* Under the Special Commonwealth African Assistance Plan (SCAAP), a seven-week Attachment Programme was organised from 23 February, 1981 to 10 April, 1981 for the two foreign Parliamentary officials, to provide them training in Indian parliamentary practices and procedures. They were Mr. Edmund

Abwooli Birungi (who had to cut short his attachment by 17 days owing to personal reasons) and Mr. Abel Ayazika Nakwagala, both Clerks-Assistant in the National Assembly of Uganda. During the first week of their attachment, the trainee officers attended, as observers, the Tenth Appreciation Course in Parliamentary Practices and Procedures for IAS Probationers. This gave them a general idea about the functioning of the Indian Parliament and the essential aspects of its procedures and processes. From 21 March, 1981 onwards, they had attachments with various officers of the Parliament Secretariats for intensive training in the subjects of their respective fields of work.

*Second Foundational Course for the Newly-recruited Translators in the Lok Sabha and Rajya Sabha Secretariats:* With a view to promoting an awareness among the newly-recruited Translators in the Lok Sabha and Rajya Sabha Secretariats of the importance of effective translation techniques a six-day Foundational Course was organised for them from 5—12 January, 1981. A special feature of the Course was the holding of practice sessions as a part of the syllabus. These were devised enabled the participants to learn, by practical experience, the translation skills and the faculty members to identify the deficiencies and inadequacies, if any, and suggest remedial measures to the participants.

*Attachment Programmes for State Legislature Secretariat Officials:* The Bureau arranged a number of Attachment Programmes for the officers coming from the various State Legislature Secretariats. Their particulars are given below :

Period of Attachment	Official(s)	Field of Study
Jan 5-Feb. 3, 1981	Shri H.L. Chunga, Committee Officer, Mizoram Legislative Assembly Secretariat	Working of Parliamentary Committees.
Jan. 12-24, 1981	Shri Th. Kunjabihari Singh, Public Relations & Information Officer and Shri L. Dwijamani Singh, Press Manager, Manipur Legislative Assembly Secretariat	(i) Functioning of (a) Watch and Ward; and (b) Press and Public Relations Wing of LARRDIS (ii) Working of Printing and Publication Service.

Period of Attachment	Official(s)	Field of Study
Jan. 15—Feb. 13, 1981	Shri Dorjee Tshering, Tibetan Translator, Sikkim Legislative Assembly Secretariat	Working of (i) Parlia- mentary Committees and (ii) Table Office,
Jan. 27 & 28, 1981	Shri V. Verma, Deputy Secretary and Shri I.D. Sood, Under Secretary, Himachal Pradesh Vidhan Sabha Secretariat.	Functioning of Watch & Ward Organisation and Procedure regard- ing Notices under Rule 377.

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

- (i) Participants in the 77th Assistants (Direct Recruits) Course conducted by the Institute of Secretariat Training and Management (ISTM), Department of Personnel and Administrative Reforms, Ministry of Home Affairs, New Delhi.  
[14 January, 1981]
- (ii) Two groups of students from the Ramjas School, R. K. Puram, New Delhi.  
[22 & 23 January, 1981]
- (iii) Participants in the 54th Assistants Course conducted by the ISTM, New Delhi.  
[25 February, 1981]
- (iv) A group of students of Kalindi College, Delhi University, New Delhi.  
[3 March, 1981]
- (v) Indian Defence Accounts Service (IDAS) and Indian Civil Accounts Service (ICAS) Probationers.  
[3 March, 1981]
- (vi) Participants in an International Programme on Financial Management for National Development, conducted by the ISTM, New Delhi.  
[5 March, 1981]

(vii) A group of students of the Department of Journalism, University of Poona, Pune.

[9 March, 1981]

(viii) Participants in the 31st Stenographers (Direct Recruits) Course, conducted by ISTM, New Delhi.

[16 March, 1981]

(ix) A group of students of the American Embassy School, New Delhi.

[26 March, 1981]

The visitors were apprised of the salient features of the working of the Indian Parliament. They were also enabled to watch the proceedings of the Lok Sabha during their visit.

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## PRIVILEGE ISSUES

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### LOK SABHA

*Alleged leakage of the railway budget before its presentation to Parliament:* On 23 February, 1981, the Speaker (Shri Bal Ram Jakhar) informed the House that Shri George Fernandes, M.P., had given notice of a question of privilege on 20 February, 1981, against the Minister of Railways (Shri Kedar Pande) regarding alleged leakage of the railway budget presented to the House on 19 February, 1981. According to Shri Fernandes the railway budget was leaked out and the main features of the budget proposals were 'produced near verbatim' in the *Business Standard* of Calcutta, in its issue dated 19 February, 1981. The Speaker stated that he had referred the matter to the Minister of Railways who in his reply had *inter alia* stated:

"The indication given is that a flat 15 per cent surcharge is likely on the existing fare and freight rates. It will be noted from the budget speech that, insofar as passenger traffic is concerned, this 15 per cent surcharge is proposed to be levied only on travel by air-conditioned first class and not on travel by other classes for which lower scale of surcharge, on varying scale has been proposed. For first class this is 12.5 per cent and for A.C. Chair Car and second class it is 10 per cent with exemption for journeys upto 150 Kms. in second class ordinary. Insofar as freight traffic is concerned, the budget proposal does propose a flat 15 per cent surcharge. However, it is pertinent to mention here that in the 1980-81 budget speech, delivered on 16 June, 1980, also the levy of a flat 15 per cent surcharge had been proposed. As such, the indication, under comment, can at best be termed as an intelligent guess... the fare structure for suburban traffic has already been revised upwards in the immediately preceding two years i.e. 1980-81 and 1979-80. These upward revisions evoked considerable amount of unrest among suburban commuters and a press correspondent would not be very wrong in guessing that at least this year there will be no upward revision.

Against the news item's figure of Rs. 375 crores the correct figure as per budget proposals is Rs. 356.26 crores. Against the two figures of 20 million tonnes and a revenue loss of about Rs. 100 crores the correct figures as given in the Budget speech, are 19.5 million tonnes and Rs. 30.12 crores.

In view of the above, the Speaker stated that he was not satisfied that there had been any leakage of the railway budget proposals.

The Speaker, withholding consent to the matter being raised as an issue of privilege, observed that his predecessors had in fact ruled that leakage of budget proposals or official secrets did not constitute a basis for a breach of privilege, and quoted in particular, the following ruling given by Mr. Speaker Shri M. A. Ayyanger on 19 March, 1956:—

"In the matter of determination of the privileges of the House, we are governed by the provisions of Article 105(3) of our Constitution, which states that the powers, privileges and immunities of the House are such as were enjoyed by the House of Commons in the United Kingdom at the commencement of our Constitution. The precedents of the United Kingdom should guide us in determining whether any breach of privilege was in fact committed in the present case. So far as I can gather, only two cases occurred in which the House of Commons took notice of the leakage of the budget proposals. They are known as the *Thomas* case and the *Dalton* case. In neither of these cases was the leakage treated as breach of privileges of the House nor were the cases sent to the Committee of Privileges for enquiry. The prevailing view in the House of Commons is that until the financial proposals were placed before the House of Commons, they are an official secret. A reference of the present leakage to the Committee of Privileges does not therefore arise."

The matter was, thereafter, closed.

#### RAJYA SABHA

*Publication of Finance Bill as Finance Act before it was passed by Parliament:* On 4 August, 1980 notice of a question of privilege was given by Shri Narsingha Prasad Nanda and eight others against Sarvashri Dinesh Chandra Garg Anil Kumar Garg and Vishnu Kumar Garg, the co-authors, and Messrs Law and Management House, Ghaziabad, the publishers, of the Book entitled "Garg's Income-Tax Ready Reckoner, 1980-81 and 1981-82", on the ground that the book incorporated the provisions of the Finance (No. 2) Bill, 1980, describing them as provisions of the Finance (No. 2) Act, 1980, even before the said Bill was passed by Parliament and became an Act. Earlier on the same day, Shri Ladli Mohan Nigam, another Member, had raised a point of order inviting the attention of the House on the same subject.

On 25 August, 1980, the Chairman (Shri M. Hidayatullah) after considering the matter in the light of the comments received from Shri Dinesh Chandra Garg, referred the matter to the Committee of Privileges for examination, investigation and report.

After considering the oral evidence of Sarvashri Dinesh Chandra Garg, Anil Kumar Garg and Vishnu Kumar Garg, the Committee, in their Nineteenth Report presented to the House on 3 December, 1980, reported, *inter alia*, as follows:—

“The Committee understands that...the Ministry of Finance (Department of Revenue) had issued a Press Note dated 20 June, 1980 in which it was, *inter alia* made clear to publishers that to describe, publish and sell the Finance Bill, 1980, as Act before it received the assent of the President infringed the provisions of the Copyright Act and the sale of any such publication would also amount to an offence of cheating under the provisions of the Indian Penal Code. The Press Note also stated that this undesirable practice was brought to the notice of the publishers concerned and they had ‘given an undertaking to refrain from doing so in future’.”

“In his oral evidence before the Committee, Shri Dinesh Chandra Garg, owning full responsibility for publication of the book, stated that he wrote the preface to the book on 30 July, 1980; under the impression that the Finance (No. 2) Bill, 1980 had been passed by the Lok Sabha on 29 July, 1980 or would be passed on 30 July, 1980. He also pointed out that in the title of the book, a reference was made to the Bill and it was designated as Act only while explaining amendments proposed to be made by the Act. The Committee, however, noticed that Shri Garg had been publishing the Garg’s Income-Tax Ready Reckoner since 1964 and as far as the Committee could ascertain, all the editions of the book from year to year had been brought out before the Rajya Sabha had considered and returned the Finance Bills to the Lok Sabha and the President had assented to them. When Shri Garg was confronted with the fact he again admitted it and stated that it was his error to have published the book and regretted and apologised for the same.”

“During the oral evidence, the Committee drew Shri Dinesh Chandra Garg’s pointed attention to the Press Note issued by the Ministry of Finance and ascertained from him whether he was aware of the issue and contents of the Press Note and whether he was also one of the publishers who had given an undertaking to Government not to indulge in the undesirable practice of prematurely and unauthorisedly publishing the Finance Act. to both these queries. Shri Garg replied in the affirmative.”

After careful consideration of the facts of the case and the evidence before the Committee, the Committee was of the opinion that the publication of the provisions of the Finance (No. 2) Bill, 1980, in the book

entitled "Garg's Income-Tax Ready Reckoner, 1980-81 and 1981-82" (1980 Edition), when the said bill was yet to be considered by the Rajya Sabha, sought to create a misleading impression on the public mind that the aforesaid publication was the Finance (No. 2) Act, 1980, as finally passed by Parliament and assented to by the President, when in fact it was not so. As a person qualified in the professions of law and accountancy, Shri Dinesh Chandra Garg could not be considered to be ignorant of the Constitutional provisions and parliamentary procedures and processes through which a Bill passed before it became an Act of Parliament. There was no doubt, therefore, that the only motive in such a publication was making quick money by being first in the market. The Committee did not give credence to the plea of Shri Dinesh Chandra Garg that the publication took place prematurely because at the crucial time of its publication he was in jail, in view of the fact that he had been habitually publishing such Reckoner in similar circumstances since 1964. In view of these facts the committee had no hesitation in holding that the publication of the book amounted to deliberate and wilful effort on the part of its authors and publishers to misrepresent the proceedings, and action of the House, and, therefore, constituted a breach of privilege and contempt of the House.

Having come to the definite conclusion that Shri Dinesh Chandra Garg and his co-authors and publishers had committed a breach of privilege and contempt of the House, the Committee gave very anxious thought to the nature and content of the punishment which ought to be awarded to the contemnors. In this context, the Committee considered the various alternatives or options or modes of punishment that could be awarded for the enforcement of its privilege, namely imprisonment, fine, reprimand or admonition. The Committee was of the view that looking at the circumstances of the case, mere reprimand or admonition especially to Shri Dinesh Chandra Garg who was the principal author and publisher of the book, appeared to be too inadequate. As regards the imposition of fine, the Committee felt that the type of contempt which had been committed, had also the characteristic of an economic offence inasmuch as these persons by their unauthorised publication had made pecuniary gains out of the same and as such fine would have been the most appropriate penalty that could be imposed upon them. However, after examining the law and precedents on the question whether the House had the power to impose the penalty of a fine for the breach of its privilege and after taking competent opinion in the matter the Committee doubted whether the House possessed any power to impose the penalty of fine.

The Committee, however, felt that the contemner, Shri Dinesh Chandra Garg, ought not be allowed to escape merely with a formal or customary expression of regret or apology on his part or by a mere reprimand or admonition even though in stern language administered to him in the House.



The Committee was convinced that Shri Garg had committed contempt of sufficient gravity so as to deserve the penalty of imprisonment. The Committee, therefore, recommended that Shri Dinesh Chandra Garg be committed to jail till the prorogation of the House without prejudice to any action to which he might be liable for violation of any other law of the land. In the opinion of the Committee such a penalty was not only justified in the present case but was also intended to operate as a deterrent against erring persons and publishers in future. It would also, the Committee hoped help to put an end to an undesirable commercial practice which was being indulged in for long by Shri Garg and others in that line of business.

The other two co-authors, namely, Shri Anil Kumar Garg and Shri Vishnu Kumar Garg were also heard by the Committee along with Shri Dinesh Chandra Garg. From the evidence, it appeared that the two co-authors had a very limited role to play in the making of the book. Shri Anil Kumar Garg stated in his evidence before the Committee that he had revised a few chapters and Tables in the book and Shri Vishnu Kumar Garg stated that he prepared 60—65 Tables of tax calculations. Both of them, however, stated that they worked under the guidance of Shri Dinesh Chandra Garg. In view of the limited contribution of the two co-authors to the preparation of the book, the Committee recommended that though technically Shri Anil Kumar Garg and Shri Vishnu Kumar Garg were also equally liable as Shri Dinesh Chandra Garg, a lenient view be taken in their case and they be summoned to the bar of the House and reprimanded.

In considering the present case and recommending the punishment to the contemnors, the Committee had kept itself confined to the examination of the issue from the point of breach of privilege and contempt of the House. The other issue, namely, whether the sale of the publication in the circumstances, attracted the provisions of the Copyright Act and the Indian Penal Code, did not fall within the purview of the Committee. At the same time, the Committee was not oblivious of the fact that there were other publishers who indulged in such an undesirable and illegal practice. The Committee, therefore, recommended that Government should examine the matter with a view to initiating legal proceedings not only against the authors and publishers of Garg's Income-Tax Ready Reckoner but also similar other publishers for offences under the Copyright Act and the Indian Penal Code.

On 11 December, 1980, Shri Pranab Mukherjee, Leader of the House, moved the following motion in the House:—

“That the Nineteenth Report of the Committee of Privileges presented to the Rajya Sabha on the 3 December, 1980, be taken into consideration.”

The following amendment to the above motion was moved by Shri M. Kalyanasundaram, a Member:—

“That at the *end* of the motion, the following be *added*, namely:  
 ‘and having considered the same, this House commits to the Committee of Privileges for reconsidering its recommendations regarding imposition of punishment on the contempters’.”

The motion, as amended was adopted by the House and the said Report of the Committee of Privileges was recommitted to the Committee for reconsidering their recommendations.

The Committee of Privileges reconsidered the matter at its sitting held on 17 December, 1980 and their Twentieth Report, presented to the House on 19 December, 1980, reported *inter alia*, that “in view of the adoption of the aforesaid motion by the House, the Committee, on reconsideration, recommends that in the totality of circumstances it would suffice if Shri Dinesh Chandra Garg is also summoned to the Bar of the House and reprimanded along with the other two co-authors Shri Anil Kumar Garg and Shri Vishnu Kumar Garg. The Committee has no doubt that the authority of the House would be vindicated and safeguarded by reprimanding the offenders for the breach of privilege and contempt of the House committed by them.”

While suggesting the above modification in the punishment to be imposed on the principal contemner, the Committee reiterated its earlier recommendation that Government should examine the matter with a view to initiating legal proceedings not only against the authors and publishers of Garg’s Income Tax Ready Reckoner but also against similar other publishers for offences under the Copyright Act and the Indian Penal Code.

On 22 December, 1980, Shri Pranab Mukherjee, Leader of the House, moved the following motion which was adopted by the House:—

“That the Twentieth Report of the Committee of Privileges presented to the Rajya Sabha on the 19 December, 1980, be taken into consideration.”

Shri Pranab Mukherjee then moved the following motion which was also adopted by the House:—

“That this House agrees with the findings contained in the Nineteenth Report of the Committee of Privileges presented to the Rajya Sabha on the 3rd December, 1980, and the recommendations contained in the Twentieth Report of the Committee presented on the 19th December, 1980, and resolves that Shri Dinesh Chandra Garg, Shri Anil Kumar Garg and Shri Vishnu Kumar Garg, authors of the book entitled ‘Garg’s Income-Tax Ready Reckoner 1980-81 and 1981-82’ published by Messrs. Law and Management House, 126, Nai Basti, Ghaziabad (U.P.)

be summoned to the Bar of the House and reprimanded during the current Session of the Rajya Sabha on a day and time to be fixed by the Chairman."

In pursuance of the above decision of the House, summons was issued by the Secretary General, Rajya Sabha, on 22 December, 1980, separately to Sarvashri Dinesh Chandra Garg, Anil Kumar Garg and Vishnu Kumar Garg to appear in person at the Bar of the Rajya Sabha on 24 December, 1980, to receive the reprimand. The contemners were brought to the Bar of the House on 24 December, 1980 by the Watch and Ward Officer and were reprimanded by the Chairman.

*Casting aspersions on Members of Parliament by a Police Official in a press interview :* On 5 December, 1980, the Chairman (Shri M. Hidayatullah) informed the House that Shri Satya Pal Malik and Shri Sadashiv Bagaitkar, Members, Rajya Sabha, had given notices of breach of privilege of the House against the former S.H.O. of Baghpat, Shri Gaur, and the Editor of a weekly 'Panchjanya' for using insulting language about Members of Parliament in a press interview. The Chairman stated that Shri Gaur had denied having given any such interview. The Editor of the Newspaper, who was called upon to explain his conduct said that the news item was printed *bona fide* on information the newspaper had. The Editor, however, had expressed his apologies and assured that it was not his intention to be insulting to the Members of Parliament. In view of his regrets, the Chairman said that he was treating the whole matter as closed. He further added that the newspapers should be courteous while referring to the Members of this House, and if they did not follow this he warned that he would take very strong note of it.

The matter was, thereafter, closed.

## STATE LEGISLATURES

### BIHAR VIDHAN SABHA

*Throwing of leaflets from the Visitors' Gallery on the floor of the House:* On 24 July, 1980, at 3.15 hours, two persons calling themselves Arun Kumar Satyamurti and Pawan Kumar Pri'am threw leaflets from the Visitors' Gallery on the floor of the House. They were immediately taken into custody by the Watch and Ward Officer of the House. Later in the day the Chief Minister (Shri Jagannath Mishra) moved the following motion which was adopted<sup>1</sup> by the House:—

"This House resolves that two persons calling themselves as Arun Kumar Satyamurti, son of Shri Diwakar Sharma of village Pithori, Police Station Baniyapur, District Chhapra, and Pawan

1. Bihar Vidhan Sabha Deb., 24 July, 1980 (Original in Hindi).

Kumar Pritam, son of Shri Ram Bahadur Mahto of village Virol, Police Station Virol, District Darbhanga respectively, who threw some leaflets in the House from the Visitors' Gallery today dated 24 July, 1980 at 3.15 P.M. while the proceedings of the House were going on and were taken into custody immediately by the Watch and Ward Officer, are guilty of contempt of the House. The House further resolves that the aforesaid persons namely Shri Arun Kumar Satyamurti and Shri Pawan Kumar Pritam be sentenced to simple imprisonment for the aforesaid offence from today till 6.00 P.M. of 25 July, 1980 and sent to Bankipur Central Jail, Patna to serve the sentence."

In pursuance of the above decision of the House, the Speaker (Shri Radhanandan Jha), issued a Warrant of Commitment addressed to the Superintendent, Bankipur Central Jail, Patna, against the persons concerned for undergoing the punishment awarded by the House.

#### HIMACHAL PRADESH VIDHAN SABHA

*Casting reflections on a legislative committee and its Members by a newspaper* : On 1 December, 1976 Shri Karam Singh, a Member, gave notice of a question of privilege against the Editor, the Publisher and the Special Correspondent of the *New Age* for publishing in its issue dated 21 November, 1976, a news-item casting reflections on the Estimates Committee of Himachal Pradesh Vidhan Sabha and its members. The Member took exception to the contents of the following two paragraphs of the said news item:—

"In this context, another very interesting bit of information has come to our notice. In our report of 19 September, 1976 we had quoted from the findings of the Estimates Committee of the Himachal Pradesh Legislative Assembly in which there were strong criticisms, among other points, of the way a certain Chief Engineer in Himachal P.W.D. has been behaving."

"We do not question the veracity or otherwise of the findings of the Estimates Committee presented before the Assembly on 28 March, 1974. (But what is noteworthy is the fact that out of the 11 members of the Committee 6 had dissociated with the report since they were not a party to the final draft of that report and the Chairman of the Committee reportedly did not show them the final version. It appears that some 'local politics' also played a part in this)".

After considering the matter, the Speaker referred the matter to the Committee of Privileges. Before the Committee could examine the matter, formulate their recommendations and present a report to the House, the Third Vidhan Sabha was dissolved and the matter lapsed. As this case involved the vindication of the honour of the House, the new Speaker ordered that the matter be revived on the report of the Secretary, Vidhan

Sabha within the ambit of rule 70\* of the Rules of Procedure and Conduct of Business of the Himachal Pradesh Legislative Assembly, 1973. Accordingly, the case was referred again to the Committee of Privileges of the Fourth Vidhan Sabha.

The Committee of Privileges after examining Shri Bhupesh Gupta, Editor, Shri Tarun Sen Gupta, former Publisher and Shri Sadhau Mukherjee, Special Correspondent of the *New Age*, in their Third Report, presented to the House on 12 April, 1979, reported, *inter alia*, as follows:—

“All the three above mentioned persons were examined by the Committee on 2 September, 1978. During their oral examination all of them tendered their unconditional apologies and stated that they held the House, its Committees and the Members in the highest regards.”

“At this stage, it came to the notice of the Committee that the Editor of the *New Age* is a Member of the Rajya Sabha and that under rule 88, a question of breach of privilege and contempt of the House against him is required to be referred to the Rajya Sabha for further action. However, the said Editor had already been examined by the Committee. The matter was, therefore, examined afresh in the light of the provisions of rule 88. It was noticed that the Editor had willingly submitted himself to the jurisdiction of the Committee on Privileges of the Himachal Pradesh Legislative Assembly and had also expressed his apologies in unconditional terms for having printed the news story in the *New Age*. In addition, all of them agreed to print their apologies in the *New Age* which was accordingly done in the issue of *New Age* on 10 September, 1978. The Committee felt that the facts of the case pertaining to the Editor involved an intricate point of procedure and, therefore, decided to refer it to the Hon'ble Speaker within the ambit of rule 214(2) for giving the decision. Appreciating the difficulty with which the Committee on Privileges was confronted and for the reason that the Committee lack the requisite jurisdiction to take any action against the Editor and at the same time also to recommend that

\*The rule lays down:

“A question involving a breach of privilege either of a member or of the House or of a Committee thereof may, with the consent of the Speaker, be brought to the notice of the House by—

- (i) a complaint from a member;
- (ii) a report from the Secretary;
- (iii) a petition;
- (iv) a report from a Committee:

Provided that if the breach is committed in the actual view of the House, the House may take action without any complaint:

Provided further that if the complaint is against a member, the Speaker, may hear him before giving his consent.

the case against him be dropped, in the peculiar circumstances of the case, the Hon'ble Speaker ruled that it would not be expedient to refer this matter to the Rajya Sabha at that stage and was pleased to direct that the matter against the Editor be deemed to have been dropped. An announcement was made accordingly in the House on 12 March, 1979."

"The Committee have carefully considered the facts of the case in totality *qua* the Publisher and the Special Correspondent of the *New Age*. Both of them have tendered their unqualified, unconditional and sincere apologies and the Committee feel that the honour of the House stands fully vindicated and that the apologies in question merit acceptance."

"The Committee, therefore, recommend to the House that unqualified, unconditional and sincere apologies tendered by Shri Tarun Sen Gupta, Publisher and Shri Sadhan Mukherjee, Special Correspondent of the *New Age* may be accepted and no further action be taken in this matter."

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

#### RAJASTHAN VIDHAN SABHA

*Shouting of slogans and throwing of leaflets from the Visitors' Gallery on the floor of the House:* On 4 August 1980 at about 12.30 P.M., two persons calling themselves Shyamlal and Amar Chand Singhal threw some leaflets from the Visitors' Gallery on the floor of the House and raised the following slogans:—

'Remove price-rise, corruption, reservation; otherwise leave the Chair-Long live Hindu Maha Sabha.'

These persons were immediately taken into custody by the Watch and Ward Staff of the Vidhan Sabha. Later in the day, the Speaker (Shri Poonam Chand Bishnoi) called them in his chamber and asked them to state the facts. Both of them admitted that they had thrown leaflets in the House and raised slogans. But none of them was prepared to apologize for the act they committed. The Speaker, in those circumstances, placed the matter before the House for such action as the House might deem appropriate against those persons.

After some discussion, the following motion was moved and adopted by the House:—

"That Sarvashri Shyam Lal and Amar Chand Singhal be sentenced to three days' simple imprisonment for the act committed by them in the House."

In pursuance of the above decision of the House, the Speaker issued a Warrant of Commitment addressed to the Superintendent, Central Jail,

Jaipur against the persons concerned for undergoing the punishment awarded by the House.

TRIPURA LEGISLATIVE ASSEMBLY

*Alleged casting of aspersions on the Chief Minister by a newspaper:*  
On 16 June, 1978, Shri Nagendra Jamatia, a Member, raised a question in the House that the Chief Minister who was also the Finance Minister, had leaked out the budget to a local daily before its presentation to the House. The Chief Minister while categorically denying the allegation stated that it was absolutely baseless and untrue. The House accepted the Chief Minister's statement and did not proceed further in that regard.

On 20 June, 1978, Shri Samar Choudhury, a Member, gave notice of a question of privilege against the Editor of the *Nagrik*, a local daily newspaper, for bringing the same charges against the Chief Minister in its issue of 17 June, 1978, in an editorial<sup>2</sup> under the caption "Resignation of the Chief Minister is the only course" which read *inter alia*, as follows:—

"The Chief Minister and the Council of Ministers of the Left Front Government should have themselves tendered their resignation for this scandal if they had the slightest respect for democracy and parliamentary politics. But far from resigning or asking for pardon, they have not even expressed the slightest regret for this unpardonable offence. This arrogance of the Chief Minister is unpardonable. Democratic and parliamentary customs and conventions demand the resignation of the Finance Minister and the Chief Minister. Let the Chief Minister resign and thereby show his respect and regard for parliamentary democracy."

On 21 June, 1980, the Speaker while referring the matter to the Committee of Privileges, observed, *inter alia*, as follows:—

"After the Chief Minister's categorical denial as above and the House having accepted his statement of denial by not proceeding further in the matter, all these imputations of the Editor, *Nagrik*, appear to have crossed the limit of fair criticism and appear to have the effect, tendency or design to cast indecorous reflections upon the Chief Minister, who is a Member of the House."

"In view of the above... I consider it fit and appropriate to refer the case to the Committee of Privileges for examination, investigation and report to the House in the next Session."

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

The Committee of Privileges, after examining Shri Samar Choudhury, M.L.A. and Shri Mohanlal Roy, Editor of the *Nagrik*, in their 26th Report presented to the House on 16 March, 1979, reporter *inter alia* as follows:—

“...The Committee formed the opinion that Shri Mohanlal Roy, Editor, *Nagrik*, had written and published the editorial in his newspaper on 17th June, 1978, knowing it fully well that the Chief Minister had earlier categorically denied the allegation made by Shri Nagendra Jamatia, M.L.A. in the House on the 16th June, 1978 that the budget proposals had been disclosed in a local newspaper before its presentation to the House, and the House had unanimously accepted the statement, as Shri Roy, (Editor of the *Nagrik*) was also present in the Press Gallery at the material time. The Committee, therefore, could not accept the plea of Shri Roy that there was no time to change the editorial which was written by him and sent to the Press on the 15th June, 1978. The Committee carefully considered the statement\* made by Shri Roy in course of his evidence before the Committee that ‘if the accuser is of the opinion that I have tried to lower the dignity of the House, then I can only express my regret for that’ in all its aspects and expressed the opinion that this statement of Shri Roy cannot be treated as expression of his regret. The Committee, of course, concurred with the opinion as contained in the confession made by Shri Roy at the conclusion of his deposition that the impugned editorial had turned out to be infructuous after the Chief Minister’s categorical statement in the House denying the allegations that the budget proposals had been leaked out. But, despite that Shri Roy published his so called ‘infructuous’ impugned editorial in his newspaper on the 17th June, 1978. The Committee, therefore, is of the opinion that Shri Roy had wilfully published the impugned Editorial in question with the sole intention of lowering the dignity of the House and the prestige of the Chief Minister as a Member of the House, and thereby, he has committed breach of privilege and contempt of the House for which he deserves to be appropriately dealt with.”

“The Committee is further of opinion that the impugned editorial comments made in the face of categorical denial of the Chief Minister is a ‘slur on journalism’.”

“In that view of the facts and circumstances of the case, the Committee is of opinion that Shri Mohanlal Roy, Editor, *Nagrik*, has committed breach of privileges of the House and those of the Chief Minister as a Member of the House by publishing the impugned editorial and is inclined to recommend to the House that Shri Mohanlal Roy, the Editor, *Nagrik*, be reprimanded by the Speaker in the House.”

\*. Original in Bengali.



On 20 March, 1979, Shri Amarendra Sharma, Chairman of the Committee of Privileges moved the following motion, which was adopted<sup>4</sup> by the House:—

“That this House, having considered the 26th Report of the Committee on Privileges presented to this House on the 16th March, 1979, agrees with the findings and the recommendations of the Committee that Shri Mohanlal Roy, Editor of the ‘Nagrik’ be reprimanded by the Speaker in the House for committing a breach of privilege and contempt of the House and those of the Chief Minister as such Member of the House by wilfully publishing the impugned Editorial in his newspaper on the 17th June, 1978 with the sole intention of lowering the dignity of the House and the prestige of the Chief Minister as Member of the House and resolve that Shri Mohanlal Roy be summoned before the ‘Bar’ of the House and reprimanded.”

On 26 March, 1979, the Speaker informed the House as follows:—

“Shri Mohanlal Roy was summoned to appear before the House today at 12.30 hours and his summon was delivered to him which he has received and in token of receipt he has signed the office copy of the summon. But, he has failed to comply with the summon and attended at the Bar of the House accordingly. I shall now call upon Shri Tapan Chakraborty to move his resolution.”

Thereupon the following resolution was moved by Shri Tapan Chakraborty, a Member, which was adopted by the House:—

“Whereas the Committee on Privileges of the Tripura Legislative Assembly in its 26th Report presented to the House on 16 March, 1979 in the matter of publication of impugned Editorial in the *Nagrik*, its Editor, Shri Mohanlal Roy was adjudged guilty of committing gross breach of privilege and contempt of the House and thus of the Chief Minister as such Member of the House and thereby committing libel;

And whereas the Committee in their said Report recommended that the said Shri Mohanlal Roy be reprimanded;

And whereas the House on the 20th March, 1979 adopted the said report and resolved that the said Shri Mohanlal Roy be summoned to the Bar of the House to be reprimanded;

And whereas the said Shri Mohanlal Roy being duly summoned pursuant to the aforesaid resolution to appear at the Bar of the House on the 26th March, 1979 to receive the reprimand has addressed a communication dated 25 March, 1979 to the Hon'ble Speaker received on the 26th March, 1979 at 10.45 hours casting aspersion on the Privileges Committee and thereby committing contempt of the House as a whole has further aggravated his offence;

<sup>4</sup> *Tripura Legislative Assembly Deb.*, 20 March, 1979.

And whereas the said Shri Mohanlal Roy has disobeyed the summon of the House by not appearing as summoned;

Now, therefore, the House resolves that the Hon'ble Speaker be empowered to take necessary steps to issue warrant of arrest through the District Magistrate concerned and the said Shri Mohanlal Roy be sentenced to one day's simple imprisonment on the first day the House reassembles."

On 1 June 1979, the Speaker announced in the House that he had taken proper step for implementing the motion of punishment adopted by the House on 26 March, 1979 against Shri Mohan Lal Roy. He further informed the House that Shri Roy was arrested from his residence at 5 A.M. on 1 June, 1979 under the supervision of the District Superintendent of Police, Tripura and was handed over to the authorities of the Central Prison. On 4 June 1979 the Speaker again announced in the House that Shri Roy was released from the Central Prison at 6.20 P.M. on 1 June, 1979 after his term of imprisonment was over. The Speaker also stated that Shri Roy was granted division II status while he was kept in the prison.

The matter thereafter, stood closed.

#### UTTAR PRADESH VIDHAN SABHA

Issuing a notification by Government regarding increase in entertainment tax while the Budget was under consideration of the House: On 29 May, 1979, Shri Sohanvir Singh Tomar, a Member gave notice of a question of breach of privilege and contempt of the House against the Finance and Institutional Finance Minister, Shri Madhukar Dighe. In his notice Shri Tomar pointed out that the Finance Minister had proposed an additional estimated income of Rupees Four Crores on page 38 of his budget-speech for the year 1979-80 by making changes in the surcharge imposed on cinema tickets in the State. Shri Tomar stated that while the Vidhan Sabha was still discussing various grants of the budget and the Appropriation Bill had not yet been passed, the Government had imposed the proposed surcharge from 1 June, 1979 by issuing an order.

On 1 June, 1979, the Deputy Speaker, Shri Jagannath Prasad informed<sup>8</sup> the House that he had, in this connection, heard Shri Tomar, other Members and Finance and Parliamentary Affairs Minister on 29 May, 1979. Shri Tomar, the Deputy Speaker stated, had made a reference to pages 676 and 777 of *May's Parliamentary Practice* and Articles 194 and 202 to 204 of the Constitution. The Deputy Speaker read the relevant provisions and stated that the above references to *May's Parliamentary Practice* and Articles 202 to 204 of the Constitution related to budget

<sup>8</sup>. Uttar Pradesh Legislative Assembly Deb., 1 June, 1979 (Original in Hindi).

grants for services' income and expenditure and corresponding Appropriation Bill and not to any taxation proposal or law. As regards any taxation proposals, the Deputy Speaker pointed out that no tax could be imposed or collected except in accordance with the provisions of Article 265 of the Constitution, and, therefore, a statutory legislation was essential for it, which was enacted by the U.P. legislature as Entertainment and Betting Tax (Amendment) Act, 1978. The Deputy Speaker informed the House that the Governor had imposed the said surcharge by issuing a notification under the powers conferred on him by the U.P. Entertainment and Betting Tax Act, 1937, as amended by the said amendment. This fact, the Deputy Speaker, stated had been clarified by the Minister for Finance and Parliamentary Affairs in his subsequent written clarification. Therefore, the question of breach of privilege in connection with the tax imposed in accordance with the Act passed by the legislature did not arise.

Accordingly, the Deputy Speaker did not allow the said question of breach of privilege to be raised in the House.

The matter was, thereafter, closed.

## FOREIGN COUNTRIES

### AUSTRALIA (SENATE)

*Failure to inform the Senate about the arrest and imprisonment of a Senator:* On 29 August 1979, Senator George Georges gave notice<sup>6</sup> of a question of privilege regarding the failure of the appropriate authority in Queensland to advise the President of the Senate of his arrest and imprisonment.

On 30 August 1979, Senator George Georges moved the following motion which was adopted by<sup>7</sup> the Senate:—

“That the following matters be referred to the Committee of Privileges—

- (a) the failure of any appropriate authority in Queensland to advise the President of the Senate of the arrest and imprisonment of Senator George Georges;
- (b) whether the matter leading to the arrest and imprisonment of Senator Georges was of a Civil or criminal nature; and
- (c) whether, if the Committee determines that the matter was of a civil nature, the arrest and imprisonment of Senator Georges constituted a breach of the privileges of the Senate.

<sup>6</sup>. *The Senate (Australia) Deb.*, 29 August, 1979, p. 336.

<sup>7</sup>. *Ibid.*, 30 August, 1979, p. 466.

The Committee of Privileges considered the matter and presented their report (fifth report) to the Senate on 25 October, 1979.

Regarding part (a) of the motion, the Committee *inter alia* reported that on 27 July, 1979, Senator Georges was charged in the Brisbane Magistrate's Court with committing two offences, namely, disobeying a direction given by a member of the police force in the exercise of his powers under the Traffic Act of Queensland, and taking part in a procession upon a road for other than funeral purposes without a permit issued in accordance with the Traffic Regulations of that State. Senator Georges pleaded guilty and was fined \$ 25, and in default of payment of the fine was sentenced to seven days' imprisonment, in relation to each charge. He did not pay the fines within the period allowed, and was accordingly arrested under warrant and imprisoned on 15 August 1979. He was released on 16 August 1979, when the fines imposed by the Court were paid. Senator Georges was imprisoned in similar circumstances in December, 1978. The President of the Senate was not formally notified by the Court of the imprisonment of Senator Georges on either occasion.

In this connection, the Committee referred to the practice obtaining in the British House of Commons as under:—

"It is firmly established in Britain that the Speaker of the House of Commons must be notified by the court whenever a Member is committed in a criminal matter. The rationale of this practice is that the House must be informed of the imprisonment so that it can see the reason for its being deprived of the services of its Member and so that it can determine whether privilege is involved. Blackstone's *Commentaries on the Law of England* indicates, that this practice has been followed at least since the Resolution of 1688, and states that 'the right of receiving immediate information of the imprisonment or detention of any Member, with the reasons for which he is detained' is 'the chief, if not the only, privilege of Parliament in such cases' (18th edition, 1829, pages 166-7)."

The Committee considered that it was desirable that the practice of notification of the Presiding Officers of the imprisonment of Members of the Parliament should be followed in Australia, not only for the reasons given above, but as a simple rule of courtesy. However, the Committee felt that it would be premature for the Senate to treat the failure to give notification of the imprisonment of one of its Members as a contempt until steps were taken to make the attitude of the Senate known to the courts and to secure their co-operation.

The Committee therefore, recommended that the Senate agree to the following resolutions:

- (1) It is the right of the Senate to receive notification of the detention of its Members.
- (2) Should a Senator for any reason be held in custody pursuant to the order or judgement of any court, than a court martial, the court ought to notify the President of the Senate, in writing,

of the fact and the cause of the Senator's being placed in custody.

- (3) Should a Senator be ordered to be held in custody by any court martial or officer of the Defence Force, the President of the Senate ought to be notified by His Excellency the Governor-General of the fact and the cause of the Senator's being placed in custody.

As regards part (b) of the Motion referred to the Committee on 30 August 1979, the Committee reported that the matters leading to the imprisonment of Senator were clearly not civil in character. The matters in question were acts which under the laws of Queensland were offences and might bear imprisonment as a punishment, and were clearly not 'in the nature of process to compel a performance', which was regarded as the test established by the courts to determine whether the privilege of freedom from arrest was available. The Committee also stated that the matters in question were not criminal, in the commonly understood meaning of the word. They belonged to class of matters created by legislatures in modern times under laws whereby offences were made out of, and penalties attached to, acts which would not otherwise be regarded as reprehensible. The term 'quasi-criminal' was sometimes attached to such matters. It must be regarded as well-established that the privilege was not available in relation to such matters.

The Committee, therefore, opined that the imprisonment of Senator Georges was not as a result of a matter such as to attract the privilege of freedom from arrest, as that privilege had been defined by the British Parliament and by the courts in modern times.

The Committee felt that part (c) of the motion was superfluous and tautological. If the matters leading to the imprisonment of Senator Georges were civil ones, then clearly his imprisonment would have been a breach of privilege.

On 21 February, 1980, Senator Jessop moved<sup>1</sup> the following motion in the House:

"The Senate, having considered the fifth report of the Committee of Privileges, resolves that—

- (1) It is the right of the Senate to receive notification of the detention of its Members.
- (2) Should a Senator for any reason be held in custody pursuant to the order or judgement of any court, other than a court martial, the court ought to notify the President of the Senate, in writing, of the fact and the cause of the Senator's being placed in custody.

<sup>1</sup>. *Ibid.*, 21-2-80, p. 229.

- (3) Should a Senator be ordered to be held in custody by any court martial or officer of the Defence Force, the President of the Senate ought to be notified by His Excellency the Governor-General of the fact and the cause of the Senator's being placed in custody.
- (4) The Presiding Officers of the Parliament should confer with the Presiding Officers of the Parliaments of the States, and the Attorney-General should confer with the Attorneys-General of the States, upon the action to be taken to secure compliance with the foregoing resolutions.
- (5) The terms of these resolutions be communicated to Presiding Officers of the Parliaments of the States and the Attorneys-General of the States."

On 26 February, 1980 after some discussion, the motion<sup>2</sup> was adopted by the House.

#### U.K. (HOUSE OF COMMONS)

Making of defamatory allegations by a Member inside the House against a company and one of the company's employees: On 18 June, 1980, Mr. J. W. Rooker, a Member, during the course of debate on Lords' amendments to the Industry Bill while drawing the attention of the House to the misuse by some firms of development grants provided by Government for purchase of machinery in assisted areas, made some allegations against Rolls Royce Ltd. and one of its employees with respect to the purchasing policy of the company regarding certain machine tools. The Member stated *inter alia*, as follows:—

"During the course of recent visits that I have made to machine tool manufacturers in the West Midlands, I have come across allegations of gross irregularities amounting to corruption in the purchase of machine tools for installation in factories in development areas. The purchase of the machine tools was by Rolls-Royce. At the request of the management and representatives of the employees of the company which feels aggrieved, because its machine tools were involved in the first place, I am making the points that they wish to have made."

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"I can explain this matter very simply. At the Glasgow plant of Rolls-Royce there is a facility for producing a component known as a high pressure disc, using machine tools manufactured by Webster and Bennett in Coventry. The machines known technically as vertical turning machines or boring mills were specially built to do the job and perform to specification. By

<sup>2</sup> *Ibid.*, 26 February, 1980, p. 227.

<sup>3</sup> H. C Deb., 18 June, 1980 cc. 1682—1686.

pure accident, it came to the attention of the management of Webster and Bennet in December 1978—some time ago, when these grants were available—that a duplicate set of machines to produce exactly—I repeat, exactly—the same component as was produced in Glasgow had been ordered for Rolls-Royce's Sunderland plant. They had not been ordered from Webster and Bennet, nor was the company requested to quote for them. These machines would have attracted grants. The machines—nine in all—were ordered from Morando, an Italian company, a subsidiary of an organisation called comay which is itself owned by Fiat."

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"I am quite prepared to admit that I have made a substantial allegation against a company in the public sector, and also against an individual. Having considered the information given to me by the Company that felt aggrieved, I made that allegation at the request of both the management and the representatives of the work force. I do not usually take lightly the use of the protection of parliamentary privilege. The charges are substantial."

2. On 23 June, 1980, Mr. Rost, a Member, on a point of order stated, *inter alia*, as follows:—

"On a point of order, Mr. Speaker. Last Wednesday evening the hon. Member for Birmingham, Perry Barr (Mr. Rooker) accused Rolls-Royce (1971) Ltd. of industrial espionage and charged one of its managers with accepting bribes. The person so accused, one of my constituents, is unable to defend himself because the allegations were made under the protection of parliamentary privilege. The hon. Member for Perry Barr, whom I have, of course, advised of my intention to raise this matter with you but who, I regret, is not in the Chamber apparently made these accusations without first informing the Minister responsible at the Department of Industry, without giving Rolls-Royce notice, and without even informing my constituent in advance. These grave charges have since been strenuously denied by Rolls-Royce and by my accused constituent."

"I seek from you, Mr. Speaker, guidance on how I may obtain justice and protect the rights of my constituents. I refer not only to the individual accused of corruption but to the charges against Rolls-Royce management as a whole, many of the members of which are also my constituents. Are you not satisfied, therefore, Mr. Speaker, that the reputation and absolute privileges of Parliament will stand abused unless you request the hon. Member for Perry Barr to make an immediate personal statement substantiating in detail and laying before the House the evidence upon which he has based his defamatory allegations."

<sup>1</sup> *Ibid.*, 23 June, 1980, c. 27.

Thereupon the Speaker (Mr. George Thomas) observed<sup>1</sup> *inter alia* as follows:—

“Before I hear any other points of order on this matter let me say that I have written a letter to the hon. Member for Derbyshire, South-East (Mr. Rost), who raised the point of order. I have made it clear that it is not for me, as Speaker, to intervene to ask the hon. Member for Birmingham, Perry Barr (Mr. Rooker) to make a personal statement. Every hon. Member must take full personal responsibility for any statement that he makes in this House. It is not for me, as Speaker, to express a view or purport to enforce any action upon the substance of any such statement that is made. It is not for me to take away the privilege of hon. Members.”

On 3 July, 1980, Mr. Rooker made<sup>2</sup> a personal statement in the House as follows:—

“Mr. Speaker, during the course of the debate on Lords amendments to the Industry Bill on Wednesday, 18 June, I made allegations with respect to the purchasing policy of Rolls-Royce regarding certain machine tools. In that speech, I made specific reference to allegations, which I repeated, in respect of a Rolls-Royce employee, Mr. Frank Turner.”

“I repeated the allegations on the basis of information supplied in good faith. On the basis of all the information supplied, I considered that the whole issue should be raised here in the public interest.”

“It is now clear that neither those who supplied the information nor myself are in any position to substantiate the allegations in respect of Mr. Turner, and I hereby withdraw without qualification the references which I made to him in columns 1684 and 1685 of Hansard for 18 June.”

“I offer my sincere apologies to Mr. Turner, his family, his close colleagues and to the House.”

The matter was, thereafter, closed.

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<sup>1</sup> *Ibid.*, 23 June 1980, c. 29.

<sup>2</sup> *Ibid.*, 3 July, 1980, c. 1776.



## PROCEDURAL MATTERS

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### LOK SABHA

*Motion for leave to introduce a Bill:* On 2 March, 1981, when some Members were opposing the motion for leave to introduce the Special Bearer Bonds (Immunities and Exemptions) Bill, 1981, the Minister of Communications, Shri C. M. Stephen raised a point of order under Rule 72 that only one Member should be allowed to make a brief statement opposing introduction of the Bill. The Deputy Speaker, thereupon, ruled:

“Notices by as many as 13 Members have been received opposing the motion for leave to introduce the Special Bearer Bonds (Immunities and Exemptions) Bill. . . . A number of them have also called into question the legislative competence of this House to pass this Bill. Having regard to the provision of Rule 72, which specifically states also that where a motion is opposed on the ground that the Bill initiates legislation outside the legislative competence of the House, the Speaker may permit a full discussion thereon. This discussion has, however, to be held having regard to two basic facts, that the points relevant to the constitutionality or competence of the House in regard to the Bill may only be brought in, for there would be a further stage for discussing other matters relating to this Bill. . . . .”

*Observance of birthday of Guru Ravi Das as a holiday:* On 14 February, 1981, a Member (Shri Suraj Bhan) wrote to the Speaker for observance of birthday of Guru Ravi Das, falling on 18 February, 1981, as a holiday for Lok Sabha. On 17 February, 1981, the Member also raised the matter in the House under Rule 377 and his suggestion was supported by a number of other Members. On 18 February, 1981 at 10.00 hours, Speaker discussed the matter with Leaders of Parties and Groups and it was agreed that the birthday of Guru Ravi Das should be observed as holiday for Lok Sabha, on that day, as also in future. When the House met at 11.00 hours, Speaker announced the decision taken at the Leaders' meeting with him and the House agreed with it. The House was, accordingly, adjourned.

*Making allegations in the House:* On 11 March, 1981, Shri Jyotirmoy Bosu gave notice for making allegations during his speech on Appropriation (Vote on Account) Bill, Shri Bosu's attention was drawn by letter to the procedure agreed to in this regard at the meeting of Speaker with Leaders of various Parties/Groups held on 18 July, 1980 and he was requested to give the following information to be placed before the Speaker:

- (i) Basis for making allegations, duly supported by requisite documents to be authenticated by him.
- (ii) Whether he was satisfied after making enquiries that there was basis for allegations to be made by him?
- (iii) Whether he was prepared to accept responsibility for the allegations?

On 13 March, 1981, when Shri Bosu objected to the issue of letter, the Speaker in his ruling mentioned the decision taken at the meeting of Speaker with Leaders of various Parties and Groups and observed that he should comply with the procedure that had already been agreed to and produce necessary documents etc. to enable him to go into the matter and give a decision.

*Personal allegations made by Member:* On 18 March, 1981, when Shri Jyotirmoy Bosu, while moving a Statutory Resolution for disapproval of the Special Bearer Bonds (Immunities and Exemption) Ordinance, 1981, wanted to make some allegations, a Member, Shri Eduardo Faleiro rose on a point of order objecting thereto. The Speaker, thereupon, made the following observation:

“He will not name anybody. . . . . These are standing orders to be followed. We have certain things, certain decorum, certain traditions, and certain rules and regulations. Nobody who is not present in the House or anybody else also, if he is a Member or a Minister, he has to give prior information. . . . . He has to give prior information and proof. . . . .”

*Combined discussion on a Statutory Resolution seeking disapproval of Ordinance and motion for consideration of Bill replacing Ordinance:* On 5 March, 1981, immediately after a Member (Shri Indrajit Gupta) moved his Statutory Resolution for disapproval of the Life Insurance Corporation (Amendment) Ordinance, 1981, the Minister of Finance sought to move for consideration of the Life Insurance Corporation (Amendment) Bill, 1981. When objection was raised by Members, Deputy Speaker, who was in Chair, observed that proper procedure was that he (Shri Indrajit Gupta) would speak first on his Statutory Resolution and thereafter, Minister should move for consideration of Bill replacing Ordinance and then there would be a combined discussion on both the items. This procedure was accordingly followed.

*Adoption of motion by Members standing:* On 18 March, 1981, a Member, Shri Ram Vilas Paswan moved the following motion regarding situation arising out of agitation and demonstrations against reservation of jobs for Scheduled Castes and Scheduled Tribes:

“That this House expresses its concern at the situation arising out of the agitation and violent demonstrations against reservation of jobs for Scheduled Castes and Scheduled Tribes in Gujarat, Rajasthan and other parts of the country.”

After Shri Paswan replied to the discussion on his motion, as suggested by a Member the motion was adopted standing, to reflect the unanimity in the commitment to the principal of reservation.

The motion, as amended, was adopted unanimously by Members standing

*Wearing of badges in the House:* On 16 February, 1981, when some Members took objection to the wearing in the House of 'Kisan Rally badges' by certain Members, the Speaker observed that badges will not to be worn in the House. Accordingly, Members removed the badges worn by them.

## STATE LEGISLATURES

### BIHAR VIDHAN SABHA\*

*Adjournment Motions—notices of:* On 17 December, 1980, the Speaker, while referring to a spate of adjournment motions being given notice of every day by Members on various subjects, observed that when an adjournment motion was given on a particular subject it meant that the matter was so serious that the business before the House should be adjourned so that a debate on that particular topic took place. He informed the House that he was receiving 7 to 8 and even 9 notices for adjournment motions every day and if that practice continued, the dignity of the House would be put to an end. He, therefore, advised the new Members to go through the Rules of Procedure and Conduct of Business of the Vidhan Sabha carefully and not to give notices of adjournment motions on such subjects which were already listed for discussions.

*Showing of documents in the House by a Member:* On 17 December, 1980, when a Member sought to make certain allegations against another Member of the House and in support of his case wanted to show some documents in the House, the Speaker, relying on an earlier ruling given by

\*Contributed by the Bihar Legislative Assembly Secretariat (Original in Hindi).

his predecessor (Shri Tripurari Prasad Singh), ruled that if there were allegations against any Member or Minister, the documents should first be brought to the knowledge of the Speaker and only when he was satisfied, the same could be shown in the House.

#### UTTAR PRADESH VIDHAN SABHA\*

*Adjournment Motion—admissibility of:* On 1 October, 1980, a Member (Shri Subedar Singh), raised a point of order with regard to Rule 56 (reg. Adjournment Motions) saying that the said Rule was ineffective because whenever an adjournment motion was moved, the same was not being admitted. He, therefore, demanded that the Rule which could not be followed, should be deleted.

The Deputy Speaker, thereupon, observed that adjournment motions were admitted only in the case of those matters where the Government failed in any of its policies. He also said that if adjournment motions given notice of by the Members were not admitted, according to the rules the resume of subject matter of those notices were read out in the House and the attention of the Government drawn towards that matter. He, therefore, ruled out the deletion of that Rule, saying that it was an important Rule and its deletion would not be in their interest.

*Insinuations made by a Minister against the politics of the Government:* On 7 October, 1980, a Member (Shri Janardhan Prasad Ojha), while raising a point of order asked whether any Member of the Cabinet could make a public statement against the policies of the Government on matters which were to be discussed in the House. The Deputy Speaker ruled that the House had nothing to do with the statement made by a Minister outside the House and its effect on the Cabinet. He said that the House did not take cognizance of matters outside the House or anything published in the newspapers.

*Entry by police force in the Legislative Council:* On 8 October, 1980, a Member (Shri Rajinder Kumar Gupta) raised the question of entry into the Legislative Council Chamber by the police and their alleged lathi-charge on, and scolding of, Members. The Deputy Speaker ruled that the proceedings of the other House could not be discussed in that House. He, however, promised to inform the House, on receipt of a notice in writing, about the circumstances under which the police entered the Legislative Council, At this Shri Gupta informed the Chair that he had already done so and demanded the adjournment of the proceedings under Rule 110(6) so that a discussion on the subject could be held. The Deputy Speaker reiterated

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\*Contributed by Uttar Pradesh Legislative Assembly Secretariat.  
(Original in Hindi)

that the proceedings of the other House could not be discussed in that House and if the police had entered the Council Chamber with the permission of the Presiding Officer, there was nothing improper about it. He reminded the Members that earlier also a similar incident had taken place in the House when order could not be maintained even after naming the members show of force and order of expulsion, and the presiding officer had to call the police to maintain order. He said that the House, therefore, was not competent to take any decision on the incidents occurring in the other House with the permission of the presiding officer of that House.

On 9 October, 1980, Shri Gupta again raised a point of order on the subject and said that a Committee on the subject had been constituted in 1970 which had recommended that in no circumstances the police should be summoned to remove the members from the House and if need be, the services of the Watch and Ward staff could be utilised. He wanted the Deputy Speaker to issue directions to the Government in the matter and demanded an apology from the Minister concerned.

On the question of propriety, the Deputy Speaker ruled that he had already explained in the House on 8 October, the circumstances under which the presiding officer could call the police. He clarified that after the appointment of the Committee referred to by the member, no similar incident had taken place.

*Entry in the House by a member wearing a poster-banner:* On 8 October, 1980, the Health Minister while making a statement on the alleged murder by the Police in District Jalaun of one Shri Gupta, drew the attention of the Deputy Speaker towards a member (Shri Dalaganjan Singh) who had entered the House wearing a poster-banner and asked the Chair whether the entry in the House of a member in this manner was prohibited or not. The Deputy Speaker, thereupon, ruled that one should not enter the House with such a dress or pamphlet which was objectionable and asked the Member concerned to put off the same.

*Inadmissibility of Member's observation based on newspaper reports:* On 13 October, 1980, when in the absence of the Minister for Local-self Government, the Minister of Parliamentary Affairs sought to give reply to a Short Notice Starred Question, asked by a Member (Shri Rudra Pratap Singh) some Members from the Opposition raised an objection and said that it was not proper that the concerned Minister was not present in the House and does not come prepared. After that, a Member (Shri Bheekha Lal) raised a question of propriety on that very day saying that there was a lack of collective spirit in the existing Council of Ministers and it was not functioning in accordance with the spirit of the Constitution. He further stated that the Chief Minister had complained to the Prime Minister also about

the non-cooperation by some members of his Council of Minister which gave an impression in the public mind there was no government in the State.

Giving his ruling, the Speaker observed that since news published in the newspapers was the source of the Member's observation no point of order could be raised on that basis. He also said that since the Minister for Local-self-Government had already expressed regrets for his absence during the Question Hour, the question of the Cabinet not functioning properly did not arise. He clarified that as far as the House was concerned, the Cabinet was functioning properly.

*Suspension of Rules for Presentation, consideration and voting of the Supplementary Grants on the same day:* On 13 October 1980, when the Minister of Finance sought to move a motion for consideration and voting of the First Supplementary Grants for the year 1980-81 and Excess Grants for the year 1973-74 on the day of their presentation itself by suspending the Rules, a Member (Shri Riyasat Hussain) raised an objection saying that since the announcement regarding assent to the Appropriation Bill, 1980 was made only on that day, he desired to know the circumstances which warranted immediate presentation to the House of the Supplementary Grants. In his opinion it was against the practice and in contravention of the Rules.

About the justification of the presentation of the Supplementary Grants, the Speaker observed that the Governor had given his permission. As regards suspension of Rules, he agreed that it should be done only under special circumstances. The Minister of Parliamentary Affairs, while explaining the position stated that the Rules had been suspended in consultation with the leaders of the Opposition in the Business Advisory Committee in view of the special circumstances, such as important festivals viz. *Navaratri*, *Dussehra* and *Bakrid*. The Speaker ruled that though it was a fact that the amendment about assent to the main Appropriation Bill had been made that day and the motion for Supplementary Grants had also come on the same day, it was also true that the Business Advisory Committee had agreed to present it on that very way. He stated that in the light of the approval of the Business Advisory Committee, the special circumstances explained by the Minister of Parliamentary Affairs were sufficient. The Speaker further stated that any Rule should be suspended only when all the Members were in its favour. He, however, made it clear that the suspension of Rules that day shall not become a precedent.

#### UTTAR PRADESH VIDHAN PARISHAD\*

*Non accordance of recognition to the Joint Opposition Group in the Legislative Council—ruling reg:* On 6 October, 1980, some Members of

\*Contributed by the U.P., Legislative Council Secretariat. (Original in Hindi)

the opposition wrote to the Secretary, Legislative Council regarding formation by them of a Joint Opposition Group which, they stated, would work as a single unit in so far as the legislative work was concerned. Along with the letter, they also enclosed a list of office bearers of the new Group elected in the meeting held on October 4 under the Chairmanship of Shri Anandeswar Prasad Singh.

On the question of grant of recognition to the Group, the Chairman observed that he had, on 7 October, 1980 addressed a letter to the Members who had sought recognition as a Joint Opposition Group, asking them whether or not they had severed off all connections with their previous parties. To this three of the Members informed that they were still the Members of their original parties and denied any connection with the proposed new Group.

Dealing with the principle normally followed by Lok Sabha and State Legislatures regarding grant of recognition to a party in the House, the Chairman, quoting from the "Parliamentary Practice & Procedure" (by Kaul and Shakdher) observed that recognition was accorded only to those groups which had a common ideology and programme of work announced by them at the time of contesting general elections. Besides they should have an organisation functioning both inside and outside the House and work according to their principles. In this context he quoted from Kaul & Shakdher's book 'Parliamentary Practice and Procedure' as under:

"The constituent group forming a party having a common programme of Parliamentary work, a common organisation, a common Leader and a Whip to speak on their behalf on the floor of the House, may be accorded recognition as a Parliamentary Party or Group for purposes of functioning in the House. This condition is equally applicable to both the Government and the opposition parties and no distinction can be made between a Government Party consisting of various constituent Groups and an opposition party similarly formed".

The Chairman, thereafter, observed:

"Now the question arises whether all the parties involved in Joint Opposition Group are recognised at Legislature level. In this regard, it is clear that the Teachers' Group is not recognised at Legislature level because it does not represent as an independent unit in Legislative Council and they have been sent to the Council only to highlight the programmes of Secondary Teachers Union, redress their grievances and to solve their problems. Probably that is why Mr. Suresh Chander Saxena, Member, Secondary Teachers Union has stated in clear terms that if the Teachers Members elected as representatives of the Secondary Teachers Union want to supersede the Teachers' Group in this House and bring an end to its separate entity then he is not in favour of forming Joint Opposition Group."

The Chairman agreed that various parties in the House could come together and form a new entity on the basis of certain unanimous points while conducting their activities inside and outside the House in a co-ordinated manner, even while maintaining their separate party affiliations. He was also aware that on certain occasions such joint groups were allowed to function in the House by the presiding officers but there were no arguments or view points available to them on which such decisions were based. Also, he said, no such provision existed in the Rules. Hence the need for an independent decision by the Chair keeping in view the views expressed by the Members and the fundamental principles regarding recognition:

The Chairman thereafter ruled as under:

'On the basis of all available facts and arguments, I am of the opinion that under the circumstances explained above the Joint Opposition Group cannot be recognised on the basis of the fundamental principles. At the same time, I find it my duty to say that this matter is so important that I will myself refer it to the Conference of Presiding Officers for their necessary consideration and after its consideration in the Conference if I find that my point of view differs from one expressed in the Conference, then I would review this ruling given by me.'



PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS  
(1 October, 1980 to 28 February, 1981)

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INDIA

DEVELOPMENTS AT THE CENTRE\*

*Additional portfolios for Ministers* : According to a communique from Rashtrapati Bhavan issued on November 24, Shri Baleshwar Ram and Shri R.V. Swaminathan were appointed Ministers of State for Rural Reconstruction in addition to their responsibilities as Ministers of State in the Ministry of Agriculture. Smt. Sheila Kaul, Minister of State in the Ministry of Education was, in addition, appointed Minister of State in the Ministry of Social Welfare.

Km. Kamala Kumari, Deputy Minister of Agriculture was also given additional charge as Deputy Minister of Rural Reconstruction.

*By-elections*: The Congress (I) won 10 out of 16 seats in various States, polling for which was held on 23 November. Two seats each won by Lok Dal and the Bharatiya Janata Party and one by the Janata Party. All the three Chief Ministers contesting the by-elections as Congress (I) nominees, viz., Shri A.R. Antulay of Maharashtra, Shri Jagannath Pahadia of Rajasthan and Shri J. B. Patnaik of Orissa were declared elected<sup>2</sup>.

AROUND THE STATES

ANDHRA PRADESH

*New Chief Minister*: On 11 October, Shri T. Anjiah was sworn in as the Chief Minister of Andhra Pradesh in place of Dr. M. Chenna Reddy,

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\*The 'Developments at the Centre' cover the period 1 November, 1980 to 28 February, 1981.

1. *Times of India* and *Indian Express*, 25 November, 1980.

2. *Hindustan Times*, 25 November and *Indian Express*, 26 November, 1980.

who resigned on 10 October. On 16 October, 22 Ministers of his Cabinet were sworn in by the Governor Shri K.C. Abraham. The State set a new record in the country when the strength of the Council of Ministers was raised to 61 on 2 December, with the induction of 16 more Ministers of Cabinet rank and 22 Ministers of State<sup>a</sup>.

*Reconstitution of Ministry:* On 6 February, the State Governor, on the advice of the Chief Minister Shri T. Anjiah, accepted the resignation tendered by all the 60 Ministers to enable the Chief Minister to reconstitute his Ministry reducing its size. On 9 February, Shri Anjiah formed a new Ministry with only 44 Ministers. The allocation of portfolios, announced on 11 February, was as follows:

*Cabinet Ministers:*

Shri T. Anjiah, Chief Minister: *General Administration, Services, Law and Order, Scheduled Castes and Scheduled Tribes Cell, Accommodation, Farmers' Welfare, 25-Point Programme, Land Reforms and Urban Ceilings, Information and Public Relations, Minorities Commission, State Committee on National Integration and Elections;* Shri N. Amaranatha Reddy: *Cooperation;* Shri E. Ayyapu Reddy: *Law Courts, Legislative Affairs, including Legislators' Hostels and Legislators' Housing;* Shri M. A. Aziz: *Forests, Forest Development Corporation and Wakfs;*

Shri M. Baga Reddy: *Major Industries;* Shri N. Bhaskara Rao: *Agriculture, including Food Production, Agro Industries Corporation and its subsidiaries, Command Area Development, Oil Seeds Development, Development of Commercial Crops including Cashewnut Development;* Shri C. Das: *Minor Irrigation;* Ch. Hanumaiah: *Marketing and Warehousing Corporation, Weights and Measures, Societies Registration Act, Non-Trading Companies Act, Indian Partnership Act;* Shri M. M. Hashim: *Ports, Commerce and Export Promotion, A.P.S.T.C., Printing and Stationery;* Shri T. Hayagrivachary: *Technical Education, Indian Medicine, History of Freedom Movement and Welfare of Freedom Fighters;* Shri Jagannada Rao: *Excise;* Shri N. Janardhana Reddy: *Land Revenue, Registration and Stamps, Atiyat and Jagir Administration, Debt Settlement Board, Survey and Settlements including Estates Abolition;* Shri D. Kondaiah Choudary: *Roads and Buildings;* Shri A. Madan Mohan: *Medical and Health;* Shri M. Manik Rao: *Commercial Taxes and Khadi and Village Industries;* Shri K. Prabhakar Reddy: *Home, Police, Prisons, Passports, Arms Act;* Shri G. Raja Ram: *Finance, Planning, Small Savings, State Lotteries, Bureau of Economics and Statistics, Sports and Sports Councils;* Shri B. Ramdev: *Animals Husbandry, including Development of Poultry, Sheep and Pig Rearing, Dairy Development, including Dairy Development Corporation;* Shri K. Rossiah: *Transport including A.P.S.R.T.C. B. Sarojini Pulla Reddy: Municipal Administration including Municipal Corporation of Hyderabad,*

<sup>a</sup>. *Indian Express*, 12 October, 1980 and *Asian Recorder*, p. 15841.

*Urban Development Authorities, Town Planning Trust, Slum Clearance, Urban Water Supply and Drainage, including Hyderabad City Water Works, Environmental Pollution, Environmental Sanitation; Shri K. Ranga Rao: Social Welfare, Harijan Welfare including State Scheduled Castes Finance Corporation, Leather Development and provision of House Sites to Weaker Sections; Shri P. Seshavataram: Panchayati Raj; Shri B. Srirama Murthy: Special Employment Schemes, SETWIN Services, Employment Guarantee Scheme, NREP, Cultural Affairs, Academies and Ravindra Bharathi; Shri G. Sriramulu Naidu: Medium Irrigation, Drainage and Flood Control; Shri G. V. Sudhakara Rao: Major Irrigation and A. P. State Construction Corporation; Shri A. Veerappa: Power; Shri S. Venkat Reddy: Mines and Geology; Shri B. Venkatrama Reddy: Education; Shri G. Venkataswamy: Labour, Civil Supplies and Civil Supplies Corporation; Shri P. V. Choudary: Endowments.*

#### Ministers of State

Shri S. Alwardas: Attached to the Minister for Municipal Administration; Shri T. Balagoud: Sugar Industry, Cane Development, Nizam Sugar Factory, Khandasari Factories and Jaggery Manufacture; Shri N. Chandrababu Naidu: Archives and Archaeology and Museums, Public Libraries, Cinematography and Film Development Corporation; Shri P. Janardhana Reddy: Youth Services, Employment, ITIs Apprenticeship Schemes and E.S.I.; Shri G. Nageswara Rao: Handlooms and Textiles; Shri G. Rajanarasimha: Relief and Rehabilitation, Rajya Sainik Board, Tourism, Development of Hotel Industry, Civil Aviation, Flying Clubs, Gliding Clubs and Visiting Cultural Delegations; Shri Y. S. Rajasekhara Reddy: Rural Development, Money-lending, Rural Indebtedness and Relief of Agricultural Indebtedness; Shri K. E. Krishnamurthi: Small Scale Industries; Shri Goka Ramaswamy: Fisheries Development Corporation; Shri D. Ravindra Naik: Tribal Welfare; Shri K. Satyanarayana Raju: Housing; Shri M. Tulasidass: Backward Classes Welfare and Sericulture Development; Shri Paladugu Venkata Rao: Rural Water Supply; Shri V. Venkateswara Rao: Ground Water and A.P. Irrigation Development Corporation; Smt. M. N. Vijayalakshmi Devi: Women and Child Welfare.<sup>4</sup>

**New Speaker:** On 24 February, Shri K. Prabhakar Rao of the Congress (I) was elected unopposed as Speaker of the Legislative Assembly.<sup>4a</sup>

#### ASSAM

**Revocation of President's rule:** President's rule in the State proclaimed on 12 December, 1979 came to an end with the swearing in on

<sup>4</sup>. Statesman, 2 February and Deccan Chronicle, 11 February, 1981.

<sup>4a</sup>. Times of India, 2 January, 1981.

6 December, 1980 of a new eight Member Congress (I) Ministry headed by Smt. Anwara Taimur. The allocation of portfolios was as follows:

*Cabinet Ministers:*

Smt. Anwara Taimur, Chief Minister: *General Administration, Political Affairs, Appointments, Information and Public Relations, Planning, Public Works, Industries, Revenue and Cabinet Affairs*; Shri Ramesh Chandra Saharia: *Home*; Shri Keshab Chandra Gogoi: *Finance, Law and Parliamentary Affairs*; Shri Hiteshwar Saikia: *Education, Sports, Cultural Affairs and Supplies*; Shri Golak Rajbangshi: *Health and Family Planning*; Shri A. F. G. Osmani: *Power and Irrigation*.

*Ministers of State:*

Shri Mukut Sarmah: *Flood Control, Forests and Tourism*; Shri A. Rehman: *Panchayat and Community Development*.

Two more Ministers, viz. Shri Dhani Ram Rongpi, Minister of Transport and Tribal welfare and Shri K. C. Nag Bhagshi, Minister of State of Labour joined the Government on 7 December, raising the strength of the Ministry to 10<sup>5</sup>.

## BIHAR

*Election of Deputy Speaker:* Shri Gajendra Prasad Himanshu of the Lok Dal was unanimously elected Deputy Speaker of the Legislative Assembly on 22 December.<sup>6</sup>

## GUJARAT

*Suspension of entire opposition:* On 17 February, the Speaker Shri Natwar Lal Shah, suspended all the members of the opposition parties, except the Deputy Speaker, from the Legislative Assembly for 7 days 'for creating disturbances during the Budget Speech by the Finance Minister'.<sup>7</sup>

## HARYANA

*Cabinet Expansion:* On 14 January, six new Cabinet Ministers were inducted into the Ministry, raising its strength to 22. The new portfolios of the Ministers were as follows:

*Cabinet Ministers:*

Shri Bhajan Lal, Chief Minister: *General Administration, Industries, Industrial Training, Medical Education, Home, CID, Institutional Finance and Credit Control*; Shri Khurshid Ahmad:

<sup>5</sup>. *Hindustan Times*, 7 December, 1980 and *Asian Recorder*, p. 15812.

<sup>6</sup>. *Hindustan Times*, 23 December 1980.

<sup>7</sup>. *Hindustan Times*, 19 February, 1981.

*Finance, Town and Country Planning, Urban Estates, Colonisation, Parliamentary Affairs, Wakf and Fisheries; Shri K. L. Poswal: Home (excluding CID), Justice, Cultural Affairs and Civil Aviation; Shri M. S. Rathee: Excise and Taxation, Labour and Employment; Shri Gajraj Nagar: Health, Ayurveda and Tourism; Shri Shiv Ram: Animal Husbandry, Dairy Development and Jails; Shri Jagan Nath: Transport and Sports; Shri Tara Singh: Irrigation and Power; Shri S. S. Surjewala: Agriculture; Thakur Bir Singh: Cooperation and Planning; Shri Ram Pal Singh: Public Works Department and Architecture; Shri Sher Singh: Revenue Consolidation and Rehabilitation; Shri Lachhman Singh: Public Health, Food and Supplies; Shri Mange Ram: Local Self Government, Printing and Stationery; Shri Des Raj: Education, Languages and Archaeology; and Shri Dalip Singh: Development and Panchayat, Housing and Elections.*

#### *Ministers of State:*

*Shri Devinder Sharma: Independent Charge of Forest, Wild Life Preservation, Irrigation and Power; Smt. Shanti Rathee: Independent Charge of Technical Education, Public Relations and Education; and Smt. Shakuntala Devi: Independent charge of Social Welfare, Welfare of Scheduled Castes and Backward Classes.*

#### *Deputy Ministers:*

*Shri Lal Singh: Public Welfare, Labour and Employment, Welfare of Scheduled Castes and Backward Classes, Land Reclamation; Shri Sardar Khan: General Administration, Home, Local Government, Printing and Stationery; Shri Prem Singh: Agriculture (excluding Land Reclamation) and Technical Education; and Shri Ram Kishan, Chief Parliamentary Secretary: Public Relations and Food and Supplies.<sup>8</sup>*

*Ordinance to benefit MLAs:* On 10 February, the Government amended, through an Ordinance, the Haryana State Legislature (Prevention of Disqualification) Act, 1974, providing for the appointment of an MLA to any statutory or non-statutory body as Chairman, President, Vice-Chairman, Vice-President, Director or Member by the State as well as the Union Government thereby making him eligible for these offices, whether he is or is not in receipt of any remuneration, including Compensatory Allowance during the performance of his duties.<sup>9</sup>

### JAMMU & KASHMIR

*Removal of Speaker and election of new Speaker:* On 11 October, Malik Mohiuddin, Speaker of the Legislative Assembly was removed from his office when a resolution expressing lack of confidence in him was

<sup>8</sup> *Asian Recorder*, p. 15896.

<sup>9</sup> *Indian Express*, 11 February, 1981.

approved by the House with 46 members belonging to the ruling National Conference Party and 2 nominated members voting for the motion and 21 members belonging to the Opposition parties voting against.

On 14 October, Shri Permanand of the ruling National Conference Party was elected new Speaker of the Legislative Assembly.<sup>10</sup>

*Appointment of new Governor:* On 7 January, President appointed Shri B. K. Nehru as Governor of the State in succession to Shri L. K. Jha.<sup>11</sup>

#### KARNATAKA

*Expansion of Ministry:* The 11-month old Ministry headed by Shri Gundu Rao was expanded on 12 December with the induction of 7 new Ministers, raising the strength of the Ministry to 26—18 of Cabinet rank and 8 Ministers of State.<sup>12</sup>

*Death of Deputy Speaker:* Shrimati Sumati B. Madiman, Deputy Speaker of the Legislative Assembly expired on 21 December.<sup>13</sup>

*Resignation by Minister:* On 8 January, the Governor Shri Govind Narain accepted the resignation tendered by Shri S. Bangarappa, Agriculture Minister.<sup>14</sup>

*Election of Speaker:* On 30 January, Shri K. H. Ranganath was unanimously elected Speaker of the Legislative Assembly.<sup>15</sup>

#### MAHARASHTRA

*Appointment of new Governor:* On 3 November, Air Chief Marshal (retd.) Shri O. P. Mehra was sworn in as the new Governor by the Chief Justice of Bombay High Court, Shri B. N. Deshmukh.<sup>16</sup>

#### MANIPUR

*New Ministry:* Mr. Rishang Keishing, Deputy Chief Minister was sworn in as Chief Minister on 27 November, succeeding Shri R. K. Dorendra Singh whose resignation from the post was accepted by the Governor Shri L. P. Singh on 17 November.<sup>17</sup>

<sup>10</sup>. *Hindustan Times*, 12 October, and *Statesman* 15 October, 1980.

<sup>11</sup>. *Times of India*, 18 January, 1981.

<sup>12</sup>. *Hindustan Times*, 13 December, 1980.

<sup>13</sup>. *Times of India*, 22 December, 1980.

<sup>14</sup>. *Hindustan Times*, 9 January, 1981.

<sup>15</sup>. *Hindustan Times*, 31 January, 1981.

<sup>16</sup>. *Hindustan Times*, 4 November, 1980.

<sup>17</sup>. *Times of India*, 18 November and *Hindustan Times*, 28 November, 1980.

*Resignation by Ministry:* Following the defection from the Congress(I) of 10 MLAs, the strength of the ruling Party in the 59-member Assembly was reduced to 29. The same day the Speaker admitted a no-confidence motion against the Ministry headed by Shri Rishang Keishing.

The Chief Minister, however, tendered the resignation of his Ministry on 27 February, without facing the no-confidence motion in the Legislative Assembly.<sup>18</sup>

*President's Rule:* By a Presidential Order issued on 28 February, Manipur was brought under President's rule with immediate effect and the Legislative Assembly kept in 'suspended animation'.<sup>19</sup>

#### SIKKIM

*New Governor:* On 29 November, Shri Homi J. H. Talyarkhan was appointed Governor of the State in place of Shri B. B. Lal.<sup>20</sup>

#### TAMIL NADU

*Removal of Governor:* According to a communique issued by the President, Shri Sanjiva Reddy on 26 October, the State Governor Shri Prabhudas Patwari 'ceased to hold office' with immediate effect.

On 4 November, Shri Sadiq Ali was sworn in as the new Governor of the State.<sup>21</sup>

#### UTTAR PRADESH

*Election of Chief Minister to the Legislative Council:* On 21 November, Shri V. P. Singh, Chief Minister was declared elected to the Legislative Council defeating Shri S. P. Malaviya of the Lok Dal by 330 votes to 69. He took oath of membership of the Legislative Council on 2 December.<sup>22</sup>

*Expansion of Ministry:* On 4 December, 14 members and on 25 December another 9 members, were added to the Council of Ministers raising its strength to 42.<sup>23</sup>

<sup>18</sup>. *Statesman*, 24 February, 1981.

<sup>19</sup>. P.I.B. Press Release, 28 February, 1981.

<sup>20</sup>. *Hindustan Times*, 30 November, 1980.

<sup>21</sup>. *Times of India*, 27 October and *Statesman*, 5 November, 1980.

<sup>22</sup>. *Hindustan Times*, 22 November and 3 December, 1980.

<sup>23</sup>. *Asian Recorder*, p. 15840-41.

## UNION TERRITORIES

## DELHI

*Appointment of Chief Justice:* On 8 January, Lt. Governor Shri Jagmohan administered the oath of office and secrecy to Justice Prakash Narain as Chief Justice of the Delhi High Court.<sup>24</sup>

## GOA, DAMAN AND DIU

*Resignation by Lt. Governor:* Col. Pratap Singh Gill tendered his resignation as Lt. Governor to President Sanjiva Reddy on 8 January.<sup>25</sup>

## PONDICHERRY

*New Lt. Governor:* On 1 November, Shri Ram Kishore Vyas was sworn in as the new Lt. Governor of the Union Territory.<sup>26</sup>

## DEVELOPMENTS ABROAD

## ARGENTINA

*Appointment of new President:* The Military junta designated, on 3 October, General Viola former Commander-in-Chief of the Army, as the new President for a 3-year term, succeeding President Jorge Rafael Videla.<sup>27</sup>

## AUSTRALIA

*Election Victory for the Prime Minister:* In the general elections held on 18 October, the Liberal National Country Party Coalition Government headed by Prime Minister Mr. Malcolm Fraser was returned to power for another 3-year term, winning 74 seats in Parliament against 51 seats by the opposition Labour Party.

The new Ministry, announced by Mr. Fraser on 1 November, was sworn in by the Governor-General, Sir Zelman Cowen, the next day.<sup>28</sup>

<sup>24</sup>. *Statesman*, 8 January, 1981.

<sup>25</sup>. *Hindustan Times*, 9 January, 1981.

<sup>26</sup>. *Statesman*, 2 November, 1980.

<sup>27</sup>. *Times of India*, 4 October, 1980.

<sup>28</sup>. *Hindustan Times*, 19 October, 1980 and *Asian Recorder*, p. 15800.



## CHILE

*Resignation by Government:* The Chilean military government tendered its resignation to the military junta headed by Gen. Augusto Pinochet, who will draw up his new Cabinet before declaring himself as the constitutional President in March 1981.<sup>29</sup>

*Plebiscite on Constitution:* In a national plebiscite held on 11 September, a new Constitution allowing President Augusto Pinochet to remain in office for an eight-year period until 1989, was approved by a majority of 67.04 per cent in favour and 30.19 per cent against.<sup>30</sup>

## CUBA

*Re-election of President:* On 21 December, the Communist Party re-elected President Fidel Castro as its leader for another five years. His brother Raul Castro was allowed to continue to be his deputy.<sup>31</sup>

## EL SALVADOR

*Formation of new Government:* On 13 December, Mr. Jose Napoleon Duarte, one of the members of the new four-men junta was named President and Col. Jaime A. Gutierrez, one of the two army Colonels of the old junta was named Vice-President and Commander of the armed forces of the country.<sup>32</sup>

## GUYANA

*Prime Minister as President:* On 6 October, Mr. Forbes S. Burnham, Prime Minister of the country for the last 16 years, became its first Executive President under the new Constitution.<sup>33</sup>

*Elections victory of the President's Party:* President Forbes Burnham's People's National Congress won an overwhelming victory at the elections on 17 December when his Party secured 77 per cent of the popular votes, against 20 per cent by the People's Progressive Party led by the minority leader Mr. Cheddi Jagan.<sup>34</sup>

<sup>29</sup>. *Times of India*, 28 February, 1981.

<sup>30</sup>. *Keesing's Contemporary Archives*, 1980, p. 30619.

<sup>31</sup>. *Times of India*, 22 December, 1980.

<sup>32</sup>. *Statesman*, 15 December, 1980.

<sup>33</sup>. *Times of India*, 8 October, 1980.

<sup>34</sup>. *Hindustan Times*, 19 December, 1980.

## ITALY

*Formation of New Government:* Consequent upon the resignation, on 27 September, of Prime Minister Francesco Cossiga following the defeat that day of his coalition Government by 298 votes to 297 in a secret ballot on an economic reform package, a new four-party Cabinet headed by Mr. Arnold Forlani and consisting of the representatives of the Socialists, Social Democrats and Republicans, was sworn in on 19 October. The formation of Government was completed with the appointment, on 21 October, of 57 Secretaries of State.<sup>85</sup>

## JAMAICA

*General Elections:* Prime Minister Mr. Michael Manley was voted out of office on 31 October, when the Opposition Jamaica Labour Party (JLP) led by Mr. Edward Seaga won an overwhelming majority in the general elections. Mr. Seaga named on 7 November, his new 15-member Cabinet which included a woman, Mrs. Mavis Gillmour as Education Minister.<sup>86</sup>

## KUWAIT

*Resignation by Government:* The Government headed by Prime Minister Sheikh Saad al Abdullah al-Sabha resigned on 24 February, following the election of a new National Assembly. He was, however, allowed to continue in office pending formation of a new Cabinet.<sup>87</sup>

## LEBANON

*New Prime Minister:* On 22 October, President Elias Sarkis appointed Mr. Shafie Wazzan as Prime Minister, replacing Mr. Salim El Hoss, whose government had resigned in June to make way for a national Cabinet.<sup>88</sup>

## LESOTHO

*Declaration of Emergency:* Prime Minister, Mr. Leabua Jonathan declared, on 16 December, a state of emergency in the country because of severe and prolonged drought and appealed to the international community to increase food-aid supplies to be used in 'food-for-work' self-help projects.<sup>89</sup>

<sup>85</sup>. *Keesing's Contemporary Archives*, p. 30661.

<sup>86</sup>. *Hindustan Times*, 1 November, and *Statesman*, November 9, 1980.

<sup>87</sup>. *Hindustan Times*, 25 February, 1982.

<sup>88</sup>. *Times of India*, 23 October, 1980.

<sup>89</sup>. *African Recorder*, p. 5540.

## NEPAL

*Changes in Constitution:* By a Royal proclamation issued by King Birendra on 15 December, some major changes were made in the Constitution, providing *inter alia* for adult franchise for all future elections to party-less panchayat bodies, election of Prime Minister by elected representatives and accountability of the Council of Ministers to the national Legislature.<sup>40</sup>

*Resignation by 5 Ministers:* Five Ministers in Mr. Surya Bahadur Thapa's 22-member Cabinet relinquished their posts as their terms in the National Panchayat expired on 14 January.<sup>41</sup>

## NORWAY

*Woman Prime Minister:* Mrs. Gro Harlem Brundtland, the ruling Labour Party's Deputy Chairman, was appointed new Prime Minister on 5 February by King Olav, following resignation by Prime Minister Mr. Odvar Nordli because of differences in his Social Democratic Party.<sup>42</sup>

## POLAND

*New Prime Minister:* General Wojciech Jaruzelski was appointed Prime Minister on 11 February, at a session of *Sejm* (Parliament).<sup>43</sup>

## PORTUGAL

*General Elections:* In the second general election in less than a year, the centre-right Democratic Alliance (AD) coalition was returned to power on 5 October, 1980 when it secured 134 seats in the 250-member Assembly of the Republic, followed by 74 seats secured by the Republican and Socialists Front and 41 seats by the United People's Alliance.<sup>44</sup>

*Re-election of President:* In the Presidential elections held on 8 December, Mr. Antonio Ramalho Eanes, who had the backing of Socialists and Communists, was re-elected President of the country. He was sworn in on 14 January.

On 22 December, President Eanes formally named Mr. Balsemao, Social Democratic Leader as the new Prime Minister to succeed Mr. Francisco Sa Carneiro, who had died in an air crash on 4 December.<sup>45</sup>

40. *Asian Recorder*, p. 15843.

41. *Statesman*, 15 January, 1981.

42. *Statesman*, 16 February, 1981.

43. *Times of India*, 12 February, 1980.

44. *Keesing's Contemporary Archives*, p. 30653.

45. *Statesman*, 9 December and *Times of India*, 23 December, 1980.

## SENEGAL

*New President:* Following the retirement of President Leopold Sedar Senghar, who had been in office for the last 20 years, Mr. Abdou Diouf became the new President of the country on 1 January.<sup>46</sup>

## SINGAPORE

*General Elections:* In the general elections held on 23 December, the People's Action Party of Prime Minister Lee Kuan Yew returned to power when it won all the 75 seats in Parliament. On 5 January, Prime Minister Lee Kuan Yew formed a new Cabinet with 15 members.<sup>47</sup>

## SOUTH KOREA

*Referendum:* President Chun Doo-Hwan called for a national referendum on 22 October on the proposed Constitution aimed at establishing "a democratic welfare society". The majority of the electorate agreed to the adoption of a new Constitution which *inter alia*, provided for the abolition of current Parliament, winding up of the existing political parties, limiting the term of the President to seven years, restoration of *Habeas Corpus*, ending of conviction based solely on confessions, and stoppage of discrimination against the families of dissidents.

The new Constitution—the fifth since the country's independence in 1948—was promulgated on October 27.<sup>48</sup>

## SPAIN

*New Prime Minister:* On 30 January, the Executive Committee of the Union of Democratic Centre Party chose its candidate, Deputy Prime Minister Mr. Leo Poldo Calvo Sotelo to fill the vacancy caused by the resignation, on 29 January, of Prime Minister Mr. Adolfo Suarez, who had been in office since July 1976.<sup>49</sup>

## SWITZERLAND

*Election of Federal President:* The Federal Assembly (comprising both Houses of Parliament), meeting in a joint session on 10 December, elected Dr. Kurt Furgler to serve as President of Swiss Confederation for 1981.<sup>50</sup>

<sup>46</sup>. *Times of India*, 2 January, 1981.

<sup>47</sup>. *Times of India*, 25 December, 1980 and *Asian Recorder*, p. 15877.

<sup>48</sup>. *Hindustan Times*, 16 and 23 October, 1980 and *Times of India*, 28 October 1980.

<sup>49</sup>. *Times of India*, 30 January and *Hindustan Times*, 31 January, 1980.

<sup>50</sup>. *Keesing's Contemporary Archives* p. 30732.

## TAIWAN

*Victory for the ruling party:* The ruling *Kuomintang* (KMT) party was returned to power in the Parliamentary elections on 7 December, when its members won 58 of the 70 seats in the *yan*, the highest law-making body, and 65 of the 76 seats in the National Assembly, whose main function is to elect the President.<sup>51</sup>

## TANZANIA

*Re-election of President:* In the Presidential elections held on 26 October, Mr. Julius Nyerere, who had been in office since 1961, was returned unopposed for fifth term, receiving 93.01 of the votes cast.<sup>52</sup>

## UGANDA

*Milton Obote as President:* Under the administration of the then ruling Military Commission, elections were held on 10 December, for a newly reconstituted National Assembly comprising 126 elected members. The Uganda People's Congress (UPC) led by Dr. Milton Obote (who was President of Uganda from 1962 to 1971, when he was overthrown by Mr. Idi Amin), was, on 14 December, officially declared to have obtained an overall majority of seats. As presidential candidate of the U.P.C., Dr. Milton Obote was accordingly declared President-elect and was formally sworn in on 15 December.<sup>53</sup>

## UNITED KINGDOM

*Expenditure on the House of Commons Administration:* Mr. Arthur Bottomley, labour M.P. and Chairman of the Commons Commission announced on 9 December that the expenditure on the administration of the House of Commons, which was £ 5,927,033 in 1978-79 rose to £ 10,743,254 in 1979-80. The expenditure for the year 1980-81 was estimated to be £ 11,232,000.<sup>54</sup>

*Cabinet reshuffle:* Prime Minister Mrs. Margaret Thatcher announced a major Cabinet reshuffle on 5 January, making Defence Minister Mr. Francis Pym take over as Leader of the House of Commons and excluding six Ministers from her Government<sup>55</sup>

<sup>51</sup>. *Statesman*, 8 December, 1980.

<sup>52</sup>. *Keesing's Contemporary Archives*, p. 30690.

<sup>53</sup>. *Keesing's Contemporary Archives*, p. 30711-13.

<sup>54</sup>. *Statesman*, 10 December, 1980.

<sup>55</sup>. *Hindustan Times*, 7 January, 1981.

## UNITED STATES OF AMERICA

*Expulsion of Congressman:* On 2 October, the House of Representatives expelled, by 376 votes to 30, the Democratic Congressman Mr. Michael Myers following his conviction on August 31, 1980 for taking a \$ 50,000 bribe from under cover FBI agents.

Another Democratic Congressman Mr. John Jevrette was found guilty on 10 October by a federal court jury of taking a \$ 50,000 bribe from under cover agents of the Federal Bureau of Investigation.<sup>66</sup>

*Presidential Election:* In the Presidential election held on 4 November, Mr. Ronald Reagan of the Republican Party was declared elected President of the country defeating his Democratic Party rival, Mr. Jimmy Carter. According to official vote counts compiled by the Federal Election Commission, 53.95 per cent of the country's eligible voters cast ballots in the Election, the lowest in 32 years. The Republican candidate Mr. Ronald Reagan secured 50.75 per cent of the total votes to defeat Mr. Jimmy Carter, who got 41.02 per cent votes. The independent candidate, Mr. John B. Anderson secured 6.61 per cent votes.<sup>67</sup>

*Swearing in of President:* Mr. Ronald Reagan was sworn in as the 40th President of the United States on 20 January, taking the oath from Chief Justice, Mr. Warren E. Burger. At the same time Mr. George Bush was sworn in as Vice-President.<sup>68</sup>

## U.S.S.R.

*New Prime Minister:* President Leonid Brezhnev announced in the Supreme Soviet (Parliamentary) on 23 October, the resignation of Prime Minister Mr. Alexei Kosygin on 'health grounds' and his succession by his deputy Mr. Nikolai Tikhonov.

Mr. Kosygin subsequently expired on 18 December.<sup>69</sup>

## WEST GERMANY

*Parliamentary Elections:* In the elections to *Bundestag* (lower House of Parliament) held on 5 October, Chancellor Helmut Schmidt's Social Democratic Party (SDP) and its coalition partner Free Democratic Party

<sup>66</sup>. *Indian Express*, 4 and 11 October, 1980.

<sup>67</sup>. *Asian Recorder*, p. 15790.

<sup>68</sup>. *Keesing's Contemporary Archives*, p. 30709.

<sup>69</sup>. *Times of India*, 24 October and *Keesing's Contemporary Archives*, p. 30729.

won 271 seats, against 226 seats secured by the right-wing Christian Democratic Union (CDU) and Christian Social Union (CSU) headed by Mr. Franz Josef Strauss, thus giving the SDP-FDP coalition a majority of 45 seats in Parliament.

The *Bundestag* re-elected Mr. Helmut Schmidt of Social Democratic Party as Federal Chancellor on 5 November.<sup>60</sup>

#### YUGOSLAVIA

*Chief of governing panel:* On 21 October, Mr. Lazar Majsov was elected President of the Presidency (a 23-member collegial body), for a period of one year, succeeding Mr. Steval Doronjski who held the post since the death, in May 1980, of President Tito.<sup>61</sup>

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<sup>60</sup>. *Hindustan Times*, 7 October, 1980 and *Keesing's Contemporary Archives*, D. 30663.

<sup>61</sup>. *Times of India*, 22 October, 1980.

## SESSIONAL REVIEW

## SEVENTH LOK SABHA

## FIFTH SESSION

The Fifth Session of the Seventh Lok Sabha commenced on 16 February, 1981 with an Address by the President to both the Houses assembled together. A brief resume of some of the important discussions held and other business transacted upto 20 March, 1981 is given below:

## A. DISCUSSIONS

*President's Address:* In his address, the President, referring to the achievements of the present Government in the thirteen months since assuming office, said that during this period anti-inflationary policies were vigorously pursued. The focus of these policies was the augmentation of domestic supplies through higher production, better capacity utilisation, improved performance of infrastructure, imports of essential commodities and curbing of anti-social activities which affected domestic supplies. The public distribution system was strengthened and adequate supplies of essential commodities were ensured. Selective monetary and credit policy brought monetary expansion under control. These policies resulted in a significant slowing down of the inflationary rate from 23 per cent to 15 per cent. The climate for industrial investment and growth had been improved and the Government were taking steps to increase exports and achieve import substitution to the maximum extent possible. The President announced that an Export and Import Bank would be set up to help credit availability for exports. The Sixth Five-Year Plan, with an outlay of Rs. 97,500 crores, was formulated which would restore a sense of dynamism in the development



process in order to achieve self-reliance and to reduce inequality and poverty. The economy was on the road to recovery, but demands for higher prices and incomes by various sections of community aggravated inflationary pressures and led to reduction of resources available for investment and growth. The President asked all such sections to exercise restraint while demanding higher incomes and prices. The President stated that during the year 1981—the International Year of Disabled Persons—the Government proposed to expand services for the physically handicapped and to take measures for their treatment, education, training, rehabilitation and placement.

In regard to Assam, the President said that the Government had exercised utmost forbearance and had made earnest efforts at various levels to find an early solution to the problem of foreigners. Despite its conciliatory and constructive approach, the agitation had not been called off. The Government would continue their efforts to find a solution acceptable to all concerned.

In the field of international Affairs, the President said that consistent with India's commitment to peace, Government would continue to work for defusing of tensions and the creation of conditions in which mankind could prosper and live in peace. He expressed his happiness at the hosting of Non-aligned Foreign Minister's Meeting recently in New Delhi which reaffirmed the policy of non-alignment and reiterated the demand for the establishment of a Zone of Peace in the Indian Ocean. In the larger interest of peace and non-alignment, the President said that the Government would pursue its efforts to end the continuing conflict between Iran and Iraq.

Concluding, the President stated that the country was over the hump, economically and socially, and it was now necessary to strive for identity of purpose and harmonise differing points of view in a spirit of accommodation rather than fritter away energies in fruitless controversies and conflicts.

The President's Address was discussed for six days i.e. on 19, 20, 23, 24, 25 and 26 February, 1981 in Lok Sabha on a Motion of Thanks moved by Shri V. N. Gadgil on 19 February, 1981. Initiating the discussion, Shri Gadgil called for modification in the present parliamentary system and conversion of the House into a grand forum for discussing and debating the national issues. Shri Nawal Kisbore Sharma, seconding the motion, claimed that despite adverse circumstances, the economic progress made last year was a record in itself.

Opposing the motion, Shri A. Neelalohithadasan Nadar stated that no purpose would be served by blaming the previous Government for all

the ills. Shri C.T. Dhandapani demanded an enquiry into rectified spirit scandal by two States in Southern India. Shri Indrajit Gupta alleged that the Government was blowing up industrial relations in the public sector completely.

Intervening in the discussion, the Minister of Communications, Shri C.M. Stephen, stressed that the President's Address indicated only a modest and factual claim of the Government's achievements. The country, he added, was faced with tremendous problems and the Government was making continuous efforts to solve them. As no progress was possible in an atmosphere of violence and tension, the Minister sought the cooperation of the Opposition and all others in the national task.

Replying to the discussion,\* the Prime Minister Smt. Indira Gandhi, maintained that President's Address being a policy document had to "Reflect the policies and perceptions of the Government in power". That was a constitutional position. Therefore, there was no point in accusing the Government of involving the President within the pale of controversy. Dealing with inflation, she said that even though the Government had not been able to reverse the trend set by the last few years, the price situation had somewhat improved. The Government was trying hard to keep prices from rising. But it was extremely difficult to insulate the economy from international inflationary pressure. The Government was giving priority to halt the drift and initiate new programmes to sustain economic development. The main thrust of Government policy, she added, was to increase production, expand irrigation, provide for quality seeds and chemical inputs and strengthen extension services.

Referring to the agitation in Assam, Smt. Gandhi regretted that most patient and constructive attitude of the Government had not evoked adequate response and a new element—"terrorism"—has been introduced recently. She assured the House that the Government would continue its efforts to find a solution acceptable to all concerned.

Reaffirming Government's commitment to the protection of minorities, the Prime Minister, observed that one of the measures to foster communal harmony was the revival of the National Integration Council.

Sharing the concern expressed by Members over the agitation in Gujarat, the Prime Minister affirmed that the Government would discharge

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\*Others who participated in the discussion were: Sarvashri George Fernandes, Chandra Shekhar Singh, Arif Mohammad Khan, Satyasadhan Chakraborty, Ashok Sen, Amrit Patel, Subramaniam Swamy, Sontosh Mohan Dev, B. V. Desai, Karan Singh, Jamilur Rahman, Zainul Basher, Ram Jethmalani, A. C. Dass, Vridhi Chander Jain, Jagjivan Ram, Mohan Lal Sukhadia, Mani Ram Bagri, Golam Yazdani, P. Rajagopal Naidu, Pius Turkey, Chintamani Panigrahi, Mahavir Prasad, Chitta Basu, Ram Swarup Ram, P. Namgyal, G. M. Banatwalla and Shrimati Sanyogita Rane.

in full measure its moral obligation and constitutional responsibility towards the advancement of the educational interests of the Scheduled Castes and Scheduled Tribes.

In a brief reference to the international situation, the Prime Minister observed that the Conference of Foreign Ministers of Non-Aligned countries had been held at a time when peril abounded to world understanding and especially to non-aligned unity. India, she added, was able to avert the danger of division and to that extent, increase her capacity to work for lessening of international tensions.

Concluding, Smt. Gandhi sought the constructive cooperation of all in solving the problems which demanded a concerted and stupendous endeavour.

The Motion of Thanks was adopted.

*Steep rise in prices of essential commodities:* Making a statement on 17 February, 1981 in response to a calling attention notice by Shri Indrajit Gupta, the Minister of Civil Supplies, Shri Vidya Charan Shukla, claimed that the rate of inflation had been moderate since August 1980 and the economy was showing signs of revival and growth. The major thrust of Government policy was to increase production, especially of commodities in short supply and to strengthen and expand the public distribution system. The concerned Ministries had taken a number of steps to augment and streamline the supply of cereals, sugar, kerosene and other essential commodities. Shri Shukla stated that in order to curb the activities of hoarders, speculators and other anti-social elements, it had been stressed upon the State Governments to implement vigorously the various provisions of the Essential Commodities Act as well as the Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980.

Answering questions, the Minister declared that the Government had no intention of taking over the wholesale trade in any commodity which was in the hands of private people, and whatever whole-sale trade related to public distribution system would be taken over by State Civil Supplies Corporations and other bodies concerned.

*Death due to consumption of illicit liquor in Delhi:* On 19 February, 1981, Shri A. Neelalohithadasan Nadar moved an adjournment Motion relating to the incident of death due to consumption of illicit liquor in Delhi and demanded suspension of the police officials involved in concealing the same and institution of a thorough probe into it. He wanted that prohibition policy should be implemented in the country through legal and administrative measures and the people educated and moulded.

In a discussion which lasted for more than three hours, 15 Members participated.\*

Intervening in the discussion, the Minister of State in the Ministry of Home Affairs, Shri Yogendra Makwana denied the hiding of the incident by the police. He said that the incident took place on 16 February, 1981 and the police had registered a case on the same day. The incident had occurred on account of non-availability of liquor, its price, lack of education, hooch drinks from neighbouring States and the use of denatured spirit and thinner etc. The Minister informed that a magisterial enquiry had been ordered by the Lt. Governor of Delhi. He stated that steps had been taken for the prevention of hooch drink coming from the neighbouring areas. The Government was also considering to bring the thinner, which has higher methyl content, within the excise net with a view to regularise its sale. On the question of prohibition, the Minister held that it was a State subject and the Centre had nothing to do with it.

*Railway Budget 1981-82:* Presenting the Railway Budget for the year 1981-82 on 19 February, 1981, the Minister of Railways, Shri Kedar Pandey, said that as a result of various administrative and innovative steps taken by the Government three months ago and with the economy turning the corner, the railway operation was now 'back on the rails'. A few special features of the current year's plan outlay were accelerated procurement of 18,000 wagons, a major thrust towards increasing the pace of electrification and retiring a number of steam locomotives to bring down the consumption of coal by the railways. Keeping in view the massive input of resources for gauge conversion, the Railway Board was being directed to evolve a proper policy and work out a perspective plan for gauge conversion projects.

The Budget Estimates for 1981-82, the Minister said, envisaged gross traffic receipt of Rs. 2920.49 crores at the current fare and freight rates and the total expenditure including appropriation to Funds was estimated at Rs. 2876.95 crores. The net revenue of Rs. 43.54 crores would not be sufficient to discharge the anticipated dividend liability of Rs. 349.91 crores. The overall budgetary gap would be Rs. 306.37 crores. He therefore, proposed a revision of supplementary charge as well as surcharge on fares and freight traffic, except on firewood, charcoal and salt for domestic use, so as to yield an additional revenue of Rs. 356.26 crores.

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\*The Members who took part in discussion were Sarvashri Eduardo Faleiro, Sunil Maitra, Mool Chand Daga, Narain Chand Parashar, Swami Indervesh, Tapeswar Singh, K. Mayathevar, Dileep Singh Bhuria, Krishna Kumar Gopal, Xaxier Arakal, Jharkhande Rai, A. K. Roy, Harish Kumar Gangwar, Smt. Pramila Dandavate and Smt. Sanjogita Rane.

The Railway Budget was discussed in the House on 26, 27 and 28 February and 2, 3 and 5 March, 1981 in which 55 members took part. Initiating the discussion Professor Madhu Dandavate stated that the levy imposed in the budget would lead to inflationary pressures hitting the common people. He suggested the establishment of captive power plants for railways, construction of new railway lines in backward areas like Madhya Pradesh, U.P., Orissa etc.

Shri Atal Bihari Vajpayee called for implementation of the recommendations of Sikri Committee on rail accidents in two or three zones.

Intervening in the discussion, the Deputy Minister in the Ministry of Railways and in the Department of Parliamentary Affairs, Shri Mallikarjun said that anti-social elements were putting impediments in the functioning of Railways and smooth movement of trains and the House should condemn such an irresponsible attitude of a section of the society.

Replying to the five-day discussion\* on 5 March, 1981, the Minister of Railways, Shri Kedar Panday said that the proposed increase in the fares of second class would affect only a very small percentage of people and the increase of 15 per cent in the freight charges was much less than that recommended by the Committee appointed to consider the question of rail tariff. As the conversion of meter gauge lines to broad-gauge involved millions of rupees, it would be better to spend money on laying new lines. A policy was being evolved to increase accommodation in the existing trains by adding additional bogies rather than starting new trains. It was proposed to add 2800 kilometers electrified routes in the Sixth Five-Year Plan

Shri Panday announced a series of concessions on rail freight, fares and sleeper charges. Milk and medicines were proposed to be exempted from 15 per cent surcharge. Besides, surcharge on potatoes and onions was proposed to be reduced from 15 per cent to 10 per cent and

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\*Others who took part in the discussion were: Sarvashri Narain Chand Parashar, Gulsher Ahmed, Basudev Acharya, K. T. Kosalram, G. L. Dogra, Raghunath Singh Verma, Satya Deo Sinha, S. Murugain, Nandi Yellaiah, R. K. Mhalgi, Dalbir Singh, Krishna Chandra Halder, Ram Nagina Misra, Shiv Prasad Sahu, Ramavatar Shastri, Chiranji Lal Sharma, Harikesh Bahadur, Tariq Anwar, Nityananda Misra, R. P. Yadav, J. C. Borve, Rana Vir Singh, A. K. Roy, Ram Singh, B. N. Singh, Kamal Nath Jha, Pius Tirkey, Pratap Bhanu Sharma, Ranjit Singh, Chaudhary Multan Singh, Ghulam Rasool Kochak, Krishan Dutt Sultanpuri, Shivkumar Singh, Chandradeo Prasad Verma, Kusuma Krishnamoorthy, Girdhari Lal Vyas, K. Mayathevar, Krishna Pratap Singh, K. M. Madhukar, Era Anbarasu, Tapeswar Singh Rameshwar Neekhra, Mundar Sharma, Harish Chandra Singh Rawat, Bhola Raut, Shantubhai Patel, K. C. Sharma, Uttam Rathod, Gofam Yazdani, and Smt. Vidyavati Chaturvedi, Smt. Krishna Sahi, Smt. Suseela Gopalan and Smt. Nirmala Kumari Shaktawat.

the concession granted to physically handicapped would be raised from 50 per cent to 75 per cent.

**Indefinite closure of Aligarh Muslim University:** Making a statement in response to a Calling Attention Notice by Shri Zainul Basher on 23 February, 1981, the Minister of Education and Social Welfare, Shri S. B. Chavan said that Aligarh Muslim University had been closed down *sine die* by its Vice-Chancellor on 31 January, 1981 as a result of intensification of agitation by the students. A section of students of the University had started agitation on the question of a Press Report of an interview given by one of the Professors of University which they considered "derogatory" to the University. They had demanded the suspension of the Professor pending enquiry, which the Vice-Chancellor did not accept.

The Minister informed the House that a one-Member Enquiry Committee comprising a retired Chief Justice of the Orissa High Court had been appointed to conduct an inquiry in connection with the Press interview of the Professor concerned. The Committee had reportedly started functioning. All the 213 students who had been arrested had been released. The University had been reopened and if all the sections of the University Community cooperated and a congenial atmosphere was created in the University, the Minister felt that it should be possible to reopen the University, in phases, sometime in the near future.

**Law and Order Situation in Gujarat:** In a statement made on 24 February, 1981, the Minister of State in the Ministry of Home Affairs, Shri P. Venkatasubbaiah informed the House that the Government of Gujarat was prepared to meet and consider the reasonable demands of students of B. J. Medical College, Ahmedabad. At the same time, the Government had "made it clear that abolition of the principle of reservation for Scheduled Castes and Scheduled Tribes was not negotiable as it was a part of the policy of the Government to further the educational interests of the weaker sections of the people and in particular of the Scheduled Castes and Scheduled Tribes—an objective which was enshrined in the Constitution and to which the Government was fully committed."

While some of the demands of the students were still under consideration of the State Government, some political parties and disgruntled anti-social elements whipped up the sentiments of the misguided students on the question of reservations resulting in violent acts in Ahmedabad in January, 1981. In retaliation, the supporters of reservation organised a counter agitation which aggravated the situation.

The State Government, on its part, had initiated discussion with the student representatives and decided to set up a Committee to consider the other demands subsequently put forth by the students namely, introduction of

residency system, abolition of M.Ss. (Medical) course and expansion of hostel facilities in different Medical Colleges. The Central Government had been providing necessary assistance to the State Government to effectively meet the situation.

The matter came up for discussion again in the House on 5 March, 1981. Raising the discussion, Shri Ratan Sinh Rajda said that the situation had not been tackled tactfully at the beginning and now communal overtones had engulfed the entire State of Gujarat. He urged the Government to appoint a Committee to review the entire situation relating to the reservation issue.

Shri C.T. Dhandapani said that a calculated conspiracy was going on against Harijans and Adivasis in the country. Since many meritorious people belonging to the Scheduled Castes and Scheduled Tribes had been denied jobs and other rights on accounts of the presence of the words "consistently with the maintenance of efficiency" in article 335 of the Constitution relating to claims of Scheduled Castes and Scheduled Tribes to services and posts, he wanted the Government to come forward with an amendment of the said article. Professor Madhu Dandavate observed that some people suffered not because they lacked merit, but for having been born in a particular caste.

Intervening in the discussion, the Minister of State in the Ministry of Home Affairs, Shri Yogendra Makwana denied the allegation that there was a dispute between him and the Chief Minister of Gujarat. Some political parties, he said had tried to malign him and many statements were attributed to him which he had never made.

Replying to the discussion\* lasting for more than four hours, in which 16 Members took part, the Minister of Home Affairs, Giani Zail Singh reiterated that the question of reservation was not negotiable and the Government would not enter into a dialogue with the students on this issue. The Gujarat Government, he added, was not anti-Harijan and had held that the seats reserved for Harijans and Adivasis would not be reduced. On the other hand, Government would increase the number of seats so that merit did not suffer.

The Home Minister said that he was prepared to hold negotiations with all the political parties on the matter. The political parties he added, should condemn the people who were supporting the agitation, as anti-national and anti-Harijan.

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\*Other Members who took part in discussion were Sarvashri: Mohan Lal Sukhadia, Somnath Chatterjee, Uttambhai H. Patel, Ram Vilas Paswan, Harish Chandra Singh Rawat, Jaideep Singh, Suraj Bhan, Ram Swarup Ram, Jagjivan Ram, Jharkhande Rai, Mani Ram Bagri, Chitta Basu, R. N. Rakesh and Hirajal R. Parmar.

Rejecting a suggestion for the appointment of a committee to find out whether the Harijans actually got the facilities meant for them, the Home Minister said that a panel had already been set up to see whether the facilities provided to Harijans and weaker sections really reached them.

The anti-reservation agitation in Gujarat, Rajasthan and other parts of the country was a subject matter of discussion in the House again on 18 March, 1981 on the following motion moved by Shri Ram Vilas Paswan :

“That this House expresses its concern at the situation arising out of the agitation and violent demonstrations against reservation of jobs for Scheduled Castes and Scheduled Tribes in Gujarat, Rajasthan and other parts of the country”.

Initiating the discussion, Shri Paswan asked the Government to give a categorical assurance that the people belonging to Scheduled Castes and Scheduled Tribes would be given protection against the onslaught being made on them and their rights as guaranteed under the Constitution.

Participating in the discussion, Shri Atal Bihari Vajpayee appealed to the House to reiterate its commitment to the national policy of reservation. He also advocated for the grant of some concessions to the “economically backward” people. Professor Madhu Dandavate was of the view that equality of opportunity was not going to benefit those who had lagged behind for centuries together. They could be brought at par with others only by giving them preferential opportunities. Shri Indrajit Gupta suggested that top leaders of all parties should go together in one common mission to the affected areas and appeal to the people for restoration of peace and normalcy. Shri Jaipal Singh Kashyap demanded the dismissal of the Government of Gujarat for its failure to provide protection to the people.

Intervening in the discussion, the Prime Minister Shrimati Indira Gandhi said that the happening in Gujarat was hitting at the very root of National integration. She appealed to the Members to come to some understanding and exhibit an attitude which would help to defuse the situation in Gujarat and in other places. On reservation, she observed that Government had already made its position clear in quite unambiguous terms in Parliament. The reservation, she added, would be continued as long as the Scheduled Castes and Scheduled Tribes were not helped to get to a position.

Clarifying her earlier reference to merit, she pointed out that “merit exists in all our people, that merit has not been able to come up is because opportunities for that were denied”.



The discussion continued for more than five hours in which 20 Members\* took part.

Speaking on the motion, the Minister of Home Affairs, Giani Zail Singh subscribed to the views of Members that elements wanting to strike at the very roots of "tradition and principles" should not be allowed to thrive. Issues which threatened the national integrity of the country should be tackled with a common approach and with the same unity with which the country had faced an 'attack'.

After Shri Paswan replied to the debate, the House adopted the following motion as amended, unanimously, with the Members standing:—

"That this House expresses its concern and anguish over the situation prevailing in Gujarat over the reservation issue. It reiterates its firm commitment to the national policy on reservations as enshrined in the Constitution. The reported incidents of violence, destruction of property and atrocities against Scheduled Castes and Scheduled Tribes are against our very culture and go contrary to the principle of non-violence which the Father of the Nation preached and for which he has sacrificed his life. To uphold our tradition, it is the primary duty of every citizen to strive for restoration of peace and normalcy and make united efforts at the national level".

*General Budget, 1981-82.*—Presenting the General Budget for 1981-82 to Lok Sabha on 28 February, 1981, the Minister of Finance, Shri R. Venkataraman said that the excellent performance of agriculture in 1980-81, combined with the recovery in industry, would produce an overall growth of 6.5 per cent in the Gross National Product in 1981-82. High priority had been accorded to the all important task of expanding capacities in sections such as oil, coal and power in the Annual Plan. As in the past, agricultural development, with special emphasis on the weaker sections, was the centre piece of development strategy.

Some of the other proposals contemplated in the budget were setting up of a National Bank for Agriculture and Rural development; reorganisation of Life Insurance Corporation of India into five independent units; establishment of an Export-Import Bank and encouraging the flow of private savings into the financial system by raising the interest rate on maturities and debentures. The other major step would be to bring black money into the public exchequer through the sale of special Bearer Bonds.

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\*The Members who took part in the discussion were Sarvashri: Bheravadan K. Gadhave, Navin Ravani, Krishna Chandra Halder, C. D. Patel, Zainul Basher, Mohan Lal Sukhadia, Mohan Lal Patel, V. Kishore Chandra S. Deo, Mool Chand Daga and R. R. Bhole, Smt. Rajendra Kumari Bajpal, Sarvashri George Fernandes, R. N. Rakesh, Hiralal R. Parmar, N. E. Horo and Chitta Basu.

The total receipts for 1981-82 at the existing rate of taxation were estimated at Rs. 23061 crores and the expenditure at Rs. 24,871 crores. The various tax measures together with the relief offered, would yield net additional revenue of Rs. 271 crores. It would leave an uncovered of Rs. 1539 crores.

The general discussion on the budget lasted for four days. Initiating the discussion on 9 March, 1981 Shri E. Balanandan said that the budget sought to promote foreign private capital and interests of big landlords at the expense of large masses and legitimise the illegally gotten wealth through the Bearer Bond Scheme. He advocated nationalisation of monopolies for achieving higher production and income. He also demanded the withdrawal of levy on newsprint.

Intervening in the discussion on 11 March, 1981, the Deputy Minister of Finance, Shri Maganbhai Barot said that the budget contained several proposals to further boost the investment climate. A much larger amount had been earmarked for specific programmes to benefit weaker sections of the society. He hoped that tax concessions to units with plants and machinery valued upto Rs. 20 lakhs and substantial incentives given to village and small scale and export-oriented industries would generate substantial employment opportunities and help reducing industrial sickness. The budget tried to help all sections of the society and, therefore, the entire nation should join the Government in its endeavour to pull out the economy from crisis management to growth.

Participating in the discussion, Shri Indrajit Gupta contended that the concessions granted in the budget were heavily slanted in favour of the private sector. Inflation, he felt, could be checked by take-over of the whole-sale trade of essential commodities.

Speaking during the resumed discussion on 12 March, 1981 Shri Jaipal Singh Kashyap called for implementation of the Mandal Commission Report with regard to backward classes of people.

Replying to the four-day discussion\* in which as many as 66 Members took part, Shri Venkataraman said on 13 March 1981 that for taking the

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\*The Members who participated in the discussion were: Sarvashri K. Brahmanand Reddy, Biju Patnaik, Kamal Nath, V. S. Vijayaraghavan, B. R. Bhagat, N. G. Ranga, R. L. Bhatia, N. Selvaraju, Virbhadra Singh, Ramnath Dubey, A. Kalanidhi, Y. S. Mahajan, Dileep Singh Bhuria, Chaudhary Multan Singh, Bheravadan K. Gadhavi, Chakra Dhari Singh, Krishan Datt Sultanpuri, Sunder Singh, Babu Lal Solanki, Ravindra Varma, Ananda Gopal Mukhopadhyay, T. S. Negi, Mool Chand Daga, Digambar Singh, R. S. Sparrow, Kamaluddin Ahmed, T. R. Shamanna, R. R. Bhole, Krupasindhu Bhoi, Ghulam Rasool Kochack, P. V. G. Raju, Ram Jethmalani, Mohan Lal Sukhadia, Sunil Maitra, K. Lakkappa, Xavier Arakal,

inflation, he had opted for supply management which meant production of goods and services in larger quantities and absorption of liquidity in the country. He maintained that the issue of special Bearer Bonds was the only way to absorb the liquidity.

Shri Venkataraman pointed out that elimination of subsidies on food and fertilizers, as suggested by Members, would result in increase in their prices. Regarding the export subsidy, the Minister felt that if it was not given it would make commodities non-competitive in the international market. On the newsprint levy, he indicated that it was meant to save foreign exchange. However, he assured that the interests of small newspapers would be kept in view in the proposed Finance Bill.

Demands for Grants on Account (General) were voted in full.

*Price Policy for Wheat and Barley for 1980-81.*—Marking a statement on 18 March, 1981, the Minister of Agriculture and Rural Reconstruction and Irrigation, Shri Rao Birendra Singh announced an increase in the procurement price for wheat from Rs. 117 to Rs. 130 per quintal during the year. With effect from 1 April, 1981, the issue price of wheat for Public Distribution System would be raised from Rs. 130 to Rs. 145 per quintal and the issue price for the Roller Flour Mills would be Rs. 155 per quintal. The existing policy of free movement of foodgrains including wheat in the country would be continued. However, to maximise procurement of wheat, Government would, if necessary, impose levy on traders. Regarding barley, he said that its support price had been fixed at Rs. 105 per quintal as against the recommendation of Rs. 85 by the Agricultural Prices Commission.

*Statutory Resolution re: President's Proclamation in relation to Manipur.*—Moving a Statutory Resolution on 19 March, 1981 seeking approval of the House to the proclamation issued by President on 28 February, 1981 under article 356 of the Constitution in relation to the State of Manipur, the Minister of Home Affairs, Gains Zail Singh said that the Ministry led by Shri Rishing Keishing had been reduced to minority with the defection of 10 Members to the Opposition. He added that possibilities were being explored for having a stable Ministry in the State.

Chhangur Ram, B. R. Nahata, Jalil Abbasi, Rajesh Kumar Singh, Digvijay Singh, G. M. Banatwalla, N. Dennis, Ram Pyare Panika, N. Soundararajan, Sontosh Mohan Dev, Balasaheb Vikhe Patil, Lakshman Mallick, Acharya Bhagwan Dev, Uttambhai H. Patel, R. N. Rakesh, Laxman Karma, Jairam Varma, Samjuddin, Girdhari Lal Vyas, S. B. Sinal, Oscar Fernandes, R. L. P. Verma, P. Nameyal and Smt. Chennupati Vidya, Smt. Nirmala Kumari Shaktawat, Smt. Usha Verma and Smt. Rajendra Kumari Bajpal.

Eight Members\* took part in the combined discussion on the Statutory Resolution; the Manipur for the year 1981-82; and the Supplementary Demands for Grants, which ensued.

Replying to the debate on Statutory Resolution, the Minister of State in the Ministry of Home Affairs, Shri Yogendra Makwana said that the Assembly which was kept in suspended animation would be dissolved if it was not found possible to establish a stable rule in the State. The Government, he added, attached importance to the economic development of the North-Eastern Region and the work relating to a large number of roads and irrigation projects had been taken up. There were various programmes for generating gainful employment for the educated unemployed people in the State.

After the Deputy Minister in the Ministry of Finance, Shri Maganbhai Barot replied to the debate on the Manipur Budget, the Statutory Resolution was adopted by the House and all the Demands for Grants on Account (Manipur) for 1981-82 were voted in full.

#### B. LEGISLATIVE BUSINESS

*The Life Insurance Corporation (Amendment) Bill, 1981:* On 5 March, 1981 the Minister of Finance, Shri R. Venkataraman moved a motion for consideration of the Life Insurance Corporation (Amendment) Bill,\*\* 1981. The Bill sought to replace the Ordinance promulgated by the President on 31 January, 1981. It empowered the Government to determine the terms and conditions of service of the LIC employees and agents and streamline the salary structure in order to control the cost of administration in the interest of the Life Insurance Corporation of India and its policy holders.

Earlier, moving a Statutory Resolution regarding disapproval of the Life Insurance Corporation (Amendment) Ordinance 1981, Shri Indrajit Gupta said that the Ordinance flouted Parliament, the Industrial Disputes Act and the directions of the Supreme Court directing the Life Insurance Corporation to fulfil its obligations in terms of the 1974 settlement. He asked the Government to honour the agreement already entered into with the Public Sector for maintaining harmonious relations.

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\*Those who took part in the discussion were: Sarvashri Subodh Sen, Harishchandra Singh Rawat, N. Gouzagin, N. K. Shejwalkar, Girdhari Lal Vyas, Mohendra Ngangom, Harikesh Bahadur and Chitta Basu.

\*\*The Bill was introduced by the Deputy Minister in the Ministry of Finance Shri Maganbhai Barot on 23 February, 1981. The motion for leave to introduce the Bill was opposed by Sarvashri George Fernandes, Chitta Basu, Madhu Dandavate, Bapusaheb Parulekar, K. A. Rajan, R. K. Mhalgi, Indrajit Gupta, Sunil Maitra and Ram Vilas Paswan. The House was divided on the Motion with Ayes 92 and Noes 48.

The House commenced combined discussion on the Bill and the Statutory Resolution. Opposing the Bill Professor Madhu Dandavate said that taking the LIC employees out of the jurisdiction of the Industrial Disputes Act would knock the entire basis of working class movement. He stressed the need of discussing the integrated wage policy with the representatives of workers. Shri C. T. Dhandapani urged the Government to rationalise the entire pay or wage structure of all categories of employees including the officers on the top.

Replying to a discussion in which nine members participated,\* Shri Venkataraman denied that the Government had done anything which was nullifying the "decision of the Supreme Court and there was a conflict between the Supreme Court and the Executive." He referred to the Supreme Court order of 10 November, 1980 in which it was held that the settlement relating to bonus would remain in force until it was superseded by a fresh settlement, industrial award or relevant legislation.

After Shri Indrajit Gupta replied to the debate, the Resolution for disapproval of the Life Insurance Corporation (Amendment) Ordinance was negatived. The Bill was, thereafter, passed.

*The Special Bearer Bonds Immunities and Exemption) Bill,\*\* 1981:* Moving a motion for consideration of the Special Bearer Bonds (Immunities and Exemptions) Bill, 1981 on 18 March, 1981, the Minister of Finance, Shri R. Venkataraman said that the Special Bearer Bonds Scheme was only one of the measures being taken by the Government for dealing with the evil of black money. The Bonds of the face value of Rs. 10,000 had been issued at par with a maturity period of 10 years. On maturity, the holders of bonds would be entitled to receive Rs. 12,000 for every bond. The original subscriber or possessor of the bonds would not be required to disclose the source of acquisition of such bonds and their possession would not make the possessor liable to tax-penalty or prosecution under the

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\*Other Members who took part in the discussion were: Sarvashri Sunil Maitra, Mool Chand Daga, George Fernandes, Xavier Arakal, Harikesh Bahadur, Shivkumar Singh and Chitta Basu.

\*\*The Bill was introduced on 2 March 1981. The motion for leave to introduce the Bill was opposed by several members on the ground that it was an anti-national measure and violated the various provisions of the Constitution and Income Tax Laws. Ruling out the objections, the Minister of Finance said that the Bill in "pith and substance" dealt with borrowing by the Government of India and was governed by article 292 of the Constitution. The Bearer Bonds have been issued under the Public Debt Act and secured on the Consolidated Fund of India. Parliament had not passed any legislation placing any limit on such borrowing. On the motion, the House was divided with Ayes 110 and Noes 40. The motion was accordingly carried and the Bill was introduced.

Direct Tax Laws. The anticipated mobilization of Rs. 1,000 crores from the Bonds, the Minister added, had enabled him to maintain developmental outlays at a reasonable level without having to resort to additional taxation of consumer goods or largest deficit financing.

Earlier, moving a Statutory Resolution regarding disapproval of Special Bearer Bonds (Immunities and Exemptions) Ordinance 1981, Shri Jyotirmoy Bosu said that according to the Wanchoo Committee, the Bearer Bond Scheme was no substitute for a disclosure scheme, as it could cover only the black money which was not invested. He pointed out that the Finance Minister had not explained as to how the bearer bonds would mop up the rural rich nor had stated the mode of repayment to those who were buying the bonds in foreign currency.

Thirteen Members\* took part in a day-long combined discussion on the Bill and Statutory Resolution. Winding up the debate, Shri Venkataraman claimed that the idea to issue bearer bonds was not new. Even in the periods of the Constituent Assembly and the Provisional Parliament it had often been suggested by Members that one way of mopping up the liquidity was to issue bearer bonds.

Dealing with the criticism that the Government had not done anything to check the further growth of black money, Shri Venkataraman said that one of the main reasons for its growth was the high incidence of taxation. In the last two years he had tried to bring down direct taxation and the surcharge thereon.

Shri Venkataraman, however, stated that it was the exigency of economic situation and the necessity to control the liquidity in the economy, which had compelled the Government to resort to such a measure which, he conceded, could not be justified absolutely on equitable or moral grounds.

After Shri Jyotirmoy Bosu replied to the debate the Statutory Resolution for disapproval of the Special Bearer Bonds (Immunities and Exemptions) Ordinance, 1981 was negatived:

The motion for consideration of the Bill was adopted on 19 March, 1981.

The Bill, was, thereafter, passed.

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\*The Members who took part in the discussion were: Sarvashri Ram Jethmalani, Arif Mohamad Khan, Subramaniam Swamy, Shivkumar Singh, Somnath Chatterjee, Ram Pyare Panika, George Fernandes, K. A. Rajan, Xavier Arakal, Harikesh Bahadur, Mool Chand Daga, Chitta Basu and Shrimati Krishna Sahi.

## RAJYA SABHA

## HUNDRED AND SEVENTEENTH SESSION\*

The Rajya Sabha met for its Hundred and Seventeenth Session on Monday, 16 February, 1981 and adjourned *sine die* on 26 March, 1981. A resume of the important discussions and legislative business transacted during the session is briefly mentioned below:

## A. DISCUSSIONS

*Motion of Thanks on the President's Address \*\**: On 19 February, 1981, Shri Shrikant Verma moved that an Address to be presented to the President in the following terms :—

“That the Members of the Rajya Sabha assembled in this Session are deeply grateful to the President for the Address which he has been pleased to deliver to both Houses of Parliament assembled together on the 16 February, 1981.”

Speaking on the motion, \*\*\* the Member said that it had always been the view of the ruling party and its leader to follow the policy of consensus and not of conflict or confrontation. Last year, the Prime Minister Shrimati Indira Gandhi had made an offer to the Opposition to follow a policy of national consensus. But it was unfortunate that the Opposition thought it fit to spurn that constructive offer.

Shri Verma added that the country had indomitable self-confidence. Last year it had to face severe drought and yet it was not required to go with a begging bowl to the outside world. Referring to the Assam agitation, he said that a minor problem had been made difficult through politicising. He appealed to the Opposition to eschew agitational politics and accept the offer made by the Prime Minister for having a policy of national consensus in the country.

Replying to the debate on 25 February, 1981, the Prime Minister, Shrimati Indira Gandhi said that the seventies had been a decade of inflation and general stagnation of output and employment all over the world. While other countries had been staggering under high rates of inflation, India had brought down the prices and had been able to maintain a steady and rapid growth.

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

\*\*Laid on the Table of the House on 16 February, 1981.

\*\*\*The discussion on the motion continued on 19, 23, 24 and 25 February 1981.

The Prime Minister sincerely hoped that the responsible sections of labour leadership would co-operate in arriving at constructive solutions that were in the long-term interests of the workers themselves as well as of the nation. The public sector, she said, had performed well during 1974 to 1977. However, in the next three years there was a marked deterioration. The Sixth Plan laid down in no uncertain terms Government's commitment to various land reform policies and measures to implement them. It was ridiculous and untrue to allege that the Government were not concerned with the welfare of farmers. Unless the farmers got facilities, India could not prosper. But the agricultural and industrial sectors were closely inter-linked; each was dependent on the other. Without a strong industrial base, Government could not help the rural areas or the poorer sections.

The Prime Minister shared the concern of Members about the problems of the minorities as well as the general law and order situation. The National Integration Council had been revived and it was hoped that those who had chosen to stay out of its deliberations would eventually help in fostering peace and amity among different sections of the people.

On the Assam issue, the Prime Minister said that the Government had been all the time consulting the Opposition, either collectively or separately. The Government had shown great understanding and patience in dealing with the problem. Unfortunately, that attitude had not been reciprocated by those who were responsible for the agitation. The Government, she assured, would continue to try to find out a lasting solution to the foreigners' problems which would be acceptable to all sections of the people.

The Prime Minister expressed deep pain and anguish over the situation in Gujarat. It was a pity that some political parties seemed to be instigating the students and others to create confrontation. A high-powered panel was already going into the matter, she said.

The Prime Minister commended the Motion of Thanks to the President. All the amendments moved were negatived. The Motion of Thanks, as originally moved, was adopted on 25 February, 1981.

*Agitation in Gujarat against reservation of seats in medical colleges:* On 28 February, 1981, Shri B. D. Khobragade called the attention of the Minister of Home Affairs to the situation in Gujarat arising out of the agitation against reservation of seats for Scheduled Castes and Scheduled Tribes in medical colleges there.

Making a statement on the subject, the Minister of Home Affairs, Gains Zail Singh said that Government had the moral obligation as well as the constitutional responsibility to advance the educational interests of the



weaker sections of our society and, in particular, of the Scheduled Castes and Scheduled Tribes. It was a pity that some political parties seemed to be instigating the students and others to create confrontation. The Minister assured the House that Government would discharge this responsibility in full measure and at the same time ensure that merit did not suffer and that no section felt discriminated against.

The Minister of State in the Ministry of Home Affairs, Shri Yogendra Makwana, replying to some further points, said that the Gujarat State Government had tried to satisfy the medical students. As regards their first demand relating to abolition of the carry-forward system in respect of un-utilised reserved seats to subsequent years, the State Government had abolished the system by a Resolution dated 9 January, 1981. The second demand of the students with regard to abolition of the inter-changeability of unutilised reserved seats among the Scheduled Castes and the Scheduled Tribes, was also accepted by a Resolution dated 12 January, 1981. The students' third demand was that meritorious students should not suffer on account of reserved seats and that the number of seats in the general pool should be increased. The Government had agreed to create additional seats to the extent of unutilised reserved seats. In view of the acceptance of this demand the students had withdrawn the strike and the Surat Medical College was reopened on 11 February, 1981. The Government was prepared to make the same arrangement in the other medical colleges so that on the basis of merit the candidates were ensured sufficient number of seats. The fourth demand related to selection of subjects by the candidates belonging to Scheduled Castes and Scheduled Tribes. There also, the Minister said that the Government had offered that all open merit students would be permitted to select subjects according to their choice on merit.

*Problem of growing unemployment in the country :* On 17 March, 1981, Shri Kalpnath Rai called the attention of the Minister of Planning and Labour to the problem of growing unemployment in the country and wanted to know about the action taken by the Government in this regard.

Making a statement on the subject, the Minister of State in the Ministry of Labour, Shrimati Ram Dulari Sinha said that Government had decided that a progressive production of unemployment should be one of the principal objectives of the Sixth Five-Year Plan. The Sixth Five-Year Plan had since been finalised and it indicated in detail the policies and measures envisaged by Government to tackle unemployment.

The implementation of the programmes included in the Sixth Five-Year Plan was expected to increase employment in the entire economy from 15.1 crore standard person-years at the beginning of the Sixth Plan.

period to 18.5 crore standard person-years at the end of the Plan period. Though the increase in employment in standard person-years was about 3.4 crores, the actual number of beneficiaries was expected to be much more since not every member of the labour force might be a full-time worker during the entire year.

Replying to the points raised by Members, the Minister said that the total number of uneducated unemployed and educated unemployed in the country was 120 lakhs and 35 lakhs respectively. The Government, she said, was shortly going to constitute a high level national guidance committee for self-employment.

As regards amendment of the Constitution for incorporating therein, the right to work, the Minister said that it was not necessary to do so as the Directive Principles gave equal opportunities and rights to everybody in this regard. As regards the formulation of a central scheme for the unemployed, the question had been discussed many a time in both the Houses, but it did not appear feasible, concluded the Minister.

*The Railway Budget,\** 1981-82 : Initiating the discussion on 28 February, 1981,\*\* Shri V. B. Raju said that the second railway budget of the present Government appeared to reflect the shortcomings and also the absence of a firm policy on the part of the Government. In the Budget speech for 1980-81, Shri Kamalapati Tripathi, the then Minister of Railways, had tried to find a scapegoat in the predecessor Government by saying that because of its bad handling of the situation, it was difficult for the new Government to administer the railways in this country. It was a glaring untruth. In fact the year 1977-78 gave the best financial return of 126 crores of rupees as net surplus. The ratio of net revenue to capital at charge, which was an indicator, was the highest at 7.4 per cent. The Primary objective of the railways was to transport goods and passengers safely, quickly and economically. The performance in the year 1980-81 was only 195 million tonnes of revenue-giving goods traffic against 213 million tonnes in 1976-77. Since the Railway had failed to actually move the quantum of goods expected of them, the road transport had to do it.

On 5 March, 1981, the Minister of Railways, Shri Kedar Pandey, replying to the debate,\*\*\* said that at present 1100 trains ran in India. There

\*Laid on the Table of the House on 19 February, 1981.

\*\*Discussion continued on 2 and 3 March and concluded on 5 March, 1981.

\*\*\*Other Members who took part in the discussion were: Sarvashri M. R. Krishna, P. Ramamurti, Shrimati Usha Malhotra, Shri Surendra Mohan, Shrimati Pratibha Singh, Sarvashri Khushwant Singh, Mahendra Mohan Mishra, Ram Laxhan Prasad Gupta, Syed Sibte Razi, R. Mohanaragam,

was need to augment their space capacity. It was proposed to increase the space capacity of two Rajdhani Express trains running from Delhi to Bombay and Delhi to Calcutta by 33 per cent with effect from 16 March, 1981. It was the policy of the Government not to increase the number of trains as it would add to the pressure on the tracks. For the transportation of foodgrains, coal etc., the country needed wagons and goods trains. There was need to develop freight-oriented psychology, the Minister added.

The Minister referred to the strike notice given by the Loco Running Staff Association on 5 January, 1981 by which it tried to paralyse the railway system. He stated that he did not yield to their threats and the strike fizzled out. The Minister further stated that the Railway Board had been reconstituted. The railway employees and also the Members appreciated this steps. The employees supported the Government, the Minister added.

General Budget 1981-82\* On 9 March, 1981, Shri Sankar Ghose, initiating the discussion\*\* said that the budget would generate great inflationary potential in the economy. The Budget had a curious unconcern for the unemployed. For the people below the poverty line, numbering more than 300 million, the budget held out little hope and no dent was made for bringing these people above the poverty line. The allocations for the rural sector and for the weaker sections had not been commensurately raised and in some cases they had been slashed. The budget and the black money bond scheme would give encouragement for the proliferation of black money. No tax had been imposed on the urban rich and on conspicuous consumption in the country.

The Member stated that no Finance Minister, since independence, had imposed taxes on newsprint. A tax on the import of newsprint was really a tax on information, on education and on literacy. This

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Shrimati Monika Das, Sarvashri Manubhai Patel, G. R. Mhaisekar, C. Haridas, Bapuraoji Marotraoji Deshmukh, Harishankar Bhabhra, Nageshwar Prasad Shahi, Dr. (Shrimati) Nagma Heptulla, Sarvashri Santosh Kumar Sahu, M. Kalyanasundaram, Surendra Mohanty, V. Gopalasamy, Rambhagat Paswan, B. V. Abdulla Koya, Prasenjit Barman, Biswa Goswami, Shrimati Rajinder Kaur, Sarvashri D. Heerachand, Ramnand Yadav, N. P. Nanda, N. K. P. Salve, Hari Singh Nalwa, P. N. Sukul, C. K. Jaffer Sharief (Minister of State in the Ministry of Railways), B. Satyanarayan Reddy, Asrarul Haq, Shiva Chandra Jha, Dharmavir, Alexander Warjri, Kalp Nath Rai, and Dr. Malcolm S. Adiseshiah.

\*Laid on the Table of the House on 28 February, 1981.

\*\*The discussion continued on 10, 11 and 12 March and concluded on 16 March, 1981.

tax would put a great burden on the small newspapers, the medium newspapers and the regional newspapers.

Replying to the debate,\* on 16 March, 1981 the Minister of Finance, Shri R. Venkataraman said that criticism of the budget proposals had been almost negligible. Persons like Babu Jagjivan Ram and Shri Y. B. Chavan had certified that this budget was good.

The Minister further said that when he took over the charge of the Finance Ministry, the infrastructure in the country had totally collapsed, the rate of inflation was very high and the deficit was the highest. The Minister assured that he would reduce the inflation rate. It was not very difficult for the Finance Minister to prepare zero deficit budget. But it would be at the cost of infrastructure, national rural employment programmes, agricultural development and the programmes for the benefit of the poor strata of the society and nobody would like it.

## B. LEGISLATIVE BUSINESS

*Appropriation Bills\*\**: On 18 March, 1981, The Minister of State in the Ministry of Finance, Shri Sawaisingh Sisodia, moving the motions for the consideration of the Bills, said that the Appropriation (Vote on Account) Bill sought approval of Parliament for two months to enable the Government to carry on until the completion of the procedure prescribed in article 113 of the Constitution, for the voting of the Demands for Grants for the whole year and passing of the connected Appropriation Bills. The Appropriation Bill, 1981 arose out of the supplementary appropriations charged on the Consolidated Fund of India and the demands voted by the Lok Sabha on 16 March, 1981. The Appropriation (No. 2) Bill, 1981, arose out of the Demands for Excess Grants relating to the year 1977-78. The Appropriation (No. 3) Bill,

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\*Other Members who took part in the discussion were: Sarvashri N. P. Pandey, Pilo Mody, Kalp Nath Rai, Dr. Bhai Mahavir, Shrimati Ratan Kumari, Sarvashri G. C. Bhattacharya, U. R. Krishnan, Dr. Rudra Pratap Singh, Shri Satya Pal Malik, Shrimati Sushila Shankar Adivarekar, Sarvashri Kalyan Roy, B. Ibrahim, K. S. Malle Gowda, Harikishan Singh Surjeet, G. Swamy Naik, Dr. Malcolm S. Adiseshiah, Sarvashri Gurudev Gupta, Amarprasad Chakraborty, S. W. Dhabe, Jaswant Singh, Dr. Rafiq Zakaria, Shri A. G. Kulkarni, Shrimati Saroj Khaparde, Sarvashri Sujana Singh, Rameshwar Singh, R. Ram Krishnan, N. P. Nanda, N. K. P. Salve, Swaisingh Sisodia, (Minister of State in the Ministry of Finance), Murasoli Maran, Bijoy Krishna Handique, T. Aliba Imti, Jagannath Sitaram Akarte, Gulam Mohiud-Din Shawl, Shrimati Hamida Habibulla and Dr. M. M. S. Siddhu.

\*\*The Appropriation (Vote on Accounts) Bill, 1981, The Appropriation Bill, 1981, The Appropriation (No. 2) Bill, 1981 and The Appropriation (No. 3) Bill, 1981; laid on the Table of the House on 17 March, 1981 as passed by the Lok Sabha.

1981, arose out of the Demands for Excess Grants relating to the year 1978-79.

While replying to the debate\* on the same day, the Minister touched on various points relating to the rural unemployment, rural water supply, the Puri Committee Report on Gold Auction, the Report of the Comptroller and Auditor-General regarding the expenditure in 1978-79 Food for Work Programme, defence expenditure, tax arrears, coal industry etc. Regarding rural unemployment, he said that the Government was fully aware of the problem. The Central and the State Plans taken together provided for Rs. 360 crores for the National Rural Employment programmes. In addition, Rs. 198 crores had been provided in the central budget for a special programme for rural development which would generate additional employment the Minister stated. For rural water supply, a provision had been made to the tune of Rs. 110 crores in the current budget.

Referring to the Puri Committee Report on Gold Auction, the Minister stated that it covered a wide area and there were some very important aspects in which clarifications had to be sought from the persons concerned, and further study was necessary. In this connection, a group of Cabinet Ministers, consisting of the Finance Minister, Minister of External Affairs, Minister of Commerce, and Minister of Law, Justice and Company Affairs, was constituted to go into the matter and indicate the further course of action to be taken on this Report.

The motions for consideration of the Bills were thereafter adopted and the Bills were returned.

*Statutory Resolution re: Special Bearer Bonds (Immunities and Exemptions) Ordinance,\*\* 1981 and The Special Bearer Bonds (immunities and Exemptions). Bill:\*\* 1981\*\*.* On 25, March 1981 Shri Shiva Chandra Jha moved the following Resolution:—

“that this House disapproves the Special Bearer Bonds (Immunities and Exemptions) Ordinance, 1981 (No. 1 of 1981) promulgated by the President on the 12th January, 1981.”

Speaking on the Resolution, the Member said that the Special Bearer Bonds Ordinance accorded legitimacy and respectability to what was

\*Other Members who took part in the discussion were: Shrimati Purabi Mukhopadhyay, Sarvashri Syed Sibte Razi; Harekrushna Mallick; Bapuraoji Morotraoji Deshmukh; Pyarelal Khandalwal; Hukmdeo Narayan Yadav; Ramanand Yadav; Shrimati Kanak Mukherjee and Shri Kalyan Roy.

\*\*Laid on the Table of the House on 24 March, 1981.

illegitimate and illegal in the entire social and economic structure. He said that the Special Bearer Bond Scheme was not based on practicality and not even on commonsense. For the Rs. 10,000 bond, the purchaser would get Rs. 12,000 after ten years. The rate of compound interest came to less than even 2 per cent, whereas the banks paid ten per cent or even more. Again the value of Rs. 10,000, which would be spent for buying a bond, after ten years, would come down to Rs. 3360 taking into account the present rate of inflation at 16.8 per cent. Thus the scheme was not attractive at all.

The Member felt that there were three major sources from where the black money came. They were the taxation policy, the licensing policy and the collusion of black money and politics. The taxation policy of the Government was entirely unscientific. The Government had not implemented the recommendations of the L.K. Jha Committee, the Choksi Committee or the Dandekar Committee concerning taxation. As regards licensing policy, the Government was giving licences to those who did not deserve and denying to those who actually deserved. The entire licensing policy was defective and the ruling party was playing itself into the hands of the big industrialists, he said. Regarding the third source of black money Shri Jha demanded that steps should be taken to de-link politics from black money. For controlling the black money the Member suggested that the means of production and distribution should be controlled by the society which ultimately meant nationalisation.

On the same day, the Minister of Finance, Shri R. Venkataraman, moving the motion for consideration of the Bill, said that the Bill sought to replace, with some minor modifications of a clarificatory nature, the Special Bearer Bonds (Immunities and Exemptions) Ordinance, 1981, which had been promulgated by the President on 12 January, 1981. There was nothing unusual in the immunities that were proposed to be granted to tax evaders under the Special Bearer Bonds Scheme. Tax amnesties had been granted in India on several occasions in the past he added.

Replying to the debate on his Resolution, Shri Shiva Chandra Jha, said that the Government was giving incentives to the tax evaders through this scheme. He suggested that the Government could have instead imposed expenditure tax because the black money was spent in bullion trade and in purchase of precious metals. There was a danger that the foreign money would be utilised in purchase of these bonds which would subsequently be invested in India. The Member requested the Government to withdraw the Bill because there was no moral basis for such a scheme.

On 26 March 1981, the Minister of Finance, Shri R. Venkataraman, replying to the debate,\* said that it could not be denied that there was black money in the country. One way of controlling this money was to resort to searches and seizures under the income-tax law and also by resort to the provisions of COFEPOSA. It had been suggested that Government should demonetise hundred-rupee currency notes. The experience of the demonetisation of one thousand and the higher denomination of currency notes had not been encouraging. The percolation of the 100 rupee notes to villages and in the hands of very small and medium households was to such an extent that if these notes were demonetised; it would cause a social upheaval and the resultant benefit would be far less than the misery that would be caused by such demonetisation.

Some people had said that the Government had shown a greater concession to people who had evaded taxes than to the legitimate tax payers. This charge was not true. The maximum marginal rate of taxation was 66 per cent today and the average rate over a lakh of rupees' income was only 35 per cent.

The Resolution seeking disapproval of the Ordinance was negatived and the motion for consideration of the Bill was adopted and the Bill was returned.

### C. QUESTION HOUR

During the Session, 5843 notices of questions (5528 Starred and 315 Unstarred) and 10 Short Notice Questions were received. Out of the total number of 5843 notices, 413 were admitted as Starred Questions and 2562 as Unstarred Questions. After the lists of questions were printed, 8 Starred Questions and 44 Unstarred Questions were transferred from one Ministry to another.

*Daily average of question:* Each of the lists of Starred Questions contained 20 questions. On an average 4 questions were orally answered on the floor of the House, per sitting. The maximum number of questions answered orally was six on 3 March, 1981 and the minimum number was two on 20 and 27 February, 1981. The average number of questions in the Unstarred list came to 122.

*Half-an-hour discussions:* In all, 23 notices of Half-an-hour discussions were received during the Session. Out of these only two notices were discussed in the House.

\*Other Members who took part in the discussion were: Sarvashri A. G. Kulkarni, Murlidhar Chandrakant Bhandare, P. Ramamurti, Syed Shahabuddin, P. N. Sukul, Ladli Mohan Nigam, N. P. Chengalraya Naidu, Jaswant Singh, Ramanand Yadav, R. Ramkrishnan, Santosh Kumar Sahu, Bhupesh Gupta, G. C. Bhattacharya, Shrimati Pratibha Singh, Sarvashri Amarprosad Chakraborty, Narsingha Prasad Nanda and Gulam Mohi-ud-Din Shawl.

## D. OBITUARY REFERENCES

During the Session, the Chairman made references to the passing away of Shri Arjun Arora, Shri M.C. Chagla, Prof. Mukut Behari Lal, all ex-Members, and of Shri Chadalavada Venkatarao, sitting Member of the House. The House stood in silence for a minute as a mark of respect to the memory of the deceased.

## STATE LEGISLATURES

## TRIPURA LEGISLATIVE ASSEMBLY\*

*Protection of the interests of minorities* : On 26 December 1980, the Tripura Legislative Assembly discussed and passed a private resolution by a private member expressing grave concern over the continuous strikes, *bandhs*, *satyagrahas* and other illegal and violent activities of the students of Assam on the issue of foreigners during the last one year thereby endangering the public life in Tripura and other parts of the Eastern region and requesting the Central Government to protect the legitimate rights and interests of minorities within the frame-work of the Constitution and in the interest of democracy in the country.

## PONDICHERRY LEGISLATIVE ASSEMBLY\*\*

*Altering the name of the Union Territory from 'Pondicherry' to 'Puducherry'* : On 15 October 1980, the Assembly adopted the following resolution, which was moved by Thiru D. Ramachandran, Chief Minister of the Union Territory :

"This House resolves to request the Government of India to enact a legislation altering the name of this Union Territory from 'Pondicherry' to 'Puducherry'".

*Benefits to the Backward Classes* : The Assembly also adopted a resolution moved by the Chief Minister on 15 October 1980 as follows :

"This House resolves to request the Central Government to allow this Administration the benefits enjoyed by the Backward classes people in (1) Tamil Nadu, (2) Kerala and (3) Andhra Pradesh States to be extended to the Backward classes people of the regions of the Union Territory of Pondicherry viz. (1) Pondicherry and Karaikal; (2) Mahe and (3) Yanam respectively".

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\*Contributed by Tripura Legislative Assembly Secretariat.

\*\*Contributed by the Pondicherry Legislative Assembly Secretariat.



## BOOK REVIEWS

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**ENGLISH LAW AND FRENCH LAW.** By Rene David. Published by Stevens, London and Eastern Law House, Calcutta, 1980, 223 pages.

The book by Rene David on English Law and French Law was written by the author for the Tagore Law Lectures which he delivered at Calcutta. Although Rene David had a desire to compare in substance the English Law with the French Law, yet I find only salient facts recited on English Common Law, equity courts, constitutional law, administrative law etc. and similar facts on the French law. It would have been better if the learned author had not only mentioned important features like the courts, the legal profession, procedure and evidence and different branches of law but also made a comparative study to examine the advantages disadvantages of the two systems to the litigants in their respective countries. That study would have been more instructive to us all.

So far as the organisation of courts in England is concerned, it has a hierarchy of courts which are superior and those which are inferior. The French courts, however, have a double hierarchy—one for judicial affairs and the other for administration. The Indian position is also more or less on the lines of the English procedure, their pattern of law of evidence and the system of administrative and other laws. Many of us, after much harrowing experience, are inclined to change the present pattern to a double or treble hierarchy of courts e.g. one for judicial affairs, the other for administrative matters and the third for service matters and yet another for the taxes etc. The author, while dealing with the principal features of the English and the French law does not go in depth to inform the readers as to which pattern would be more useful and beneficial to the litigant public, especially the large sector of the poorer classes and middle classes.

Civil cases and criminal cases are tried in different courts both in France as well as in England. The criminal courts in France can award damages to

the victim of a criminal offence after the offender has been convicted. Civil cases are decided, in the first instance, by a variety of courts. There are in France, tribunals specialising in commercial cases, others for labour law cases or for social security cases and yet others for disputes between landlords and farmers. There are also courts according to the importance given to the nature of dispute. They are 'tribunal de grande instance' and 'tribunal d' instance'. I wish the author had discussed in depth the advantages or disadvantages to the litigant public and the time taken for disposal of litigations by the French courts; some study and data on other aspects of the two varieties of courts in England and France would have also been interesting. I find that he is merely satisfied by mentioning as to what kind of courts are there in the two countries and what their functions are.

So far as the constitutional law is concerned, France has a written constitution, while there is no written constitution in England. It is left to lawyers in England to decide which matter it is proper to contemplate and to include in the domain of constitutional law. It is because of this significant difference between the two, that there is bound to be a basic difference in the conception entertained in the laws of both the countries. It is true that the Constitution of the "Fifth Republic" made after the advent of General de Gaulle to power and which is still in vigour presently in France, has introduced radical changes in the organisation of political power in France. French Parliament was fully sovereign, as in England, before 1958. The new constitution has curtailed its powers while it has considerably increased the status and executive powers (of the President and the Cabinet). A Constitutional Council has been instituted to enforce the respect of the new principle enacted thus in the constitution making Parliament less potent. We, in India, are also having a dialogue now on the system of Parliamentary democracy which we should have. Although there is a lot of criticism by some against their arguing out the case of a Presidential form of democracy, yet many of us in the country feel that a healthy dialogue on the form of parliamentary democracy is necessary to understand what is fruitful to our country. The author does discuss the French Constitution and the constitutional law of England at great length and his study is useful. He has, however, traced the development of the two systems along different lines in England and in France and has also shown the nature and the extent of the difference which exists. He has also endeavoured to investigate the legal systems of both the countries and consider their differences. I think the book will be very useful for one who wants to study the different branches of law of the two great countries of Europe.

—R. R. BHOLE

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APPENDIX—I

STATEMENT SHOWING THE WORK TRANSACTED DURING THE 5TH SESSION OF THE  
SEVENTH LOK SABHA

1. Period of the Session . . . . .	16 9	February May,	to 1981
2. Number of meetings held . . . . .	56		
3. Total number of sitting hours . . . . .	380	hours	and 30 minutes
4. Number of divisions held . . . . .	19		
5. <i>Government Bills.</i>			
(i) Pending at the commencement of the Session . . . . .	14		
(ii) Introduced . . . . .	27		
(iii) Laid on the Table as passed by Rajya Sabha . . . . .	5		
(iv) Returned by Rajya Sabha with any amendment/recom- mendation and laid on the Table . . . . .	2		
(v) Referred to Select Committee . . . . .	Nil		
(vi) Referred to Joint Committee . . . . .	Nil		
(vii) Reported by Select Committee . . . . .	Nil		
(viii) Reported by Joint Committee . . . . .	Nil		
(ix) Discussed . . . . .	20		
(x) Passed . . . . .	19		
(xi) Withdrawn . . . . .	Nil		
(xii) Negatived . . . . .	Nil		
(xiii) Part-discussed . . . . .	1		
(xiv) Discussion postponed . . . . .	Nil		
(xv) Returned by Rajya Sabha without any recommendation. . . . .	13		
(xvi) Motion for concurrence to refer the Bill to Joint Committee adopted . . . . .	Nil		
(xvii) Pending at the end of the Session . . . . .	29		
6. <i>PRIVATE MEMBERS' BILLS :</i>			
(i) Pending at the commencement of the Session . . . . .	110		
(ii) Introduced . . . . .	42		
(iii) Laid on] the Table as passed by Rajya Sabha . . . . .	Nil		



(iv)	Returned by Raja Sabha with any amendment and Laid on the Table . . . . .	Nil
(v)	Reported by Select Committee . . . . .	Nil
(vi)	Discussed . . . . .	6
(vii)	Passed . . . . .	Nil
(viii)	Withdrawn . . . . .	4
(ix)	Negatived . . . . .	1
(x)	Circulated for eliciting opinion . . . . .	Nil
(xi)	Part-discussed . . . . .	1
(xii)	Discussion postponed . . . . .	Nil
(xiii)	Motion for circulation of Bill negatived . . . . .	Nil
(xiv)	Referred to Select Committee . . . . .	Nil
(xv)	Removed from the Register of Pending Bills . . . . .	Nil
(xvi)	Pending at the end of the Session . . . . .	147
<b>7. NUMBER OF DISCUSSIONS HELD UNDER RULE 193 :</b>		
(Matters of Urgent Public Importance)		
(i)	Notices received . . . . .	141
(ii)	Admitted . . . . .	5
(iii)	Discussion held . . . . .	3
<b>8. NUMBER OF STATEMENTS MADE UNDER RULE 197 :</b>		
(Calling-attention to Matters of Urgent Public Importance)		
	Statements made by Ministers . . . . .	42
<b>9. MOTION OF NO CONFIDENCE IN COUNCIL OF MINISTERS</b>		
(i)	Notices Received . . . . .	9
(ii)	Admitted and Discussed . . . . .	1
(iii)	Barred . . . . .	8
<b>10. Half-an-hour discussions held . . . . .</b>		
		10
<b>11. STATUTORY RESOLUTIONS :</b>		
(i)	Notices received . . . . .	74
(ii)	Admitted . . . . .	5
(iii)	Moved . . . . .	5
(iv)	Adopted . . . . .	2
(v)	Negatived . . . . .	3
(vi)	Withdrawn . . . . .	Nil

<b>12. GOVERNMENT RESOLUTIONS :</b>		
(i) Notices received	. . . . .	1
(ii) Admitted	. . . . .	1
(iii) Moved	. . . . .	1
(iv) Adopted	. . . . .	1
<b>13. PRIVATE MEMBERS' RESOLUTIONS :</b>		
(i) Received	. . . . .	18
(ii) Admitted	. . . . .	17
(iii) Discussed	. . . . .	5
(iv) Withdrawn	. . . . .	Nil
(v) Negatived	. . . . .	4
(vi) Adopted	. . . . .	Nil
(vii) Part-discussed	. . . . .	1
(viii) Discussions postponed	. . . . .	Nil
(ix) Notice disallowed	. . . . .	1
<b>14. GOVERNMENT MOTIONS :</b>		
(i) Notices received	. . . . .	1
(ii) Admitted	. . . . .	1
(iii) Moved	. . . . .	Nil
(iv) Adopted	. . . . .	Nil
(v) Discussed	. . . . .	Nil
<b>15. PRIVATE MEMBERS' MOTIONS :</b>		
(i) Received	. . . . .	637
(ii) Admitted	. . . . .	279
(iii) Moved	. . . . .	2
(iv) Adopted	. . . . .	2
(v) Discussed	. . . . .	2
(vi) Negatived	. . . . .	Nil
(vii) Part-discussed	. . . . .	Nil
(viii) Withdrawn	. . . . .	Nil
<b>16. MOTIONS RE : MODIFICATION OF STATUTORY RULE :</b>		
(i) Received	. . . . .	5
(ii) Admitted	. . . . .	5
(iii) Moved	. . . . .	2

- (iv) Adopted . . . . . Nil
- (v) Negatived . . . . . 2
- (vi) Withdrawn . . . . . Nil
- (vii) Part-discussed . . . . . Nil
17. Number of Parliamentary Committees created, if any, during the session . . . . . Nil.
18. Total number of Visitors' Passes issued during the session. . . 47,470
19. Maximum number of Visitors' Passes issued on any single day, and date on which issued. . . . . 1,894 on 8-5-81
20. NUMBER OF ADJOURNMENT MOTIONS :
- (i) Brought before the House . . . . . 89
- (ii) Admitted and discussed . . . . . 1
- (iii) Barred in view of adjournment motion admitted on the subject . . . . . 5
- (iv) Consent withheld by Speaker outside the House . . . . . 691
- (v) Consent given by Speaker but leave not granted by House Nil
21. TOTAL NUMBER OF QUESTIONS ADMITTED :
- (i) Starred . . . . . 1133
- (ii) Unstarred (including Starred Questions converted as Unstarred Questions) . . . . . 10,479
- (iii) Short-notice Questions . . . . . Nil
22. PARLIAMENTARY COMMITTEES AT WORK :

Name of the Committee	No. of sittings held during the period 1 October to 31 December, 1980	No. of Reports presented during the Session.
1	2	3
(i) Estimates Committee . . . . .	5	12
(ii) Public Accounts Committee . . . . .	..	36
(iii) Committee on Public Undertakings . . . . .		
(iv) Business Advisory Committee . . . . .	33	24
(v) Committee on Absence of Members from the sittings of the House . . . . .	..	2

	1	2	3
(vi) Committee on Subordinate Legislation . . . . .		4	2
(vii) Committee on Petitions . . . . .		3	2
(viii) Committee on Privileges . . . . .		..	1
(ix) Committee on Private Members' Bills and Resolutions . .			11
(x) Committee on Government Assurances . . . . .		..	1
(xi) Committee on the Welfare of Scheduled Castes & Scheduled Tribes . . . . .		5	11
(xii) Joint Committee on Offices of Profit . . . . .		..	Nil
(xiii) Rules Committee . . . . .		..	Nil
(xiv) Committee on papers Laid on Table . . . . .		..	5
<hr/>			
23. Number of Members Granted Leave of Absence . . . . .			10
24. Petitions Presented . . . . .			3
25. Number of New Members Sworn with Date . . . . .			Nil

## APPENDIX II

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

1. Period of the Session . . . . .	16-2-81 to 26-3-81
2. Number of meetings held . . . . .	26
3. Total Number of sitting hours . . . . .	151 Hrs and 30mins- (excluding lunch)
4. Number of divisions held . . . . .	Nil
<b>5. GOVERNMENT BILLS :</b>	
(i) Pending at the commencement of the Session . . . . .	9
(ii) Introduced . . . . .	4
(iii) Laid on the Table as passed by Lok Sabha . . . . .	13
(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 . . . . .	16
(x) Passed . . . . .	4
(xi) Withdrawn . . . . .	Nil
(xii) Negatived . . . . .	Nil
(xiii) Part-Discussed . . . . .	1
(xiv) Returned by Rajya Sabha without any <del>recommendation</del> tion . . . . .	11
(xv) Discussion postponed . . . . .	Nil
(xvi) Pending at the end of the Session . . . . .	11
<b>6. PRIVATE MEMBERS BILLS</b>	
(i) Pending at the commencement of the Session . . . . .	37
(ii) Introduced . . . . .	2
(iii) Laid on the Table as passed by Lok Sabha . . . . .	Nil
(iv) Returned by Lok Sabha with any amendment and laid on the Table . . . . .	x

(v) Reported by Joint Committee . . . . .	x
(vi) Discussed . . . . .	2
(vii) Withdrawn . . . . .	x
(viii) Passed . . . . .	x
(ix) Negatived . . . . .	1
(x) Circulated for eliciting opinion . . . . .	x
(xi) Part-discussed . . . . .	x
(xii) Discussion postponed . . . . .	1
(xiii) Motion for circulation of Bill negatived . . . . .	x
(xiv) Referred to Select Committee . . . . .	x
(xv) Pending at the end of the Session . . . . .	38

7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176.  
(MATTERS OF URGENT PUBLIC IMPORTANCE)

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

8. NUMBER OF STATEMENTS MADE UNDER RULE 180.  
(CALLING ATTENTION TO MATTER OF URGENT  
PUBLIC IMPORTANCE)

(i) Statements made by Ministers . . . . .	17
--	----

9. (H) Half-an-hour discussion held . . . . .	2
---	---

10. (STATUTORY RESOLUTIONS)

(i) Notices received . . . . .	6
(ii) Admitted . . . . .	6
(iii) Moved . . . . .	6
(iv) Adopted . . . . .	2
(v) Negatived . . . . .	4
(vi) Withdrawn . . . . .	x

11. GOVERNMENT RESOLUTIONS

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

**12. PRIVATE MEMBERS' RESOLUTIONS**

(i) Received	. . . . .	8
(ii) Admitted	. . . . .	8
(iii) Discussed	. . . . .	1
(iv) Withdrawn	. . . . .	x
(v) Negatived	. . . . .	x
(vi) Adopted	. . . . .	x
(vii) Part discussed	. . . . .	1
(viii) Discussion postponed	. . . . .	x

**13. GOVERNMENT MOTIONS.**

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

**14. PRIVATE MEMBERS' MOTIONS**

(i) Received	. . . . .	75
(ii) Admitted	. . . . .	69
(iii) Moved	. . . . .	x
(iv) Adopted	. . . . .	x
(v) Part-discussed	. . . . .	x
(vi) Negatived	. . . . .	6
(vii) Withdrawn	. . . . .	x

**15. MOTIONS REGARDING MODIFICATION OF STATUTORY RULE.**

(i) Received	. . . . .	3
(ii) Admitted	. . . . .	3
(iii) Moved	. . . . .	3
(iv) Adopted	. . . . .	x
(v) Negatived	. . . . .	3
(vi) Withdrawn	. . . . .	x
(vii) Part-discussed	. . . . .	x

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

**17 Total number of Visitors' passes** . . . . . 3388

18. Maximum number of Visitors' Passes issued on any single day, and date on which issued . . . . . 248 Feb. 25, 1981

19. NUMBER OF MOTIONS FOR PAPERS UNDER RULE 175.

- (i) Brought before the House . . . . . x  
 (ii) Admitted and discussed . . . . . x

20. TOTAL NUMBER OF QUESTIONS ADMITTED.

- (i) Started . . . . . 413  
 (ii) Unstarted (including Started Questions) . . . . . 2502  
 (iii) Short-Notice Questions . . . . . x

21. DISCUSSION ON THE WORKING OF THE MINISTRIES

Nil

22. WORKING OF PARLIAMENTARY COMMITTEES

Name of Committee	No. of meetings held during the period 1 Oct. to 31 December, 1980	No. of Reports presented during the Session
(f) Public Accounts Committee . . . . .	x	x
(H) Committee on Public Undertakings . . . . .	x	x
(III) Business Advisory Committee . . . . .	x	x
(iv) Committee on Subordinate Legislation . . . . .	9	xx
(v) Committee on Petitions . . . . .	9	2
(vi) Committee on the Welfare of Scheduled Castes and Scheduled Tribes . . . . .	x	x
(vii) Committee of Privileges . . . . .	6	x
(viii) Committee on Rules . . . . .	1	x
(ix) Joint Committee on Offices of Profit . . . . .	x	x
(x) Committee on Government Assurances . . . . .	13	1

23. Number of Members granted leave of absence . . . . . 1

24. Petition presented . . . . . 4



25. NUMBER OF NEW MEMBERS SWORN WITH DATES

Sl. No.	NAME OF MEMBERS SWORN	DATE ON WHICH SWORN
1.	Sh. M.R. Apparow . . . . .	24-3-81
2.	Sh. T. Chandrasekara Reddy . . . . .	-Do-
3.	Sh. K.V.R.S Bala Subba Rao . . . . .	-Do-

26. OBITUARY REFERENCES

Sl. No.	NAME	SITTING MEMBER/ EX-MEMBER
1.	Sh. Arjun Arora . . . . .	Ex-Member
2.	Sh. Chadalavada Venkata Rao . . . . .	Sitting-Member
3.	Sh. M.C. Chaglia . . . . .	Ex-Member
4.	Prof. Mukut Behari Lal . . . . .	-Do-

## APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF THE STATE LEGISLATURES DURING THE PERIOD 1 OCTOBER, 1980 TO 31 DECEMBER, 1980

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
1	2	3	4	5	6	7	8
Andhra Pradesh L.C.	22-9-80 to 1-10-80	8	9(9)	—	554(316) (a)	—	—
Andhra Pradesh L.A.	—	—	—	—	—	—	—
Assam L.A.	—	—	—	—	—	—	—
Bihar L.C.	9-12-80 to 22-12-80	10	3(3)	—	643 (625)	25 (b)	219(219)
Bihar L.A.	9-12-80 to 22-12-80	11	5(3)	—	(6) (1098)	(930)	(18)
Gujarat L.A.	—	—	—	—	—	467 (215)	—
Haryana L.A.	—	—	—	—	—	—	—
Himachal Pradesh L.A.	6-10-80 to 8-10-80	3	5(2)	—	263(243) (d)	59(53) (e)	2(1)
Jammu & Kashmir L.C.	—	—	—	—	—	—	—
Jammu & Kashmir L.A.	—	—	—	—	—	—	—
Karnataka L.C.	28-1-81 to 9-2-81	10	—	—	182 (170)	59 (54)	14(3)
Karnataka L.A.	28-1-81 to 9-2-81	13	27 (2)	—	744 (716)	34 (34)	6(3)
Kerala L.A.	—	—	—	—	—	—	—
Madhya Pradesh L.A.	—	—	—	—	—	—	—
Maharashtra L.C.	—	—	—	—	—	—	—
Maharashtra L.A.	—	—	—	—	—	—	—
Manipur L.A.	3-10-80 to 6-10-80	2	—	—	60 (24)	—	—
Meghalaya L.A.	—	—	—	—	—	—	—
Nagaland L.A.	—	—	—	—	—	—	—

Orissa L.A.	—	—	—	—	—	—	—	—	—	—
Punjab L.A.	—	—	—	—	—	—	—	—	385 (11)	65 (33)
Rajasthan L.A.	—	—	—	—	—	—	—	—	—	—
Sikkim L.A.	—	—	—	—	—	—	—	—	—	—
Tamil Nadu L.C.	—	—	—	—	—	—	—	—	—	—
Tamil Nadu L.A.	—	—	—	—	—	—	—	—	—	—
Tripura L.A.	—	24-12-80 to 31-12-80	5	5 (4)	—	—	—	—	282 (235)	3 (22)(1)
Uttar Pradesh L.C.	—	3-10-80 to 23-10-80	7	7( 7)	—	—	—	—	719 (663)	12 (50)
Uttar Pradesh L.A.	—	3-7-80 to 23-10-80	38	4 (6)	—	—	—	—	1534(1407)(e)	708 (581)
West Bengal L.A.	—	—	—	—	—	—	—	—	—	621(494) (b)
<i>Union Territories</i>	—	—	—	—	—	—	—	—	—	—
Arunachal Pradesh L.A.	—	—	—	—	—	—	—	—	—	—
Delhi Metropolitan Council	—	—	—	—	—	—	—	—	—	—
Goa, Daman and Diu L.A.	—	6-10-80 to 17-10-80	10	11 (9)	2 (2)	—	—	—	605 (313)	4(180) (i)
Mizoram L.A.	—	—	—	—	—	—	—	—	—	9 (2)
Pondicherry L.A.	—	13-10-80 to 17-10-80	5	3 (3)	—	—	—	—	250 (180)	82 (122) (j)

Note : (i) Figures in Cols. 4 and 5 indicate the number respectively of Government and Private Bills introduced, with the number of Bills passed in Brackets.  
(ii) Figures in Cols. 6, 7 and 8 indicate the number of Notices received followed by the number of Notices admitted in brackets.

- (a) Including 36 Unstarred Notices.  
 (b) Converted from Starred and Short Notice Questions.  
 (c) Total No. of Questions received was 2668, out of which 204 were admitted.  
 (d) Inclusive of those bracketed and classified as Unstarred.  
 (e) Inclusive of those bracketed or classified as Starred.  
 (f) Includes 19 starred Questions admitted as Unstarred.  
 (g) Including 837 Notices admitted as Unstarred.  
 (h) Figure 494 includes 330 Short Notice Questions admitted as Starred and 147 as Unstarred.  
 (i) Including Starred Questions converted into Unstarred.  
 (j) Includes 40 Starred Questions converted into Unstarred.

## APPENDIX—II (Contd.)

COMMITTEES AT WORK/NUMBER OF SITTINGS HELD AND NUMBER OF REPORTS PRESENTED

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Business Advisory Committee																
Committee on Govt. Assurance																
Committee on Petitions																
Committee on Private Members' Bills and Resolutions																
Committee on Privileges																
Committee on Public Undertakings																
Committee on Subordinate Legislation																
Committee on the Welfare of SC and ST																
Estimates Committee																
General Purpose Committee																
House/Accommodation Committee																
Library Committee																
Public Accounts Committee																
Rules Committee																
Joint Select Committee																
Other Committees																
Andhra Pradesh L.C.																
Andhra Pradesh L.A.																
Assam L.A.																
Bihar L.C.																
Bihar L.A.																
	3	14	7		3											
	5(3)	15	17	5	5		22			17	8	19				3
	5(5)	81	66			37	26	43	126			56	61(6)	41	3	59(100)

Gujarat L.A.	.	.	.	.	.	.	.	.	15	1	1	14	..	2	..	2	..	..
Haryana L.A.	.	.	.	.	.	.	.	.	..	..	..	..	..	..	..	..	..	..
Himachal Pradesh L.A.	.	.	2(2)	10	3	..	..	9	15	11	15	..	2	..	15	2	..	..
Jammu and Kashmir L.C.	.	.	.	.	.	.	.	.	..	..	..	..	..	..	..	..	..	..
Jammu & Kashmir L.A.	.	.	.	.	.	.	.	.	..	..	..	..	..	..	..	..	..	..
Karnataka L.C.	.	.	3	19	..	..	..	7	..	..	..	..	..	..	..	..	..	..
Karnataka L.A.	.	.	2	19	7	..	13	27	7	24	34	..	4	..	27	..	..	..
Kerala L.A.	.	.	.	.	.	.	.	..	..	..	..	..	..	..	..	..	..	..
Madhya Pradesh L.A.	.	.	..	2	3	..	2	5	1	6	3	1	4	1	5	..	..	..
Maharashtra L.C.	.	.	.	.	.	.	.	..	..	..	..	..	..	..	..	..	..	..
Maharashtra L.A.	.	.	.	.	.	.	.	..	..	..	..	..	..	..	..	..	..	..
Manipur L.A.	.	.	1(1)	..	..	..	..	2	7	..	3	..	..	..	..	..	..	..
Mebgaya L.A.	.	.	.	.	.	.	.	..	..	..	..	..	..	..	..	..	..	..
Nagaland	.	.	.	.	.	.	.	..	..	..	..	..	..	..	..	..	..	..
Orissa L.A.	.	.	.	.	.	.	.	..	..	..	..	..	..	..	..	..	..	..
Punjab L.A.	.	.	..	19	17	..	5	25	21	23	28	4	4	13	23	1	..	(c)
Rajasthan L.A.	.	.	..	28	41	..	16	31	28	62(d)	28	..	33	29	31	42	..	..
Sikkim L.A.	.	.	.	.	.	.	.	..	..	..	..	..	..	..	..	..	..	..
Tamil Nadu L.C.	.	.	.	.	.	.	.	..	..	..	..	..	..	..	..	..	..	..
Tamil Nadu L.A.	.	.	..	6	..	..	3	29	6	20	..	..	..	..	3	1	7(e)	..
Tripura L.A.	.	.	1(1)	2	1	..	1	3(1)	2	2	..	..	..	..	1	4	1	(f)

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Uttar Pradesh L.C.			34		5	23					11			24		(g)
Uttar Pradesh L.A.		1(i)	7		2	6		3	3	1	1		9	3	(h)	
West Bengal L.A.			4		4	10	2	3	9		2		7	4	(i)	
<i>Union Territories</i>																
Arunachal Pradesh L.A.						1			1		1		3	2		
Delhi Metropolitan Council																
Goa, Daman & Diu L.A.		2			2(i)		1		1				3			(k)
Mizoram L.A.		2				1	1		1		3		7			
Pondicherry L.A.		1	3	7(i)	2		4(i)		26			1(i)	26			

Note : Figures in brackets indicate the number of Reports presented to the House.

- (a) Committee on Papers Laid on the Table of the House.  
 (b) Question and Calling Attention Committee - 41 (i) ; and Committee on Members' Facilities—18.  
 (c) Committee on Papers Laid on the Table—9.  
 (d) Committee on the welfare of Scheduled Castes—35 and Scheduled Tribes—27.  
 (e) Select Committee on the Tamil Nadu Co-operative Societies Bill, 1980.  
 (f) Committee to Examine the Tripura Land Revenue and Land Reforms Act, 1960.  
 (g) Parliamentary Studies Committee—14 ; Committee on Kanpur Jan Sewak Co-operative Housing Committee—5. Warehousing Committee—30 ; Committee to Probe into the irregular appointment of District Government Counsel and Additional District Government Counsel—9 ; Compilation of Rulings Committee—17.  
 (h) Select Committee on U.P. Revenue Code Bill, 1980—14 sittings.  
 (i) The Jadavpur University Bill, 1980—3 sittings; the North Bengal University Bill, 1980—3 sittings ; The Burdwan University Bill, 1980—5 sittings ; The West Bengal Land Reforms (Second Amendment) Bill, 1980—7 sittings ; The Code of Criminal Procedure (West Bengal Amendment) Bill, 1980—3 sittings; The Calcutta Thika Tenancy (Acquisition and Requisition) Bill, 1980—3 sittings.  
 (j) Select Committee on (i) The Goa, Daman and Diu Registration of Tourist Trade Bill, 1980—2 sittings ; and (ii) The Goa, Daman and Diu School Education Bill, 1980—3 sittings.  
 (k) Committee of the House to Enquire into the implementation of Tribal Sub-Plan at Daman—2 sittings.

## APPENDIX IV

LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENTED TO BY THE PRESIDENT DURING THE PERIOD 1 OCTOBER TO 31 DECEMBER, 1980

S.No.	Title of the Bill	Date of assent by the President.
1	The Advocates (Amendment) Bill, 1980.	29-11-80
2	The Assam Appropriation (No. 2) Bill, 1980.	29-11-80
3	The Dock Workers (Regulation of Employment) Amendment Bill, 1980.	29-11-80
4	The Hindustan Tractors Limited (Acquisition and Transfer of Undertakings) Amendment Bill, 1980.	3-12-80
5	The Mica Mines Labour Welfare Fund (Amendment) Bill, 1980.	3-12-80
6	The Sree Chitra Tirunal Institute for Medical Sciences and Technology Trivandrum Bill, 1980.	3-12-80
7	The Territorial Army (Amendment) Bill, 1980.	9-12-80
8	The Hotel-Receipts Tax Bill, 1980.	9-12-80
9	The Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Amendment Bill, 1980.	9-12-80
10	The Company Secretaries Bill, 1980.	10-12-80
11	The High Court and Supreme Court Judges (Conditions of Service) Amendment Bill, 1980.	10-12-80
12	The Bengal Chemical and Pharmaceutical Works Limited (Acquisition and Transfer of Undertakings) Bill, 1980.	12-12-80
13	The Auroville (Emergency Provisions) Bill, 1980.	17-12-80
14	The Monopolies and Restrictive Trade Practices (Amendment) Bill, 1980	19-12-80
15	The Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 1980.	20-12-80
16	The Jute Companies (Nationalisation) Bill, 1980.	21-12-80
17	The Code of Criminal Procedure (Amendment) Bill, 1980.	26-12-80
18	The Maruti Limited (Acquisition and Transfer of Undertakings) Bill, 1980.	27-12-80
19	The National Security Bill, 1980.	27-12-80
20	The Payment of Bonus (Second Amendment) Bill, 1980.	27-12-80

21	The Bird and Company Limited (Acquisition and Transfer of Undertakings and Other Properties) Bill, 1980. . . . .	27-12-80
22	The Tea (Amendment) Bill, 1980. . . . .	27-12-80
23	The Forest (Conservation) Bill, 1980. . . . .	27-12-80
24	The Hind Cycles Limited and Sen-Raleigh Limited (Nationalisation) Bill, 1980. . . . .	27-12-80
25	The Appropriation (No. 4) Bill, 1980. . . . .	29-12-80



## APPENDIX—V

BILLS PASSED BY THE STATE LEGISLATURE DURING THE PERIOD 1 OCTOBER TO  
31 DECEMBER, 1980

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### ANDHRA PRADESH LEGISLATIVE COUNCIL

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

### BIHAR VIDHAN PARISHAD

1. Bihar Viniyog (No. 3) Vidheyak, 1980.
2. Bihar Rajbhasha (Sanshodhan) Vidheyak, 1980.

### HIMACHAL PRADESH VIDHAN SABHA

1. The HP Krishi Vishva Vidyalaya (Amendment) Bill, 1980.
2. The HP Fruit Nurseries Registration (Amendment) Bill, 1980.
3. The HP Courts (Amendment) Bill, 1980.
4. The HP General Sales Tax (Amendment) Bill, 1980.
5. The Punjab Security of State (HP Amendment) Bill, 1980.

### KARNATAKA LEGISLATIVE ASSEMBLY

1. The Karnataka Tax on Entry of Goods into Local Area for Consumption, Use or Sale therein (Repeal) Bill, 1981.
2. The Karnataka (Supply) (Karnataka Amendment) Bill, 1981.

## TRIPURA LEGISLATIVE ASSEMBLY

1. The Tripura Appropriation (No. 6) Bill, 1980.
- \*2. The Tripura Tribunals of Criminal Jurisdiction Bill, 1980.
- \*3. The Tripura Agricultural Indebtedness Relief (Amendment) Bill 1980.
- \*4. The Tripura Educational Institution (Acquisition of Right, Title and Interest) Bill, 1980.

## UTTAR PRADESH LEGISLATIVE COUNCIL†

1. Uttar Pradesh Rajkiya Nalkoop (Sanshodhan) Vidheyak, 1980.
2. Uttar Pradesh Nagar Swayayat Shasan Vidhi (Sanshodhan) Vidheyak, 1980.
3. Uttar Pradesh Aakasmikta Nidhi (Sanshodhan) Vidheyak, 1980.
4. Uttar Pradesh Viniyog Vidheyak, 1980.
5. Uttar Pradesh Viniyog (1973-74 Ke Barthi Vyaya Ka Viniyaman) Vidheyak, 1980.
6. Uttar Pradesh (1980-81 ka Pratham Anupoorak) Vidheyak, 1980.
7. Uttar Pradesh Rajya Vidhan Mandal (Sadasyon ke Uplavdhiyon Aur Pension).

## GOA, DAMAN AND DIU LEGISLATIVE ASSEMBLY

1. The Goa, Daman and Diu Appropriation (Excess Expenditure for the year 1974-75) Bill, 1980.
2. The Goa, Daman and Diu Appropriation (Excess Expenditure for the year 1975-76) Bill, 1980.
3. The Goa, Daman and Diu Appropriation (Excess Expenditure for the year 1976-77) Bill, 1980.
4. The Goa, Daman and Diu Administrative Tribunal (Amendment) Bill, 1980.
5. The Goa, Daman and Diu Marine Fishing Regulation Bill, 1980.
- \*6. The Goa, Daman and Diu (Authority for use of Eyes for therapeutic purposes) Bill, 1980.
7. Bill No 24 of 1980—The Land Acquisition (Goa, Daman and Diu Amendment) Bill, 1980.
8. The Goa, Daman and Diu Legislative Diploma No. 1984 dated 14-4-1980 (Third Amendment) Bill, 1980
- \*\*9. The Goa, Daman and Diu Municipalities (Sixth Amendment) Bill, 1980.
- \*10. The Maharashtra Co-operative Societies (Goa, Daman and Diu Fourth Amendment) Bill, 1980.
11. The Goa, Daman and Diu Village Panchayats Regulation (Amendment) Bill, 1980.

\*Awaiting assent.

\*\*Private Member's Bill.

†The Bills were also passed by the Legislative Assembly.

**PONDICHERY LEGISLATIVE ASSEMBLY**

1. The Pondicherry Non-Agricultural Kudiyiruppudars (Stay of Eviction Proceedings) Bill, 1980.
2. The Pondicherry Housing Board (Amendment) Bill, 1980.
3. The Pondicherry Khadi and Village Industries Board Bill, 1980.

## APPENDIX VI

ORDINANCES ISSUED BY THE CENTRAL AND STATE GOVERNMENTS DURING THE PERIOD 1st OCTOBER TO 31st DECEMBER, 1980

Sl. No.	Subject	Date of Promulgation	Date on which laid before the House	Date of Cessation	Remarks
1	2	3	4	5	6
<b>CENTRAL GOVERNMENT</b>					
1	The Maruti Limited (Acquisition and Transfer of Undertakings) Ordinance, 1980 (No. 13 of 1980)	13-10-80	17-11-80		Replaced by Legislation.
2	The Monopolies and Restrictive Trade Practices (Amendment) Ordinance, 1980 (No. 14 of 1980)	13-10-80	17-11-80	..	Do.
3	The Tea (Amendment) Ordinance, 1980 (No. 15 of 1980)	13-10-80	17-11-80	..	Do.
4	The Hind Cycles Limited and Sen-Raleigh Limited (Nationalisation) Ordinance, 1980 (No. 16 of 1980)	15-10-80	17-11-80		Do.
5	The Forest (Conservation) Ordinance, 1980 (No. 17 of 1980)	25-10-80	17-11-80		Do.
6	The Bird and Company Limited (Acquisition and Transfer of Undertakings and Other Properties) Ordinance, 1980 (No. 18 of 1980)	25-10-80	17-11-80		Do.
7	The Auroville (Emergency Provisions) Ordinance, 1980 (No. 19 of 1980).	10-11-80	17-11-80		Do.
<b>STATE GOVERNMENTS</b>					
<b>ANDHRA PRADESH</b>					
1	The Andhra Pradesh (Agricultural Produce and Livestock) Markets (Amendment) Ordinance, 1980	2-12-80	24-2-81	6-4-1981	—
2	The Hyderabad Municipal Corporation (Second Amendment) Ordinance, 1980	15-12-80	Do.	Do.	—
3	The A. P. Land Revenue (Enhancement) Amendment, Ordinance, 1980	Do.	Do.	Do.	—

BHAR

1	The Bihar Municipal Corporation (Third Amendment) Ordinance 1980.	9-8-1980	24-1-81	..
2	The Bihar Ministers, Deputy Ministers and Bihar Legislature's Officers' Salaries and Allowances Law (Second Amendment)	11-8-1980	Do.	..
3	The Bihar Agriculture Income-Tax (Repeal) Third Ordinance, 1980	Do.	Do.	..
4	The Bihar Cinema (Regulation) (Third Amendment) Ordinance 1980	Do.	Do.	..
5	The Patna Corporation (Third Amendment) Ordinance, 1980	Do.	Do.	..
6	The Bihar Medical Educational Institution (Regulation and Control) Third Ordinance, 1980	Do.	Do.	..
7	The Bihar Municipal Corporation and Patna Municipal Corporation (Third Amendment) Ordinance, 1980	Do.	Do.	..
8	The Bihar Crime Control Third Ordinance, 1980	Do.	Do.	..
9	The Bihar Bhoodan Movement (Third Amendment) Third Ordinance, 1980	Do.	Do.	..
10	The Bihar Cess (Third Amendment) Ordinance, 1980	Do.	Do.	..
11	The Bihar Land Rent Exemption from Payment (Third Ordinance) 1980	Do.	Do.	..
12	The Bihar Land Encroachment (Third Amendment) Ordinance, 1980	Do.	Do.	..
13	The Chhota Nagpur Tenancy (Third Amendment) Ordinance, 1980	Do.	Do.	..
14	The Santhal Pargana Civil Court (Order-Validation and Protection) Third Ordinance, 1980	Do.	Do.	..
15	The Bihar Agriculture Credit Operations and Miscellaneous Provisions (Banks) Third Ordinance, 1980	Do.	Do.	..
16	The Chhota Nagpur and Santhal Pargana Autonomous Development Authority (Third Amendment) Ordinance, 1980	Do.	Do.	..
17	The Bihar Sugar-cane (Supply and Purchase Regulation) Third Ordinance, 1980	Do.	Do.	..

1	2	3	4	5	6
18	The Bihar Children Third Ordinance, 1980	Do.		Do.	..
19	The Bihar Sugar Undertakings (Acquisition) (Third Amendment) Ordinance, 1980	Do.		Do.	..
20	The Bihar Irrigation Law (Third Amendment) Ordinance, 1980	Do.		Do.	..
21	The Bihar Irrigation Regional Command (Third Amendment) Ordinance 1980	Do.	..	Do.	..
22	The Bihar Excise (Third Amendment and Validation) Ordinance, 1980	Do.	..	Do.	..
23	The Bihar State Water and Sewage Carried Board Third Ordinance, 1980	Do.		Do.	..
24	The Minimum Wage (Bihar Amendment) Third Ordinance, 1980	Do.		Do.	..
25	The Bihar Motor Vehicles Taxation Third Ordinance, 1980	Do.		Do.	..
26	The Bihar Hindu Religious Trust (Third Amendment) Ordinance, 1980	Do.	..	Do.	..
27	The Bihar Khadi and Village Industries (Third Amendment) Ordinance, 1980	Do.	..	Do.	..
28	The Bihar Aid to Industries (Third Amendment) Ordinance, 1980	Do.	..	Do.	..
29	The Rajendra Agriculture University (Third Amendment) Ordinance, 1980	Do.	..	Do.	..
30	The Bihar Sanskrit Education Board Third Ordinance, 1980	Do.	..	Do.	..
31	The Bihar Non-Government Secondary School (Management and Control Adoption) Ordinance, 1980	Do.	..	Do.	..
32	The Bihar Intermediate Education Council, Third Ordinance, 1980	Do.	..	Do.	..
33	The Bihar Inter-University Board, Third Ordinance, 1980	Do.	..	Do.	..
34	The Bihar Panchayat Samiti and Zilla Parishad (Third Amendment and Validation) Ordinance, 1980	Do.	..	Do.	..

35	The Bihar Panchayat Election Rules and Supplementary Voters Lists (Third Validation) Ordinance, 1980	Do.	..	Do.
36	The Bihar District Board and Local Board (Control and Management) (Second Amendment) Ordinance, 1980	Do.	..	Do.
37	The Patna University (Third Amendment) Ordinance, 1980	Do.	..	Do.
38	The Bihar State University (Third Amendment) Ordinance, 1980	Do.	..	Do.
39	The Anugrah Narain Sinha Institute of Social Studies (Amendment) Ordinance, 1980	Do.	..	Do.
40	The Bihar Panchayat Samiti and Zila Parishad (Fourth Amendment and Validation) Ordinance, 1980	Do.	..	Do.
41	The Examination Circulation Ordinance, 1980	7-10-1980	..	Do.
42	The Bihar Rajya Bhasha (Amendment) Ordinance, 1980	19-11-1980	..	Do.
43	The Virsa Agriculture University Ordinance, 1980	28-11-80	..	Do.
44	The Bihar Co-operative Vehicle (Fare and Eviction) Amendment Ordinance, 1980	28-8-80	..	Do.
45	The Bihar State Housing Board Third Ordinance, 1980	11-8-80	..	Do.
46	The Bihar University Service Commission Ordinance, 1980	Do.	..	Do.
47	The Bihar Sales Tax Third Ordinance, 1980	Do.	..	Do.
48	The Bihar Co-operative Society (Third Amendment) Ordinance, 1980	Do.	..	Do.
49	The Bihar Sales Tax Amendment Ordinance, 1980	20-11-80	..	Do.
50	The Bihar Panchayat Raj Third Amendment and Law Validation Ordinance, 1980	11-8-80	..	Do.
51	The Bihar Non-Government Physical Training College and Non-Government Teachers Training College and Non-Government Primary Teachers Training College (Control and Regulation) Third Ordinance, 1980.	11-8-80	..	Do.
52	The Bihar Regional Development Authority Third Ordinance, 1980	Do.	..	Do.

1	2	3	4	5	6
53	The Bihar Agriculture Production Market (Third Amendment) Ordinance, 1980	11-8-80		24-1-81	
54	The Bihar Madarsa Education Board Third Ordinance, 1980.	Do.		Do.	
55	The Bihar Land and Water Protection and Land Development Third Ordinance, 1980.	Do.		Do.	
56	The Bihar Forest Production (Trade Regulation) Third Ordinance, 1980.	Do.		Do.	
57	The Bihar Essential Service Preservation (Third Amendment) Ordinance 1980.	Do.		Do.	
58	The Bihar Co-operative Society (Fourth Amendment) Ordinance, 1980.	14-10-80		Do.	
59	The Bihar Contingency Law (Second Amendment) Ordinance, 1980.	23-9-80		Do.	
60	The Bihar Essential Service Preservation (Fourth Amendment) Ordinance, 1980	26-8-80		Do.	
GUJARAT					
1	The Maharaja Sayajirao University of Baroda (Amendment) Ordinance, 1980	16-10-80	9-2-81		Replaced by Legislation.
2	The Bombay Provincial Municipal Corporations (Gujarat Amendment and Validation) Ordinance, 1980.	24-10-80	9-2-81		Do.
3	The Bombay Land Revenue (Gujarat Amendment and Validation) Ordinance, 1980	9-12-80	9-2-81	..	Do.
4	The Gujarat Contingency Fund (Temporary Increase) Ordinance, 1980.	24-12-80	9-2-81	22-3-81	
5	The Bombay Tenancy and Agricultural Lands (Gujarat Second Amendment) Ordinance, 1980.	31-12-80	9-2-81	..	Replaced by Legislation.
6	The Bombay Inams (Kutch Area) Abolition (Gujarat Second Amendment) Ordinance, 1980.	31-12-80	9-2-81	..	Do.



HIMACHAL PRADESH

	11-6-80	6-10-1980	24-11-1980	Replaced by Legislation.
1 The Himachal Pradesh Courts (Amendment) Ordinance, 1980.	..	..	..	..
2 The Himachal Pradesh Krishi Vishvavidyalaya (Amendment) Ordinance, 1980	11-7-80	6-10-80	..	..
3 The Himachal Pradesh General Sales Tax (Amendment) Ordinance, 1980.	11-7-80	6-10-80	..	..
4 The Himachal Pradesh Town and Country Planning (Amendment) Ordinance, 1980.	6-11-80	..	..	..
•5 The Himachal Pradesh General Sales Tax Ordinance, 1980.	14-11-80	..	..	Re-issued
••6 The Himachal Pradesh Krishi Vishvavidyalaya (Second Amendment) Ordinance, 1980.	17-11-80	..	..	Re-issued

KARNATAKA

1 The Karnataka Tax on Entry into a Local Area for Consumption, Use or Sale therein (Repeal) Ordinance, 1980.	21-10-80	31-1-81	31-1-81	Replaced by Legislation.
2 The Karnataka Contingency Fund (Temporary) (Second Amendment) Ordinance, 1980.	21-10-80	..	..	..
3 The Karnataka Agricultural Income Tax (Amendment) Ordinance, 1980.	11-11-80	..	..	..
4 The Cotton Ginning and Pressing Factories (Karnataka Amendment) Ordinance, 1980.	11-11-80	..	..	..
5 The Electricity (Supply) (Karnataka Amendment) Ordinance, 1980.	21-11-80	..	..	..
6 The Karnataka Land Reforms (Second Amendment) Ordinance, 1980.	25-11-80	..	..	..
7 The Karnataka Slum Areas (Improvement and Clearance) Ordinance, 1980.	29-12-80	..	..	..
8 The Bangalore Development Authority (Amendment) Ordinance, 1980.	29-12-80	..	..	..

1	2	3	4	5	6
9	The Karnataka Debt Relief (Amendment) Ordinance, 1981	3-1-81	31.1.81		
10	The Karnataka Court Fees and Suits Valuation (Amendment) Ordinance, 1981	17-1-81	"		
11	The Karnataka Tax on Entry of Goods into Local Areas for Consumption, Use or Sale therein (Amendment) Ordinance, 1981	18-2-81	"		
12	The Karnataka Departmental Inquiries (Enforcement of Attendance of witnesses and production of Documents) Ordinance, 1981	18-2-81	"		
13	The Karnataka State Universities (Amendment) Ordinance, 1981	22-2-81	"		
14	The Karnataka Legal Aid Board Ordinance, 1981	22-2-81	"		
MADHYA PRADESH					
1	The Madhya Pradesh Co-operative Societies (Second Amendment) Ordinance, 1980	26-12-80	26-2-81		
PUNJAB					
1	The Punjab Town Improvement (Amendment) Ordinance, 1980	11-8-1980	22-1-81		Replaced by legislation
2	The Punjab Gram Panchayat (Amendment) Ordinance, 1980	23-9-1980	Do.		Do.
3	The Punjab Panchayat Samitis and Zila Panchsads (Temporary Supersession) Second Amendment Ordinance, 1980	7-10-1980	Do.		Do.
4	The Punjab Homeopathic Practitioners (Amendment and Validation) Ordinance, 1980	4-11-1980	Do.		Do.
5	The Punjab Agricultural Produce Markets (Second Amendment) Ordinance, 1980	5-11-1980	Do.		Do.
6	The Punjab Prohibition of Cow Slaughter (Amendment) Ordinance, 1980	12-12-1980	Do.		Do.

7

TAMIL NADU

				Replaced by Legislation
1	The Tamil Nadu Tax on Luxuries in Hotels and Lodging Houses Ordinance, 1980	6-10-1980	13-10-1980	Do.
2	The Tamil Nadu Sales Tax on Laws (Amendment and Repeal) Ordinance, 1980	20-10-1980	4-11-1980	Do.
3	The Tamil Nadu Prevention of Incentive to Refuse or Defer Payment of Tax Ordinance, 1980	10-1-1980	14-11-1980	Do.
4	The Tamil Nadu Abolition of Posts of Part-time Village Officers Ordinance, 1980	13-11-1980	18-11-1980	Do.
5	The Tamil Nadu Debt Relief (Amendment) Ordinance, 1980	19-11-1980	25-11-1980	Do.
6	The Tamil Nadu Agricultural Produce Markets (Amendment) Ordinance, 1980	15-12-1980	9-12-1980	Do.
7	The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Ordinance, 1980	6-12-1980	9-12-1980	Do.
8	The Pachaiyappa's Trust (Taking over of Management) Ordinance, 1980	22-12-1980	26-12-1980	Do.

UTTAR PRADESH

1	Uttar Pradesh Nagar Swayatt Shashan Vidhi (Sanshodhan) Adhyadesh, 1980	27-9-1980	3-10-1980	
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WEST BENGAL

1	The Burdwan University (Temporary supersession) (Second Amendment) Ordinance, 1980	29-12-80	18-2-81	..
2	The North Bengal University (Temporary Supersession) (Second Amendment) Ordinance, 1980	29-12-80	18-2-81	..
3	The Kalyani University (Temporary Supersession) (Second Amendment) Ordinance, 1980	29-12-80	18-2-81	..

APPENDIX-VII  
A. PARTY POSITION IN LOK SABHA  
(As on April 4, 1981)

S.No.	Name of State/Union Territory	Seats	Cong(I)	CPI (M)	Lok Dal	DMK	Other parties	Unattached	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11
(i) STATES										
1	Andhra Pradesh	42	41	..	..	..	1 (a)	..	42	..
2	Assam	14	2	..	..	..	..	..	2	12
3	Bihar	54	32	..	5	..	14 (b)	3	54	..
4	Gujarat	26	25	..	..	..	1 (c)	..	26	..
5	Haryana	10	5	..	3	..	2 (d)	..	10	..
6	Himachal Pradesh	4	4	..	..	..	..	..	4	..
7	Jammu & Kashmir	6	2	..	..	..	3 (e)	1	6	..
8	Karnataka	28	27	..	..	..	1 (f)	..	28	..
9	Kerala	20	4	6	..	..	8 (g)	2	20	..
10	Madhya Pradesh	40	34	..	..	..	4 (b)	1	39	1
11	Maharashtra	48	38	..	..	..	9 (i)	..	47	1
12	Manipur	2	1	..	..	..	1 (j)	..	2	..
13	Meghalaya	2	1	..	..	..	..	..	1	1
14	Nagaland	1	1	..	..	..	..	..	1	..
15	Orissa	21	19	..	1	..	..	..	20	1
16	Punjab	13	11	..	..	..	..	1	12*	..
17	Rajasthan	25	17	..	2	..	5 (k)	..	24	1
18	Sikkim	1	1	..	..	..	..	..	1	..
19	Tamil Nadu	39	20	..	..	16	3 (l)	..	39	..
20	Tripura	2	..	2	..	..	..	..	2	..
21	Uttar Pradesh	85	43	..	22	..	15 (m)	..	80	5
22	West Bengal	42	4	27	..	..	10 (n)	..	41	1

## (ii) UNION TERRITORY

23 Andaman & Nicobar	.	.	.	.	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..
24 Arunachal Pradesh	.	.	.	.	2	2	..	..	..	..	..	..	..	..	..	..	..	..	..	2	..
25 Chandigarh	.	.	.	.	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..
26 Dadra & Nagar Haveli	.	.	.	.	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..
27 Delhi	.	.	.	.	7	6	..	..	..	..	..	..	1(o)	..	..	..	..	..	..	7	..
28 Goa, Daman & Diu	.	.	.	.	2	2	..	..	..	..	..	..	..	..	..	..	..	..	..	2	..
29 Lakshadweep	.	.	.	.	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..
30 Mizoram	.	.	.	.	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..
31 Pondicherry	.	.	.	.	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..
32 Nominated (Anglo-Indian)	.	.	.	.	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	2	..
Total					544	347	35	33	16	78	11	..	..	..	..	..	..	..	..	520	23

\* Excluding the Speaker

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

## B. PARTY POSITION IN RAJYA SABHA

(As on 1 March, 1981)

States/Union Territories	Total No. of Seats	BJP	INC	Jan. Sec. Party	AIA DMK	CPI (M)	K.C.	M.L.	DMK	Lok Lok Dal	Lok Sabha (U)	Con	L.D.	A.D.	R.P.I. Kbohra-gade	U.D.F. N.C. Naga-land	IND	BJ.P.	NOM	Vacancies
Andhra Pradesh	18	12	..	..	..	..	..	..	..	..	1	1	..	..	..	..	1	..	..	3
Assam	7	3	..	2	..	..	..	..	..	..	..	..	..	..	1	..	1	..	..	..
Bihar	22	11	..	3	3	..	..	..	..	..	2	1	..	..	..	..	..	2	..	..
Gujarat	11	5	..	..	5	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..
Haryana	5	3	..	..	..	..	..	..	..	..	2	..	..	..	..	..	..	..	..	..
Himachal Pradesh	3	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..
Jammu & Kashmir	4	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Karnataka	12	7	..	..	1	..	..	..	..	..	3	..	..	..	..	..	1	..	..	..
Kerala	9	..	..	1	..	..	3	1	1	..	..	3	..	..	..	..	..	..	..	..
Madhya Pradesh	16	11	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	3	..	..
Maharashtra	19	13	..	..	1	..	..	..	..	..	3	1	..	1	..	..	..	..	..	..
Manipur	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Mizhalaya	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..
Nagaland	1	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..

Orissa	10	6	..	1	..	..	..	1	2	..	..	..								
Munjab	7	3	..	..	1	..	..	..	3	..	..	..								
Rajasthan	10	6	..	1	..	..	..	1	..	..	2	..								
Sikkim	1	1	..	..	..	..	..	..	..	..	..	..								
Tamil Nadu	18	3	..	1	..	8	1	4	..	..	..	..								
Tripura	1	..	..	..	..	..	1	..	..	..	..	..								
Uttar Pradesh	34	19	..	2	..	..	..	1	2	4	2	4								
West Bengal	16	4	1	2	..	1	3	..	5	..	..	..								
Assam	1	1	..	..	..	..	..	..	..	..	..	..								
Assam	3	1	..	..	..	..	..	..	..	..	..	..								
Delhi	1	1	..	..	..	..	..	..	..	..	1	1								
Mizoram	1	1	..	..	..	..	..	..	..	..	..	..								
Pondicherry	1	..	..	..	..	1	..	..	..	..	..	..								
Nominated	12	4	..	..	..	..	..	..	..	..	..	..								
<b>Total</b>	<b>244</b>	<b>119</b>	<b>1</b>	<b>7</b>	<b>1</b>	<b>9</b>	<b>9</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>21</b>	<b>13</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>6</b>	<b>14</b>	<b>8</b>	<b>4</b>

## C. PARTY POSITION IN STATE LEGISLATURES

State/Union Territory	Seats	Cong(I)	Janata (Lok Dal)	Cong. (U)	BJP	CPI (M)	CPI	Other Parties	Ind.	Total	Vacancies	
	2	3	4	5	6	7	8	9	10	11	12	13
Andhra Pradesh L.C. (As on 15-2-81)	90	40	1	2	5	1	2	6(a)	2	59	31	
Andhra Pradesh L.A. (as on 15-10-80)	295	255	4	7	3	8	6	3(b)	5(c)	294	1	
Assam L.A. (As on 15-2-81)	126	44	30	3	5	11	6	14(d)	8	121	5	
Bihar L.C. (as on 15-2-81)	96	42	6	6	3	2	5	2(e)	6	72	24	
Bihar L.A. (As on 31-12-80)	325	182	11	42	12	18	6	23	13(f)	12	319*	5
Gujarat L.A. (As on 15-2-81)	182	140	21	1	10				9	181	1	
Haryana L.A. (As on 9-12-80)	90	48	4	23	11					86*	3	
Himachal Pradesh L.A. (As on 15-2-81)	68	36	1	1	24				1(g)	2	65*	2
Jammu & Kashmir L.C. (As on 15-6-80)	36	6	1						27(h)		34	2
Jammu & Kashmir L.A. (As on 15-6-80)	78	7	11	2	1				54(i)	1	76	2
Karnataka L.C. (As on 14-2-81)	63	23	3		11	5				5	47*	15



Karnataka L. A. (As on 14-2-81)	.	.	.	225	165	15	27	4	3	2(O)	7	223*	1
Kerala L. A. (As on 1-2-81)	.	.	.	140	17	5	..	22	34	17	42(K)	3	140
Madhya Pradesh L. A. (As on 15-2-81)	.	.	.	321	244	2	1	61	2	2(I)	8	320*	..
Manipur L. A. (As on 15-2-81)	.	.	.	60	39	2	..	1	1	5	11(m)	59	1
Meghalaya L. A. (As on 15-10-80)	.	.	.	60		1					56(n)	57*	2
Nagaland L. A. (As on)	.	.	.										
Punjab L. A. (As on 15-2-81)	.	.	.	117	64		1	1	5	9	37(o)	116	1
Rajasthan L. A. (As on 15-2-81)	.	.	.	200	134	8	7	6	32	1	9(p)	200	
Sikkim L. A. (As on 15-10-80)	.	.	.	32							31(q)	32	
Tamil Nadu L. C. (As on 15-2-81)	.	.	.	63	3				1	1	28(r)	62*	21
Tamil Nadu L. A. (As on 31-12-80)	.	.	.	235	29	2			11	10	178(s)	233*	1
Tripura L. A. (As on 15-2-81)	.	.	.	60	..	..	..	..	49	..	7(t)	57	3
Uttar Pradesh L.C. (As on 15-2-81)	.	.	.	108	28	5	15	4	5	3	14(u)	80	28
Uttar Pradesh L.A. (As on 15-2-81)	.	.	.	426	309	5	59	12	11	7	5(v)	419	7

	1	2	3	4	5	6	7	8	9	10	11	12	13
West Bengal L.A. (As on 15-2-81)		295	21	20	4	2	2	173(w)	2	60(x)	3	287	8
<i>Union Territories</i>													
Andhra Pradesh L.A. (As on 15-10-80)		33	24							7(y)	2	33	
Delhi Metropolitan Council (Z)													
Goa, Daman & Diu L.A. (As on 15-2-81)		30	27							2(aa)	1	30	
Mizoram L.A. (As on 15-2-81)		33								33(bb)		33	
Pondicherry L.A. (As on 15-2-81)		30	10	3				1		16(cc)		30	

\*Including the Speaker/Chairman who is not a Member of either Party.

(a) Progressive Democratic Front—4 ; National Democratic Front—2.

(b) Majlis-Ittehad-ul Muslimeen—3.

(c) Including one Nominated Member.

(d) Assam Janata Vidhyani Dal—6 ; R.C.P.I.—4 ; PTCA—4.

(e) Janata-S (Raj Narain)—1 ; Teacher—1.

(f) Jharkhand Mukti Morcha—11 ; Forward Block—1 ; Nominated—1.

(g) CPI (ML)—1.

(h) National Conference—26 ; Others—1.

(i) National Conference—50 ; Jamaiti Islami—1 ; Peoples' Conference—1 ; Inqilabi National Conference—2.

(j) Muslim League—1 ; R.P.I.—1.

- (k) Muslim League—14 ; Kerala Congress—8 ; R.S.P.—6 ; Kerala Congress (J)—6 ; All India Muslim League—5 ; National Democratic Party—3.
- (l) R.P.L.—1 ; Not Nominated—1.
- (m) M.P.P.—11.
- (n) United Meghalaya Parliamentary Democratic Forum—34 ; APHLC—20 ; PDIC—2.
- (o) Shiromani Akali Dal (L)—33 ; Shiromani Akali Dal—4.
- (p) Pragatisheel Vidhayak Dal.
- (q) Sikkim Janata Parishad—22 ; Sikkim Congress (Revolutionary)—8 ; Sikkim Prajantantra Congress—1.
- (r) AIADMK—16 ; DMK—5 ; Teachers Graduates Progressive Front—4 ; Indian Union Muslim League—1 ; United Party—1, Gandhi-Kamraj National Congress—1.
- (s) AIADMK—139 ; DMK—36 ; Gandhi-Kamraj National Congress—6 ; All India Forward Block—3 ; T.N. Kamraj Congress—3 ; Nominated—1.
- (t) R.S.P.—2 ; Forward Block—1 ; Tripura Upajati Juba Samiti—4.
- (u) Janata-S (Raj Narain)—5 ; Teachers—8 ; Rashtravadi Dal—1.
- (v) Janata-S (R N)—3 ; Shoshit Samaj Dal—1 ; Nominated—1.
- (w) Including one Independent member supported by CPI(M).
- (x) Forward Block—27 ; R.S.P.—20 ; Forward Block (Marxist)—2 ; Biplabi Bangla Congress—1.
- (y) PPA-7.
- (z) The Metropolitan Council is under dissolution.
- (aa) MGP—2.
- (bb) People's Conference Party—22 ; Mizoram Congress Group—7 ; People's Conference Party—B—4.
- (cc) DMK—14 ; AIADMK—1 ; Indian Union Muslim League—1.

CORRIGENDA

- Page 3, line 22, for 'fele' read 'feel'
- Page 8, line 2, for 'duly-bound' read 'duty-bound'
- Page 9, line 14, for 'instittuion' read 'institution'
- Page 11, line 5, for 'at' read 'as'.
- Page 15, line 19, insert 'is' after 'position'
- Page 17, line 24, for 'bloking' read 'blocking'
- Page 35, line 2, for 'undergonig' read 'undergoing'
- Page 47, line 11, insert 'as amended' after 'motion'
- Page 47, delete line 13 and 14
- Page 48, line 21, for 'politics' read 'policies'
- Page 65, line 9 from bottom, for 'Commons' read  
'Commons'
- Page 66, line 8 from bottom, for 'Parliamentary'  
read 'Parliament'
- Page 83, line 19, for 'floeew' read 'follow'
- Page 97, line 3 from bottom, for 'judgese'  
read 'judges'
- Page 98, line 7 from bottom, for 'Cimmentary'  
read 'Commentary'

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