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Addresses and Speeches

PRESIDENT'S ADDRESS TO PARLIAMENT

[The President of India, Shri V. V. Giri, addressed the two Houses of Parliament assembled together in the Central Hall of Parliament House and outlined the policies of the Government of India on various issues and the legislative programme for the session. Reproduced below is the text of the President's Address—Editor].

HONOURABLE MEMBERS

You have assembled to perform the exacting tasks which lie ahead of you. Not only have you to transact the formal legislative business but also to take stock of the problems that the nation faces and give guidance to the Government and the people.

Drought in the Country

Barely had the country overcome extraordinary challenges of 1971, when we were confronted with fresh problems. The after-effects of the influx of refugees and the war were aggravated by drought in several parts of the country. Our hearts go out to all those who have been affected by drought and in certain other areas by cyclone and floods. Works on a large scale have been undertaken in all affected areas to provide employment and relief. Our buffer stock of foodgrains, along with the strengthening of the public distribution system, enabled the Government to meet the situation. In 1972, about 10.6 million tones of grains were distributed through the public system.

Fall in Food Production

Inevitably, the drought led to a fall in food production, particularly in the areas of rain-fed cultivation, and this, in turn, influenced prices, which have registered a sharp increase since May last year. This has been a matter of grave concern to my Government. In addition to strengthening the public distribution system as mentioned above, an emergency programme was launched to increase rabi and summer foodgrains production to offset the loss of kharif output. We expect a good rabi crop this year. Nonetheless we must husband all available food resources and avoid waste.

Take Over of Trade in Foodgrains

Prices of food articles can be brought under check and the interests of the common people safeguarded by taking over the surplus of wheat and rice, by eliminating wholesale traders and by organising distribution of foodgrains, especially to scarcity areas and the vulnerable sections of the population. The wholesale trade in wheat will be taken over from the coming wheat marketing season. This will be followed by the take-over of wholesale trade in rice. The success of this programme calls for the whole-hearted co-operation of surplus as well as deficit States.

Credit Policy

The emphasis on credit policy continues to be one of the restraint, consistent with the need to maximise production, meet priorities and attend to hitherto neglected sectors. The Government's programme of market borrowings during the year was designed to absorb the surplus liquidity of the commercial banking system.

Increase in Industrial Production

The relatively sluggish rate of growth of industrial production in 1970 and 1971 gave place to an upward trend in 1972. Industrial production increased by over 7 per cent during the year. It would have been still higher but for the shortage of power in most parts of the country. Government is taking short-term long-term measures to improve the generation, transmission and distribution of power.

Curbs on Monopolies

Government has recently clarified its Industrial Licensing Policy of curbing monopolies and the concentration of economic power, consistent with the objectives and the priorities of production during the Fifth Five Year Plan. Several measures which should stimulate investment on a wide front have been announced. The larger number of applications and approvals for licences, capital goods, finance from industrial financing institutions, registration of companies and capital issues—all indicate a gathering tempo of industrial activity. Government is also laying emphasis on the active implementation of industrial licences already granted and is devising practical measures to increase the pace of implementation.

Sick Textile and Engineering Units

Government has devoted attention to the problems of textile and engineering units which have been lying closed or are facing serious difficulties due to mismanagement and failure to invest surpluses and to modernise the plants. The management of a number of these units has been taken over this year in order to revive production and ensure continuous employment. With the restoration of law and order in West Bengal, industrial recovery is gaining momentum under a 16-point programme.

Public Undertakings

In our steady march towards socialism, and increasingly wide segment of economic activity has been brought under public ownership and management. This covers a major part of transport and communications, power, coal, steel, heavy engineering, banking; insurance and important segments of external and internal trade. As a result of the vigorous steps taken by Government, a definite improvement was discernible in most public sector units last year. Ultimately production and the quality of service to the people in all these fields depend on the dedication and sense of involvement of managers and workers. In the changed context, both managers and workers have to give up the traditional concept of their roles. Management has to develop new attitudes and look upon workmen as participants in the service of the people. Workers should not allow trade unions rivalry to prevent them from fulfilling their historic role of being in the vanguard of socialist transformation by making our public enterprises successful and models of service to the people. On its part, Government recognises the central role of the worker in the economic process and will do everything in its power to ensure that his legitimate rights are protected. I appeal to workers, particularly in vital industries and sectors, to place the country first and keep in mind the conditions of the vast multitude of the low paid and the unemployed.

Government will continue its efforts to bring about a consensus among trade unions on the critical problems of uninterrupted production, increase in productivity, wages and participation in management.

Government has been considering methods of improving the performance of public sector undertakings. Some of these need to be

restructured as holding companies so as to combine entrepreneurial vigour with effective public accountability. The Steel Authority of India Ltd. has been set up to reorganise the steel industry on these new lines. Further improvements in management practices and general administrative procedures are under examination.

The Five Year Plan and the Problem of Poverty

The Approach to the Fifth Five Year Plan has been approved by the National Development Council. The Approach indicates the effort necessary to attain the twin objectives of self-reliance and the removal of poverty within a reasonable period. A number of programmes proposed to be taken up in the Fifth Plan—the National Programme of Minimum Needs, the Employment programme, the accent on the development of backward classes and backward regions and the reorientation of the pattern of production with emphasis on goods of mass consumption—are designed directly to attack the problem of poverty. The Approach is based on Government's considered view that growth and social justice are interlinked. Social justice needs growth to be meaningful and growth needs social justice to be sustained and durable. The quality and content of growth are more important than growth by itself.

The new directions given to the Fifth Plan and the magnitude of its targets call for major efforts on the part of all sections of our people. We have to sustain and transfer the unity, morale and confidence which we demonstrated in meeting external danger to the fields of economic and social transformation of the country. I have no doubt that the people will respond to this challenge. It will be the privilege of this fifth Parliament of our Republic to give shape to the Fifth Five Year Plan and make it the turning point in our advance towards economic independence.

Programmes for Rural Employment

A number of programmes intended for the benefit of rural masses have been in operation for the last two to three years—the small and Marginal Farmers' Programme, the programme for Rural Employment, Drought Prone Areas Programme, provision of house sites to landless labour in rural areas and the Nutrition Programme. A special programme to provide employment opportunities for 5 lakh educated persons in the coming year has been formulated. These schemes for the provision of house sites to landless labour, creation of

rural employment as also provision of water supply and electricity to rural areas will be further accelerated. The implementation of land reforms will be expedited.

Advance Action for Fifth Plan

Simultaneously, a programme of advance action for the Fifth Plan has been prepared. It is proposed to increase the production of pulses, oilseeds, sugarcane and cotton, and to accelerate irrigation projects, improve the working of power stations and hasten the commissioning of those which are nearing completion. The production of steel and fertilisers is also being increased.

Educational Reconstruction and Development

Realising the significance of education, both for social transformation and economic growth, Government has decided to take steps, in concert with State Governments, for programmes of educational reconstruction and development in the Fifth Five Year Plan.

Science and Technology Plan

A Science and Technology plan, which will form an integral part of the economic plan, is being prepared. This will help us to harness science and technology in a more purposive way for self-reliance and economic growth. At the same time, we must take measures to preserve the quality of the natural environment.

Peaceful Uses of Outer Space

A new Department of Space and a Space Commission have been constituted to utilise fully the benefits that can accrue to the country as a result of the peaceful uses of outer space.

Developments in Andhra Pradesh

Government has been deeply concerned at the recent developments in Andhra Pradesh. The problem in that State has a long history. We view with grave anxiety the resort to violence in an attempt to settle this problem. Such violence is opposed to the basic values we cherish; it has resulted in the loss of valuable lives and extensive damage to public property. I express my sympathy and sorrow for those who have suffered. There is no problem for which a reasonable solution cannot be found through calm and rational discussion. Government's

sole consideration is to safeguard the interests of all sections of our people. I appeal to the people of Andhra Pradesh to co-operate fully with the Government in finding a peaceful solution.

Relations with Pakistan

I now turn to relations with neighbours, near and far. We have desired the establishment of mutually beneficial and friendly relations with Pakistan. We signed the Simla Agreement as the first step towards the establishment of durable peace. The Agreement lays emphasis on bilateralism for the solution of differences by peaceful means and excludes outside agencies and third party involvement. I am glad that India and Pakistan have been able, through bilateral negotiations, to determine a line of control in Jammu and Kashmir which is to be respected by both sides. Similarly both sides have withdrawn their troops to the international border; in the process. India has vacated about 5900 sq. miles of Pakistan's territory. This by itself is concrete evidence of India's friendly intentions towards Pakistan.

The prisoners of war of the Western front have been exchanged. It is hoped that Pakistan will create the necessary conditions which would enable the three parties to the conflicts in the Eastern theatre to hold discussions for the repatriation of the prisoners of war who surrendered to the joint command of India and Bangladesh Forces. The Simla Agreement holds promise not only of improving and normalising relations between India and Pakistan but also of establishing durable peace in the sub-continent as a whole. This will enable the countries of the sub-continent to devote their energies and limited resources to the urgent task of furthering the economic and social well-being of their peoples.

Friendship with Bangladesh

Our friendship with Bangladesh has taken concrete shape in the historic Treaty of Friendship, Co-operation and Peace and in Agreements on various matters of mutual interest. Bangladesh has made remarkable recovery from the ravages of the liberation struggle. Within a year, Bangladesh has adopted a Constitution and is about to hold her first General Elections. Seldom has a nation which has been through so harrowing an ordeal progressed so rapidly on the road to political stability and economic recovery. We hope that Bangladesh, which has been recognised by 95 countries, will take her rightful place

in the United Nations. We share Bangladesh's concern for her nationals who are detained in Pakistan and hope that they will soon be released.

Friendly Relations with Nepal

Our friendly relations and close co-operation with Nepal continued to grow during the year. In April-May, 1972 we had the pleasure of receiving the Prime Minister of Nepal, the Right Honourable Shri Kirti Nidhi Bista, as our guest. Our Prime Minister paid a visit to Nepal earlier this month and a useful exchange of views took place during the visit. These visits have helped to further strengthen the already close, friendly and mutually beneficial relations between the two countries.

Strengthening of Close Friendship with Bhutan

In the death of His Majesty Jigme Dorji Wangchuk, Bhutan lost a great statesman and India a dear friend. The news of his demise in Nairobi was received in India with a deep sense of shock and sorrow. We extend our co-operation to the new King, His Majesty Jigme Singye Wangchuk and are confident that during his rule the existing ties of close friendship between Bhutan and India will be further strengthened.

End of War in Vietnam

We are happy that the long-delayed peace agreement in Vietnam has been concluded and that the terrible war that raged for a whole generation, causing great suffering and hardship to the people, has ended. We hope that the cease-fire will lead to a durable peace which will enable the people of Vietnam to address themselves to the tasks of reconstruction. We hope also that peace and order will come to the neighbouring States of Laos and Cambodia.

Friendly Relations with other Countries

We have strengthened our ties of friendship, mutual understanding and co-operation with all countries. It is gratifying that with many of them our trade has also registered an increase. We value our close ties with the Soviet Union and will continue to strengthen them.

It is our earnest desire to improve understanding and co-operation with the United States of America.

The emergence of a new Western Europe, following the entry of the United Kingdom, Denmark and Ireland into the enlarged European Economic Community is a major development. It is our hope that this bigger European Community will look outward rather than inward and pursue a helpful approach to the problems of the developing countries.

Detente in International Situation

We welcome the positive trends in the international situation which have created an atmosphere of *detente*. My Government would like to normalise relations with China. We view the moves towards reconciliation between the United States of America and China, Japan and China, and between North and South Korea as positive steps in favour of the relaxation of tensions. In Europe, the acceptance by the Federal Republic of Germany of existing frontiers has led to relaxation of tensions between the Federal Republic of Germany and German Democratic Republic, in particular, and other European States in general.

Tensions and Fight against Colonialism in Africa

We shared with the Zambian people their shock and anger when Rhodesia closed its border with Zambia and stopped the transit over Rhodesian soil of all Zambia's imports and exports. We have offered to help the Zambian Government with such assistance as we can give. We regret that because of the situation created by the Rhodesian action, the Zambian President, Dr. Kenneth D. Kaunda, could not pay his State visit to India last month.

The expulsion of Asians from Uganda has been a matter of serious concern to the Government as it has led to the uprooting of several thousands of people of Indian origin who had made Uganda their home and had contributed to its development. During my visits to Ethiopia, Tanzania and Zambia, I found how these actions had embarrassed enlightened opinion in African countries which are striving for rapid economic development and racial equality and tolerance. We continue to make common cause with the people of Africa who are fighting against colonialism, injustice and oppression. I am happy that our technical and economic co-operation with African countries is rapidly increasing.

Vacation of Arab Territories by Israel

We regret that there has been no progress towards a solution of the problem created by Israel's occupation of Arab territories. Our stand on this critical issue is based on principles which we have again supported in the last resolution in the United Nations calling on Israel to vacate these territories.

Clarity of Vision and Unity of Purpose Necessary

Honourable Members, the correctness of our internal and external policies and the basic vitality of our economy, our institutions and our people have been proved time and again whenever the country has had to face grave situations. I am sure that our present difficulties are temporary and that we shall overcome them and emerge more united and disciplined. We shall have to work with clarity of vision and unity of purpose to meet these challenges.

New Legislative Proposals

During your present Session, you will be dealing with the Demands for Grants for the next financial year as well as with legislative business. Government will bring before Parliament a Bill to replace the Coal Mines (Taking over of Management) Ordinance, 1973, Government also intends to bring before Parliament a Comprehensive Taxation Laws (Amendment) Bill. In addition, legislation to regulate foreign contributions and to establish a Newspaper Finance Corporation for rendering financial assistance to small and medium newspapers as well as Bills to amend the Election Law, the Cinematograph Act and the Delhi Development Act will be among the measures that will be brought before Parliament.

Honourable Members, I summon you to your new endeavours and wish you well.

IMPACT OF FINANCIAL COMMITTEES' RECOMMENDATIONS ON ADMINISTRATION*

[A series of articles highlighting the impact of recommendations of the Financial Committees of Parliament on the Administration was started with the April, 1970 issue of the Journal. Continuing the series, we publish in this issue three articles on "Delhi Milk Scheme", "Employees State Insurance Corporation" and the "National Industrial Development Corporation Limited" based on the Reports of the Public Accounts Committee, Estimates Committee and the Committee on the Public Undertakings.—Editor]

I. DELHI MILK SCHEME

Introduction

The Delhi Milk Scheme started functioning in November, 1959. The object of the Scheme is to reorganise the milk supply in Delhi city with a view to increasing milk production by assuring a remunerative market to the milk producer on the one hand and supplying good wholesome milk at a reasonable price to the consumer on the other. The Scheme is a public utility undertaking and is to run more or less on 'no-profit-no-loss basis'.

The activities of the Scheme for the period ending 31st March, 1965 were reviewed in Section XXIII of Audit Report (Commercial), 1966 and commented upon by the Public Accounts Committee (4th Lok Sabha) in their Twenty-seventh and Eighty-second reports. The Committee (5th Lok Sabha) further examined in detail the performance of the Delhi Milk Scheme in their Sixth report (1971-72) and action taken by Government is indicated in the Fifty-seventh report of the Committee (1972-73).

*Prepared by the Library, Reference and Information Service of the Lok Sabha Secretariat.

Conversion of the Scheme into a Statutory Corporation

An Expert Committee appointed by Government recommended in 1964 the registration of the Delhi Milk Scheme as a Company under the Companies Act, 1956. The recommendation could not, however, be implemented due to certain difficulties, particularly that relating to the demand of employees of the Scheme for retention of their status as Central Government Servants. The Government decided in December, 1969 to convert the Scheme into a Statutory Corporation and a Bill to this effect was introduced in Lok Sabha on 4th September, 1970. The Bill, however, lapsed consequent on the dissolution of the 4th Lok Sabha. The Public Accounts Committee in their Sixth report expressed the hope that Government would bring forward a fresh Bill early. They also suggested that a provision should be made in the Bill for audit of the Corporation's accounts by the Comptroller and Auditor General.¹

The Government accepted this recommendation of the Committee. It was pointed out that the D.M.S. Employees' Union who were earlier opposed to conversion of the Scheme into a Statutory Corporation, had now given their consent, if adequate safeguards were provided for protecting their service rights. These matters were stated to be under consideration of the Government. The Committee desired that Government should come to an early decision in the matter and introduce a fresh Bill for the constitution of Delhi Milk Supply Corporation.²

Working Results of the Scheme

The Public Accounts Committee in their 27th Report (4th Lok Sabha) took note of the fact that the Delhi Milk Scheme was incurring losses since its inception upto 31st March, 1967. The Committee were disturbed to find that the working results of the subsequent years had also disclosed losses. The biggest ever loss of Rs. 146.71 lakhs was incurred during 1967-68. The cumulative losses upto the 31st March, 1969 amounted to Rs. 417.68 lakhs. The Committee therefore, desired that Government should keep a close watch on the Scheme, taking expert advice as and when necessary. Subsequently, the Committee were informed that during the year 1969-70 the Delhi

¹P.A.C., Sixth Report (5th Lok Sabha), Para 1.3

²P.A.C., Fifty-seventh Report (5th Lok Sabha), Para 1.6.

Milk Scheme had shown a net profit of Rs. 73:34 lakhs. The Committee stressed the need for wiping out the cumulative losses and functioning of the Scheme on a 'no profit no loss' basis.

Referring to the rising trend in procurement transportation, processing, distribution and overhead charges, the Committee further emphasised the necessity for item-wise control of cost with the help of periodical cost analysis.³

Accepting the recommendations of the Committee, Government stated that the National Dairy Development Board had been entrusted with the task of studying in detail the various sections of the Delhi Milk Scheme and to suggest ways and means of improving its working. It was added that the technical team deputed by the Board had completed the study and its recommendations were awaited.

The Committee, therefore, desired to be informed of the findings of the technical team and the action taken thereon by the Government. The Committee also observed that in the absence of adequate costing data and maintenance of detailed operation-wise commercial accounts by the Scheme, it was not possible for Government to give an accurate break-up of the gross profit made by the Scheme during the year 1969-70. They desired that necessary costing data should be maintained by the Scheme in figure.⁴

Milk Procurement

(i) *Milk Producers' Cooperatives.*—The Committee expressed their dissatisfaction over the arrangement for the procurement of milk under which bulk of the purchase was made on commission basis through middlemen and observed that the milk producers should get the benefit in full instead of allowing the middlemen to derive the profit. "To achieve this end, in close co-operation with State Government's concerned", the Committee suggested, "the Scheme should encourage establishment of genuine milk producers' cooperatives in the milk shed areas from where the milk is at present procured."⁵

³P.A.C., 6th Report (5th Lok Sabha), Paras 2.24 and 2.28.

⁴P.A.C., 57th Report (5th Lok Sabha), Paras 1.11 and 1.12.

⁵P.A.C., 6th Report (5th Lok Sabha), Para 3.34.

Government accepted the recommendations of the Committee, and stated that following measures had been taken by them to encourage formation of milk producers' cooperatives:⁶

- (1) If a milk producers cooperative society offers to enter into an agreement for regular supply of specified quantity of milk, the supply of milk from that area through contractors is discontinued after expiry of the agreement with the contractor.
- (2) Agreement for supply of milk on the new routes was being executed with the milk producers cooperatives in preference to private contractors. The entire milk shed district of Rohtak had been ear-marked for the cooperative societies of milk producers.
- (3) The Governments of U.P. and Haryana had been requested both at the Minister's and official levels to encourage the formation of cooperative societies of milk producers in the milk shed areas where they did not already exist.

(ii) *Optimum utilisation of Plants.*—Discussing in detail the procurement of milk, the Committee enquired about the latest position in the matter of installation of Spray Dry equipment purchased by the Scheme, which, they were informed was expected to be commissioned in March, 1971. They expressed the hope that appropriate measure would be taken to step up procurement of milk, in order to ensure optimum utilisation of the plants throughout the year and to reduce the unit cost of milk and milk products.⁷

In reply Government apprised the Committee of the measures being taken by the Scheme to step up procurement of milk which included:

- (i) Intensified efforts for procurement from milk shed areas, including establishment of new milk collection and chilling centres.
- (ii) Incentives to existing supplies; and

⁶P.A.C., 57th Report (5th Lok Sabha), Pages 28-29.

⁷P.A.C., 6th Report (5th Lok Sabha), Paras 2.13 to 3.33.

(iii) Preventing the setting up of new milk products factories in the milk shed areas of the Delhi Milk Scheme.

It was added that the plant of the Delhi Milk Scheme was working to its optimum processing capacity. The shortfall in the procurement of milk was made good by utilisation of increased quantities of s.m.p. (skimmed milk powder) and butter oil|white butter.

As regards the Spray Drying Plant, the Committee were informed that the equipment could not be commissioned for want of four milk pumps and some spare parts which had been lost in transit. The Plant was expected to commence functioning from the winter season of 1972. The Committee expressed the hope that the commissioning of the plant would not be further delayed.⁸

Intensive Cattle Development Projects

For increasing milk production around Delhi and serving the Delhi Milk Scheme, four Intensive Cattle Development Projects were started in the districts of Meerut in U.P., Gurgaon and Karnal in Haryana and Bikaner in Rajasthan. The programme were sponsored by the Central Government to be executed by State Governments and financial outlay as follows was provided for the projects over the Fourth Five Year Plan period:

Meerut—Rs. 71·32 lakhs.

Karnal—Rs. 83·52 lakhs.

Gurgaon—Rs. 77·08 lakhs.

Bikaner—Rs. 120·00 lakhs.

The programmes provided for comprehensive schemes concerned with increasing production of milk.

In the course of their examination of the Delhi Milk Scheme the Public Accounts Committee enquired about the work results of these projects. The Secretary, Department of Agriculture, admitted that the Intensive Cattle Development Scheme was not intensive enough. He added that enough was not being done for the breeding programme and for the fodder and feed.

⁸P.A.C., 57th Report (5th Lok Sabha), Para 1.18.

The Committee, therefore, observed that in spite of considerable expenditure on the Intensive Cattle Development Projects, there was no appreciable improvement in procurement of milk. As against the quantity of 3,35,745 quintals of milk purchased in these areas in 1966-67, the quantity procured in 1969-70 was only 3,39,503 quintals. The Committee expressed the hope that Government would attend systematically to the shortcomings in the programme in the interest of improving milk production. The Committee were also not in a position to assess the increase in the yield of milk consequent on the implementation of these Cattle Development Projects. They were unhappy about the inadequacy of the existing Government machinery in this regard and desired that periodical surveys should be undertaken in these areas so as to determine the increase in milk production and further measures devised in the light thereof to achieve higher production.⁹

Government noted the observations of the Committee and stated that measures were being intensified to increase milk production in these areas. The Committee were further informed that nucleus statistical staff had since been appointed in each of the four projects for evaluating the progress of these projects. Separately the Programme Evaluation Organization of the Planning Commission had also carried out a survey with a view to ascertaining the impact of the cattle development activities undertaken in these projects. Its report was expected to be received shortly.

The Public Accounts Committee desired that the report of the Programme Evaluation Organisation should be obtained early and such follow up action as may be necessary taken to improve milk production commensurate with the expenditure incurred on the Intensive Cattle Development Projects.¹⁰

Process/Transit Losses

(i) Fixation of Norms

Commenting the loss and wastage of milk and other products during handling, processing and distribution, the Committee recommended that the losses on this account should be reduced to the minimum

⁹P.A.C., 6th Report (5th Lok Sabha), Paras 3.35 and 3.36.

¹⁰P.A.C., 57th Report (5th Lok Sabha), Para 1.21.

and the norms fixed should be periodically reviewed with a view to refixing them at the lowest possible level. They further desired that a comparative study of the norms fixed by various other milk schemes should be undertaken in this connection.¹¹

Accordingly, the Committee were apprised of the position of milk schemes operating in Bombay, Calcutta and Madras, and the norms of processing losses fixed by them. It was pointed out that the working of those schemes was different in that they either produced milk or milk products exclusively, while the D.M.S. was a composite dairy, producing both milk and milk products.

The Committee were further informed that the norms fixed by the Scheme were being regularly reviewed. However, with regard to the norms fixed by Government in August, 1972 it was stated that some practical difficulties were being experienced in accurately estimating processing losses stage-wise and some of the connected issues had been referred to the Expert team of the National Dairy Development Board. The Committee desired that the difficulties should be resolved and realistic norms fixed soon for efficient control.¹²

(ii) Transit loss in respect of milk from Bikaner

The Delhi Milk Scheme sustained extraordinary loss of milk in transit from Bikaner during 1968-69. Upto September, 1968 the loss amounted to 71,934 litres which represented 2.7 per cent of the total quantity transported. While appreciating the peculiar conditions under which milk was procured and transported from Bikaner, the Committee nevertheless observed that such a high percentage of loss could not be regarded as inescapable transit loss. They were informed during evidence that some theft could not be ruled out although no specific case had come to their notice. The Committee, therefore, desired that circumstances leading to the loss should be investigated and appropriate action taken the officials concerned.¹³

Pursuant to the recommendation of the Committee the Scheme set up an Enquiry Committee to investigate the matter. The Public

¹¹P.A.C., 6th Report (5th Lok Sabha), Para 4.30.

¹²P.A.C., 57th Report (5th Lok Sabha), Para 1.24.

¹³P.A.C., 6th Report (5th Lok Sabha), Para 4.32.

Accounts Committee desired to be apprised of the findings of the Committee and the action taken by Government against the officials responsible for the loss.¹⁴

Supply of milk to the Delhi City

Referring to the supply of good wholesome milk to the Delhi City and meeting the demands of the consumers in a better way, the Committee pointed out that as against the total estimated requirement of milk for the city of 7,00,000 litres per day at the end of 1974-74 the Delhi Milk Scheme was able to supply to the extent of 2,57,118 litres only during 1969-70. The Committee expressed the hope that the supply position would be improved.¹⁵

In reply, Government informed the Committee that additional plant and machinery were being installed in the Delhi Milk Scheme in order to increase its handling capacity to 3,75,000 litres by the end of 1972-73. Simultaneously, Government had approved a proposal for setting up a second recombining (mother) dairy in Delhi under Operation Flood, with a handling capacity of 4,00,000 litres of milk a day, which was expected to be completed during 1973-74. The two public sector dairies could thus meet fully Delhi's requirements of milk by the end of 1974-75.

The Committee expressed the hope that the targetted increase in the capacity would be achieved according to schedule. They desired to be apprised of the progress made in this regard.¹⁶

Referring to the question of opening of additional all-day milk stalls, the Committee desired that the proposed review of the working of existing all-day milk stalls should be completed and the question of opening additional stalls decided early. They also desired to know the progress made by the Scheme in the opening of additional milk booths, a hundred of which were expected to be constructed during the year 1971-72. In this connection, the Committee further suggested that Government should examine the feasibility of introducing new features such as yoghurt for supply at Railway stations, air-ports. etc.¹⁷

In reply, Government informed the Committee that the working of all-day milk stalls had been reviewed and it was expected that with

¹⁴P.A.C., 57th Report (5th Lok Sabha), Para 1.27.

¹⁵P.A.C., 6th Report (5th Lok Sabha), Para 5.6.

¹⁶P.A.C., 57th Report (5th Lok Sabha), Para 1.30

¹⁷P.A.C.; 6th Report (5th Lok Sabha), Para 5.7

the increase in the production programme of ghee and butter, those stalls would function at profit. Regarding the opening of new milk booths, it was stated that as on 30th June, 1972, 65 additional booths had already been opened and 35 were under construction. The feasibility of introducing new features, such as manufacture on a commercial scale of milk products like yoghurt and their retail sale were stated to be under the consideration of the Delhi Milk Scheme.¹⁸

Idle Plant and machinery

(a) Automatic decrating and recrating machine and milk evaporating Plant

In Audit Report (Commercial) 1966, a mention was made of some of the items of equipment which had not been put to use by the Delhi Milk Scheme since the date of commissioning. Out of these, two items, namely the Automatic decrating and recrating machine (cost Rs. 7.43 lakhs) and Milk Evaporating Plant (cost Rs. 1.68 lakhs) yet remained to be disposed of put to use till January 1970.

The Public Account Committee learnt that the attempts of the Milk Scheme to dispose of the automatic decrating and recrating machine did not succeed and that efforts were being made to put it to use. The Committee, therefore, desired to be informed of the progress made in regard to the utilisation of the machine. Subsequently, the Committee were informed that as a result of a fire in July, 1971 in the transport shed of the Dairy some of the wooden crates containing parts of the machines had been burnt and many parts of the equipment had got damaged. According to the Committee, which was appointed to assess the damage, the loss to the machines would be of the order of about Rs. 2 lakhs. The question of further utilisation or disposal of the equipment was stated to be under examination of the Experts Team of the National Dairy Development Board.

As regards the milk evaporating plant, the Committee observed that the Delhi Milk Scheme went in for such a sophisticated equipment on the advice of a foreign expert without examining its immediate utility and consequently the equipment had not been put to use since 1963. The Committee therefore, recommended that the recommendation of foreign experts should henceforth be carefully sifted

¹⁸P.A.C.; 57th Report (5th Lok Sabha), Page 54.

by the National Dairy Development Board or the Indian Dairy Corporation to ensure their suitability under Indian conditions.¹⁹

In reply Government stated that the evaporating plant was installed and commissioned in 1963 but on account of excessively high water consumption its use was discontinued. As a part of the expansion programme, it was now proposed to instal another milk evaporator and a water recirculation system had since been installed. Both the evaporators were expected to be commissioned in about 6 months time. Government further stated that action to procure new items of machinery and equipment was now being taken on the advice of experts attached to the National Dairy Development Board and the Indian Dairy Corporation, as well as the United Nations experts assigned to India.²⁰

(b) *Cheese plant*

A cheese plant procured on high priority basis at a cost of Rs. 3.80 lakhs in 1965 was yet to be installed. The Committee observed that the equipment was purchased despite the fact that the Kurien Committee had recommended the cancellation of the order in 1964. The Committee expressed the hope that such instances of bad planning would not recur.²¹

In reply, Government stated that it was not possible to cancel the order as the procurement action was at advanced stage. The supplying firm had informed that they were awaiting shipping advice from the manufacturer. The matter was reconsidered and it was decided to instal the plant at Bikaner as per the alternative suggestion of Kurien Committee.

It was added that the question as to whether the Delhi Milk Scheme or the Government of Rajasthan should set up the Balancing Station at Bikaner had not yet been decided. As soon as a final decision was taken in that regard, it would be possible to establish the Balancing Station and also to instal the cheese plant there.

The Committee desired that final decision in regard to the question of setting up the Balancing Station at Bikaner should be expedited so that the cheese plant may not become obsolete on account of

¹⁹P.A.C., 57th Report (5th Lok Sabha), page 19.

²⁰P.A.C., 6th Report (5th Lok Sabha), Paras 7.15 to 7.16

²¹P.A.C., 6th Report (5th Lok Sabha), para 7.17.

delay in installation. The Committee also reiterated their earlier recommendation that responsibility should be fixed for injudicious procurement of machinery in all the three cases, viz. the automatic decrating and recrating machine, the milk evaporating plant and the cheese plant.²²

²²P.A.C., 57th Report (5th Lok Sabha), Para 1.41.

II. EMPLOYEES' STATE INSURANCE CORPORATION

Organisation

The administration of the Employees' State Insurance Scheme vests in the Employees' State Insurance Corporation. The Corporation is a tripartite body consisting of Government nominees as also the representatives of the employers and employees. According to the existing constitution of the Corporation, a Chairman, a Vice-Chairman and not more than five other persons (officials), are nominated by the Central Government. The composition of the Corporation also includes one representative for each State Government, five representatives each of employees and employers, two from the medical profession and three Members of Parliament. So far, since the establishment of the Corporation, the Central Government has consistently nominated the Union Labour Minister as the Chairman and Union Health Minister as the Vice-Chairman of the Corporation. The other five persons nominated by the Central Government include the Union Minister of State and Deputy Minister of Labour, the Union Labour Secretary and other officials belonging to the Union Ministries of Labour, Finance and Health.

Nomination of Chairman

The Estimates Committee in their 123rd Report (1969-70) considered the association of Ministers as Chairman, Vice-Chairman or members of the Corporation and its Standing Committee, which were composed largely of officials, as unusual. They felt that an anomaly was created when the same Minister in his capacity as the head of the administrative Ministry overruled the decisions of the Corporation which was also presided over by him. In their opinion, the practice did not fit in with the general supervisory powers vested in the Central Government under the Employees' State Insurance Act. The Committee recommended¹ that Government should adopt the practice of

¹Estimates Committee, 123rd Report (1969-70), para 2.24.

appointing a prominent publicman with necessary knowledge and experience of promoting labour welfare to fill the office of the Chairman of the Corporation for a fixed term to be specified in the Act.

The Government stated in their reply² that the Union Labour Minister was nominated as Chairman of the Employees' State Insurance Corporation under the E.S.I. Act, 1948, the Central Government was *inter alia* responsible for (a) fixing the rate of contribution payable by employers, (b) promoting uniformity of standards and benefits for the working of the Scheme, and (c) bringing about co-ordination among the various State Governments who were responsible for the administration of medical care under the Scheme. The Corporation had been facing financial difficulties and in order to meet the situation, it had taken certain decisions which included *inter alia* the imposition of a ceiling of Rs. 50 per employee per annum on the cost of medical benefit which was administered by the State Governments. In the view of the Government, it seemed necessary to continue the Union Labour Minister as Chairman of the Corporation, in order to secure the co-operation of the State Governments in the administration of the Scheme, particularly, the implementation of the ceiling of Rs. 50 per employee per annum on the cost of medical benefit. The recommendation of the Estimates Committee had also been considered by the Standing Committee and the Corporation. The former were of the view that the existing arrangement under which the Minister of Labour was the Chairman of the Corporation, should continue in the larger interests of the Corporation. The Employees' State Insurance Corporation had also accepted the view of the Standing Committee. The Government, therefore, regretted their inability to accept the Estimates Committee's recommendation and stated that the arrangement would be continued for sometime and reviewed in due course.

The Estimates Committee in their 133rd Report (1970-71) expressed³ their conviction that they were not convinced with the plea put forward by Government. They felt that with an eminent public man of outstanding ability and experience in labour welfare as the head of the Corporation, it should be equally possible to secure effective implementation of the decisions of the Corporation. They reiterated their earlier recommendation and urged upon the Government to bring the necessary changes in the statute as early as possible

²Estimates Committee, 133rd Report (1970-71), p. 1.

³Ibid. p.2

Nomination of Chairman of the Standing Committee

The Estimates Committee also reiterated⁴ their opinion that the Chairman of the Standing Committee should be nominated from amongst the workers' and employers' representatives by rotation. They felt that it would infuse greater enthusiasm both amongst the workers' and employers' representatives in order to provide a new life as well as direction to the activities of the Corporation.

Representation of Employees

Taking note of the fact that Government proposed to bring forward an amending legislation to enhance the representation of employers and workers on the Corporation as well as its Standing Committee, the Estimates Committee expressed⁵ the hope that a corresponding increase would be made in their representation in the event of any increase in the number of official nominees so as to keep a parity between officials and non-officials.

Accepting the principle of parity of representation between officials and non-officials on the Corporation and its Standing Committee, the Government stated⁶ in their reply that the actual number of seats to be allocated between officials and non-officials would be worked out at the time of amendment of the Act.

Meeting of the Corporation and Medical Benefit Council

The Estimates Committee observed⁷ that the meetings of the Corporation and the Medical Benefit Council were held in an erratic manner and suggested that the meetings should be spaced with more or less fixed intervals so as to ensure maximum attendance of the members.

The Government stated⁸ in their reply that the Corporation had noted the recommendation for compliance.

⁴*Ibid.* p.3

⁵Estimates Committee, (1969-70), 123rd Report (1969-70), para 2.28.

⁶Estimates Committee, 133rd Report (1970-71), p. 9.

⁷Estimates Committee, 123rd Report (1969-70), para 2.36.

⁸Estimates Committee, 133rd Report (1970-71), p. 10.

Regional Boards and Local Committees

Referring to the aim of setting up Regional Boards and Local Committees as contemplated in the Act, the Estimates Committee observed⁹ that the potentialities of the institution of Regional Boards and of Local Committees had not been exploited fully and that even where those bodies had been set up, they did not appear to be functioning effectively. They recommended that their meetings should be held regularly and their suggestions communicated for the consideration of the Standing Committee. Whatever decisions were taken by the Standing Committee, should invariably be transmitted to the Regional Boards for information. In addition, the Estimates Committee suggested that a small sub-Committee might be set up to conduct a preliminary examination of the suggestions made by the Regional Boards before they were placed before the Standing Committee.

The Government in their reply stated¹⁰ that the Standing Committee had decided to circulate the minutes of the meetings of the Regional Boards to all the members of the Standing Committee for their information regularly. The Regional Directors had also been advised to see that the meetings of the Local Committees were held at regular intervals and that a resume on the working of the Local Committees was submitted to the Standing Committee every six months. The important decisions of the Standing Committee of the Corporation were also being forwarded to the Regional Boards|Local Committees for their information. The Standing Committee had also decided that a small cell might be constituted at the Headquarters Office in order to examine the recommendations of the Regional Boards and for bringing them up for discussion in the Standing Committee meetings. The Standing Committee had desired that the formation of Local Committees in the remaining areas should be expedited and that a watch should be kept on timely meetings of the Regional Boards.

Administrative Structure

Considering the fact that expect four incumbents, all the Principal Officers of the Corporation had been drawn from outside, the Estimates Committee felt¹¹ that Government while appointing the Principal

⁹Estimates Committee 123rd Report (1969-70), para 2.50.

¹⁰Estimates Committee, 133rd Reort (1970-71) pp. 10-11.

¹¹Estimates Committee 123rd Report (1970-71), para 3.9.

Officers should not normally ignore the claim of senior officers of the Corporation who had rendered long and dedicated service in the Organisation, if they were found equipped with the requisite knowledge, ability and experience.

The Government accepted¹² the recommendation of the Committee and stated that the claims of the officers of the Corporation were taken into account while appointments of the Principal Officers were made.

Post of Actuary

The Committee noted the fact that the post of Actuary had been held independently only for about ten years and during the other ten years had either remained vacant or been held by the Insurance Commissioner or Financial Adviser in addition to their own duties. The Committee, therefore, recommended¹³ its abolition and merger of its functions and duties either with the Insurance Commissioner or the Financial Adviser.

The Government stated in their reply¹⁴ that the Corporation was never without the services of a fully qualified Actuary even for a single day. In the earlier years, however, Shri K. K. Bhargava, who was a full-time Actuary of the Corporation, continued to look after the actuarial side even after his appointment as the Insurance Commissioner as in those formative years, the actuarial side did not really require whole-time attention. The Annual Reports upto the years 1959-60, when the Corporation did not have a whole-time Actuary, gave the barest possible statistical data. The Annual Reports for the subsequent years, when the Corporation had a full-time Actuary on the job, gave statistical data in details with the result that in the year 1963-64, the Annual Report had to be bifurcated into two parts,—one dealing with the running matter and the other as the statistical supplement. In the opinion of Government, the provision of Section 37 of the Act, requiring quinquennial valuation, was in itself sufficient evidence of the actuarial importance of the Scheme and unless the Corporation had a whole-time Actuary to look after the work from day-to-day, mere

¹²Estimates Committee, 133rd Report (1970-71), pp. 11-12.

¹³Estimates Committee 123rd Report (1969-70), para 3.10.

¹⁴Estimates Committee, 133rd Report (1970-71), pp. 3-4.

quinquennial valuation would be of little value. In the circumstances, Government expressed their inability to accept the recommendation of the Committee for the abolition of the post of Actuary, especially when Parliament had made specific provision for the appointment of a full time Actuary.

The Committee in their 133rd Report (1970-71), were not convinced¹⁵ with the arguments put forward by Government. They still held the view that since it had been possible in the past for a long time to have the functions and duties of the Actuary preformed by the other Principal Officers, in addition to their respective duties, there should be no difficulty in future to appoint such incumbents to those posts who are able to perform the functions of the Actuary. The Committee reiterated their earlier recommendation and hoped that the post would be abolished as early as possible and its functions and duties merged with either of the said two posts of Principal Officers.

Principal Officers

In view of the fact that the Committee had recommended the creation of a separate post of Principal Officer to hold charge of the Administrative Division and thereby relieving the Director General of his duty of looking after the administration of the Corporation, the Committee did not find¹⁶ any justification for creating a post of Deputy Director General or the Financial Adviser as suggested by the ESIS Review Committee. The also suggested that Government should examine the desirability of suitably modifying the statutory provision relating to the Principal Officers so that in future any increase or decrease in their number might not require an amendment to the Act.

The Government stated¹⁷ in their reply that the post of Chief Accounts Officers in the Corporation had been redesignated as that of Financial Adviser & Chief Accounts Officer. There was therefore no need to have another separate post of Financial Adviser in the Corporation. Accepting the Committee recommendation for suitably modifying the statutory provision in the Act relating to the Principal Officers, Government stated that they proposed to amend the Act to appoint the Director General as the Chief Executive Officer of the Corporation assisted by such officers as the Central Government may in consultation with the Corporation consider necessary.

¹⁵*Ibid.*, p. 4.

¹⁶Estimates Committee, 123rd Report (1969-70), para 3.11.

¹⁷Estimates Committee 133rd Report (1970-71) pp. 12-13.

Staffing Pattern

The Committee observed¹⁸ that no systematic attempts had been made since the inception of the Corporation in October, 1948 to re-view the norms and standards for the staffing pattern in an expanding organisation like the Employees' State Insurance Corporation. They considered the increase in staff strength at the Headquarters and in other offices of the Corporation as phenomenal and without justification. They hoped that O & M Division would not only make realistic assessment of the manpower requirements but also evolve a suitable staffing pattern on the lines suggested by the ESIS Review Committee. They also suggested that after completion of the study in hand, a similar work study might be undertaken and completed expeditiously in respect of the remaining offices and steps taken to effect economy consistent with efficiency of service to the insured workers.

The Government stated in their reply¹⁹ that the study of workloads had been completed in the Local Offices. The workloads at the Regional Offices of the Corporation were under study and a substantial portion of the study had been completed. A review of the staff requirements at the Headquarters and other offices was planned to be taken up thereafter and completed expeditiously.

Simplification of Procedure

The Committee took note of the fact that the work procedure were reviewed in 1967 and 1968. A detailed review of procedures had also been undertaken by the Corporation. The Committee suggested²⁰ that the detailed review should aim at evolving such procedures at various levels, especially in Local Offices which deal with payment of claims, as were capable of resulting in prompt service to the beneficiaries. Furthermore, such a review should be a continuous process so that the system might be equipped with modern techniques and methods obtaining in other countries having similar insurance schemes. The various forms to be filled up by the beneficiaries should be printed also in Indian languages other than English|Hindi so as to make them easily understandable.

¹⁸Estimates Committee 123rd Report (1969-70), para 3.19.

¹⁹Estimates Committee 133rd Report (1970-71), p. 14.

²⁰Estimates Committee, 123rd Report (1969-70), paras 3.25 and 3.26.

The Government stated in their reply²¹ that the introduction of the Ledger System and the gradual switch over to the Teller System were two such steps in the direction of introducing modern methods and speeding up the payment of claims operations. Since O & M Division had been created in the Corporation, the review of procedures would be a continuous process. The various forms being used by the insured persons, were being printed in the local languages besides English.

Training

The Committee expressed²² the hope that the training programme for job knowledge and attitude would be carried on regularly and systematically for the benefit of the staff. They recommended that a suitable curricula be formulated for the different courses of training for different grades of officers and measures devised for making a periodical appraisal and evaluation of the results of the training programme.

The Government in their reply²³ stated that the training of staff intended for the field officers (Local Office Managers|Insurance Inspectors) was on its completion in April-May 1971 to be followed by (a) refresher course, (b) separate course for officers; and (c) extension of training course to the lower staff i.e. Head Clerks, Assistants and equivalent rank. Critical evaluation of each course was based on the opinions expressed by the trainees themselves on evaluation sheets on which they were asked to express their opinions freely. On the basis of the opinions so expressed, suitable modifications in the topics for lectures, contents of lecture notes etc., were made wherever feasible. In addition, periodical appraisal, evaluation and review of the training programme would continue to be made as a necessary adjunct of the programme.

Administrative Expenditure

The Committee felt²⁴ that with the extension of coverage under the Scheme, it should be possible for the Corporation to effect economy

²¹Estimates Committee, 133rd Report (1970-71), pages 14-15.

²²Estimates Committee, 123rd Report (1969-70), para 3.30.

²³Estimates Committee, 133rd Report (1970-71), pp. 15-16.

²⁴Estimates Committee, 123rd Report (1969-70), Para 3.42.

in its overhead expenses. They found that the level of administrative expenditure had gone up three times in 1967-68 as compared to 1960-61. They suggested that an integrated plan, which might include *inter alia* measures such as the review of the staffing pattern and rationalisation of work processes and procedures at all levels, austerity in office furnishings and equipment etc. might be drawn up for effecting necessary economy consistent with the efficient execution of the Scheme.

The Government stated in their reply²⁵ that the comparative rise in administrative expenditure in coverage of employees, collection of revenues and expenditure on benefits was as indicated below:

Item	1960-61	1967-68	Percentage of increase
Administrative Expenditure	Rs. 1,00,43,343	Rs. 2,87,17,455	184.9
Coverage	Rs. 16.77 lakhs	Rs. 33.91 lakhs	102
Contributions collected	Rs. 8.75 crores	Rs. 26.08 crores	198
Expenditure on benefits	Rs. 5.97 crores	Rs. 25.90 crores	300

Though the percentage of increase on administrative expenditure was comparatively higher than the percentage of increase in the coverage of employees under the Scheme, the increase in administrative expenditure was less, compared both to the contribution collected and to the expenditure on benefits. As regards the review of the staffing pattern and rationalisation of work process and procedures, O & M Division was reviewing the work loads, staff requirements and procedures etc. on a continuous basis. Austerity in office furnishings and equipment etc. was observed consistent with the efficient execution of the work and any further measures possible in this direction would also be taken.

Financial Position

In the opinion of the Committee²⁶ the vital problem of raising adequate resources to finance an expanding Scheme like the Employees' State Insurance Scheme needed to be tackled not on *ad hoc* basis but on a long-term basis. The Committee suggested that another Committee consisting of a few Members of the Corporation, representatives

²⁵Estimates Committee, 133rd Report (1970-71), pp. 16-17.

²⁶Estimates Committee, 123rd Report (1969-70), para 3.55.

of the Finance and Labour Ministries and other experts be set up to go into all aspects of the problem, including the current and future needs of the Scheme, with a view to suggesting suitable ways and means in that regard.

The Government stated in their reply²⁷ that the Corporation had decided to set up a Committee to go into the resources position and to find ways and means of meeting the current and future needs of the Scheme. The new Committee would also consider six important suggestions made by the Estimates Committee in their original report:

Valuation of Assets and Liabilities

The Committee were unhappy to note²⁸ that all the three valuation reports of the Corporation were made available after lapse of a period of three to five years. Trusting that such delays would be avoided in future, they suggested that the valuation reports should be laid before Parliament and a provision to that effect made in the Act in due course.

The Government stated in their reply²⁹ that arrangements would be made to appoint the Valuers expeditiously. The question of the suggested amendment of the Employees' State Insurance Act, 1948, would also be taken up in the course.

Annual Reports and Audited Accounts

Noting the lapse of 11 to 28 months for laying the Annual Reports pertaining to the Corporation on the Table of both Houses of Parliament, the Committee urged³⁰ that steps should be taken to lay before Parliament the Annual Reports of the Corporation within a period of six months from the close of the financial year. As for the Budget Estimates, their preparation and further processing, including the approval by the Standing Committee|Corporation and the Central Government, should be so programmed that they were available to the Lok Sabha at the time of discussion of the Demands of the Administrative Ministry concerned. The Audit Reports should also be laid before Parliament promptly after their receipt from the Comptroller and Auditor General.

²⁷Estimates Committee, 133rd Report (1970-71), pp. 18-19.

²⁸Estimates Committee, 123rd Report (1969-70), para 3.59.

²⁹Estimates Committee, 133rd Report (1970-71), p. 19.

³⁰Estimates Committee, 123rd Report (1969-70), para 3.62.

The Government while pointing out difficulties in the way of placing the Annual Report before the Standing Committee within six months and thereafter laying it on the Table of the two Houses of Parliament within a period of six months stated³¹ in their reply that efforts would be made to place the Annual Report before the Standing Committee and the Corporation within the stipulated period. So far as the Budget Estimates and Audit Reports were concerned, the Government agreed that the Budget Estimates should be made available to the Lok Sabha at the time of discussion of Demands of the Labour and Employment Ministry and that the Audit Reports should be laid promptly before Parliament after their receipt from the Comptroller and Auditor General.

Administrative Buildings

The Committee were surprised³² to note that it had not been possible for the Corporation to construct administrative buildings on plots which were acquired in September, 1962 and July—December, 1963. The position had drifted to such an extent that on the one hand, the Corporation had no resources to finance construction programme and on the other, the plots lying idle were attracting unauthorised constructions requiring prolonged litigation. They suggested that a phased programme of construction should be drawn up keeping in view the proposed merger of the Employees' State Insurance and Employees' Provident Fund Schemes, the resources position and the need to effect economy.

The Government stated³³ in their reply that the construction programme had been reviewed in the light of the available resources and it was proposed to draw up priorities by placing the matter before the Standing Committee of the Corporation. After the merger of ESI and EPF Schemes, the programme if finalised by then, would be reviewed.

Insurance Coverage

The Committee observed³⁴ that the progress of implementation of the Scheme had been extremely halting. Not only the original schedule as envisaged in the First Plan was not adhered to but there-

³¹Estimates Committee, 133rd Report (1970-71), pp. 20-21.

³²Estimates Committee, 123rd Report (1969-70), para 3.87.

³³Estimates Committee, 133rd Report (1970-71), p. 21.

³⁴Estimates Committee, 123rd Report (1969-70), para 4.13.

had been shortfalls even in the revised modest targets fixed for the three Plan periods. The Committee were convinced that had the Corporation as a Central authority consisting of the representatives of all interests, including the State Governments, played its proper role in taking timely initiative, effective planning and periodical appraisal of its performance, the State Governments' preparedness to implement the Scheme would have received an impetus and the results would have been much better. The Committee were surprised that the Government of India at their own level did not make efforts to see that the State Governments evinced more interest in the implementation of the Scheme and co-operated with the Corporation in right earnest.

The Government stated³⁵ in their reply that the provision of medical care under the Employees' State Insurance Scheme was the statutory responsibility of the State Governments. The cash benefits were administered by the Employees' State Insurance Corporation. Extension of the Scheme to new areas depended on completion of arrangements for the provision of medical care by the State Governments and disbursement of cash benefits by the Employees' State Insurance Corporation. The Scheme had been generally extended to new areas as soon as arrangements for the provision of medical care and disbursement of cash benefits were completed. Since the Corporation had been facing financial difficulties, it had taken certain decisions to control the expenditure on the Scheme, including the imposition of a ceiling of Rs. 50 per employee per annum on the cost of medical benefit which was shared between the Employees' State Insurance Corporation and the State Governments. This ceiling had come into force from April 1, 1970 and proposals for extension of the Scheme were being examined in the light of that ceiling. The proposals were cleared by the Central Government if they did not involve any drain on the resources of the Corporation and subject to the condition that the cost of medical benefit would be kept within the prescribed ceiling.

The State Governments were periodically asked by the Corporation to prepare a phased programme for implementation of the Scheme in different centres depending upon the availability of medical and para-medical staff. The observations of the Estimates Committee had been noted by the Corporation and were also being brought to the notice of the various State Governments.

³⁵Estimates Committee, 133rd Report (1970-71), pp. 22-23.

So far as the Government of India were concerned, there was no objection to the extension of the Scheme to new areas provided that necessary arrangements for the provision of medical care and disbursement of cash benefits were made by the State Governments concerned and the Employees' State Insurance Corporation respectively and that the overall cost involved could be met from within the income of the Corporation, keeping the cost of medical benefit within the prescribed ceiling. As suggested by the Estimates Committee, it was proposed to set up a Committee to look into the financial needs of the Scheme on a long-term basis and to prepare a programme for the extension of the Scheme to new areas etc. supported by adequate ways and means. The Government would take up the question of extension of the Scheme to new areas and to new categories of workers after the Committee proposed to be set up had prepared a phased programme for that purpose.

Exemptions

The Committee were³⁶ in general agreement with the recommendations made by the Employees' State Insurance Scheme Review Committee in regard to the tightening up of the statutory provisions and the procedure relating to the grant of exemption from the Scheme. They further recommended that all cases of exemptions after they were processed by the machinery as suggested by the Review Committee should be carefully considered by the Corporation|Government.

The Government stated³⁷ in their reply that the main recommendation of the Employees' State Insurance Scheme Review Committee was that the provisions in the Act for the grant of exemptions should be tightened up and exemptions given without distinction between the private and public sectors only in exceptional circumstances when the prevailing benefits were superior on an overall assessment to those that could be provided under the Scheme and if the employees themselves desired such exemptions. The main recommendation had been fully accepted and implemented by the Corporation and the Central Government.

³⁶Estimates Committee, 123rd Report (1969-70), para 4.39.

³⁷Estimates Committee, 133rd Report (1970-71), pp. 24-25.

Recovery and Arrears of Contributions

The Committee were concerned³⁸ to find an extremely low percentage of recovery of both the employees' contribution as well as employers' special contribution within the prescribed time-limits. That tendency to avoid payment within the prescribed time-limit had in effect extended further the grace period by three to nine months for payment of contributions. The Committee desired that ways and means should be devised to ensure the recovery to a maximum extent within the prescribed time limit. In their view, there was no reason as to why the employees' contribution which was deducted at source from the wages should not be received within the prescribed time-limit. They recommended that besides amending the Act to make the penal provision more stringent as suggested by the Review Committee, the desirability of enhancing the rate of interest provided in Regulation 31-A should be examined. Suitable procedure was also suggested to be evolved in order to reduce the period taken to finalise the list of defaulters so that legal action could be initiated without delay.

The Government stated³⁹ in their reply that Regulation 31-A of the Employees' State Insurance (General) Regulations, 1950 provided for the levy of interest at the rate of 6 per cent per annum in case of default or delay in payment of contributions by the employers which was the maximum permissible under Section 97(2)(iii-a). However, a proposal for amendment of that Section in order to enable the Corporation to levy damages and to specify their rates from time to time was under consideration. Besides, there were standing instructions to the Regional Directors for timely preparation of the defaulters' lists and taking of legal action for the recovery of arrear contributions. Instructions were once again issued by the Director General, Employees' State Insurance Corporation to all the Regional Directors advising them to avoid all delays in the legal action which should be taken strictly in accordance with the instructions on the subject.

Incidence of Sickness Benefit

The Committee observed⁴⁰ that the question of determining the excess incidence of sickness benefit in different States, in pursuance of the clear statutory provision to that effect, received the attention of the Corporation only after it was pointed out by the Audit. In the

³⁸Estimates Committee 123rd Report (1969-70), para 5.30.

³⁹Estimates Committee 133rd Report (1970-71), p. 26.

⁴⁰Estimates Committee 123rd Report (1969-70), para 5.69.

opinion of the Committee, there was no justification for waiving the amount found to be due from the concerned State Governments on that account, in view of the unambiguous provision of the Act and the agreements arrived at between the Corporation and the State Governments. They hoped that the amount would be recovered from the concerned States without any further delay or that recourse would be had to adjust the same against the Corporation's liability on account of medical care as stipulated in Clause 21 of the Deed of Agreement between the States and the Corporation.

The Government stated⁴¹ in their reply that book, adjustment of the excess incidence of sickness benefit due upto 1968-69 from the State Governments under Section 58(2) of the Act had been made in the account of the Corporation for the year 1969-70. The entire amount of Rs. 19,71,353, (including the fresh demands for the year 1968-69 made from the State Government of Kerala and Madhya Pradesh) had been adjusted against the Corporation's liability on account of medical care.

Disbursement

Referring to the various steps taken by the Corporation to simplify the procedure in regard to disposal of benefit claims, the Committee hoped⁴² that the teller system and the ledger system would be introduced in all the local offices in accordance with a phased programme.

The Government stated in their reply⁴³ that the introduction of ledger system was in progress according to a phased programme drawn up by the Regional Directors. The attention of the Regional Directors was also drawn from time to time to accelerate the pace of introduction. The ledger system was in operation in 205 out of 285 Local Offices of the Corporation in the country. So far as the 'teller' system was concerned, it was still in an experimental stage and the intention was to introduce it only in 45 Local Offices in the country at that experimental stage. Decision in regard to its further extension would be taken depending on the success of the limited experiment. The system was actually functioning in all Local Offices out of 45 selected for the experiment.

⁴¹Estimates Committee, 133rd Report (1970-71), p. 27.

⁴²Estimates Committee 123rd Report (1969-70), para 6.28.

⁴³Estimates Committee, 133rd Report (1970-71) p. 27.

Simplification of Forms and Registers

The Committee suggested⁴⁴ that a target date should be fixed for the completion of the project of form analysis and simplification of registers etc. and changes considered necessary brought about expeditiously. They further suggested that the procedure should be kept under constant review so as to ensure speed and efficiency in making payments. They desired that a periodical return showing the number of claims pending for more than one month, two months and three months and above should be submitted by the Local Offices to the respective Regional Offices and a brief monthly report submitted by each Regional Office to the Headquarters.

The Government stated in their reply⁴⁵ that the project of form analysis and simplification of registers etc. had progressed substantially and was expected to be completed early. The procedures were being constantly reviewed as a result of O & M studies so as to ensure speed and efficiency wherever possible.

Malingering

The Committee felt⁴⁶ that the tendency of malingering by workers was most undesirable and desired that as soon as the Special Survey was completed, the data should be processed expeditiously with a view to reviewing the measures and evolving foolproof checks to eliminate the evil. They suggested that, besides legal and administrative measures, appropriate means should be devised to educate the workers by enlisting the co-operation of the trade unions.

The Government stated in their reply⁴⁷ that a special study of the impact of strikes|lock-outs on the funds of the Employees' State Insurance Corporation for the month of December, 1969 had been carried out. The field data from the various regions all over India had been received and processed. The feasibility of making legislative amendments and of further tightening up the administrative control measures was being considered in the light of conclusions.

⁴⁴Estimates Committee, 123rd Report (1969-70), para 6.29.

⁴⁵Estimates Committee, 133rd Report (1970-71), p. 28.

⁴⁶Estimates Committee, 123rd Report (1969-70), para 6.42.

⁴⁷Estimates Committee, 133rd Report (1970-71), p. 29.

The Committee in their 133rd Report (1970-71) suggested⁴⁸ that suitable measures to educate the workers by enlisting the co-operation of trade unions might also be taken.

Employers' Dispensaries

The Committee felt⁴⁹ that there should hardly be any objection to recognise the dispensaries initially set up by the employers for utilisation under the Scheme, provided they satisfied broadly the conditions laid down in that regard.

The Government in their reply stated⁵⁰ that the State Governments were re-advised to keep that aspect in view while suggesting medical arrangements for the Centres.

Indigenous System of Medicine

The Committee were not convinced⁵¹ by the reasoning advanced by the Corporation against the setting up of dispensaries to provide treatment through indigenous system of medicine that such a step could only be in addition to the existing facilities which might increase the expenditure on medical care. They did not also share the the Corporation's apprehension that in case any initiative was taken *suo motu* by reducing the expenditure on the allopathic side, it might invite criticism from the interests concerned. They recommended that steps should be taken to set up one-doctor units of Ayurvedic and Homoeopathic systems, to begin with, in such allopathic dispensaries as were situated in heavily concentrated areas, after ascertaining the views of the beneficiaries through local workers' organisations and local committees, if any. If the experience in the course of time found favour from the beneficiaries, the facility might be extended to other areas also. The Committee felt that medical treatment through those systems would not only prove to be effective but curtail the total budget on medical care. In their opinion, the importance of evolving a low-cost effective medical system needed no emphasis.

The Government stated⁵² in their reply that the recommendation of the Committee was communicated to the State Governments in

⁴⁸Estimates Committee, 133rd Report (1970-71), p. 20.

⁴⁹Estimates Committee, 123rd Report (1969-70), para 7.23.

⁵⁰Estimates Committee, 133rd Report (1970-71), p. 31.

⁵¹Estimates Committee, 123rd Report (1969-70), para 7.28.

⁵²Estimates Committee, 133rd Report (1970-71), p. 32.

order to ascertain the views of the beneficiaries through local workers' organisations and local committees for providing treatment through indigenous systems of medicine.

Complaints

The Committee were surprised⁵³ at the attitude of complacency reflected in the reply furnished to the Committee about the complaints of workers in regard to the non-availability of medicines, shortage of doctors and their attitude of indifference, shortage in ambulance service etc. They found that the number of doctors in position had been less than the sanctioned strength during 1966-67 to 1968-69. Similarly, the number of ambulances was inadequate to cater to the needs of the insured persons. The Committee suggested that suitable measures should be devised by the Corporation|Government to help safeguard the quality of service provided to the beneficiaries under the Scheme. They also desired that besides administrative surveillance and review of different component parts of the system, the feasibility of collecting statistics on selective basis regarding the results of the medical care in terms of recovery of patients might be examined so that it may be helpful in taking the corrective measures wherever necessary.

The Government stated⁵⁴ in their reply that the staff was not posted according to the sanctioned posts at many places because in some of the places, the State Governments did not find enough work for the sanctioned number of staff while at other places, the staff could not be appointed for want of technically trained personnel. However, the question of actual deficiency was taken up with the State Governments and efforts were made to appoint full complement of staff required for the work. Besides that, the yard-stick for the provision of staff for the Employees' State Insurance Dispensaries was being finalised in the light of the observations made by the Medical Benefit Council.

As regards the availability of ambulances, the Corporation had fixed up a yardstick of one ambulance for 40,000 beneficiaries. Every proposal for an ambulance from the State Governments was examined by the Corporation on the merits of the case and ambulances were sanctioned, wherever justified. Since ambulances could not be provided at all centres at the cost of the Employees' State Insurance Scheme,

⁵³Estimates Committee, 123rd Report (1969-70) para 7.39.

⁵⁴Estimates Committee, 133rd Report (1970-71), pp. 33-34.

the State Governments were advised to enter into contract with voluntary agencies like Municipal Corporation, Indian Red Cross Society, St. John Ambulance Association etc. for securing ambulances in areas where the concentration of workers was not heavy, in case of emergencies or in places where the ESI ambulance was out of commission.

The Corporation welcomed the suggestion of the Committee for collecting statistics on selective basis regarding the results of the medical care in terms of the recovery of patients. A special register for treatment of T.B. patients had been prescribed and all the State Governments had been asked to maintain the statistics. That experiment, if successful, would be extended further on selective basis.

Specialists' Care

The Committee were surprised⁵⁵ to find that some of the States did not have Specialists' facility even in regard to common branches such as Medicine, Surgery, T.B., E.N.T., Skin etc. The workers in the States like Gujarat, Maharashtra and Uttar Pradesh, which had large Centres, were also not provided with Specialists' facility for orthopaedic treatment. The Committee suggested that all possible steps should be taken to remove that lacuna.

The Government stated⁵⁶ in their reply that the Corporation would ask the State Government to take all possible steps in regard to the provision of Specialists' services to the beneficiaries. The Corporation had circulated the prescribed yardstick for the provision of Specialists, in five major specialities, viz. Medical, Surgery, Obstetrics and Gynaecology, Tuberculosis and Paediatrics for a concentration of 10,000 employees.

Medical and Para-medical staff

The Committee recommended⁵⁷ that the feasibility of creating a separate all-India cadre of ESI medical officers on the lines of Central Health Service with an earmarked quota for each State might be examined in consultation with the State Governments. They felt that the creation of an all-India cadre under the overall control of the Corporation would inculcate a sense of belonging to the Scheme in the minds of those serving it and also enable the Corporation to have an effective control over the administration of medical care.

⁵⁵Estimates Committee, 123rd Report (1969-70), para 7.45.

⁵⁶Estimates Committee, 133rd Report (1970-71), p. 35.

⁵⁷Estimates Committee, 123rd Report (1969-70), para 7.56.

The Government stated in their reply⁵⁸ that the matter had been considered by the Standing Committee and the Employees' State Insurance Corporation who had agreed that the system of administration of medical care through the State Services might continue, as it made available to the Corporation the experience of the State Governments who were represented on the Corporation.

The Committee in their 133rd report (1970-71), reiterated⁵⁹ earlier recommendation and suggested that the question might be examined again in detail. They also suggested that the opinion of the All-India Medical Council and other recognised bodies of medical profession might also be elicited, if necessary.

Supervision

The Committee regretted to note⁶⁰ that the General Purpose Sub-Committee which was intended to serve as an effective instrument of supervision over the administration of medical benefit in the States had been allowed to become practically defunct after 1967. They were of the opinion that periodical visits by the Principal Officers of the Corporation to inspect and review the medical facilities in the States were no substitute to the visits of the General Purpose sub-Committee of the Corporation. They trusted that the sub-Committee would undertake visits to the States regularly and their reports considered by the Standing Committee|Corporation for taking appropriate action on them.

The Government stated in their reply⁶¹ that the working of the General Purpose sub-Committee had been activated. The sub-Committee had visited the States of Haryana and Gujarat in April, 1970. The recommendation of the Committee had been noted for compliance.

Cost Control

The Committee were surprised⁶² to find wide disparity ranging from Rs. 27 to Rs. 73 in *per capita* expenditure incurred on the provision of medical benefit in different States. No tangible efforts

⁵⁸Estimates Committee, 133rd Report (1970-71), p. 5.

⁵⁹*Ibid.*

⁶⁰Estimates Committee, 123rd Report (1969-70), para 7.66.

⁶¹Estimates Committee, 133rd Report (1970-71), p. 37.

⁶²Estimates Committee, 123rd Report (1969-70), para 7.83.

seemed to have been made by the Corporation to control the expenditure in order to secure economy and uniformity in the standard of service rendered under the provision of the Scheme. Furthermore, as admitted by the Director General, the Corporation's approval to the budget estimates of the States had been merely formal involving no scrutiny at all. The Committee recommended that the Corporation should introduce suitable systems to ensure a thorough budget scrutiny as also control over the expenditure incurred on the provision of medical benefit in the States. They also commended the system of direct procurement of stores and equipment for medical institutions along with the drugs, in order to form a centralised pool under the control of the Corporation for onward supply to the States.

The Government stated in their reply⁶³ that the Corporation shared the anxiety expressed by the Committee on having uniformity of medical services in the State and economy in the expenditure on medical care. It was admitted that there was wide disparity in *per capita* cost in different States as observed by the Committee. The Corporation was taking all possible steps to remove the wide variation in the standard of medical benefit by approaching the concerned State Governments. With a view to streamlining and establishing efficient uniform standard of medical service in the States, the Medical Benefit Council had appointed a Hospital Norms Committee, the report of which had been adopted by the Corporation. A pharmacopoeia for the drugs to be used in the ESI institutions was prepared and circulated to the States for strict adherence. In addition, the ESI Corporation had entered into a rate contract for about 140 common drugs used by the various States and the same had been communicated to the States for use. The Corporation had worked out on uniform pattern the details of expenditure on medical benefit under five major heads and the same had been circulated to the States for furnishing their budget proposals and estimates under those heads. The estimates were scrutinised in the Corporation and wherever the expenses under any item appeared high, the same was brought to the notice of the State Governments. Lastly, the Corporation had prescribed a ceiling of Rs. 50 per employee to be followed for providing medical benefits in various States. The Corporation had reminded the State Governments to complete the review of the staffing pattern of the ESI institutions. The Government hoped that by the various measures taken by the Corporation, the standard of medical care in all the States would be made uniform and economy in cost effected.

⁶³Estimates Committee, 133rd Report (1970-71), pp. 38-39.

Dual Control

The Committee were of the view⁶⁴ that the administration of medical benefits should normally be left to the State Governments and the Corporation should concern itself with laying down broad guidelines to be followed by the States and exercising an effective control by various systems both on quality as well as cost of the service. At the same time, they felt that if the situation in any State so demanded, the Corporation should not be oblivious of its responsibilities as insurance carrier to take over the administration for providing better and efficient service to the beneficiaries under the Scheme.

The Government stated in their reply⁶⁵ that the question of taking over of responsibilities of running the medical care in any State would be examined in the context of the circumstances prevailing in that State and the experience which the Corporation would have gained by directly running the medical care in Delhi.

Occupancy Ratio of Beds

The Committee regretted⁶⁶ that in the matter of provision of beds which was so vitally linked up with the future programme of extension of the Scheme, the Corporation had left the entire initiative in regard to the assessment of requirements, planning and construction to the respective State Governments, which for obvious reasons could not be expected to have an overall picture of the Corporation's obligation to secure parity in all the States on a rational basis and also a long-term view of its financial resources to maintain a sustained progress of the construction programme. They suggested that the Corporation should assess the requirements both in respect of hospital beds and dispensaries in each State and on that basis formulate a plan assigning *inter se* priorities with a view to removing regional disparities. Suitable machinery should be devised to effect economy and keep a constant watch on the cost as well as the timely completion of the projects. They also desired that the feasibility of entrusting the construction work to an agency other than the normal governmental agency of P.W.D. should also be examined.

The Government stated⁶⁷ in their reply that the question of making assessment of beds and dispensaries was looked into by the sub-

⁶⁴Estimates Committee, 123rd Report (1969-70), para 7.89.

⁶⁵Estimates Committee, 133rd Report (1969-70), p. 40.

⁶⁶Estimates Committee, 123rd Report (1969-70), para 7.125.

⁶⁷Estimates Committee, 133rd Report (1970-71), pp. 42-43.

Committee set up for reviewing the financial position of the Corporation and the recommendation made to provide a sum of Rs. 4.50 crores for removing the imbalance to a certain extent, was being implemented. A complete review, both with regard to the hospital beds as well as the dispensary buildings, might be undertaken after the financial position of the Corporation improved and permitted further consideration of fresh proposals. In order to effect economy in the cost of construction, proto-type plans for the various sized hospitals were prepared along with guidelines for ceiling costs etc. The recommendation of the Committee to examine the feasibility of entrusting the construction work to an agency other than the normal governmental agency would be taken into account in future when the financial position of the Corporation improved.

The Committee trusted⁶⁸ that expeditious efforts would be made to persuade the State Governments to utilise the excess beds for general public.

The Government stated⁶⁹ in their reply that the Corporation had communicated the number of surplus beds in various hospitals to the Union Ministry of Health and Family Planning. It was hoped, that the State Governments would be able to use some of the excess beds for family planning purposes. In addition, the Corporation had also requested the State Governments to divert some of the ESI excess beds for the use of general public.

Preventive and Restorative Services

The Committee were unhappy to find⁷⁰ that due place had not been accorded under the Employees' State Insurance Scheme to the preventive and restorative care. Even the pilot project of integrated preventive and curative services introduced in Delhi did not seem to have made much head-way as was evident from the fact that it had not been considered necessary to undertake a study of the impact of the Project on the incidence of sickness. Similarly, a project in Hyderabad had been abandoned and in Kanpur no progress had been made. The Committee suggested that a definite programme in that respect, including a systematic Health Education Programme, should be chalked out.

⁶⁸Estimates Committee, 123rd Report (1969-70), para 7.127.

⁶⁹Estimates Committee, 133rd Report (1970-71), p. 43.

⁷⁰Estimates Committee, 123rd Report (1969-70), paras 7.133 and 7.139.

The Government stated⁷¹ in their reply that efforts would be made to gear up the machinery for rendering preventive and health education services. From the experience gained by the Corporation, it was not considered advisable to set up a distinct separate service for preventive care. However, it was thought that optimum results could be achieved if the Insurance Medical Officer|Panel Practitioners made a concerted effort to provide preventive and health education services as a part of the general out-door care. In order to keep proper and regular check for that purpose, the Corporation was devising a *pro-forma* to obtain statistics from the States containing vital information on preventive services and Health Education.

Family Planning Facilities

The Committee hoped⁷² that co-ordinated measures would be taken in consultation and co-operation with the Union Ministry of Health and Family Planning and the State Departments concerned to ensure that proper and adequate facilities for family planning were made available at all ESI hospitals and dispensaries.

The Government stated in their reply⁷³ that the Corporation had established liaison with the authorities in the Department of Family Planning to work out a co-ordinated scheme for the benefit of the insured persons and members of their families in the sphere of family planning. It was considered that all the institutions under the E.S.I. Scheme should act as Family Service Centres for the use of the beneficiaries.

Integrated Social Security Scheme

The Committee referred⁷⁴ to the observations made by them in their earlier Reports and stressed the advantages of merger of the Employees' State Insurance and Provident Fund Schemes which would lay the foundation of a comprehensive social security scheme and reduce the overhead costs of the two Schemes.

⁷¹Estimates Committee, 133rd Report (1970-71), pp. 44-45.

⁷²Estimates Committee, 123rd Report (1969-70), para 7.155.

⁷³Estimates Committee, 133rd Report (1970-71), p. 46.

⁷⁴Estimates Committee, 123rd Report (1969-70), para 8.35.

The Committee were distressed to observe⁷⁵ that no progress was made in the direction of evolving a comprehensive social security scheme, although the attention of Government was drawn to it by the Study Group in 1958. They stressed the importance of an integrated social security scheme not only for administrative reasons but also in view of the social security objectives of parity of benefits and equalisation of charges corresponding to the egalitarian tendencies of modern societies. They urged upon Government to take early steps to formulate a plan for an integrated social security scheme comprising the existing as well as the proposed schemes, to be gradually implemented within a set period of time.

The Government stated in their reply⁷⁶ that they had appointed a Working Group with the Director General, Employees' State Insurance Corporation as the Chairman to examine the question of integration of social security schemes. The report of the Working Group had been received and the proposal for the merger of the Employees' State Insurance and the Provident Fund Schemes had been accepted in principle. As the first step towards the merger, it was proposed to appoint a Special Officer to consider the practical issues and to work out the essentials of an integrated scheme. Further action would be taken after the report of the Special Officer was received.

The Committee in their 133rd Report emphasised⁷⁷ again the importance of an integrated social security scheme and recommended that suitable steps should be taken to formulate a broad-based plan comprising the existing as well as the proposed schemes with a definite time-schedule for its implementation.

⁷⁵Estimates Committee, 123rd Report (1969-70), Para 8.34.

⁷⁶Estimates Committee, 133rd Report (1970-71), p. 6.

⁷⁷*Ibid.*, pp. 6 and 7.

III. THE NATIONAL INDUSTRIAL DEVELOPMENT CORPORATION LIMITED

Introductory

In August 1953, the Minister of Commerce and Industry proposed the setting up of a Corporation composed of representatives of Government, engineers, scientists and reputed industrialists for the industrial development of the country. The functions of the Corporation were to determine (i) the lines of development, (ii) the manner in which the projects were to be undertaken, (iii) the location of each project and (iv) the appointment of managers for carrying the projects into execution. It was also conceived that the Corporation would start industries itself and determine the manner and the stage at which the industry should be handed over to private investors or the participation of private capital was to be secured. The Corporation was also to determine the method of financial assistance to be given to certain private investors.

The Ministry of Production, however, expressed the opinion that the constitution of an Industrial Development Corporation was unnecessary and that the pace of development could be accelerated by making suitable adjustments in the existing organisations like the Industrial Finance Corporation. They also did not favour the idea of transferring the functions of planning and development of the industries to any agency outside the Government.

The proposal of the Ministry of Commerce and Industry was ultimately approved by the Cabinet and the National Industrial Development Corporation was set up as a private limited company in October, 1954.

Need for setting up the Corporation

After a perusal of the relevant correspondence leading upto the setting up of the Corporation, the Committee on Public Undertakings (4th Lok Sabha) expressed the view that the Government adopted the

idea of the Minister of Commerce and Industry without ascertaining the views of different Ministries. They observed that the "NIDC was delivered as a still-born child as a result of inter-Ministerial rivalry and dispute over its functions."

Government stated in reply that the proposal to set up the Corporation was considered at an inter-Departmental Meeting at the Secretaries' level. There was unanimous agreement about the necessity of establishing such a Corporation. The question was also fully gone into at the Cabinet level on different dates. Government, therefore, maintained that there was no Inter-Ministerial rivalry. "On the contrary" it was held that "the need and usefulness for such a corporation was fully accepted and recognised." The Committee did not pursue the matter any further.²

Scope and Functions of the Corporation

The functions of the Corporation were described to develop industries particularly those which were necessary to fill the gaps in the industrial structure so as to achieve better co-ordination of progress in different fields; promote, establish and execute industrial projects or enterprises and for that purpose prepare and get prepared project reports, blue prints, etc. The Corporation was also to act as an agency for the grant of special loans for development of certain industries.

Government had also decided to use the Corporation as an agency for the grant of special loans for the modernisation and rehabilitation of jute and cotton textile industries and for the modernisation and expansion of the Machine Tools Industry.

The working of the Corporation was examined by the Estimates Committee (2nd Lok Sabha). In their 122nd Report the Committee, among other suggestions, recommended that the activities of the N.I.D.C. as a lending agency should be transferred to the Industrial Finance Corporation or any other agency and that Government should consider the desirability of continuing to keep the Corporation as an "institution with such limited sphere of activities."

After taking all the factors into consideration the Government decided that the N.I.D.C. need not be dissolved but should continue to deal with its promotional and development work. As regards its lending activities, it was decided that the N.I.D.C. should continue

¹C.P.U. 63rd Report (4th L.S.), Para 1.10.

²C.P.U. 23rd Report (5th L.S.), Chapter III.

to handle loan work to the extent it had already committed itself. Fresh applications for loans should, however, be processed by the Industrial Finance Corporation in the normal manner.

The Committee on Public Undertakings (4th Lok Sabha) were informed by the Managing Director, N.I.D.C. that the Corporation had executed five projects in the public sector *viz.*, the Heavy Engineering Corporation; Indian Drugs and Pharmaceuticals Ltd.; Hindustan Photo Films; Hindustan Organic Chemicals Ltd.; and Bharat Heavy Electricals and two projects in the private sector *viz.*, Synthetic Rubber and Tungsten Carbide.* However, from the information subsequently supplied by the Corporation it was evident to the Committee that apart from the Indian Drugs and Pharmaceuticals Ltd. the N.I.D.C. did not make any appreciable contribution either in the setting up or in the execution of these projects. The Committee also noted that during the 16 years of its life the Corporation had taken up only 9 cases of detailed engineering. The Committee, therefore, concluded that the N.I.D.C. had not achieved the aims and objectives for which it was set up but had degenerated into a consultancy service.³

Clarifying the position, Government stated that a short while after the incorporation of the N.I.D.C. an Office Memorandum had been issued by the Government in September, 1956 stating that the activities of the Corporation in respect of the industrial development were essentially to be in respect of (i) identification of gaps in industry, and (ii) advice on the most suitable manner in which such gaps could be covered—which work necessarily included techno-economic investigations, preparation of Project Reports, Designs etc. The actual implementation of projects was thereafter to be undertaken by agencies—including the NIDC—on specific decisions in respect of each project by Government.

The NIDC was thus involved in the preliminary investigations relating to the identification of gaps and the techno-economic investigations relating to each of these projects. In each case, the results of these studies, which had necessarily to be supplemented by detailed Project Reports undertaken by foreign agencies|experts in view of the complexity and magnitude of the project involved, were examined by Government, who then took decisions on the subsequent course of action.

*Subsequently in July 1970, the Managing Director tendered an unconditional apology for giving evidence which was not wholly correct. [C.P.U.: 22nd Report (5th L.S.)].

³C.P.U. 63rd Report (4th L.S.), Paras 1.11 to 1.19.

It was further explained that the extent of the NIDC's contribution in the earlier stages of these projects mentioned above was "naturally commensurate with the gradual build up of technical capabilities and capacities within the Corporation." "As these technical capabilities and capacities grew", it was pleaded, "the Corporation undertook more and more of the techno-economic aspects of the work involved". As a result, therefore, the later projects, viz., the Indian Drugs and Pharmaceuticals and the Hindustan Organic Chemicals assigned portions of their detailed engineering work also to the Corporation.

As regards the development of the NIDC into a major Consultant Engineering Service over the years, it was stated by the Government that the position had inevitably followed from the primary functions envisaged for this Corporation and it was in fact, a fulfilment of its basic role: With the continuous growth of its capabilities it had been able to undertake 9 cases of detailed engineering assignments in a single year (1969-70). This was stated to be clear evidence of the steady growth of its technical capabilities and capacities.⁴

The Committee on Public Undertakings further expressed the opinion that since an adequate number of consultancy agencies were in existence both in the public and private sectors representing different fields of technological activities, the NIDC's role was hardly appreciable to justify an independent existence.

"In view of the fact that the Corporation is not specialising in any rare field of technological activity and its functions having been confined to a very limited field", the Committee reiterated the earlier recommendations of the Estimates Committee that Government should consider the desirability of allowing the Corporation to exist with such a limited sphere of works.⁵

In reply Government maintained that the total available capacities in the highly specialised field of consultancy were far short of the rapidly expanding national needs, and that any curtailment in the consultancy activities of the NIDC would not be in the interests of industrial growth. In fact Government expressed its intention to extend the scope of the Corporation's consultancy activities in certain directions.⁶

⁴C.P.U. 23rd Report (5th L.S.), Chapter 1.

⁵C.P.U. 63rd Report (4th L.S.), Pars 8.6 and 8.7.

⁶C.P.U. 23rd Report (5th L.S.), Chapter IV.

The Committee on Public Undertakings (5th Lok Sabha) considered the replies of the Government and also visited the office of the N.I.D.C. on 7th March, 1972 and discussed the matter further with the Chief Consultant of the Corporation. The Committee came to the conclusion that "all these years, no clear direction was given to the N.I.D.C., which, therefore has been drifting". The Committee desired that Government should, by a resolution, define and identify the specific role and functions the NIDC should perform.⁷

Loan operations

The NIDC had been entrusted with the task of granting loans for the modernisation and rehabilitation of the Jute and Cotton textile industries and to the machine tool industry. In February 1963, Government restricted the lending activities of the Corporation which were confined to pending applications and to only such cases which were in advanced stages of finalisation.

The Committee learnt that Government had not issued any instructions to the Corporation in regard to equitable distribution of loans State-wise, with the result that no special concessions or incentives were given to backward States. On a perusal of the list of loanees, the Committee expressed the opinion that loans were granted by the Corporation to parties who could have raised resources of their own without any special aid of the NIDC. "The funds given to them could have been preferably made available to other parties whose position to raise such loans by other means was not equally strong", the Committee observed.⁸

In reply, Government stated that loaning activities of the Corporation were limited to the grant of financial assistance to the existing units of the Jute and Cotton textile industries and the need for granting special concession to backward areas did not arise. Similarly, the applications for loans had been considered with reference to the needs for rehabilitation of the units and their financial position. The position of parties who might have had formal or informal controlling interest in the units was not taken into account while

⁷*Ibid*, Chapter 1, Para 7.

⁸C.P.U. 63rd Report, Paras 2.14 and 2.16.

considering the grant of assistance. The Committee were not satisfied with this explanation. In their opinion no efforts had been made to give assistance to really needy and small undertakings, in preference to big business houses.⁹

The rate of interest charged by the NIDC was kept much lower than the rate charged by the Industrial Finance Corporation. The Committee found that neither any time limit for the withdrawal of loan instalments nor any provision for increase in the rate of interest to be charged in the event of Government charging higher rates from the Corporation was made in the agreements with the loanee companies. In a specific case, the Committee felt that the Corporation had failed in the discharge of its responsibility owing to the defective provisions in the agreement and failed even to take legal steps. In their opinion, the Government should have examined the question of taking steps to safeguard its financial interests.¹⁰

Government stated that the rate of interest charged by the NIDC was lower than the rate charged by the Industrial Finance Corporation, as the loans were intended for rehabilitation and modernisation purposes. With regard to drawal of loans by the borrower companies, no time limit had been specified in the mortgage deeds, as the loans had been disbursed in stages as and when the machinery included in the scheme was purchased by the companies. A review of each case was, however, made and where a company was not in a position to satisfy the Corporation that the balance of the loan could be drawn by them within a reasonable period, the sanction of the loans to that extent was treated as lapsed.

The Committee on Public Undertakings (5th Lok Sabha) reiterated their earlier recommendations and desired that time-limit for the withdrawal of loans and charging of higher rates of interest should be specified by Government in the agreements with the loanee companies.

As for taking legal action in a particular case under the provisions of the mortgage deed, Government explained that the Corporation could legally sell the mortgaged premises, but the important consideration was to avoid the closure of the mills which would have created unemployment and loss of production. As such, before taking recourse to legal action, the Corporation rightly took to

⁹C.P.U. 23rd Report, (5th L.S.), Paras 8 to 12.

¹⁰C.P.U. 63rd Report (4th L.S.), Paras 2.24 and 3.9.

discussions with the Company's representatives with a view to finding out if they could put forth suitable proposals for payment of the amount in default. Ultimately, a legal notice was served upon the company on 4th May, 1970. Government had also ordered an investigation into the affairs of the company under the Industries (Development and Regulation) Act.

The Committee reiterated their earlier recommendations and desired that special steps should be taken to safeguard the financial interests of Government¹¹

Technological Consultancy Bureau

The Technological Consultancy Bureau was set up as a part of the N.I.D.C. in the later half of 1960 with a view to providing consultant engineering services particularly in the Public Sector. The Estimates Committee in their 122nd Report (1960-61) on the working of the NIDC had observed that an important project like the Technological Consultancy Bureau should not have been launched without a comprehensive project report on the various aspects and suggested that the project report should be published before its adoption. In the absence of a specific reaction of the Government to this suggestion, the Estimates Committee (3rd Lok Sabha) reiterated this recommendation in their 20th Report.

The Committee on Public Undertakings also found from the information supplied to them that the NIDC had mostly undertaken assignments for Technical Appraisals, Demand Surveys or general studies and not undertaken sufficient assignments for the actual establishment of industries. The Committee felt that with technologists having professional background in their respective fields of activity, the NIDC should have been in a position to handle assignments of more concrete nature.¹²

In reply Government explained that the NIDC Board had considered at length the question of the setting up of the Consultancy Bureau. It was considered that the setting up of such a Bureau would fill the gap with regard to Technological consultancy arrangements in the country and might ultimately lead to the training of

¹¹C.P.U. 23rd Report (5th L.S.), Paras 13—16.

¹²C.P.U. 63rd Report (4th L.S.), Para 4.3 and 4.7.

manpower to undertake consultancy and design work and thus result in considerable saving in foreign exchange. As regards the assignments undertaken by the Bureau it was urged that in the initial period of its life simpler assignments could only be undertaken, but gradually the work had shifted to more complex aspects of detailed design and engineering. However, in view of the observations of the Committee Government had decided to have a further expert examination undertaken of the working of the Technological Consultancy Bureau and get advice on the lines in which further development of this essential service could be made in future.

The Committee was not convinced by the reply given by the Government and felt concerned that in spite of their repeated observations that the T.C.B. should not have been set up without a detailed project report, no attention had been paid by the Government.¹³

Organisation

(a) *Board of Directors*

It came to the notice of the Committee that the composition of the Board of Directors of the NIDC had been undergoing frequent changes year after year and all its eight members were Government officials. The Committee also pointed out that the directive of the Ministry of Commerce and Industry that the Boards should be constituted by leading industrialists with a few scientists, economists or public men qualified to make a positive contribution was flouted by Government. Had this directive been borne in mind, the Committee felt, the Board would have made positive contribution in the efficient running of the Corporation. Instead there were members on the Board who did not evince much interest in the affairs of the Corporation and regularly absented themselves from the Board meetings, with the result that all powers passed on to the Managing Director.¹⁴

Agreeing with the views of the Committee that frequent changes in the composition of the Board of Directors were not conducive to efficient management, Government informed the Committee that certain changes were being made in the composition of the Board of Directors to ensure better guidance and control of its performance Government further stated that in the final decision of the Cabinet an

¹³C.P.U. 23rd Report (5th L.S.), Paras 30—32.

¹⁴C.P.U. 63rd Report (4th L.S.), Paras 6.5 and 6.6).

emphasis had been laid on the inclusion on the Board of Directors of Government officers and experienced industrialists. The Board included not only officers but industrialists, economists and scientists depending on their availability, it was added. During the year 1969-70 there was some delay in placing the non-official members on the Board of Directors. As regards the presence of Directors at Board meetings it was stated that the Managing Director had at least three or more directors with him in each meeting and he was not left free to take decisions unilaterally.¹⁵

(b) *Powers of the Managing Director*

The Committee expressed the opinion that by vesting extraordinary powers including the residuary powers in the Managing Director, the Board of Directors and the Government had shown utter indifference to the management of the affairs of the Corporation. The Committee got the impression that the delegation of residuary powers to the Managing Director had resulted in the violation of the provisions of the Companies Act. Thus the very idea of having a public control had been defeated. The Committee asked Government to examine the matter further.¹⁶

In reply it was stated that the Board of Directors had reserved for themselves 19 specific powers which concerned all matters of policy and budgetary control. The residuary powers delegated to the Managing Director were only such as were necessary for the chief executive to discharge his functions. The matter was, however, stated to be under further examination.

The Committee further learnt that according to the Department of Company Affairs under the Articles of Association of the Company the Board of Directors were not competent to vest powers in the Managing Director. They, therefore, desired that Government should make a proper evaluation of the manner in which powers vested in the Managing Director were exercised.¹⁷

(c) *Financial Adviser*

Emphasising the importance of establishing a separate and well organised Financial Division for rendering expert advice to the

¹⁵C.P.U. 23rd Report (5th L.S.), Chapters II & III.

¹⁶C.P.U. 63rd Report (4th L.S.), Para 6.17.

¹⁷C.P.U. 23rd Report (5th L.S.), Paras 42-43.

Undertaking, the Committee deplored the fact that the NIDC did not feel the necessity of appointing a Financial Adviser and Chief Accounts Officer and the Government realising the necessity for it had not taken steps to enforce it on N.I.D.C.¹⁸

Government stated that a separate Financial Division was not established as the work load was not of such a magnitude to justify it. The Corporation was, however, being advised to institute a full fledged Finance Wing under the control of a Financial Adviser as soon as work load and complexity justified the same.¹⁹

¹⁸C.P.U. 63rd Report (4th L.S.), Para 6.21.

¹⁹C.P.U. 23rd Report (5th L.S.), Chapter II.

PARLIAMENT AND GOVERNMENT'S PRICE POLICY FOR OILSEEDS

WITH PARTICULAR REFERENCE TO GROUNDNUT*

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

Groundnut is a predominantly unirrigated crop in India. The size of the crop is, therefore, subject to wide variations from year to year.

Groundnut competes for area with crops like cotton, "Jowar", "bajra," ragi and pulses. As a large part of the area under the crop is rain-fed, the competing crops generally are the low-yielding traditional varieties, the high-yielding varieties being preferred in irrigated areas.¹

Crop Yield

Most part of the accretion in area under groundnut in recent years has been from inferior lands. The crop does not seem to have attracted modern inputs in any large measure. As a result, the rate of growth of per acre yield of groundnut has been negligible, even though the total production of groundnut in the country has grown at a compound rate of 2.8 per cent per annum.²

Market Demand

While production of the crop has expanded in the course of the last two decades, the demand for facts and oils based on groundnut

*Prepared by the Library, Reference and Information Service of the Lok Sabha Secretariat.

¹Report of the Agricultural Prices Commission on Price Policy for Groundnut for 1967-68 Session, p. 1.

²Ibid.

has increased much faster. The result has been a fairly continuous rise in prices of groundnut over the years. The market for these products is highly sensitive and speculative elements therein are strong. Unfavourable weather, or a poor crop in any major producing State, tends to push up prices everywhere. Similarly, prospects of import of edible oils leads to a nervous unloading of stocks and a sudden drop in prices.³

Measures ensuring domestic supplies

Apopes of the rise in prices of groundnut and groundnut oil, particularly since 1963-64, the measures taken by the Government have aimed at ensuring domestic supplies by restricting exports, arranging for imports, and curbing speculation. Exports have been confined to only small quantities of H.P.S. (Head Picked Selected) groundnut, oil and vanaspati. Some quantities of soyabean oil and, lately, of sunflower oil, have been imported for utilisation by the vanaspati industry. The import of tallow and palm oil has been allowed in order to discourage the industrial use of edible oils, particularly for manufacture of soap. Forward contracts in groundnut and groundnut oil have continued to be banned practically since June, 1964. Selective credit control with reference to groundnut and groundnut oil was introduced in March, 1964. In February, 1966, the vanaspati industry was asked to reduce its consumption of groundnut oil to 80 per cent of that in the previous year.⁴

The major ground on which price support for groundnut might be claimed is that of symmetrical treatment. The Government have introduced a policy of minimum support price for a range of agricultural commodities, including the main food crops—wheat, rice, as well as jute, cotton and sugarcane. Since the use of land is competitive between groundnut and several of the crops mentioned, it is arguable that what obtains for other crops should obtain for groundnut too. Price support operations are intended to assure the farmer a minimum rate of return in the event of a glut; as others are receiving this assurance, it is said that it is only but appropriate that the same is not denied to the groundnut producer.⁵

³*Ibid.*, p 2.

⁴*Ibid.*, p. 3.

⁵*Ibid.*, pp. 3-4.

Recommendations of the Agricultural Prices Commission

In its report on the price policy for groundnut for the 1967-68 season, submitted to the Government in October, 1967, the Agricultural Prices Commission pointed out that the rise in groundnut prices in the previous decade had been far greater than that in the prices of the competing crops—cotton, “jowar” and “bajra”. Despite periodic fluctuations, the prices maintained a level much higher than what might be considered to be a reasonable unit cost of production, inclusive of normal profits. In view of this, the Commission opined that while a prior consideration might favour offering price support to groundnut, the facts of the existing situation not only discounted the possible need, but also cast doubts on the advisability of a hasty move in the direction. The Commission, therefore, recommended that:

- (a) a price support policy, to be effective, would call for measures aimed at restraining the influence of speculators so as to ensure that the benefit of price support reaches the actual producer;
- (b) in determining the level of the minimum support price for groundnut, due regard should be given to the need for international competitiveness;
- (c) for the 1967-68 season, . . . it was not necessary to announce a minimum support price for the crop; in the unlikely event of groundnut and groundnut oil prices declining steeply following the arrival of the 1967-68 crop, the existing restrictions on the export of groundnut and groundnut oil, as well as on the availability of credit, may be relaxed, and a part of the import of edible oils put into reserve; and
- (d) since the yield per acre of groundnut had been declining in the country, assistance to the groundnut farmer should, in the immediate context, take the form of such measures as would raise the efficiency of cultivation.⁶

The recommendations of the Commission were accepted by the Government and, consequently, a support price for groundnut was not announced for the season.

⁶*Ibid.*, p. 1.

In its report on the price policy for groundnut for the 1968-69 season, submitted in May 1968, the Agricultural Prices Commission recommended that:—

- (a) it would not be proper to apply mechanically any given set of price relationships between groundnut and the competing crops for determining the level of minimum support price for groundnut;
- (b) as in the case of other commodities important from the export point of view, the question of the fixation of the level of minimum support price for groundnut should be decided upon after taking into account the world prices for the commodity, as it would be less than prudent to offer support at a level which would price out exports from the foreign markets;
- (c) if some relief to the growers became necessary during the 1968-69 season, such relief should be provided through indirect measures; and
- (d) increased attention should be devoted to measures for raising the per hectare yield of groundnut through better seeds and improved agricultural practices.

The report said that in the event of the crop of groundnut and other oilseeds turning out to be as good as in 1967-68, a situation might arise when groundnut prices decline to levels where support operations might need to be contemplated. On the other hand, if indirect measures could be made fully effective, this position need not even arise.⁷

Action taken by Government

After considering the report of the Agricultural Prices Commission, the Government came to the conclusion that even though there was no immediate danger of groundnut prices going down, in the absence of price support, the possibility of groundnut cultivators turning over their land to food crops could not be ruled out. It, however, deferred the question of a price support scheme for groundnut until the question had been studied further by the Agricultural Prices Commission.

⁷Report of the Agricultural Price Commission on Price Policy for Groundnut for the 1968-69 season, pp. 1 and 7.

Motion in Lok Sabha

Parliamentary concern for improving the lot of the groundnut cultivator by ensuring for him a remunerative price for the commodity manifested itself through a motion, moved⁸ in the Fourth Lok Sabha, by Shri Chengalraya Naidu, on November 26, 1968 on the question of the 'Fall in production and prices of groundnut.' Speaking on the motion, Shri Naidu said that large scale import of soya-bean oil and sun-flower oil by the Government was impelling the groundnut cultivators to switch over to other crops paying better dividends. In this connection, he criticised the practice, on the part of the Government, of releasing imported soyabean oil at the time of the harvesting of the groundnut crop, which had the effect of lowering down the groundnut prices to unecomonic levels. In this way, he said, the merchants were able to earn enormous profits at the cost of the cultivators by buying groundnut at very low prices. Shri Naidu urged the Government to stop importing soyabean oil and to give some incentive to the cultivators to grow more groundnut and other oilseeds in the country.

Another member, Shri R. K. Amin, said that groundnut, being a foodcrop, needed to have price parity with other foodcrops but the rise in its price in the last few years had been much less in comparison with other agricultural commodities. He said that the wide fluctuations in groundnut prices, which were a recurring phenomenon, were causing great hardship to the groundnut cultivators, and wanted the Government to take steps to stabilise the prices. He also criticised the system of procurement levy by the Government which, he said, had the effect of artificially bringing down groundnut prices, thus enabling the merchants to reap enormous profits at the cost of the groundnut cultivators. Shri Amin pleaded for fixation of a remunerative support price for groundnut, in place of the levy, which would compare equitably with the prices fixed for other cereals. At the same time, he wanted the import of soyabean oil to be stopped and export of groundnut oil to be permitted only after domestic requirements had been met.

The policy of export of groundnut and groundnut oil and import of soyabean oil was also criticised, among others, by Sarvashri M. Sudarsanam, Randhir Singh, S. M. Joshi, S. M. Banerjee, Rajasekharan and Anantrao Patil who were of the view that it had adversely

⁸L.S. Deb., November 26, 1968, cc. 333—64.

affected the interest of the groundnut producers. The Members pleaded for price support for groundnut together with a ban on the import of soyabean and sunflower oil.

Replying to the discussion, the Minister of State in the Ministry of Food, Agriculture, Community Development and Cooperation, Shri A. P. Shinde, said:⁹

"I appreciate the fact that the farmers should get a reasonable price. Unless we succeed in ensuring a reasonable price to the farmers, it will be very difficult to have a successful production programme.

".....We have, at the same time, to realise that the prices of commodities should not go to a level where it will become impossible for the consumers to purchase the commodity..... During the last three years.....the prices of edible oil had shot up to such a level that there was discontent among the consumers all over the country; and no Government worth its name can fail to take notice of this. So, during the last few years, we did import some soyabean oil. If we had not imported soyabean oil, the prices of edible oil would have gone up still higher and that would have been a very harsh thing for the consumers. So, Government did a right thing in importing a little quantity of soyabean oil.....If and when the level of production comes up to a certain stage, we should not really require soyabean oil."

Referring to the phenomenon of sharp fluctuations in prices of groundnut, especially at harvest time, which had been referred to by members, Shri Shinde said:

"This is a phenomenon which is causing much concern to the Government also.....This is not confined only to groundnut but this has been a feature almost with many of the agricultural commodities. I also agree that as far as groundnut is concerned, this is in some accentuated form.....We are examining the position as to whether some support price for groundnut can be fixed up from year to year.....Government is considering whether some price stabilisation measures can be adopted so that the price level can be maintained both in the interest of the producer and the consumer."

⁹Ibid., cc. 358—64.

He further said:

"The productivity per acre in this country as far as groundnut is concerned, is very poor.....Unless this per acre productivity is raised, I do not think that it would be possible for us to have really reasonable economy for the farmer. Our entire concentration should be how to raise productivityThis is the main approach to the problem."

Recommendation of Agricultural Prices Commission

Enunciating the price policy for groundnut for the 1969-70 season, the Agricultural Prices Commission, in its report submitted in May, 1969, took note of the fact that the groundnut crop for the 1968-69 season had been adversely affected owing to erratic as well as deficient rains in some of the major groundnut producing States. Consequently, following a brief post-harvest decline, groundnut prices rose steadily during that year, the rise becoming pronounced from March, 1969, and over the year, the rise was around 50 per cent.¹⁰

Official policy during the season was only partly able to restrain the spiralling of prices. In anticipation of an appreciable fall in output, restrictions on the minimum margins on bank advances against oilseeds and oils were tightened, even though the ceilings on the advances were not disturbed. Government also released 52,000 tons of soyabean oil during the period November, 1968 to March, 1969 and its import was stepped up. Statutory controls on prices of vanaspati were also continued. On balance, however, the impact of the various measures on the course of market prices was generally feeble.¹¹

In view of the above factors, the Agricultural Prices Commission, in its report on price policy for groundnut for the 1969-70 season, recommended that:—

- (a) it was not necessary to announce a minimum support price for groundnut for the 1969-70 season;
- (b) if the seasonal factor turned out to be so favourable as to lead to an increase in output that might threaten a drop in prices to uneconomic levels, reduction in imports and release of oils, and expansion in exports, be availed of to provide the required support to the producer;

¹⁰Report of the Agricultural Prices Commission on Price policy for Groundnut for the 1968-70 session, p. 1.

¹¹Ibid., pp. 1-2.

- (c) a long term policy in respect of the exports of HPS (Hand Picked Selected) groundnut be evolved, and an effective use of the instrument of foreign trade be made for the regulation of groundnut prices in the country;
- (d) increasing attention be given to the task of ensuring that the functionless intermediaries in the groundnut trade are progressively dispensed with;
- (e) maximum utilisation be made in the short run of edible oilseeds from all possible internal sources; and
- (f) investigations be undertaken into the phenomenon of declining per hectare productivity of groundnut.¹²

Action taken by Government

The Government accepted the recommendation of the Agricultural Prices Commission that it was not necessary to announce a minimum support price for groundnut for the 1969-70 season as the market prices of groundnut were ruling much above the levels at which the prices were proposed to be supported. The Government also accepted the other recommendations of the Commission relating to the need for evolution of a long-term export policy for groundnut for regulating its prices, and progressive elimination of intermediaries in the groundnut trade.

Discussion in Lok Sabha

On April 13, 1970, an half-an-hour discussion¹³ on the question of 'production and marketing of edible oils and fats' was raised in Lok Sabha by Dr. Ram Subhag Singh. Initiating the discussion, Dr. Ram Subhag Singh said that the total yield of the oilseed crop in the country had been more or less stagnant during the past three or four years and unless facilities were created in the field of irrigation and in regard to supply of fertilisers, credits etc., the production could not be increased. In this connection, he criticised the policy of the Government of importing edible oils instead of providing incentives to the farmers, by way of a support price, to grow more oilseeds in the country. He wanted the Government to announce support prices for groundnut and other oilseeds and to formulate a new policy to help the cultivators by providing irrigational facilities, fertilisers, credits, and so on. He also urged the Government to provide marketing facilities to the groundnut farmers in order to save them from the middlemen who took advantage of the sharp fluctuations in prices and thus deprived the farmers of their legitimate due.

¹²*Ibid.*, p. 1.

¹³*L.S. Deb.*, April 13, 1970, cc. 338—50.

Reply of Government

Replying to the points raised by Dr. Ram Subhag Singh, the Minister of State in the Ministry of Food, Agriculture, Community Development and Cooperation, Shri A. P. Shinde, said:¹⁴

“.....An integrated approach will have to be made for increasing the production of oilseeds, because the problem of price level or the availability of oilseeds will not be solved by taking some control measures alone. It can only be solved by increasing the production of oilseeds.....”

“In addition to that, credit and marketing are very important aspects.....because a large number of farmers are poor.... price fixation is also a very important matter..... Though in the past the Agricultural Prices Commission advised us against the fixing of minimum prices, we have, on the demand of the Members of the House, again referred this matter to the Commission. I am expecting the report of the Agricultural Prices Commission to come in the near future and, as soon as we receive the report, my Ministry will see that it is examined and necessary steps are taken in the interests of the farmers.”

Points raised by other Members in Lok Sabha

Another member, Smt. Sharda Mukerjee, said that groundnut, like sugar, had become a political commodity and the Government were being pressurised by vanaspati manufacturers every now and then to increase prices. She said that despite the Government's assurance, the farmer was not guaranteed a minimum price for groundnut. She accused the Government of following an anti-farmer and anti-consumer policy.

Shri Ramavatar Shastri pointed out that the prices of oilseeds, which formed the raw material for edible oils, had not risen in the same proportion as those of the oils. This was indicative of the fact, he said, that the farmer was being deprived of his legitimate share in the rise in prices of edible oils.

Reply of Government

Replying to the points raised by the Members, the Minister of State, Shri A. P. Shinde, said:¹⁵

“I quite appreciate that unless some price protection is given.....

¹⁴*Ibid.*, cc. 341—44.

¹⁵*Ibid.*, cc. 348—50.

.....it will not be possible for us to give the necessary incentives to the producers..... In regard to groundnut we are examining the position in consultation with the Agricultural Prices Commission."

Referring to the criticism that the farmer was deprived of his share in the rise in prices of edible oils, the Minister said:

".....Unfortunately, most of the farmers sell their produce immediately after harvest because of poverty and so on; they have no holding power.....The oil prices usually go up in the off-season period. But this year the groundnut producers did get some advantage because even in the post harvest period and price level of groundnut was a little higher. But, by and large, this rise is not reflected in what the farmers gets. The prices go up because of speculation. We have advised the Reserve Bank of India to take a number of measures for restricting credit so that speculation plays no part. We had also taken some steps a few years earlier as also now for prohibiting forward trading in certain oilseeds, etc."

The expectations of a large crop of groundnut for 1969-70 did show themselves in a decline in the prices of the commodity around the beginning of the season, but the decline was relatively short-lived. More important, however, was the fact that the prices continued to rule at levels higher than those in the previous season when the crop had suffered a sharp decline. Underlying this behaviour of prices, despite a good crop of rape and mustard for the second year in succession, was the market expectation of a continuing shortage of groundnut.

Recommendations of Agricultural Prices Commission

Keeping in view the need to augment the domestic availability of oils for edible purposes and the none-too-bright prospects of increasing production of groundnut satisfactorily over the next few years, the Agricultural Prices Commission, in its 'Report on Price Policy for Groundnut and Soyabean for the 1970-71 season,' submitted in May 1970, stressed the need for crushing of a much larger proportion of the domestic production of other oilseeds, especially cottonseed. It also suggested that consumption of edible oils for purposes for which non-edible oils and tallow could be used—such as, use of rice-bran oil for industrial purposes and detergents in place of soaps—should be discouraged.¹⁶

¹⁶Report of the Agricultural Prices Commission on Price Policy for Groundnut and Soyabean for the 1970-71 season, pp. 4-8.

On the question of fixing a support price for groundnut the Commission, while agreeing in principle that there was a case for according to groundnut the same treatment as to its competing crops, like cotton and millets, said that there was, nonetheless, reason for a certain caution in this regard. In its view, the level at which the minimum support price could be appropriately fixed would be far out of line with the ruling market prices in recent years. It, therefore, recommended that:—

- (a) a purchase price, rather than a minimum support price, be announced for groundnut for the 1970-71 season;
- (b) the purchase price be fixed at Rs. 85 per quintal uniformly throughout the country for groundnut in shell of fair average quality i.e., with moisture content and foreign matter not exceeding 9 per cent and 2 per cent respectively;
- (c) purchases be made at this price in the primary markets whenever required, with a view to reducing the amplitude of fluctuations in prices in the interest of the grower;
- (d) the level available in the imports of oils for influencing domestic prices be effectively used; and
- (e) the purchase price for soyabean be kept unchanged at Rs. 85 per quintal for the 1970-71 season.¹⁷

Action taken by Government

The Government, while appreciating the need of assuring a reasonable price for groundnut to the producer, did not consider it necessary to announce the purchase price as the market prices happened to be substantially higher than the purchase price of Rs. 85 per quintal recommended by the Commission. In the case of soyabean, the Government had fixed a purchase price of Rs. 85 per quintal during the 1969-70 season and no change was made in it during the 1970-71 season, as recommended by the Commission. The Government also agreed with the recommendation of the Commission for taking steps to encourage the production and utilisation of oils of cottonseed and minor oilseeds to augment the total availability of oils and oilseeds in the country.

¹⁷*Ibid.*, p. 1.

Short Notes

I. PARLIAMENTARY EVENTS AND ACTIVITIES

A. Symposia and Conferences

Inter-Parliamentary Conference on 'European Co-operation and Security [Helsinki (Finland)—January, 1973]

The Inter-Parliamentary Conference on 'European Co-operation and Security' was held in Helsinki (Finland) from January 26 to 31, 1973. Shri G. G. Swell, Deputy Speaker of Lok Sabha attended the Conference as an observer from the Indian Group of the Inter-Parliamentary Union.

Third International Symposium Geneva—January, 1973

The Third International Symposium on "The Member of Parliament: His requirements for information in the modern world" was held in Geneva from January 18 to 20, 1973, under the auspices of the International Centre for Parliamentary Documentation of the Inter-Parliamentary Union. From India, Shri N. K. P. Salve, M.P. and Shri S. L. Shakhder, Secretary of Lok Sabha attended the Symposium.

First Meeting of the Consultative Committee of Experts of the International Centre for Parliamentary Documentation

The First Meeting of the Consultative Committee of Experts of the International Centre for Parliamentary Documentation of the Inter-Parliamentary Union was held in Geneva on January 16 and 17, 1973. Shri S. L. Shakhder, Secretary of Lok Sabha, who is a member of the Consultative Committee of Experts, attended the meeting.

B. Foreign visits of Parliamentary Delegation

Visit of Indian Parliamentary Delegation to Nepal

In pursuance of an invitation received from Nepal, an Indian Parliamentary Delegation led by Dr. G. S. Dhillon, Speaker, Lok Sabha visited Nepal in January, 1973. The other members of the

delegation were: Shrimati Jyotsna Chanda, M.P., Shri Madhu Dandavate, M.P., Shri K. P. Singh Deo, M.P., Shri Pratap Singh, M.P., Shrimati Savita Behen, M.P., Shri Mohan Swarup, M.P. and Shri S. S. Bhalerao, Joint Secretary, Rajya Sabha—Secretary to the Delegation.

C. Foreign Parliamentary Delegations in India

Visit of H.E. Senator Petronio Portella Nunez, President of the Senate of Brazil, Mrs. Nunez and party

The response to an invitation by India, H.E. Senator Petronio Portella Nunez, President of the Senate of Brazil, Mrs. Nunez and party visited India in December, 1972.

Besides Delhi they visited Agra also.

Visit of Mr. Gordon H. Dowding, Speaker of the Legislative Assembly of British Columbia (Canada) and Mrs. Dowding

Mr. Gordon H. Dowding, Speaker of the Legislative Assembly of British Columbia (Canada), Mrs. Dowding and Mr. Ian Horne, Secretary of the British Columbia Legislative Assembly visited India in December, 1972—January, 1973.

During their stay here, they visited Jaipur and Amritsar as our guests.

The Speaker, Lok Sabha hosted a luncheon party in their honour on January 9, 1973.

II. PRIVILEGE ISSUES

LOK SABHA

Non-intimation of arrest and release of a member

On November 13, 1972, Shri Indrajit Gupta, a member, wrote to the Speaker that he was arrested at Calcutta on October 3, 1972, at about 18.00 hours and was subsequently produced before a Magistrate and discharged at about 21.00 hours on the same date, but no intimation regarding his arrest and release had been furnished to the Speaker by the concerned authorities as required under Rule 229 of the Rules of Procedure and Conduct of Business in Lok Sabha.

The matter was, thereupon, referred to the Ministry of Home Affairs, Government of India, for a factual report, for consideration of the Speaker.

On November 29, 1972, the following communication¹, dated the 28th November, 1972, addressed to the Speaker, Lok Sabha, was received from the Commissioner of Police, Calcutta:—

"I have the honour to inform you that Shri Indrajit Gupta, Member, Lok Sabha, was arrested on the 3rd October, 1972, afternoon, in connection with the Hare Street Police Station Case No. 626, dated the 3rd October, 1972, under Section 151, Criminal Procedure Code, for attempting to lead a demonstration to the Writers' Buildings, Calcutta, after violating prohibitory orders under Section 144, Criminal Procedure Code. He was produced before the Chief Presidency Magistrate the same evening and was discharged on the police report.

The failure on our part to report on the arrest is deeply regretted. I have since taken steps to ensure that such lapses do not occur in future. I also tender my unqualified apology for this unintentional lapse on our part."

In view of the unqualified apology tendered by the Commissioner of Police, Calcutta, the matter was treated as closed.

¹L.S. Bn (II), November 30, 1972, para 923.

BIHAR VIDHAN SABHA

Unauthorised entry in the Press Gallery and throwing leaflets therefrom on the floor of the House

On May 24, 1972, a person calling himself Ashok Kumar Singh unauthorisedly entered the Press Gallery and at 14.40 hours and threw some leaflets therefrom on the floor of the House. He was immediately taken into custody by the Watch and Ward Officer. After some time, the Chief Minister, Shri Kedar Pande, moved the following motion which was adopted² by the House:

This House further resolves that the above-named Ashok Kumar Singh, son of Shri Ram Shekhar Singh of Village and P.O. Vishunpura, Thana Bhita, Distt. Patna, who unauthorisedly entered Press Gallery and at 14.40 hours, when the House was sitting, threw some leaflets therefrom on the floor of the House and who was taken into custody immediately by the Watch and Ward Officer, is guilty of committing contempt of this House.

This House further resolves that the above-named Ashok Kumar Singh, for committing the above offence, be sentenced to simple imprisonment from today to the 26th May, 1972, upto 18.00 hours and that he be sent to Bankipur Jail, Patna, to serve out this imprisonment."

In pursuance of the above motion adopted by the House, a Warrant of Commitment addressed to the Superintendent, Bankipur Jail, Patna, was issued by the Speaker in respect of Ashok Kumar Singh.

MADHYA PRADESH VIDHAN SABHA

Alleged threat by the Chief Minister to members in connection with elections to Rajya Sabha at a Press Conference

On April 7, 1972, the Speaker, Shri Tejlal Tembher, informed³ the House that he had received notice of a question of privilege from Shri Kailash Chandra Joshi, a member, against the Chief Minister, Shri P. C. Sethi, for making a statement at a Press Conference allegedly threatening members of his Party in connection with elections to Rajya Sabha.

The Speaker asked the Chief Minister whether he wished to say anything in the matter. The Chief Minister, thereupon, stated that

²Bihar Vidhan Sabha Deb., May 24, 1972, (Original in Hindi).

³M.P.V.S., Deb., April 7, 1972 (Original in Hindi).

he had not made any such statement. He, however, admitted to having said that being in charge of the Home Department he would come to know of the activities of the members, but it had been said by him in a lighter vein. He also stated that he had a right to ask his party members to vote for their party candidates and that in case of doubt about their activities, necessary disciplinary action could be taken against them.

After the above statement by the Chief Minister, the Speaker disallowed⁴ the question of privilege.

HOUSE OF COMMONS (U.K.)

(i) **Alleged reflections on members for activities concerning bestowal of public honours in an article published by a newspaper**

On March 1, 1972, Mr. William Hamilton, a member, sought to raise⁵ a question of privilege against the newspaper *Spectator* for publishing an article entitled "Faith, hope and charity" by one Mr. Huge Macpherson, which dealt with the honours system in U.K. and made certain allegations on inferences about Members of the House, including the Prime Minister. The impunged article read *inter alia* as follows:—

"The demand for public honour is high.

People are prepared to go to great lengths to obtain them. Just how far they will go was illustrated during the run-up to the last election when Mr. Wilson was approached by a Tory MP with the offer of important information about the Conservative election plans in return for a peerage. The first approach was made at the time of the Labour party conference in the autumn of 1969 and it was refused. In the immediate run-up to the 1970 election the offer was renewed, and on this occasion, the demand was dropped to that of a knighthood in return for reports of election tactics of the Conservative party. This was also refused.

There was considerable discussion in the corridors of Westminster about the following extraordinary passage in a political pamphlet published last year by David Rendel Limited obviously on behalf of the anti-Market campaigners, entitled 'Pride; prejudice and persuasion: A study in the manipulation of public opinion in Britain'. It was written by someone with the pseudonym 'Cato':

⁴*Ibid.*

⁵H.C. (U.K.) Deb., 1971-72, Vol. 832, cc. 425—427;

By the time de Gaulle departed, the various European pressure groups had agreed to emerge under the banner of the relatively efficient European Movement, and were in a good position to appeal to their friends in business for real money to supplement the small amounts which they had been receiving from well-wishers, such as Mr. Harold Wilson's government (which provided £ 7,500 a year throughout its time in office).

Jeffrey.....Archer, who is a noted fund-raiser (in several respects) was put in charge of the operation in 1969, and business was not slow to respond.

An MP told me early last November that a prominent Jewish-business man (with an even more prominent son-in-law) who was a very large donor to charity, who was now retired from business and lived in the country and did not figure in WHO's WHO, was about to receive a knighthood in the New Year's Honours List. He said the person in question had already given a very large sum of money to the European Movement. Naturally I perused the New Year's List with some care.

The name of Michael Sobell appeared in the PM's List, the citation being 'for charitable service'. The MP subsequently said that Mr. Sobell was indeed the person to whom he had been referring. Mr. Sobell's son-in-law is Mr. Arnold Weinstock.

Mr. Archer did, I understood, arrange a substantial donation of around £600,000 to the European Movement from Sir Michael Sobell last year. The honour, as I have noted, was given for 'charitable services'.

Sir Michael was the second largest single donor to the European Movement. He gave the massive sum of around £ 600,000 early in 1971 but temporarily withdrew half of it some time later, apparently because of considerations to do with share prices.

It is a matter of some public concern that a man so worthy of honour should be successfully commended to the Prime Minister in the year when he was so generous to the political cause (rather than the charitable purposes) so dear to Mr. Heath's heart. Apparently, when the 'Cato' Pamphlet was printed there was some concern among Government ministers about the pamphlet's possible effect. It is also disturbing that it was apparently known in Westminster that a particular honour was to be bestowed well in advance of its award."

The Speaker, Mr. Selwyn Lloyd, reserved his ruling for the next day.

On March 3, 1972, the Speaker disallowed the question of privilege and ruled⁶ as follows:—

“Yesterday the hon. Member for Fife West (Mr William Hamilton) drew attention to an article in the *Spectator*, which mentioned several hon. Members of the House and made certain allegations, or inferences about them. It is not for me to say whether the article reflected on any Member in such a way as to constitute a violation of the rights and privileges of the House. I have to say whether, in my view, the hon. Member's complaint should be given precedence as a privilege issue over today's business. It is my opinion that it should not.”

(ii) Alleged reflections on the House by a newspaper

On February 23, 1972, Sir Harmar Nicholls, a member, a member, sought to raise⁷ a question of privilege against the newspaper *The Guardian* for publishing in its issue, dated the 23rd February, 1972, a news report allegedly casting reflections on the House, which *inter alia* read as follows:

“Wilson Blames Tory ‘Rowdies’.

Mr. Wilson last night denounced the Conservative Party for bringing about a deterioration in standards of civilised behaviour, both in Parliament and in society at large.

In a speech to the trade union group of Labour, MPs. at the Commons he declared that if ‘organised disruptions’ continued from the Conservative Benches ‘our’ parliamentary system could become unworkable.’

As for recent scenes in Parliament, their origin could be traced directly to the behaviour of Conservative back-benchers aided and abetted by their front bench in the last Parliament.

Today, Labour spokesmen cannot get up without organised operations to impugn their personal sincerity.”

Sir Nicholis contended that either the newspaper by publishing a wrong report, or the Leader of the Opposition, Mr. Harold Wilson, by making these remarks, had committed a contempt of the House.

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

⁶*Ibid.*, c. 768.

⁷H.C. (U.K.) Deb. 1971-72, Vol. 831. cc. 1299—1302.

On February 24, 1972, disallowing the question of privilege, the Speaker ruled⁸ as follows:—

“.....I have now studied the newspaper and taken into account all the surrounding circumstances. It is not for me to say whether or not any contempt of the House was committed. I have to say whether in my view, the hon. Member's complaint should be given precedence over today's business. It is my opinion that it should not be given such precedence.”

⁸*Ibid.*, cc. 1508—1510.

III. PROCEDURAL MATTERS

LOK SABHA

- (i) If a Member wants to level charges against another Member, he should give that in writing to the Speaker in advance.**

On December 22, 1972 a Member, Shri M. Kalyanasundaram, raised a matter regarding alleged charges against the Chief Minister of Tamil Nadu. When there were heated exchanges between Members belonging to CPI and DMK Groups, a Member, Shri C. Viswanathan (DMK) made certain charges against another Member, Shri M. Kalyanasundaram (CPI). The Speaker expunged the allegations observing that if the charges were to be levelled by a Member against another Member, the procedure was that the former should give that in writing to the Speaker before hand.

- (ii) Preparation of Lok Sabha Debates—Members should correct their speeches when sent to them for the purpose.**

On December 19, 1972 when submissions were being made regarding procedure for fixing discussion on No-Day-Yet-Named Motions which had been admitted by the Speaker, the Minister of Parliamentary Affairs, Shri Raj Bahadur, *inter alia* remarked that Shri Jyotirmoy Bosu had moved four motions during the current session. But in the uncorrected copy of Lok Sabha Debates of that day that remark was not entered.

On December 20, 1972, Shri Jyotirmoy Bosu raised the matter in the House and alleged that the proceedings of the House had been tampered with. He had given notice of a question of privilege against the Minister for having misled the House by those remarks but the remarks in question had already been omitted from the Debates. Shri Raj Bahadur, however, denied the allegation. Several Members made submissions and demanded that tape might be played to check up the matter. The Speaker observed that he would look into the matter.

On December 21, 1972 Shri Bosu again raised the matter and enquired about his privilege motion. The Speaker observed that the proceedings were taken from the Reporters' copy and so far as the proceedings published on the basis of Reporters' copy were concerned, there was no tampering. However, according to the tape-recording Shri Pyotirmoy Bosu was correct that the Minister had made that remark. The Speaker explained that sometimes when several Members spoke at the same time, the Reporters did not catch them. In that case, it was for the Members to correct their speeches when they were sent to them. There was no question of privilege involved and he requested the Member to drop the matter.

Shri Jyotirmoy Bosu agreed to drop the matter.

(iii) Speaker does not decide whether a Bill is constitutionally within the legislative competence of the House or not: the House also does not take a decision on the specific question of vires of a Bill

On December 18, 1972, when the Minister of State for Home Affairs, Shri Ram Niwas Mirdha, moved the motion for leave to introduce the Mulki Rules Bill, 1972, several Members opposed the motion on legal and constitutional grounds and also challenged the legislative competence of Parliament with regard to the Bill. The Speaker held over the consideration of the motion observing that he would have to first satisfy himself on all the points raised.

On the following day, December 19, 1972, the Speaker ruled that the Chair did not decide whether a Bill was constitutionally within the legislative competence of the House or not. The House also did not take a decision on the specific question of *vires* of a Bill. Members could express their views and address arguments for and against the *vires* of the Bill and take them into account when voting on the motion for introduction.

Several Members made submissions after the Speaker's ruling. The motion for leave to introduce the Bill was then put to vote and adopted.

(iv) Prior intimation of Details of Allegations made by Members against individuals by name should also be given to Speaker.

On December 11, 1972, during his speech on the motion regarding working of the State Trading Corporation with special reference to the policy of import of wollen rags, a Member, Shri Jyotirmoy

Bosu, referred to certain individuals by name, including some Government officers and a Member of Rajya Sabha, and alleged that they had collected huge amounts of money or had made huge profits through irregular dealings. The Member had given advance notice to the Speaker of his intention to mention the names of those individuals but not the details of allegations against them. The Minister of Parliamentary Affairs, Shri Raj Bahadur, objected to the mention of names by the Members and sought expunction thereof. He contended that mere intimation about the names was not enough. The Member, according to him, should have indicated the nature of allegation in his advance intimation so that the concerned Minister could make investigation into that. The Chairman, Shri K. N. Tewari, observed that the Member had given intimation and the same was forwarded to the Minister. Several Members made submissions in this regard. The Chairman, then, observed that he would consult the Speaker as also the Rules and see if those names could be expunged. The Chairman later did not expunge any names or remarks from the proceedings.

On the following day, December 12, 1972, a Member, Shri S. A. Kadar, drew attention of the Speaker to the allegations made by Shri Bosu and the observations of the Chairman about them. Shri Bosu repeated his contention that he had given prior intimation to the Speaker about the names mentioned by him. The Speaker, disagreeing with the contention of Shri Bosu, quoted Rules 353 and proviso thereto, and observed that if allegations were to be made against certain individuals by name, it was essential that Members should give the matter regarding allegations also, so that the Minister could make investigation.

The allegations made on December 11, 1972, were, however, not expunged.

(v) Rules to be observed while speaking—Suspension of a Member on using aspersive words against the Speaker

On November 14, 1972 when Members were making submissions with regard to the ruling by the Speaker withholding his consent to the raising of matters relating to States, a Member, Shri Jyotirmoy Bosu, accused the Chair of using 'Double Standards' in allowing or disallowing raising of such matters.¹ The Speaker took objection to

¹L.S. Deb., November 14, 1972, cc. 261—72.

the use of aspersive language by the Member against the Chair and asked him either to withdraw those words or to withdraw from the House. Many Members made submissions in this regard. When Shri Bosu refused to withdraw the aspersive words, the Speaker named him. The Minister of Parliamentary Affairs then moved a motion for the suspension of the Member from the service of the House for two days. The motion was put to vote and after a division it was adopted and the Member was suspended from the service of the House for two days.

(vi) It is not proper for Members to come in the House with signs and symbols

On November 13, 1972 during the Question Hour, some Members pointed out that a Member, Shri Piloo Mody, was wearing a pendant saying "I am a CIA Agent." The Speaker observed that so far as the decorum and dignity of the House was concerned, it was not proper for Members to come in the House with signs and symbols. The matter was again raised in the afternoon by a Member, Shri S. M. Banerjee, stating that Shri Mody had violated the Oath or affirmation made by him under the Constitution by wearing such a pendant. The Deputy Speaker, who was in the Chair at that time, observed that he could not pronounce on the question whether the Member had violated the oath to the Constitution, but Members should act in a manner not to excite controversy or bring the House into contempt even in the way they dressed.²

On November 14, 1972, when Shri Mody wanted to make a personal explanation, the Speaker asked the Member to remove the pendant before he was allowed to speak. The Member removed the pendant and thereafter he was allowed to make a personal explanation.³

TAMIL NADU LEGISLATIVE ASSEMBLY

Moving of Motion of Confidence in the Council of Ministers

On December 4, 1972 the Deputy Speaker allowed the Chief Minister to move a Motion of Vote of Confidence in the Ministry on the basis of an earlier precedent in 1952 when a similar motion was allowed to be moved and discussed, on the practice that obtained in England.

²L.S. Deb., November 13, 1972, cc 17—19, 306—08.

³Ibid., November 14, 1972, cc. 231—36.

Sessional Review

STATE LEGISLATURES

Andhra Pradesh

The Andhra Pradesh Legislative Council which had commenced its twentieth Session on March 22, 1972¹ held the Second and Third Meetings of the Session from June 22, to August 4, 1972 and from August 14, to September 13, 1972 respectively.

Constitution (Twenty-eighth Amendment) Bill, 1972

On August 4, 1972 the House adopted a Government Resolution seeking to ratify the Constitution (Twenty eighth Amendment) Bill, 1972² as passed by both Houses of Parliament.

Protection of Wild Animals and Birds

On July 31, 1972 the Council adopted a Government Resolution empowering Parliament to make laws regarding protection of wild animals and birds in the State of Andhra Pradesh.

Assam

The Budget session of the Assam Legislative Assembly which commenced on June 5, 1972, adjourned on July 27, 1972 after holding 34 sittings.

A one-day session of the Assembly was held on August 14, 1972 and the September Session consisting of 6 sitting was held from September 19 to 25, 1972.

¹For information regarding the First Meeting see *J.P.I.*, Vol. XVIII No. 3 July 1972, pp. 617 and 721

²The Bill provides for the deletion of Article 314 of the Constitution relating to the special conditions of service of the officers of the former Secretary of State Services, i.e., the Indian Civil Service and inclusion of a new Article 312-A which conferred on Parliament the power to vary or revoke by law the conditions of service of these officers.

Legislative Business

During this period, 16 Government Bills were introduced in the House and 13 Government Bills were passed.³ Of the 1131, 147 and 50 notices of Starred, Unstarred and Short Notice Questions received 1122, 140 and 38 Questions respectively were admitted.

Bihar

The Bihar Vidhan Sabha held two sessions—the first on the night of August 14-15, 1972 and the second from September 1 to September 22, 1972.

During the second session the Vidhan Sabha passed one Government Bill, *viz.*, the Bihar Appropriation (No. 3) Bill, 1972.⁴ The number of notices for Starred, Unstarred and Short Notice Questions received by the House was 956, 530 and 462 respectively while those admitted numbered 670, 484 and 298 respectively.

Delhi

The Metropolitan Council of Delhi held two sessions, one consisting of 7 sittings from October 23 to 30, 1972 and another on December 12, 1972.

³The following Bills were passed by the Assembly:—

- (1) The Assam Agricultural Income Tax (Amendment) Bill, 1972.
- (2) The Assam Amusement and Betting Tax (Amendment) Bill, 1972.
- (3) The Assam Appropriation (No. II) Bill, 1972.
- (4) The Assam Appropriation (No. III) Bill, 1972.
- (5) The Court Fees (Assam Amendment) Bill, 1972.
- (6) The Assam Electricity Duty (Amendment) Bill, 1972.
- (7) The Assam Contingency Fund (Augmentation of Corpus) Bill, 1972.
- (8) The Assam Finance (Sales Tax) (Amendment) Bill, 1972.
- (9) The Assam Fixation of Ceiling on Land Holdings (Amendment) Bill, 1972.
- (10) The Assam Panchayati Raj Bill, 1972.
- (11) The Assam Professions, Trades, Callings and Employment Taxation (Amendment) Bill, 1972.
- (12) The Assam Sales Tax (Amendment) Bill, 1972.
- (13) The Assam Secondary Education (Amendment) Bill, 1972.

⁴Original in Hindi.

During the session, out of the 7 Government Bills introduced in the House, 5^s were passed by the Council and 2^g Government Bills were referred to the Select Committees. Out of a total of 727 notices received of Starred Questions 100 were admitted as Starred and 475 as Unstarred.

Ceiling on Urban Property

On October 24, 1972, the Council adopted a resolution seeking to empower Parliament to enact legislation prescribing and regulating ceiling on urban immovable property in the Union Territory of Delhi.

Rise in the Cost of Living

On October 28, 1972, the Council adopted the following resolution:—

“Because of the drought conditions and unscrupulous black marketers and hoarders, the cost of living is steeply increasing in Delhi as a result of which it is becoming difficult for the poor, weaker sections, middle class and fixed income group people to make their living. Appreciating the steps already taken by the Delhi Administration, this House demands that more drastic action should be taken to stop the rising cost of living.”

Goa, Daman and Diu

The Goa, Daman and Diu Legislative Assembly held its session from November 21, to 30, 1972. In all 8 sittings were held.

^s(1) The Delhi Delegation of Powers (Amendment) Bill, 1972.

(2) The Central and other Societies, (Regulation) Bill, 1972.

(3) The Delhi Land Holdings Ceiling (Amendment) Bill, 1972.

(4) The Electricity Supply (Amendment) Bill, 1972.

(5) The Extension of Bombay Smoke Nuisance Act, 1972 to the Union Territory of Delhi.

^g(1) The Delhi Private Coaching Institutions (Regulation) Bill, 1972.

(2) The Agricultural Produce Marketing (Regulation) Bill, 1972.

During the session while 6 Government Bills were introduced in the Assembly, the House passed 7 Government Bills⁷ of which 3 had been introduced in the previous session. The notices received for Starred, Unstarred and Short Notice Questions numbered 210, 1 and 3 respectively but those admitted numbered 141, 27 and 2 respectively. 26 notices of Starred Questions were admitted as Unstarred Questions and one notice of Short Notice Question was treated as Starred Question.

Gujarat

A session of the Gujarat Legislative Assembly was held from November 13 to December 22, 1972. Altogether 20 sittings aggregating to 88 hours and 15 minutes were held during this period.

Legislative Business and Questions

Fifteen Government Bills were introduced in the House during the session and 11 Government Bills were passed.⁸ The notices received for Starred, Unstarred and Short Notice Questions numbered 2563, 231 and 51 respectively while those admitted numbered 1156, 101 and 11 respectively.

⁷The Government Bills passed were:—

- (1) The Goa, Daman and Diu Mamlatdar's Court (First Amendment) Bill, 1972.
- (2) The Goa, Daman and Diu Prevention of Begging Bill, 1972.
- (3) The Goa, Daman and Diu Live-Stock Improvement Bill, 1972.
- (4) The Goa, Daman and Diu Appropriation (Excess Expenditure), Bill, 1972.
- (5) The Goa, Daman and Diu Supplementary Appropriation Bill, 1972.
- (6) The Goa, Daman and Diu Contingency Fund (First Amendment) Bill, 1972.
- (7) Legislative Diploma No. 1984 dated 14th April, 1960 (First Amendment), Bill, 1972.

⁸The details of the Bill passed are as follows:—

- (1) The Child Marriage Restraint (Gujarat Amendment) Bill, 1972.
- (2) The Gujarat contingency Fund (Temporary Increase) Bill, 1972.
- (3) The Bombay Land Revenue and the Gujarat Panchayats and the Education Cess (Amendment) Bill, 1972.
- (4) The Bombay Police (Gujarat Amendment) Bill, 1972.

[contd. next page.]

Constitution (Thirtieth Amendment) Bill, 1972.

On December 22, 1972, the House passed a resolution moved by Shri Ghanshyambhai Oza, Chief Minister, seeking to ratify the Constitution (Thirtieth Amendment) Bill, 1972⁹ as passed by both Houses of Parliament.

Himachal Pradesh

A session of the Himachal Pradesh Vidhan Sabha consisting of 10 sittings was held from December 8 to 22, 1972.

Legislative Business

During the session, 14 Government Bills were introduced in the House and 10 Government Bills were passed.¹⁰ The notices of Starred, Unstarred and Short Notice Questions numbered 743, 324 and 4

[contd. from pre-page.

- (5) The Bombay Land Requisition (Gujarat Extension of Duration) Bill, 1972.
- (6) The Gujarat (Third Supplementary) Appropriation Bill, 1972.
- (7) The Gujarat Housing Board (Amendment) Bill, 1972.
- (8) The Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Bill, 1972.
- (9) The Gujarat Essential Services Maintenance Bill, 1972.
- (10) The Gujarat Civil Services Tribunal Bill, 1972.
- (11) The Bombay Provincial Municipal Corporations (Gujarat Amendment) Bill, 1972.

⁹The Bill proposed to amend Article 133(1) of the Constitution in order to do away with value as a criterion for exercise of the appellate jurisdiction of the Supreme Court in civil matters.

¹⁰The Bills passed were as follows:

- (1) The H.P. Essential Services (Maintenance) Bill, 1972.
- (2) The H.P. Tolls (Repealing) Bill, 1972.
- (3) The H.P. (Transfer Tenancy) Tenants (Protection of Rights) (Amendments) Bill, 1972.
- (4) The H.P. Requisitioning and Acquisition of Immovable Property Bill, 1972.
- (5) The H.P. Panchayat Raj (Amendment) Bill, 1972.
- (6) The H.P. Legislative Assembly Members Pension Bill, 1972.
- (7) The H.P. Motor Vehicles Taxation Bill, 1972.
- (8) The H.P. Ceiling and Land Holdings Bill, 1972.
- (9) The H.P. Tenancy and Land Reform Bill, 1972.
- (10) The H.P. Appropriation Bill, 1972.

respectively while notices admitted for Starred and Unstarred Questions numbered 423 and 317 respectively. The latter figure also included notices received for Starred Questions but which were admitted as Unstarred. No notice of Short Notice Question was admitted.

Constitution (Thirtieth Amendment) Bill, 1972

The Vidhan Sabha adopted a motion moved by the Chief Minister, Shri Y. S. Parmar, seeking to ratify the Constitution (Thirtieth Amendment) Bill, 1972¹¹ as passed by both Houses of Parliament.

Jammu and Kashmir

A session of the Jammu and Kashmir Legislative Council was held from October 27, 1972 to November 1, 1972. Altogether 5 sittings were held.

During the session, the Council passed two Government Bills.¹²

Constitution (Thirtieth Amendment) Bill, 1972

The Council adopted a Resolution seeking to ratify the Constitution (Thirtieth Amendment) Bill, 1972,¹³ as passed by both Houses of Parliament.

Madhya Pradesh

The December, 1972 session of Madhya Pradesh Vidhan Sabha commenced on December 11, 1972 and was prorogued on December 21, 1972. This was the third session of the Fifth Vidhan Sabha. Nine sittings were held during the period. The session was devoted largely to legislative business including the passing of the Land Ceiling Amendment Bill and discussion on the drought situation in the State. Some of the major events that took place during the session are detailed below:—

¹¹See note 9 under Gujarat' *supra*.

¹²(i) A Bill to Provide Comprehensive Legislation relating to Land Reforms in the State of Jammu and Kashmir;

(ii) A Bill to amend the Jammu and Kashmir Forest Act, 1987.

¹³See note 9 under 'Gujarat' *supra*.

Ratification of the Constitution (Thirtieth Amendment) Bill, 1972.

On December 13, 1972 the Law Minister, Shri Krishna Pal Singh, moved a Resolution in the Assembly for the ratification of the Constitution (Thirtieth Amendment) Bill, 1972¹⁴ as passed by both the Houses of Parliament. The resolution was adopted on the same day.

Government Resolution

On December 21, 1972 Dr. Tuman Lal, Minister of State for Law, moved a resolution seeking approval of the House to the amendments made in the Madhya Pradesh Legislature Travelling Allowance Rules, 1957, by which daily allowance to members of the Vidhan Sabha had been enhanced from Rs. 15 to Rs. 31.00.

Discussion on Drought Situation Prevailing in the State

On December 21, 1972 a discussion on Drought situation prevailing in the State was initiated by Shri Kailash Chandra Joshi, M.L.A. Besides him, thirteen other members participated in the debate. Shri Basant Rao Uikey, Agriculture Minister, Shri K. L. Shukla, Revenue Minister, and Shri Chandra Pratap Tiwari, Forest Minister replied to the debate.

Mizoram

THE FIRST SESSION

The First Session of the Mizoram Legislative Assembly was held from May 10, to 12, 1972.

Election of the Speaker and Deputy Speaker

On May 10, 1972, after the newly elected Members had taken their oath or made affirmation, Shri H. Thansanga, was unanimously elected as the Speaker of the Assembly.

On May 12, 1972, Shri Hiphei was unanimously elected as the Deputy Speaker in the absence of any other nomination.

Lt. Governor's Address

On May 11, 1972, the Lt. Governor of Mizoram addressed the Members of the Legislative Assembly. The Motion of Thanks on the

¹⁴Ibid.

Lt. Governor's Address was moved, discussed and adopted on May 12, 1972.

THE SECOND SESSION

The second session of the Mizoram Legislative Assembly was held from October 20, to November 1, 1972. Altogether 9 sittings were held.

The session was largely devoted to the transaction of financial business. Out of the 136 and 36 notices of Starred and Unstarred Questions received, 86 and 30 respectively were admitted.

Wild Life Sanctuary

A Private Member's Resolution seeking the establishment of wild life sanctuary in the area of Dampa, Chhawrpial and Pathlawilunglen, was unanimously adopted by the House on November 1, 1972.

Mysore

A session of the Mysore Legislative Assembly was held from November 27, 1972 to December 21, 1972. In all 20 sittings were held.

The Mysore Legislative Council held its session consisting of 23 sittings from December 4 to 30, 1972.

Constitution (Thirtieth Amendment) Bill, 1972.

On November 29, 1972, Shri D. K. Naikar, Minister of Law and Parliamentary Affairs, moved a Resolution in the Assembly seeking to ratify the Constitution (Thirtieth Amendment) Bill, 1972¹⁵ as passed by both Houses of Parliament.

The House discussed and unanimously passed the Resolution on the same day.

The Council passed the Resolution without any debate on December 28, 1972.

¹⁵*Ibid.*

Change in Name of State

On December 1, 1972, Shri D. K. Naikar, Minister of Law and Parliamentary Affairs, moved the following Resolution:—

“Whereas the President of India has, in pursuance of the proviso to the Article 3 of the Constitution of India referred to this House the Mysore State (Alteration of Name) Bill, 1972 for expressing the views thereon;

Now, therefore, this House declares its considered opinion that the proposals contained in the said Bill be approved;

And this House further requests that the said Bill be introduced in the Parliament and passed into law as expeditiously as possible.”

The Assembly discussed and unanimously passed the Resolution on the same day.

The Resolution was adopted by the Legislative Council without any debate on December 8, 1972.

Wild Life Protection Act, 1972

On December 7, 1972, the Assembly discussed and unanimously passed a Resolution moved by Shri K. H. Patil, Minister for Agriculture and Forests, seeking adoption of the Central Act 53 of 1972, viz., The Wild Life (Protection) Act, 1972 in the State of Mysore.

The Legislative Council discussed and adopted the Resolution on December 20, 1972.

Ceiling on Urban Property

On December 15, 1972, Shri N. Hutchmashy Gowda, Minister of Revenue, moved a Resolution in the Assembly seeking to empower Parliament to regulate by law imposition of ceiling on urban immovable property. The House discussed the Resolution for two days, i.e. December 15 and 19, 1972 and adopted it on the latter date.

This Resolution was discussed by the Council also on December 23 and 28, 1972 and adopted on December 28, 1972.

Nagaland

The Nagaland Legislative Assembly held its session from November 24, to November 28, 1972. Altogether 4 sittings were held.

Legislative Business

The Assembly passed one Government Bill¹⁶ during the session. The House received 75 notices of Starred Questions against which 58 were admitted. All the 38 notices of Unstarred Questions were admitted.

No-Confidence Motion against Ministry

On November 27, 1972, a motion of No-Confidence against the Council of Ministers was moved by Shri Tajen Ao and 9 other Members. The Motion was discussed on November 28, 1972 but was declared lost after it was put to vote. Thereafter all the Opposition members staged a walk-out.

Constitution (Thirtieth Amendment) Bill, 1972

On November 28, 1972 Shri Hokishe Sema, Chief Minister, moved a Resolution seeking to ratify the Constitution (Thirtieth Amendment) Bill, 1972¹⁷ as passed by both the Houses of Parliament. The Resolution was adopted unanimously.

Punjab

The Punjab Vidhan Sabha held a session consisting of 5 sittings from December 12 to 15, 1972.

During the session, the Vidhan Sabha passed 9 Government Bills.¹⁸ 716 and 106 notices of Starred and Unstarred Questions respectively

¹⁶The Nagaland Forest (Amendment) Bill, 1972.

¹⁷See note under 'Gujarat' *supra*.

¹⁸The Bills passed were as follows:—

- (1) The Talwara Township (Peripheri) Control Amendment Bill, 1972.
- (2) The Punjab Cinemas (Regulation) Amendment Bill, 1972.
- (3) The Punjab Cattle Fairs (Regulation) Amendment Bill, 1972.
- (4) The Patiala State Ijlas-i-khas Order of 1919 (Repealing) Bill, 1972.
- (5) The Punjab Land Feforms Bill, 1972 (Bill No. 31-PLA of 1972).
- (6) The Punjab Appropriation (No. 5) Bill, 1972.
- (7) The Punjab Entertainments Duty (Amendment) Bill, 1972.
- (8) The Punjab Khadi and Village Industries Board (Amendment) Bill, 1972.
- (9) The Punjab General Sales Tax (Amendment and Validation) Bill, 1972.

were received by the House but only 420 and 69 notices respectively were admitted. 3 notices of Short Notice Questions were also received but none was admitted.

No-confidence Motion against Ministry

On December 12, 1972 leave was granted by the House for the moving of a motion expressing want of confidence in the Ministry headed by Giani Zail Singh but after discussion the Motion was declared lost.

Constitution (Thirtieth Amendment) Bill, 1972.

On December 14, 1972 the Vidhan Sabha adopted a Resolution seeking to ratify the Constitution (Thirtieth Amendment) Bill, 1972 as passed by both Houses of Parliament.

Non-official Resolution

On December 14, 1972 the House adopted the following non-official Resolutions:—

1. *Nationalisation of Oil Companies.*

“This House recommends to the Government to approach the Government of India with the request that the three Foreign Oil Companies operating in India, namely, Burmah-Shell, Esso and Caltex be nationalised in the interest of Job Security of Oil Workers employed in these Companies.”

2. *Nationalisation of Education.*

“This House recommends to the Government, to approach the Union Government with the request that immediate steps be taken to so amend the Constitution as to enable the State Government to nationalise education.”

Tamil Nadu

Tamil Nadu Legislative Assembly

The Fifth Session of the Tamil Nadu Legislative Assembly was held for a day on November 13, 1972. The Sixth Session of the Assembly commenced on December 2, and adjourned on December 15, 1972.

Removal of Speaker from the Chair

On December 2, 1972 the House decided to take up immediately the resolution for the removal of Speaker from the office.

The Leader of the House moved—

“That the House resolves that the Deputy Speaker shall preside over the House”.

The House agreed to the Motion.

The Deputy Speaker accordingly occupied the Chair.

Under rule 244 of the Tamil Nadu Legislative Assembly Rules, the Leader of the House moved that Rule 53 of the Assembly Rules which required that the Secretary shall cause the resolution of removal of Speaker to be circulated to all Members of the Assembly, together with an intimation about the date appointed for its discussion be suspended.

The motion was put and carried.

The Deputy Speaker read the resolution given notice of by Shri N. Veerasamy, namely, “This House resolves that Thiru K. A. Mathialagan be removed from the office of Speaker of the Legislative Assembly of Tamil Nadu”, and requested those who were in favour of leave being granted to rise in their places.

As more than 35 members stood up in favour of the resolution, the Deputy Speaker said that leave was granted for the resolution by the House.

Shri N. Veerasamy moved the following resolution and, spoke thereon.

“This House resolves that Thiru K. A. Mathialagan be removed from the office of Speaker of the Legislative Assembly of Tamil Nadu.”

The motion was put and carried.

The Leader of the House moved that the Resolution for the removal of the Ex-Speaker Shri K. A. Mathialagan had been brought by Shri N. Veerasamy and adopted by the House in accordance with the provisions of the Constitution as well as the Assembly Rules. Having removed the Speaker duly, the House had conducted the business with the Hon. Deputy Speaker Shri P. Seenivasan in the Chair and proposed that the Assembly be adjourned to December 4, 1972.

The above motion was put to vote and declared carried.

Ministry wins note of Confidence

On December 4, 1972, Dr. M. Karunanidhi, Chief Minister, with the leave of the House moved the following motion expressing confidence in the Ministry:

“This House expresses its confidence in the Council of Ministers of which Thiru Karunanidhi is the Chief Minister”.

The discussion on the motion took place on the 7th, 8th, 9th and 11th December 1972. Twenty-four Members took part in the discussion and the Chief Minister replied thereto. On the 11th December 1972, the motion was put to vote and the House divided as follows:—

Ayes—172

Noes—Nil

Neutral—Nil

The motion was carried.

Constitution (Thirtieth Amendment) Bill, 1972

On December 13, 1972 the Assembly discussed and adopted a Resolution moved by Dr. V. R. Nedunchezhiyan, Minister for Education and Local Administration seeking to ratify the Constitution (Thirtieth Amendment) Bill, 1972¹⁹ as passed by the two Houses of Parliament.

The Legislative Council which held its 43rd session from December 2 to 29, 1972, adopted a similar Resolution on the subject on December 15, 1972.

Tripura

A session of the Tripura Legislative Assembly commenced on December 7, 1972 and was adjourned on December 15, 1972. Altogether 7 sittings were held during the period.

Legislative Business

During the session, the House passed 3 Government Bills.²⁰ The

¹⁹. See note under ‘Gujarat’ *supra*.

²⁰. The Bills passed were as follows:—

- (1) The Bengal Municipal (Tripura Amendment) Bill, 1972.
- (2) The Tripura (Courts) Order Amendment Bill, 1972.
- (3) The Tripura Appropriation (No. 2) Bill, 1972.

notices received for Starred, Unstarred and Short Notice Questions, numbered 518, 137 and 14 respectively while those admitted numbered 331, 74 and 5 respectively.

Constitution (Thirtieth Amendment) Bill, 1972.

On December 13, 1972, the Assembly passed a Government Resolution seeking to ratify the Constitution (Thirtieth Amendment) Bill, 1972²¹ as passed by both Houses of Parliament.

Uttar Pradesh

A session of the U.P. Vidhan Sabha commenced on December 12, 1972 and till the end of the month held 10 sittings.

Inquiry Commission against Ministers

On December 14, 1972, a Member, Shri Charan Singh moved the following Motion in the Assembly:—

“That a commission under the Chairmanship of a High Court Judge be constituted to inquire into the charges levelled by the Members of the ruling party or the charges levelled in the House against certain members of the Council of Ministers of Uttar Pradesh.”²²

The Motion was discussed by the House on the same day and was rejected.

West Bengal

During the session of the Assembly held from June 26, to August 16, 1972²³, the House adopted the following Private Members' Resolutions²⁴ as amended:—

1. Unemployment Problem :

“The House expresses deep concern over the terrible unemployment problem in West Bengal and urges upon the State Government to explore on emergency basis all the possible avenues by trying, as one of the means, stopping of over-time, introduction of extra-shifts etc.”

²¹ Ibid.

²² Original in Hindi.

²³ See J.P.I., Vol XIX, No. 1, January 1973, pp. 243 and 347.

²⁴ Original in Bengali.

2. Adequate Water through Farakka:

"In order to save Calcutta port, the economic nucleus of West Bengal and the whole of Eastern India and of a part of Northern India as well, in order to save Haldia port in future and to preserve the vital interest of West Bengal as well as of India, the House thinks that the Central Government should provide the necessary water through Farakka from the Ganga throughout the year."

3. Suspension of Martin Light Railways :

"The House expresses deep regret at the miserable condition of the lakhs of the inhabitants of Howrah and Hooghly due to the suspension of Martin Light Railways for a long time and thinks that in order to redress the miseries of the people, the State Government, in case the Centre pleads inability to bear the financial responsibilities, should take initiative for commissioning the Martin Light Railways."

4. Malnutrition and Unemployment through Drought and Flood :

"Due to the want of rain and due to the drought and flood, the paddy cultivation has been stopped and destroyed, malnutrition has affected the people and the agricultural labours have been thrown out of employment. Therefore to tackle this abnormal situation the House requests the West Bengal Government to adopt short term and long-term schemes and to translate them on an emergent basis.

POLITICAL AND CONSTITUTIONAL DEVELOPMENTS IN THE STATES*

[December 1, 1972 to February 28, 1973]

(a) General

By-election to Lok Sabha

In a by-election held on January 22, 1973, the Manjeri Lok Sabha seat from Kerala was won by the Kerala Education Minister, Shri C. H. Mohammed Koya (Muslim League), when he defeated an independent candidate, Shri A. Ummer Khan, by a margin of nearly 96,000 votes. The by-election was caused by the death of Shri Mohammed Ismail, Indian Union Muslim League President.¹

(b) States

ANDHRA

Reaction in the State to P.M.'s Announcement on Mulki Rules Issue

Following the Prime Minister's announcement in Parliament on November 27, 1972 on the 'Mulki Rules' issue, Telengana *bandh* and Andhra *bandh* were observed in the State on November 29, and December 5, 1972 respectively. The Andhra Praja Parishad and the Telengana Praja Samiti which were led by non-communist opposition parties had separately given calls for "civil disobedience movements" in both the regions of the State. The Parishad and the Samiti stood for bifurcation of Andhra Pradesh by mutual consent².

The Andhra NGOs went on strike from December 7, 1972 against the Prime Minister's five-point formula³.

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

¹*Hindu*, January 24, 1973.

²*Hindustan Times*, November 30, 1972 and December 6, 1972.

³*Times of India* (Bombay), December 10, 1972.

T.P.S. Urges Prime Minister to Bifurcate Andhra

The Telengana Praja Samiti in a telegram sent to the Prime Minister on December 9, 1972 urged her to bifurcate Andhra Pradesh and carve out two separate State of Andhra and Telengana.⁴

Minister Resigns on Mulki Rules Issue

The political developments in Andhra Pradesh in the wake of the current Mulki Rules agitation took a new turn on December 13, 1972 when the Cooperation Minister, Shri Subba Rao requested the Chief Minister, Shri P. V. Narasimha Rao in a telegram followed by a letter of confirmation that he be relieved of his office forthwith. Shri Subba Rao had earlier handed over his resignation along with his eight Cabinet colleagues to the Congress President, Dr. S. D. Sharma, in protest against the Prime Minister's announcement on the Mulki Rules controversy. Shri Subba Rao told newsmen in Vijayawada, that as the Andhra public were 'very much agitated' because of the Mulki Rules issue, he thought it was improper for him to continue as Minister any longer.⁵

Eight More Ministers Resign

On December 17, 1972, the majority of Congress legislators and other leaders of the Andhra region at a meeting held at Vijayawada unanimously passed a resolution demanding a separate State for the Andhra People. The meeting was called by the Deputy Chief Minister, Shri B. V. Subba Reddy to discuss the situation in the Andhra region following the validation of the Mulki Rules by the Supreme Court and the Prime Minister's five-point solution to the crisis it sparked off.

The same day the remaining eight out of the nine Andhra Ministers, who had submitted their resignations to the Congress President some time ago telegraphically sent their resignations to the Chief Minister⁶.

Parliament Passes Mulki Rules Bill

To give practical shape to the Prime Minister's five-point formula on Mulki Rules, the Mulki Rules Bill was introduced in Lok Sabha

⁴*Times of India*, December 10, 1972.

⁵*Hindustan Times*, December 9 and 14, 1972.

⁶*Ibid.*, December 18, 1972.

on December 19, 1972.⁷ It provided for certain amendments to the Mulki Rules so as to limit their operation, for validation of certain appointments and for the repeal, in a phased manner, of those Rules. The Bill, as passed by Lok Sabha and Rajya Sabha on December 21 and December 23, 1972, respectively, became a law on December 30, 1972.

Ministers' Resignations Accepted

On December 30, 1972, the Governor accepted the resignations of eight Ministers of the State Cabinet on the advice of the Chief Minister. Shri Kakani Venkataratnam, Agriculture Minister who was one of the nine Ministers, who had earlier tendered their resignations, had died on December 25, 1972. The eight Ministers whose resignations were accepted were: Shri B. V. Subba Reddy, Deputy Chief Minister; Shri V. Krishnamurthy Naidu (Home); Shri B. Subba Rao (Cooperation); Ch. S. R. V. B. Murthy Raju (Endowments); Shri P. Basi Reddy (Law); Shri S. Suryanarayana Raju (Forests); Shri Challa Subbarayudu (Civil Supplies); and Shri D. Muniswamy (Marketing)⁸.

Paralyse administration: Call to Andhras

The separatist convention of Andhra Congressmen which ended in Tirupati on December 31, 1972 issued a call to legislators, NGOs, students and others supporting the separate Andhra State movement to "paralyse the State administration". The convention constituted an action committee to implement its decision, with Shri B. V. Subba Reddy, former Deputy Chief Minister as President⁹.

Both Telengana and Andhra leaders ask PM to divide State

On January 1, 1973, eleven Congress Members of Parliament, in a joint letter addressed to the Prime Minister, appealed to her to take immediate steps for the bifurcation of Andhra Pradesh "before the Andhra region is thrown into utter chaos" and to prevent "further loss of life, suffering and hardship to the people."¹⁰

⁷*Ibid.*, December 6, 1972.

⁸*Ibid.*, December 30, 1972.

⁹*Deccan Herald*, January 1, 1973.

¹⁰*Hindustan Times*, January 2, 1973.

In Hyderabad, a meeting of the Congress legislators, Members of Parliament, Zilla Parishad Chairmen and Panchayat presidents of the Telengana region also requested the Prime Minister "to take note of the intense feelings of the Telengana people for separation and initiate early measures to meet their urges and aspirations."¹¹

Law and Order situation deteriorates in the State

The Law and Order situation in the State deteriorated rapidly from the first week of January 1973. There were several violent incidents in the Andhra region resulting in loss of life and property¹².

Another Andhra Minister Resigns

On January 9, 1973, the State Governor accepted the resignation of Shri K. Gopala Naidu, Minor Irrigation Minister from the Council of Ministers¹³. Shri Naidu had tendered his resignation in support of the demand for a separate State for the Andhra people¹⁴.

Cabinet Expanded

On January 11, 1973, the Chief Minister, Shri Narasimha Rao expanded his cabinet by taking in eight more Minister—six from Rayalaseema area and two from the coastal region.¹⁵

Government Quits

On January 17, 1973, the Chief Minister submitted the resignation of his Ministry to the Governor, who accepted it and asked him to continue in office till alternative arrangements were made¹⁶.

President's Rule Promulgated in the State

The Centre took over the administration of Andhra on January 18, 1973 in a bid to prevent the bifurcation of the State and to restore law and order which was seriously jeopardised by the separatists' agitation. The President issued a Proclamation under Article 356

¹¹*Ibid.*,

¹²*Ibid.*, January 3, 1973.

¹³*Ibid.*, January 10, 1973.

¹⁴*Tribune*, January 1, 1973

¹⁵*Hindustan Times*, January 12, 1973.

¹⁶*Ibid.*, January 18, 1973.

of the Constitution suspending the State Assembly and authorising the Governor to directly run the administration, following the latter's report on the breakdown of the constitutional machinery.

The Governor in his report said that after the resignation of the Narasimha Rao Ministry, no other party was in a position to form a stable government. He, therefore, suggested imposition of the President's Rule in the State for a brief spell¹⁷.

Telengana Leaders for Bifurcation

Telengana Congressmen, on January 21, 1973, formed a new body styled as the Congressmen's Forum for Telengana with the object of achieving the goal of a separate Telengana State. The Forum was formed at the delegates' session of the Convention of Telengana Congressmen held at Hyderabad under the chairmanship of Dr. M. Chenna Reddy¹⁸. Addressing the convention, Dr. Chenna Reddy said that the Centre had no alternative but to bifurcate the State to solve the present crisis.¹⁹

14-Point Programme to Achieve Separate State

A 14-point Programme to be implemented by participants in the struggle for the achievement of a separate Andhra State was finalised on February 4, 1973 at a meeting of the Coordination Committee presided over by Shri B. V. Subba Reddy, President of the Andhra Congress Action Committee. The Coordination Committee consisting of 16 members of all the organisations spearheading the separate Andhra movement also constituted a sub-Committee to further "revolutionise" the programme after watching the developments from day to day. It was also decided that the Coordination Committee would be called "Separate Andhra State Achievement Joint Committee."

on the President's Address to Parliament on February 19, 1973, included stoppage of trains and Government vehicles; picketing of offices and residences; gheraoing of all officers, State and Central—who were cooperating with the Government in its moves against the

¹⁷*Ibid.*, January 19, 1973.

¹⁸*Ibid.*, January 22, 1973.

¹⁹*Ibid.*, January 23, 1973.

agitation; continuation of the programme of closure of banks and post offices on specified days; and defiance of prohibitory orders and courting or imprisonment²⁰.

No Solution in Tense Atmosphere

The Prime Minister, Shrimati Indira Gandhi, said in New Delhi on February 19, 1973, that it would not be possible to find a solution of the Andhra tangle in the present emotionally surcharged atmosphere.

Speaking at a meeting of the executive committee of the Congress Parliamentary Party, where Shri K. Suryanarayana M.P. demanded immediate bifurcation of Andhra, Shrimati Gandhi said that discussions could take place in a calm and rational manner only after the restoration of normal conditions in the State. She was keeping an open mind and was prepared to discuss all aspects of the problem with the leaders of the separatist movement. But no solution could emerge from such parleys if violence and lawlessness continued, she added.²¹

In the course of her reply to the debate on the Motion of Thanks on the President's Address to Parliament on February 19, 1973, the Prime Minister Shrimati Indira Gandhi reiterated in Lok Sabha on February 27, 1973 that a final decision on Andhra could be taken only in a calm, peaceful and unexcited atmosphere. No problem could be solved under coercion or pressure, she added. She said that all aspects of the problem and different opinions would be given due consideration while taking a decision. A solution to the issue should be such that it did not create more problems, she observed.²²

ASSAM

Assam tribals demand separate State

On December 2, 1972. Shri Charan Narzary, General Secretary of the Plains Tribal Council of Assam announced to a news conference in New Delhi that the tribal people living in the plains of Assam wanted a union territory of their own: Udayachal and that

²⁰*The Statesman Weekly*, February 10, 1973.

²¹*Times of India*, February 20, 1973

²²*Indian Express* (New Delhi), February, 28, 1973.

December 7 would be observed as "Udayachal demand day" in the State to Press their demand. Shri Narzary severely criticised the Assam Government and detailed the reasons why the tribal people wanted Udayachal: they had been denied the benefits of the constitution; they were constantly and systematically uprooted from their own land; they had been politically crippled because all the Assembly and Lok Sabha seats reserved for them had been delimited in such a manner that the non-tribal voters had become the majority in all the constituencies; the benefits of the Grants under Art. 275 of the Constitution never reached the tribal people; they had been forced to learn through the medium of Assamese in Colleges and Universities when all long, they had been demanding the retention of English.²³

At another news conference in New Delhi the same day, Shri Tarpada Bhattacharya, General Secretary of the Cachar District Sangram Parishad (CDSP) said that the C.D.S.P. did not want Cachar to be separated from Assam, adding that all that they wanted was that they must be treated as equal citizens in Assam with equal rights and opportunities. Shri Bhattacharya disclosed that CDSP had submitted a memorandum, signed by two M.Ps., several M.L.As. and leaders of the CPI, the Congress, the Jana Sangh and the Janata Congress, to the Prime Minister. The memorandum listed eight demands. The major demands were: Bengali must be recognised as one of the media of instruction in the Gauhati and Dibrugarh universities along with Assamese and English; the Union Government should intervene immediately to make an overall change in the State machinery to ensure security to the linguistic minorities and a high powered probe to ascertain "the causes and extent of the atrocities perpetrated on the minorities."²⁴

Assam Government orders inquiry into language disturbances

On January 25, 1973, the Assam Government set up a three-member high power committee to inquire into administrative lapses in the maintenance of law and order in the October-November language disturbances in Assam.²⁵

²³*Indian Express*, December 3, 1972

²⁴*Ibid.*

²⁵*Hindustan Times*, January 26, 1973.

Shifting of Assam Capital

The capital of Assam would be shifted from Shillong to Dispur on the outskirts of Gauhati, and Government would start functioning from there from March 1973.²⁶

BIHAR

Shri R. D. Bhandare, a Member of the Lok Sabha was sworn in as Governor of Bihar on February 4, 1973. He succeeded Shri D. K. Borooah who was appointed Minister of Petroleum and Chemicals at the Centre.²⁷

GUJARAT

Ministry Expanded

The strength of the Gujarat Council of Ministers was raised from 15 to 18 on January 27, 1973 with the induction of one full fledged Minister and two Deputy Ministers. The Ministry now has nine Ministers and nine Deputy Ministers.²⁸

HARAYANA

Haryana Opposition Leader Derecognised

Shri Hardwari Lal, leader of the Progressive Independent Group, was derecognised as leader of the Opposition in the Haryana Assembly with effect from February 16, 1973, for lack of the "requisite" strength.²⁹

HIMACHAL PRADESH

No-Confidence Motion Rejected

The State Vidhan Sabha, on December 15, 1972, rejected by a voice vote, a no-confidence motion against the Parmar Ministry. The motion was tabled by Shri T. S. Negi, leader of the Progressive

²⁶*Hindustan Standard*, January 19, 1973.

²⁷*Hindustan Times*, February 5, 1973.

²⁸*Ibid.*, January 28, 1973.

²⁹*Statesman* (Delhi), February 26, 1973 and *Times of India*, February 20, 1973.

Group in the Assembly and supported by 14 other Opposition members.⁸⁰

JAMMU AND KASHMIR

New Minister Appointed

Shri Makhanlal Fotedar was sworn in on February 16, 1973, as Minister of State, raising the strength of the Qasim Ministry to 18. Shri Fotedar was allotted the profolios of Law and Irrigation.⁸¹

KERALA

By-elections to State Assembly

The ruling Congress-United Front alliance lost both the by-elections held to the State Assembly on January 22, 1972 from Parur and Neeleswaran constituencies.

Shri T. K. Chandan (CPM) was elected from Neeleswaram constituency defeating his nearest independent rival, Shri M. Kunhiraman Master (supported by the ruling parties) by a margin of 6, 139 votes.

Shri Varkey Payanadan (independent-backed by CPM) won from Parur constituency defeating his nearest Congress rival, Shri A. C. Jose, by a margin of 6, 158 votes. The Congress lost the seat which it had been holding since 1960.⁸²

MANIPUR

Manipur Hill Union formed

The formation of a Hill Union with non-tribal members of the Manipur Assembly belonging to the United Legislature Party was announced in Imphal on January 15, 1973 by its President and State Finance Minister, Shri Y. Saiza. The aim of the Union was to bring forward all common problems to the Government and to function as a political party.⁸³

⁸⁰*The Statesman Weekly*, December 23, 1973.

⁸¹*The Times of India*, February 17, 1973.

⁸²*Hindustan Times*, January 22, 1973.

⁸³*Ibid.*, January 17, 1973.

MYSORE

Bill to rename Mysore approved

The Mysore Assembly on December 1, 1972 approved the Mysore State (Alteration of Name) Bill forwarded by the President.

In an official Resolution passed without discussion, the Assembly also requested that the Bill be introduced in Parliament and passed into law as expeditiously as possible.

The Bill is intended to change the name of the State to Karnataka.³⁴

NAGALAND

Memorandum against Naga Government submitted to the President.

A memorandum alleging that the Nagaland Government was coming in the way of the Naga people joining the national mainstream was, on December 14, 1972, submitted to the President by Shri S. C. Jamir, a former Union Deputy Minister on behalf the Opposition in the State Assembly. The Memorandum *inter alia* demanded the setting up of a commission of inquiry to go into the allegations of corruption against the State Government.³⁵

ORISSA

Swatantra MLA Resigns from Party

Shri Darappu Lachhava-Nadu a Swatantra MLA from Parlakhemundi resigned from the Swatantra Party in December 1972 and joined the Congress.³⁶

11 Former Utkal Congress MLAs Rejoin Party

Eleven of the twenty-eight Utkal Congress MLAs who had joined the Congress in June 1972 at the time the Ministry was formed returned to the Utkal Congress which had been revived on November 12, 1972, according to the announcement made on December 22, 1972 by Shri Biju Patnaik, President of the Utkal Congress. The return

³⁴*Ibid.*, December 2, 1972.

³⁵*Ibid.*, December 15, 1972.

³⁶*The Statesman Weekly*, December 16, 1972 and *Free Press Journal*, December 18, 1972.

of these eleven MLAs to the Utkal Congress reduced the strength of the ruling Congress Legislature Party in Orissa from 95 to 84. Speaking to newsmen at Bhubaneswar on December 22, Shri Patnaik disclosed that he had written to the Speaker of the Orissa Assembly informing him that these and six other Utkal Congress MLAs who had not been admitted to the Congress had elected him leader of the Utkal Congress Legislature Party, the present strength of which was 18 and that separate seating arrangements for them should be made from the coming Session of the Assembly.³⁷

Five Congress MLAs Resign from the Ruling Party

Five Congress MLAs led by the former Chief Minister Dr. Harekrushna Mahtab resigned from the ruling Congress Party on January 3, 1973 reducing its legislature strength to 79 in a House of 140.

Besides Dr. Mahtab, the other Members who resigned from the Congress Party were Shri Muralidhar Kunar, Shri Manmohan Tudu, Shri Anup Singh Deo and Shri Gopabandhu Patra. Dr. Mahtab's action came as a sequel to the suspension of himself and Shri Kunar from the Congress in December 1972 for their alleged anti-party activities.³⁸

On January 4, 1973, Dr. Mahtab announced the formation of the Orissa Independent Congress Legislature Party consisting of the aforementioned five MLAs. The former Minister and convener of the five member new Legislature Party Shri Manmohan Tudu said in a statement on January 4, that the Congress Government had failed to implement the programmes for the welfare of the people and there had been administrative crisis in the State.³⁹

Swatantra MLA joins Congress

Shri Pratap Narayan Singh Deb, a Swatantra MLA joined the Congress Party, on January 12, 1973.⁴⁰

³⁷*The Statesman Weekly*, December 30, 1972.

³⁸*Hindustan Times*, January 4, 1973.

³⁹*Ibid.*, January 5, 1973.

⁴⁰*Ibid.*, January 14, 1973.

Formation of United Opposition Party

The formation of a combined Front consisting of the Swatantra Party, the Utkal Congress and the independent Congress Group in the State Assembly, styled the "Orissa Progressive Party" in opposition to the ruling Congress was announced in Bhubaneswar on January 28, 1973. The announcement was jointly made at a news conference by Shri R. N. Singh Deo, leader of the State Swatantra Legislature Party, Shri Biju Patnaik, leader of the Utkal Congress Legislature Party and Dr. Harekrushna Mahtab, leader of the independent Congress Group. The "Progressive Party", Shri Patnaik said, had at present a strength of 48 consisting of Swatantra-24, Utkal Congress-18, independent Congress Group-5 and an Independent, Shri Pramode Bhanj Deo in the 140-member Assembly. Besides, Shri Patnaik said, the Progressive Party would have the support of the Jana Congress and the CPI (M) who had one and two Members in the State Legislature respectively.⁴¹

A Press Statement issued by the new party said it would be the beginning of the unity of the parties and individuals believing in democracy, parliamentarianism and social justice to fight against any undemocratic and totalitarian trend towards dictatorship "to strive for bringing about a national democratic front at the Centre as a viable alternative to totalitarian ruling Congress clique". The statement also outlined a 17-point "work programme" of the new party, which among other things, pledged to "safeguard the interests of Orissa and Orissans everywhere and in every sphere."⁴²

Ministry Expanded

Eight more members were added to the Council of Ministers headed by Shrimati Nandini Satpathy on January 29, 1973, raising the strength of the Orissa Congress Ministry from seven to fifteen. Shri Nilamoni Routray, Industries Minister was elevated to the rank of a Deputy Chief Minister. A noteworthy feature of the Ministry's expansion was the introduction of the three-tier system for the first time in Orissa. Among the eight new entrants were two Cabinet Ministers, five Ministers of State and one Deputy Minister.⁴³

⁴¹*Ibid.*, January 29, 1973.

⁴²*Ibid.*, January 29, 1973.

⁴³*Ibid.*, January 30, 1973.

Congress MLA Quits Party

Shri Lal Mohan Nayak MLA, on February 8, 1973 resigned from the Congress to join the five-member Orissa Independent Congress bloc, led by Dr. Harekrushna Mahtab.⁴⁴

Patnaik Elected Progressive Front Leader

Shri Biju Patnaik, Utkal Congress leader was, on February 8, 1973, "Unanimously" elected leader of the Orissa Pragati (Progressive) Legislature Party. Shri Patnaik automatically succeeded Swatantra leader Shri R. N. Singh Deo as leader of Opposition in the Assembly. His name was proposed by Shri R. N. Singh Deo and seconded by Dr. H. K. Mahtab.

The party position in the Assembly as on February 8, 1973 was Congress 78, Pragati Party 50 (Swatantra 24, Utkal Congress 20, and Independent Congress Party 6), CPI 4, CPM 2, Jana Congress 1, and independents including Speaker 5.⁴⁵

PUNJAB

No-confidence Motion against Ministry Rejected

The State Vidhan Sabha on December 12, 1972, rejected by a voice vote a no-confidence motion against the Zail Singh Ministry. The motion was moved by the Akali leader, Shri Ajit Singh Sandhu, and the party's general secretary, Shri Surjit Singh Barnala.⁴⁶

RAJASTHAN

Independent MLA Resigns from Assembly

Shri Kishan Singh, Independent Member of the Rajasthan Legislative Assembly resigned from the State Assembly on January 2, 1973. Shri Singh was elected from the Asind constituency in the last General Election.⁴⁷

⁴⁴*Ibid.*, February 9, 1973.

⁴⁵*Ibid.*, February 9, 1973.

⁴⁶*The Statesman Weekly*, December 16, 1972.

⁴⁷*Hindustan Times*, and *Indian Express*, January 3, 1973.

TAMIL NADU

Third Writ Petition against Prorogation of the Assembly

On November 22, 1972, the Madras High Court admitted another writ petition filed by Shri K. T. K. Thangamani CPI MLA, challenging the prorogation of the State Assembly by the Governor. Shri Thangamani submitted that the exercise of power by the Governor under Article 174 in this case was vitiated by lack of good faith as it had been admittedly done on the advice of the Ministry in office against whom a no-confidence motion was pending.⁴⁸

Court Upholds Prorogation

By a unanimous judgement, delivered on December 11, 1972, a full bench of the Madras High Court dismissed three petitions challenging the order of the Governor proroguing the State Legislature on November 14, and upheld the action of the Governor in proroguing the Legislature as "properly made and valid" and also "*bona fide*".⁴⁹

The Court said that when there was business to be transacted including the no-confidence motion against the Ministry and the notice for the removal of the Speaker which the Speaker himself wanted to be taken up for discussion on November 14, "it was strange the Assembly should have been adjourned on November 13, for the purpose of giving the Government time to consider whether it would be prepared to face the people for a fresh mandate." The Court held that in the circumstances, the adjournment of the House "cannot be viewed as a proper and *bona fide* exercise of the power of adjournment." "A perusal of the Assembly proceedings on November 13," the Court said, "leaves us with the impression that the adjournment putting the Assembly out of action, in the circumstances and in this particular manner, smacks of ulterior purposes."⁵⁰ The Court observed that the Governor prorogued the Assembly *bona fide* and duly in order to get rid of such an adjournment.⁵¹

⁴⁸*Hindustan Times*, November 23, 1972.

⁴⁹*Ibid.*, December 12, 1972.

⁵⁰*Ibid.*

⁵¹*Ibid.*

Dealing with the question whether the DMK Ministry continued to enjoy the confidence of the people, the Court observed that "the question of continued confidence of the people in a ruling party having a majority in the Assembly can be and is normally tested on the floor of the Assembly itself", and the Constitution and the Assembly Rules "do not contemplate of provide any other mode of testing it."⁵²

Development in the Assembly on December 2: "Removal" of Speaker Notified in Gazette

The State Assembly met again on December 2, when in pursuance of the Governor's summons. The Speaker Shri K. A. Mathialagan, and the Deputy Speaker, Shri P. Srinivasan, simultaneously presided over the House and conducted parallel proceedings, each ordering the expunction of the proceedings, conducted by the other.⁵³

This unprecedented situation arose when, at the end of the Question Hour, the Speaker, Shri Mathialagan informed the House that the CPI leader, Shri Thangamani and other Opposition members had given notice of a no-confidence motion against the DMK Ministry and asked whether the motion commanded the requisite support. Members of the C.P.I., Anna DMK, Congress and Congress (O) rose in support of the motion. The Leader of the House, Shri V. R. Nedunchezian, demanded that the no-confidence motion against the Speaker (notice of which, he said, had been given by 184 members) should have precedence and till the matter was disposed of, the Deputy Speaker should preside, and not the Speaker. The Speaker said that he had already taken up the no-confidence motion against the Ministry after taking leave of the requisite number of members, and that Shri Nedunchezian's intervention was "irregular improper and obstructive."⁵⁴

In the midst of the din and confusion that followed, a DMK member, Shri N. Veeraswami was heard to read out a motion for the removal of the Speaker. Shri Veeraswami urged that the notice for the removal of the Speaker ought to be taken into consideration before any other business was taken up. Endorsing this view, Shri Nedunchezian said that under Article 181 of the Constitution, the Speaker should not preside while a resolution for his removal was under consideration.

⁵²*Ibid.*

⁵³*Hindustan Times and Hindu, December 3, 1972.*

⁵⁴*Hindu and Hindustan Times, December 3, 1972.*

Moreover, the House had to consider all the matters required to be considered as per the message from the Governor under Article 175(2). This, Shri Nedunchezian said, was mandatory. He added that as the Speaker was not complying with the mandatory Constitutional requirements, the House should resolve that the Deputy Speaker preside over it. Shri Nedunchezian then moved a resolution to this end, which was received with acclamation by the Members of the ruling party and its allies. The Deputy Speaker Shri P. Srinivasan, then took the chair specially placed for him in front of the Speaker's rostrum. The Opposition members objected to this. The Deputy Speaker, however, went ahead with the proceedings and put Shri Nedunchezian's resolution to vote and declared it carried.⁵⁵

Shri Nedunchezian moved another resolution suspending the rule requiring that the Assembly Secretary should circulate to all the Members the resolution for the removal of the Speaker, together with intimation about the date appointed for its discussion. The motion was put to vote by the Deputy Speaker and declared passed.⁵⁶

Shri Veeraswami (DMK) then moved the resolution for the 'removal' of the Speaker from office. The Deputy Speaker said that leave was granted to the resolution, since more than 35 members had supported it. He put the motion to vote and declared it carried, amidst protest from the Opposition.⁵⁷

The Chief Minister then presented the Supplementary Estimates. The next subject the Deputy Speaker took up was the Statement of Accounts of the Electricity Board.⁵⁸

Even as several Members of the DMK and its allies participated in the debate, members of the ADMK and its allies were called upon by Shri Mathialagan to speak on the no-confidence motion against the Ministry. The two parallel sessions went on for 100 minutes when Shri Mathialagan adjourned the House and left. The Members of the ADMK, CPI Congress (O) and Swatantra parties also left the House. The Members of the DMK, Forward Bloc, Muslim League and Tamil

⁵⁵*Hindu*, December 3, 1972.

⁵⁶*Ibid.*

⁵⁷*Ibid.*

⁵⁸*Ibid.*

Arasu Kazhagam, however, stayed on and continued the discussion on the Electricity Board budget for another 40 minutes before the House rose for the day.⁵⁹

A Gazette Extraordinary issued on the same night said, "Mr. K. A. Mathialagan, Speaker, Tamil Nadu Legislative Assembly, has been removed from the Office of Speaker by a resolution of the Assembly passed by a majority of all the then Members of the Tamil Nadu Assembly on 2nd December, 1972 afternoon under Article 179(c) of the Constitution". Another Gazette notification stated: "Consequently, under Clause (1) of Article 180 of the Constitution while the Office of Speaker is vacant, the duties of the Office shall be performed by the Deputy Speaker, Mr. P. Srinivasan."⁶⁰

Speaking to newsmen on December 3, Shri Mathialagan said: "I continue to be the Speaker." He said that his so-called removal from office was illegal, unconstitutional and, therefore, invalid, and that he would move the Court about the legality of the proceedings in the Assembly on December 2.⁶¹

The State Assembly met again on December 4, with the Deputy Speaker, Shri P. Srinivasan, in the chair. The major Opposition parties, the Congress(O), the Anna DMK, the Swatantra, the CPI and the Congress, in accordance with their decision on the previous day⁶², boycotted the session. The absentee list also included Shri K. A. Mathialagan.⁶³

Removal from Speakership Challenged

On December 5, Shri K. A. Mathialagan filed a writ petition in the Madras High Court challenging his removal from Speakership and seeking direction to restrain the respondents—the Deputy Speaker, the

⁵⁹*Hindu*, December 3, 1972.

⁶⁰*Ibid.*

⁶¹*Hindustan Times*, December 4, 1972.

⁶²Explaining the boycott decision to newsmen after an emergency meeting of the Opposition leaders on December 3, Shri R. Ponnappa Nadar Congress (O), who presided over the meeting, said "there are two Speakers now and probably two Assemblies. We have to decide which, in legal." *Hindustan Times*, December 5, 1972.

⁶³*Hindustan Times*, December 5, 1972.

Chief Minister, the Assembly Secretary and others—from interfering in any manner, with the petitioner's right to continue and discharge his duties as Speaker of the Assembly⁶⁴.

In his petition Shri Mathialagan contended that the resolution purporting to remove him from the Office of the Speaker, which the Deputy Speaker claimed to have been passed, was null and void as 14 days notice of the motion as mandatorily required under Article 179 of the Constitution was not given. Shri Mathialagan made two points in this connection: (i) 14 days notice had to commence from November 28, the date on which the Governor had summoned the Assembly; and (ii) the notice for the removal of the petitioner given by Shri Veeraswami of the DMK, which was left with the Secretary on November 15, was void, as it could not be given when the Assembly was not in session.⁶⁵

Shri Mathialagan also submitted that the "entire proceedings" in the House on December 2, "commencing from the speech of the Leader of the House, planting the Deputy Speaker in the Chair and purporting to have parallel Assembly proceedings, were not only void but violative of the Constitution." He contended that when the House was summoned and when he was functioning as Speaker validly and was actually managing the business of the House, the Deputy Speaker had no legal right or authority to conduct the proceedings or to commence parallel proceedings and purport to carry through any motion for the petitioner's removal from Speakership. Shri Mathialagan also contended that the respondents had acted *mala fide*.⁶⁶

The petition was admitted by the High Court on December 6. While doing so, the Court also granted an interim injunction restraining the State of Tamil Nadu from disturbing the petitioner from his present residence and withdrawing the amenities available to him hitherto⁶⁷.

The question of the removal of Shri Mathialagan from his office was also raised in the State Assembly on December 5. As soon as the Assembly met, Dr. H. V. Hande, the Swatantra leader raised a point of order questioning the validity of the removal of Shri Mathialagan

⁶⁴Hindu, December 6, 1972 and Hindustan Times, December 7, 1972.

⁶⁵Hindu, December 6, 1972.

⁶⁶Ibid.

⁶⁷Hindustan Times, December 7, 1972.

from the office of the Speaker as also of the proceedings of the Assembly after 12 noon on December 2. Raising a similar point of order, the Congress(O) leader, Shri R. Ponnappa Nadar, said that the proceedings of the Assembly after 12 noon on December 2, under the chairmanship of the Deputy Speaker, were "illegal and unconstitutional". He wanted those proceedings to be declared cancelled, and the House to hold its session *de novo*⁶⁸.

After a discussion lasting nearly three hours, the Deputy Speaker, ruled that the proceedings conducted after 12 noon on December 2 were valid according to the Assembly rules, and also that the removal of Shri Mathialagan from the office of the Speaker was legal and constituted the session of the two major Opposition parties, the Congress (O) and Swatantra sought to question through points of order the propriety of what they termed as the "illegal and unconstitutional removal of Speaker Mathialagan from office" and the "unconstitutional nature" of proceedings in the House⁶⁹.

Government Wins Confidence Vote

On December 7, the Chief Minister, Shri M. Karunanidhi, moved in the Assembly a motion seeking confidence of the House in his Ministry. The motion read: "This House expresses its confidence in the Council of Ministers of which Mr. Karunanidhi is the Chief Minister." With the Anna DMK, CPI and Congress continuing their boycott of the session of the two major Opposition parties, the Congress (O) and Swatantra sought to question through points of order the propriety of such a motion by the Chief Minister. It was contended that there was no provision in the Constitution or the Assembly Rules for a motion of confidence by the House in the State Ministry and that, in any case, it would be improper to take up such a motion since a motion expressing lack of confidence in the Ministry had already been taken up when the Assembly began its sitting on December 2, and had yet to be disposed of. The Members of the ruling party and its allies, however,

⁶⁸*Hindu*, December 6, 1972. The Congress(O) and Swatantra members who had stayed away from the House on December 4, later decided to attend the session on the 5th December to expose the "wrong impression" that the ruling party and its poll allies were giving to the people that the Assembly was functioning normally. The ADMK, CPI and Congress groups, however, continued to boycott the session according to their earlier decision.

⁶⁹*Hindu*, and *Hindustan Times*, December 6, 1972.

expressed the view that the House was sovereign and it could decide on its own business. After some discussion, the Deputy Speaker ruled that the motion was in order. Later, on December 11, the motion was adopted by 172 votes with none against, after the Congress (O) and Swatantra Parties staged a walk-out.⁷⁰

Deputy Speaker Declines to Appear in Court

On December 13, the Deputy Speaker, Shri P. Srinivasan, told the Assembly that he had been served with a notice by the Madras High Court asking him to appear before the Court in the case (pertaining to a petition for a writ of mandamus) filed by Shri Mathialagan challenging his removal from the Office of the Speaker. Shri Srinivasan said, "With due respect to the Judiciary I feel that in view of the provisions of Article 212, I cannot be and I do not propose to be subjected to the authority of any court in the exercise of my powers and in the performance of my functions"⁷¹.

Chief Minister places before the House copies of Memoranda and his Reply to the charges

On December 14, 1972, Chief Minister Shri M. Karunanidhi placed on the Table of the State Legislative assembly printed copies of Shri Ramachandran's petition and of a similar petition submitted by the CPI leader, Shri Kalanasundram, M.P. The Chief Minister also placed on the Table of the House the printed copy of his reply to the charges⁷².

Speaking on a point of order, the Chief Minister told the Assembly on December, 15, 1972 that in his letter to the Prime Minister he had pointed out that the constitution had not bestowed on the Centre the power to interfere with the powers coming under the State List. He said that though an Enquiry Commission had every right to go into charges and allegations, the question here was whether such a Commission could be appointed against a State Government under the existing provisions of the Constitution. The State Minister for Law, Shri S. Madhavan said that ultimately only the court could decide the constitutional provisions with regard to this issue.⁷³

⁷⁰*Hindustan Times*, December 8 and 12, 1972.

⁷¹*Ibid.*, December 14, 1972.

⁷²*Deccan Herald*, December 15, 1972.

⁷³*Free Press Journal*, December 16, 1972.

Speaking to newsmen in Madras on December 18, Shri Kalyanasundram, M.P. said that the Tamilnadu CPI would shortly present a memorandum to the Prime Minister "exposing the reply" of Chief Minister, Shri Karunanidhi to the charges of corruption. Shri Karunanidhi's reply was "an exercise in the art of *suppressio veri suggestio falsi*", he added.⁷⁴

Another Writ Petition Challenging Speaker's Removal Admitted

On December 20, 1972, the Madras High Court admitted a petition for a writ of certiorari filed by Shri Mathialagan challenging the Gazette notification announcing his removal as Speaker of the Assembly⁷⁵.

Opposition Motion for Removal of Deputy Speaker Defeated

The State Assembly on February 5, 1973, rejected an Opposition motion for the removal of the Deputy Speaker, Shri P. Sreenivasan. In a division pressed by the Muslim League, a ruling party ally, the motion was defeated by 160 votes to 24. The motion moved by the CPI leader, Shri K. T. Thangamani, sought the removal of Shri Sreenivasan for his "undemocratic and unconstitutional acts" on December 2, 1972.⁷⁶

Court Dismisses Writ Petitions Challenging Speaker's Removal

The Madras High Court on February 27, 1973, dismissed the two writ petitions filed by Shri Mathialagan challenging his removal as Speaker of the Assembly. The Court held that even if there had been any irregularity adopted by the House on December 2, it was beyond the purview of the Court under Article 226 of the Constitution. The Court observed that the two acts of the Assembly—taking up the motion for the Speaker's removal and nominating the Deputy Speaker as his substitute—were not "illegal or unconstitutional" and the House had the privilege to deal and decide upon them.⁷⁷

⁷⁴*Deccan Herald*, December 19, 1972.

⁷⁵*Statesman* (Calcutta), December 21, 1972.

⁷⁶*The Statesman Weekly*, February 10, 1973.

⁷⁷*Times of India*, February 28, 1973.

The Court ruled that Shri Mathialagan's attempt to continue to occupy the chair when a resolution for his removal was under consideration was a constitutional violation. His ignoring the motion for his removal by Shri N. Veeraswami and three other MLAs was a "self-serving act to buttress events and set up a convention which was *prima facie* unacceptable." The Court added: "When a resolution for the Speaker's removal is given and taken up for consideration, there is a deemed vacancy under the provisions of the Constitution and the Speaker, even though physically present, is said to be constitutionally absent and therefore cannot be the presiding officer of the assembly from that moment."⁷⁸

The Court also held that Shri Mathialagan ought not to have allowed the ADMK leader (Shri M. G. Ramachandran, to move the motion of no-confidence against the Ministry before transacting the business as set out in the Governor's message. The Court did not accept there were parallel proceedings on December 2. It accepted the printed version of the proceedings as submitted before.⁷⁹

UTTAR PRADESH

Formation of Hill State demanded

The demand for a separate hill state comprising the eight hill districts of Uttar Pradesh—Pauri, Tehri, Uttarkashi, Chamoli, Dehra Dun, Almora, Nainital and Pithoragarh was made at a conference held recently at Tehri. Besides 500 delegates from all the hill districts, thousands of people from the far-flung and interior most parts of Tehri-Garhwal came to attend the conference. The conference inaugurated by Shri Pratap Singh Negi, M.P. unanimously passed a resolution saying that within six months a memorandum containing one million signatures would be submitted to the Speaker of the Lok Sabha, demanding immediate formation of Uttaranchal Pradesh.⁸⁰

Congress MLA Joins BKD

Shri K. S. Moharia, a member of the State Assembly resigned from the Congress Party on January 1, 1973 and joined the BKD. The BKD group now has 42 MLAs.⁸¹

⁷⁸*Ibid.*

⁷⁹*Ibid.*

⁸⁰*National Herald*, January 2, 1973.

⁸¹*Statesman*, January 3, 1973.

WEST BENGAL

RSP no longer a Constituent of CPI(M) Left Front

A joint statement issued on January 30, 1973 by the representatives of the CPI(M) led Left Front of West Bengal, said that by implementing its unilateral political decision to participate in the State Legislature "created by a rigged election", the RSP had put itself outside the Left Front.⁸²

CPI to follow Independent Line in Assembly

The CPI told the Congress in West Bengal that it would pursue an "independent line" in the State Assembly, highlight popular demands and press for concrete time-bound action to implement the 17-point programme of the Congress-CPI Progressive Democratic Alliance.⁸³

(C) Union Territories

LACCADIVE MINICOY AND AMINDIVI ISLANDS

Bill to call Laccadives "Lakshdweep"

A Bill seeking to rename the Laccadive Minicoy and Amindivi group of islands as "Lakshdweep" was introduced in Lok Sabha on December 18, 1972.⁸⁴ The suggestion for so renaming this group of islands came from the advisory council of the Administrator of this Union territory and was endorsed by the Home Minister's Advisory Committee for this territory.⁸⁵

⁸²*The Statesman Weekly*, February 3, 1973.

⁸³*Ibid.*, February 10, 1973.

⁸⁴*Ibid.*, December 23, 1972.

⁸⁵*Ibid.*

Book reviews

PRESIDENTS, BUREAUCRATS AND FOREIGN POLICY : THE POLITICS OF ORGANISATIONAL REFORM by I. M. Destler, published by Princeton University Press, Princeton, New Jersey, 1972, 329p.

American foreign policy and the role of the President and the Bureaucracy in shaping and influencing it is today causing deep and bitter debate both in and outside the United States. The book under review has thus an intensive topical interest as it covers the whole gamut of American Governmental Organisation involved in the formulation and operation of foreign policy. The American Council on Foreign Relation provided the author an International Affairs Fellowship which enabled him to spend a year at the Brookings Institution as a research scholar. This book is the fruit of that scholarly research.

In the last chapter of the book the author has indicated his qualifications for undertaking research in such a vital field as the foreign policy organisation of the United States. He is modest in indicating that his official work kept him only at the periphery of the foreign policy mechanism. In fact as he was on the staff of the President's Task Force on Government Organisation in 1967, he had made significant contribution in 1970 to the work of the Discussion Group attached to the Council on Foreign Relations. Indeed the author is eminently well qualified to illumine the potentials and limitations of the various organisational devices constituting the arena of Government operating in the sphere of foreign policy. The author has studiously avoided the substance of American foreign policy which is controversial. He has concentrated on the less spectacular, but no less vital, subject of the mechanics of foreign policy evolution in the United States giving his own constructive suggestions for the improvement of the Governmental apparatus involved in the process.

According to the letter of the American Constitution foreign policy is comprehended with the scope of Treaty Power and War Power. The Treaty Power resides in the President acting with the consent of the Senate. The Treaty of Varseillers was accepted by President Wilson but was rejected by the Senate. When the Senate approves a treaty subsequent Congressional legislation may no doubt over-ride

it. Subject to this and subject also to the Bill of Rights and express constitutional prohibitions, there is no limit to the questions which can be handled by the President touching any matter which properly is the subject of negotiations with a foreign country. The Presidents have further aggrandised their power by the practice of concluding executive agreements falling short of treaties thereby dispensing with the scrutiny of the Senate.

In the area of War Power also the President has an enormous reservoir of power and indeed the scope of his power is so vast and amorphous that it is sometimes referred to as the 'Dark Continent' of American constitutional law. President Truman thought that under the cover of War Power he could seize factories threatened with closure by labour disputes. But the Supreme Court pointed out that it could not 'with faithfulness to our constitutional system' 'uphold such Presidential action because what was done by the President was a job for the Nation's law-makers and not for military authorities' acting under Presidential direction. Subject, no doubt, to the constitutional limitations the President is supreme in the field of foreign policy both in times of peace and war. Such being the theory of the American constitution the importance of the question as to how precisely this tremendous power is wielded and by whom it is operated becomes at once apparent. It is to this question that Mr. Destler addresses himself in this book with highly commendable frankness and thoroughness.

The point of view which the author sponsors in this book is that the President should, subject to certain overall structural modifications of the State Department suggested by the author, rely primarily upon the Secretary of the State Department rather than upon an *ad-hoc* appointee such as the National Security Adviser who is wholly outside the bureaucratic hierarchy. The author would have listed President Nixon to rely more upon Rogers than on Kissinger if the aim was to have a coherent, consistent, purposive and effective foreign policy. In making this suggestion, he is in good company for most of the major studies or proposals on foreign affairs organisation which had addressed themselves to the subject since World War II had suggested that foreign policy coordination should be built mainly around the Secretary and his Department and not around a "Super-Staff centred in the white House."

It may be pointed out that not all Presidents are personally interested in the shaping of foreign policy. Lyndon B. Johnson, for instance, regarded himself as more at home in domestic policy making than in

foreign policy making. Such a President might well rely mainly on the bureaucratic set-up for the formulation and operation of his foreign policy. His predecessors, Truman and Eisenhower, similarly, leaned respectively on Acheson and Dulles. But President like Roosevelt and Kennedy who prided themselves on their deftness in the management of foreign relations naturally preferred to go round the bureaucratic system in order to strengthen their own hold over foreign policy. This tendency has reached its acme under President Nixon with his pathological obsession with secrecy in order to retain as many options as the situation permits for maintaining an extremely flexible foreign policy. The result is that he projects an *alter ego* in the person of his confidential adviser, Kissinger. The author is not exaggerating when he observes that Richard Nixon's charmed circle of those enjoying Presidential confidence is limited "to one man", namely, Kissinger (p. 153), who "lacks a general hierarchy of the subordinates to whom to delegate authority and confidence" (p.151). As a result of this, he points out, the President's "flexibility is well preserved. And so is Kissinger's influence since he is the man most important in formulating issues for Presidential decisions" (p.126).

The Nixon-Kissinger style in foreign affairs, in spite of the odium which it has attracted to itself owing to its secretiveness and ruthlessness, has become a byword for shrewd and successful diplomacy and has given rise to what C. L. Sulzberger has termed the 'Kissinger phenomenon'. No wonder that the system has found imitators. Thus Brezhnev has his Kissinger in A. M. Aleksandrov, the Assistant to the General Secretary of the Central Committee of the Soviet Communist Party. Aleksandrov plays a key role in all diplomatic negotiations invariably accompanying Brezhnev on his travels abroad. West Germany has its Kissinger in Egon Bahr, a close friend of the West German Chancellor Brandt, who conducted the delicate negotiations preceding the treaty between the two Germanys and the earlier Moscow Treaty which sent the Chancellor's fame rocketting skyhigh. Similarly, Edward Heath has his Kissinger in Sir Burke St. John Trend believed to be the Prime Minister's right-hand man. The Nixon-Kissinger style is thus a pace-setter and other countries will sooner than later have the Kissinger counterpart. In our country perhaps D. P. Dhar seems to be out for a similar role in view of his key role in bringing about the Indo-Soviet Treaty and the Simla Summit with Pakistan. The Indian Prime Minister, however, is not a stickler for secret diplomacy and is a believer in open preminently fair and securely mass-based policy even in external relations so that exclusive reliance

on any single instrument is ruled out. The various suggestions of the author in this research monograph are well calculated to further a long-range policy and are, therefore, bound to have a wider appeal though the work is primarily conceived in relation to the American Presidential system of Government.

The set-up of the book needs nothing to be desired and the bibliographical notes provided in the book are very informative and cover a wide ground. In short, the book is well worth perusal by all those interested in a serious study of contemporary politics and foreign affairs organisation and their relation to foreign policy-making in the most powerful democracy of modern times.

B. S. MURTHY, M.P.

INFANT MORTALITY, POPULATION GROWTH AND FAMILY PLANNING IN INDIA by S. Chandrasekhar, London, George Allen and Unwin, 1972, 399 p. £5.00.

This book deals with a subject of vital importance to India, and is the result of considerable scholarship and administrative experience on the part of the distinguished author, Dr. S. Chandrasekhar. India's population problem, of which high infant mortality is perhaps the most depressing feature, has undoubtedly been his "major intellectual and professional concern" for a quarter of a century.

The book can be divided broadly into two parts. The first deals with a historical survey of the Census in India, the paucity and inadequacy of vital statistical data during the period 1901—1970, the known facts on the magnitude of the infant mortality rate, its components as well as its causes, along with a discussion on methods of calculating infant mortality rates.

The first chapter gives an accurate and interesting account of the census and of the registration of births and deaths in India right from the days of Kautilya to the Registration of Births and Deaths Act passed by the Parliament in 1969. The long fight for better and more complete statistics lasting over a period of more than a century at last resulted in this relevant and much needed legislation. If properly enforced, it will provide reliable statistical data required for sophisticated studies in future.

This is followed by a study of the measurement of infant mortality, which is defined as mortality among children of less than one year of age. The infant mortality rate is defined as the number of infant deaths that occur per thousand live births in any population in one calendar year. The importance of such a study can be seen from the fact that in many underdeveloped countries, one out of every five, some times even one out of every four infants, dies before completing its first year of life. "Even in advanced countries where health conditions for infants are the best in the world the first year of life remains the most vulnerable period. Hence, the infant mortality rate may be taken as a reliable and sensitive index of the total health condition of a community of a country." In India, where accurate and reliable statistics of births and deaths are not available, the difficulties in calculating the infant mortality rate are obviously great.

From the international data summarised in chapter 3, it is obvious that variations in mortality rates are very great. "They range from 20 to 500 all the way from Australia-New Zealand to parts of Africa. They vary from country to country, class to class, and community to community. What is more, they vary between various ethnic, religious and cultural groups within the same country and also between rural and urban areas and between the different income and educational groups."

If we compare the proportion of infant deaths during the four periods of infant life *i.e.* below one week, one week to one month, one month to six months and six months to twelve months we find a remarkable consistency; that nearly half the deaths take place during the first four weeks—that is, the neonatal mortality is roughly half of the total infant mortality and further that of this, about 60 per cent occurs in the first week. From this, the author draws the inevitable conclusion that "This provides a clue to the area of infantile morbidity which proves fatal and indicates the kind of measure to be taken to effectively reduce this abnormal rate."

After reviewing the various causes of infant mortality in India such as those connected with food supply, public hygiene and sanitation and sexual mores, the author rightly points out that "the problems of infant mortality in India must be viewed broadly as the product of both the material and non-material aspects of a total ancient society and not merely as the product of a group of infantile diseases which require only medical treatment and medically trained personnel for their prevention and cure"

The author makes a number of valuable recommendations based on studies made by the WHO, the Committees on Child Care, 1961 and others regarding nutrition of pregnant and nursing mothers, the supply of humanised milk, services of paediatricians, general physicians and finally urges the Government "not to shirk their responsibility of embarking upon an effective programme of nutrition education of the population, particularly, of expectant and nursing mothers."

The second part of the book is more optical in nature and deals with the inter-relationships between population growth, infant mortality and family planning. After a careful study of the factors such as modern medicine, improvements in agricultural and industrial production, political stability, universality of the married state and a declining death rate which have contributed to the tremendous growth of population in India in the recent times, the author examines the economic and social implications of this phenomenon and forcefully brings home the lesson that popularising the small family norm is the only way out of the impending doom. Further, he rightly points out:

"While recognising the existence of an acute population problem and conceding the imperative needs for family planning, it is maintained that every possible effort must be made to reduce the infant mortality rate to promote family planning. In India and other developing countries where social security system and old age benefits are absent, old people expect to be supported in their old age by one or two sons as a matter of filial and familial obligation. In traditional and agrarian societies with high infant and child mortality rates, couples tend to have several children to ensure the survival of one or two sons to support parents in old age; therefore, an effective reduction in infant mortality will contribute to a lower birth rate through family planning."

After careful appraisal of the programme and difficulties that come in the way of its successful implementation, the author makes the courageous and significant suggestion that the constitutional or legal rights to have unlimited number of children must be questioned and should not be taken for granted. In his view the fundamental biological obligation of all married couples of the future should be to limit their family size to two or three children, space the arrival of these children and not to produce unwanted children under any circumstances, either in response to political demands, religious injunctions or cultural compulsions.

The book is remarkable for its comprehensive and lucid treatment of the subject, clarity of thought, depth of scholarship and analytical skill and insight on the part of the author, Dr. S. Chandrasekhar. The bold policy suggestions he has made arise out of his passionate study of this most fundamental of all social and economic problems of India and his experience as the architect of our family planning policy for some years. For all University scholars, administrators, politicians and social scientists the book is a must.

Y. S. MAHAJAN, M.P.

POLITICAL PARTIES IN MODERN BRITAIN—AN ORGANISATIONAL AND FUNCTIONAL GUIDE, edited by John D. Less and Richard Kimber, 1972, Routledge and Kegan Paul, London, 288 pages.

'*Political Parties in Modern Britain*' by Lees and Kimber makes an interesting reading about the evolution and functioning of the political parties in the United Kingdom. In Britain, the political parties are products of historical social and political environments. They become more influential, depending on party discipline and individual party loyalty. These parties help to maintain the predominance of parliamentary system in Britain.

This book traces the evolution and growth of the political parties in Britain. Two centuries ago, there was little evidence of any party organisation, though they existed for some time before becoming respectable. After achieving respectability they started to potentially influence the governmental process. Though some parties existed as Whig and Tory groups in the late 17th century, they were first acknowledged by Burke in 1769. Later Ostrogorski and Weber asserted that the origins of party legitimacy were to be found in the effects of the 1832 and 1867 Reforms Acts and the rise of extra-parliamentary mass organisations of the political parties.

The growth of a more democratic political process helped further to legitimise and make necessary political parties as electoral organisations. This helped the creation of their extra-parliamentary organisation to recruit support and maintain mass-electoral base. The Labour Party began movements outside the Parliament. After having convincingly won a general election in 1966, they embarked on substantial efforts to strengthen the internal party organisation.

As regards party finances, there are two ways of raising money. The funds could be raised by collecting large sums from a small number of wealthy supporters or by collecting small sums of money from many people. No political party in Britain is obliged legally to publish its accounts, but the Companies Act of 1967 does require disclosure of company contributions to political funds and activities. The returns of election campaign expenses of the candidates are available for public inspection for 12 months. The deposit of £150 is forfeited if the candidate fails to get $\frac{1}{8}$ of the total votes polled. Broadcasting time is allotted in proportion to party membership in the House of Commons. Television is not used for election purposes.

Trade Unions have been the financial mainstay of the Labour Party. Business and financial organisations provide finances to the Conservatives. The parties have four types of funds: (i) Current running costs of national party organisation, (ii) reserve funds, (iii) election campaign costs and (iv) local constituency funds. The Liberal Party always suffers from financial difficulty.

The book gives a clear picture on the activities of the parties in local governments and tells about national Party Conferences etc. It is educative and I commend the book to students of political science to get a clear picture of the functioning of the various political parties in Great Britain.

P. K. DEO, M.P.

Summaries of Books

DILEMMAS IN PLANNING by G. L. Mehta [Vora and Co., Bombay, 1972; 138 p.]

This volume consists of the article and speeches by the author on the subject from time to time. Having been intimately connected with the planning and development process of the country since Independence, he examines some major aspects of planning such as investment, the use of resources, foreign aid, the strings attached to aid, foreign collaboration, the role of private enterprise and problems of technology and management.

Pattern of India's economy

Analysing the pattern of India's economy the author observes that ours is a "mixed" one in more than one respect because there are governmental and private concerns in the same sphere as in steel, coal, machine tools and fertilisers. Besides, there are "mixed" enterprises in which both the sectors participate. Government have reserved oil for themselves and yet in oil, Government have also had participation of private foreign interests. The same is the case in the manufacture of commercial dynamites in collaboration with the Imperial Chemicals, while in Panvel, near Bombay, Government are setting up with the assistance and collaboration of three foreign Industrial concerns a plant for the manufacture of intermediate dye-stuffs. Similarly, the State Governments are now participating in private industry. Some of the State Governments which were under Indian Princes used to do so—like Baroda, Mysore, Hyderabad and others. And now, some of the State Governments are participating in private industry either by subscribing to shares, giving loans directly or assisting through the State Finance Corporations. All this shows how the pattern of the economy is changing. These governmental concerns have to adopt commercial methods and follow audit rules. They have also to pay taxes. On their Boards of Directors there are active businessmen. In other words, there is in practice co-operation and collaboration between the two sectors and there is no water-tight compartmentalisation which many people frequently speak of.

Scope for Development

There is an immense scope for development in the country and there is so much lee-way to make up that both types of enterprises have large avenues open to them. In so far as Government undertake major schemes which would not otherwise have come up, Governmental enterprises add to the total economic effort. This does not mean that there is complete coordination or that there can be no friction or competition between the two sectors. Such competition does arise even today to some extent, and will arise increasingly in future. Indeed, it has been argued that when we had the exchange crisis in 1954-55, some of our resources, particularly, in regard to foreign exchange, were diverted to save what was called "the core" of the Plan. And this, probably adversely affected to some extent private enterprise.

Competition and Coordination between the two sectors

But, there is no doubt that in course of time and as State enterprises develop in different spheres, many questions will arise in regard to competition and co-ordination between the two sectors. However, if there is sound planning in a mixed economy, if the targets have been properly fixed as between public and private sectors, then, broadly there should be no difficulty in allocation of resources.

It is essential to remember that several problems are common to public and private enterprises such as those relating to productivity and efficiency, costing, relationship between management, officers and staff and labour; both need experiment and innovation, both require initiative and team spirit and co-operation. All these are as necessary in governmental enterprise as in private corporations—whether it be a railway, an industrial plant or a coal mine or state trading. One difficulty in governmental enterprise is lack of flexibility in administration because in Government Departments, decisions cannot be taken as quickly as they can usually be in a private concern. One has to go up and up in the hierarchy and finally, the Minister is responsible to Parliament. These difficulties are undoubtedly there, but if an administration is well-run, such impediments are not insuperable.

The sphere of the public sector is bound to expand in future in the country. But it will not expand at such a pace or be of such a magnitude in the near future as to make the private sector feel "cramped, cabined and confined." In the ultimate analysis, the private sector will maintain and even improve its status and influence in so far as it shows the capacity to do the job better.

It is the lack of integrity and sense of social responsibility that damages private enterprise far more than ministerial speeches and official statements of policies.

Those who seek the elimination of the private sector or advocate it, do not fully appreciate the dynamics of growth in the economy like ours. On the other hand, those who advocate the abolition of the public sector do not understand the essentials of social and economic developments in an emergent country like ours at the present day.

Technology and Development

Developing countries need technologies appropriate to their conditions, resources and needs. This may be called "intermediate technology" or "appropriate technology". What is important are the approach and the content.

We should not indiscriminately adopt technologies from Western countries. "Intermediate technology" does not mean "inferior technology" or the adoption of primitive methods. The problem is of finding a balance between machinery and men, between maximisation of employment and attainment of economic growth, because the two are not incompatible. We cannot reject machinery altogether.

Economic progress has to be judged from the viewpoint of cost and efficiency as well. Some of the industries have become inefficient by employing more men than they actually need. But since conditions obtaining in the developed countries and in India are different, there should be no blind and indiscriminate borrowing of technology. There should be adaptation rather than adoption. Transplantation of techniques, methods and institutions from other countries is not free from the danger of copying the obvious and leaving out the essential.

Aspects of Social gains

In the industrial process, the question of social gains must be considered alongwith aspects of economic efficiency. For example, automation can render a large number of people jobless. Therefore, a selective approach in which the pace and degree of mechanisation should be determined in the light of our prevalent agricultural and industrial conditions would be preferable. If agriculture is going to be more mechanised and capital-intensive then it might also create problems of unemployment in rural areas and generate new social tensions.

We should arrive at an optimum size for different products in the small and large scale industries in view of the economies of production by taking into consideration the volume of employment, created, social cost to the community, the demand for the product and the purchasing power of the people.

Intermediate technology

Intermediate technology would also have to take into account questions of exports and balance of payments. By adopting an inadequate technology, our exports would suffer to such an extent that the balance of payments would get out of gear. The view that India should not think of exports since it has a very large domestic market cannot be entertained.

Western countries with their capital-intensive technologies are not likely to undertake research to evolve a technology suitable to the developing countries. Large multi-national concerns possess technologies and other labour-saving devices which would be of little use to us. We have to see what is most suitable in our conditions.

Appropriate Technology

India is, in many respects, the best qualified country among the developing countries of Asia and Africa to evolve an "appropriate technology" since it has a technological base. We must try and think beyond the temporary period when subsidies, grants and concessions are required. With the consumer as the judge for all products, we should plan for the long-term with due consideration to the quality and cost of products.

In the final analysis, all development is for human dignity and social welfare. We have to take a long view of the application of Technology. Unless the productive system is geared to more equitable distribution, it leads to social tension and violent extra-constitutional solutions. The efficiency of a system has to be judged not merely by its profitability but by its ability to serve human needs.

Investment and use of resources

This question is complex because it involves import of technology, capital goods as well as foreign currency which is scarce. Technology itself covers design and engineering and involves application of existing knowledge to specific conditions and problems. It flatters us to

speaking of national self-reliance in the economic sphere but no people isolated from others and thrown back entirely on their own resources can today progress. Although we have made some technological advance through national laboratories and other research institutions and should make every endeavour to utilise indigenous technology for agriculture, industry and transport, we should at the same time recognise that it still falls short of current needs and imperative demands. Let us not forget that technology is not static nor can it be merely repetitive. There are rapid and extraordinary technological changes even in established industries like steel and fertilisers; and provided we find the latest techniques suitable for our conditions and economical in cost, there is no reason why we should not borrow them. In several industries or products, where we have already attained self-reliance or near self-reliance, such as, for example, cotton textiles, sugar, cement or other consumer goods industries, we can dispense with foreign technology. Here, again, priorities should be determined and observed so that resources are concentrated on those areas where most beneficial results are obtained in the shortest possible time. This is essential also because of the balance of payments difficulties and our more urgent needs.

Co-operation between Industry and Research

It is in respect of some aspects of basic research but particularly applied processes that we stand to benefit by close contacts with foreign technology. Design and engineering should have priority and here we can become fairly self-reliant in the near future, without loss of efficiency. Progressive use of engineering in projects should be adhered to and insisted upon both in the public and private sectors though the Government which preaches the value of self-reliance to private industry in technological matters have acquitted themselves none too creditably as in the Bokaro project. We should also recognise that in industrial growth cost and efficiency by international standards are relevant, particularly, in industries which have possibilities of export. The time factor is important in many cases while the element of risk in adopting an untried technology has to be considered in projects involving large investments. While broad categorisation may be laid down about industries where foreign technology may not be necessary, it would be essential, at least for some time to come, to consider each case on its merits rather than take up a rigid attitude which would only defeat the objectives we have in view. What is essential is to have much closer association and co-operation between industry and

research institutions, and co-operative research by industries themselves. Industries should be induced to strengthen their technological capabilities through fiscal incentive if necessary while confidence should be infused among scientists and technologists about the contribution they can make to economic development.

Use of Foreign capital on Selective Basis

The Fourth Plan visualises rapid industrial advance on many fronts which would require advanced technology such as in petro-chemicals, fertilisers, alloys, electronic and machine building. We shall, therefore, need foreign capital for which provision of Rs. 137 crores per annum (or Rs. 685 crores for five years) has been made. We should however, have this on a selective basis keeping in view our priorities and the real cost and return involved. This demands a pragmatic approach towards the problem of foreign collaboration rejecting undue dependence (such as "turn-key" jobs) on the one hand and a doctrinaire opposition or irrational xenophobia on the other.

Foreign aid

Over the years, aid has changed its form, and not only its content. Aid has acquired the broad concept of an instrumentality to development; it therefore, takes forms which are needed to further development in the context of the needs of a country. Many countries in Africa and South East Asia have obtained aid to build up health and education facilities; other countries have taken aid to develop their production facilities in agriculture and industry.

Similarly, aid is no longer confined to the provision of capital goods. It has taken the broad form of providing maintenance goods—raw materials and components, inputs to improve productivity—like fertilisers and improved seeds and trained personnel to work the equipment and to impart training.

Foreign aid makes possible an annual rise of 1 per cent of the national income in India. In fact, given our population growth rate, almost the entire growth in *per capita* income can be attributed to foreign aid. Even if foreign aid has not enabled India to become affluent, it has at least helped to prevent an increase in the pauperisation of the society.

In formulating and executing programmes of aid there should be a sense of equality in deliberation and organisation. The donor countries, on their part, are entitled to expect that the recipient countries themselves makes a rational effort for development through taxation, efficient administration and popular participation for effectively implementing various programmes.

Such programmes should be for the benefit of the people and not for the advantage of a corrupt or unpopular regime or of a privileged group. There should be basic respect for human rights, where aid for some specific purpose is given it may be necessary to see that reform of the structure of the economy is undertaken.

The role of private enterprise in India

While the broad structure of economic policy has remained unchanged, its implementation has become more flexible and in many ways more favourable to the exercise of the private sector, both indigenous and foreign.

The Government still has considerable power over economic policy decisions. The very scale of Government operations has increased considerably under the Plans. In many lines—to name a few, iron and steel, machine tools, antibiotics, fertilisers, coal, cement—the Government and the private sector operate side by side as competitors; in some of these, the relationship is that of buyer-and-seller.

Many fields of enterprise still remain closed to private enterprise. On the other hand, Government has shown greater flexibility in its attitude towards participation and expansion of private enterprise in some others, for example fertilisers and basic chemicals.

The milieu in which private enterprise functions today is far different from that prevailing in the eighteenth and the nineteenth centuries. Private enterprise is no longer taken for granted, and its justification is no longer sought to be measured only by the profit rate it is able to earn. Private enterprise will be judged by—and its survival depend upon—its social utility to the economy. This casts a heavy responsibility upon those who sponsor, organise, finance, and operate private enterprise.

Responsibility always goes with power. The advantage of private enterprise has been to share this power and this responsibility—to

bring about its wider distribution. To every individual's power—whether it be the power of ownership of means of production or employment of individuals—there exists under private enterprise the counter-vailing power of another who is competitor or a customer, and ultimately, of the State which acts as arbiter in case of conflict of interests.

Private enterprise, in brief, cannot expect to be a vested interest in itself. Like any social institution, it must stand ready to be judged by the results it produces. By its nature, it is dynamic and resilient as could be seen by phenomenal developments in the United Kingdom, in West Germany, and other countries. The author feels sure that it will not be found wanting in the challenge it faces in the emergent economies.

Private foreign investment

It is legitimate to ask how far foreign private investment has been beneficial for the growth of our economy. At the time of Independence, most of our industries were concerned with consumer goods, plantations and extractive products. Barring two steel mills, we had hardly any capital goods or intermediate goods industries. Today, the industrial scene presents at a very different picture in which, apart from the petroleum refining industry, chemical and pharmaceutical industry, light and heavy engineering industries, man-made fibre manufacture and several other industries have been established, and are working on a profitable basis. It is difficult to assess in precise terms the contribution made by foreign capital and technology in this development. Many of these industries would not have come into existence or would have taken many years to expand but for the technical know how and skills we obtained from abroad. The gain is not merely in terms of physical output but in the training of our technicians and developing the skills of modern management. Beginning with medium scale industries in which foreign investors took interest in joint ventures in the initial stages, we now witness substantial investment in heavy and light engineering as well as in chemical and petro-chemical industries in which very large quantum of capital as well as technical knowledge and skills are needed.

Development and foreign collaboration

With this background of industrial development, there is legitimate expectation that there should be growing import substitution and

export promotion so that we might be able to narrow the gap in our balance of payments and thus live well within our means.

While we had planned to reduce our requirements of imports of capital goods and certain items of critical raw materials, experience has shown that as our industrialisation proceeded, imports have far exceeded the original estimates, thereby increasing the gap in our balance of payments. In the initial stages, this was bound to happen but adequate effort does not seem to be in evidence to develop import substitution by utilising fully the capacities that have been already installed. More serious has been the position regarding exports of our goods and services. The impact of foreign collaboration has not been of any marked significance in strengthening our competitive ability in regard to exports. This has been mainly due to the fact that the volume of production being on a small scale, the cost of production has been high resulting in prices much above those of the competitive volume of production being on a small scale, the cost of production has hitherto been so large that the entire supply was absorbed in the domestic market. There was, therefore, hardly any incentive for producers to export their goods. There was also at times an obstacle in the form of restrictive clauses in several collaboration agreements on exports of joint ventures. It may be concluded that the results of foreign collaboration in industrial enterprises in India have been beneficial, though there have been cases in which joint venture enterprises were not as successful as anticipated.

ADMINISTRATORS IN A CHANGING SOCIETY by C. P. Bhambhri [Published by National Publishing House, Delhi, 1972, 260 p.]

This study concerns itself with the socio-economic background, attitudes and role of the higher echelons of bureaucracy in India. The author describes the structure of bureaucracy and the organisation of the Central structure of bureaucracy and the organisation of the Central Secretariate in India devoting particular attention to the Indian Administrative Service. He has described in detail its socio economic background, its milieu, challenges and response, training programme, socialization etc., by means of a large number of tables and charts. A Chapter is also devoted to the Indian Foreign Service, in which the author points out what he consider to be its shortcomings.

Generalist Versus spccialist

The "generalist" character of the higher echelons of bureaucracy is viewed as a serious defect of the administrative system of

India. It is argued that the generalist all-rounder IAS is incapable of managing public sector undertakings; and performing policy formulations functions in Ministries/Departments of technical character like Heavy Industries, Steel and Mines, Petroleum and Chemicals. In an age of science and technology, specialists and not generalist are needed for managing public affairs.

The generalist civil service is considered incapable of meeting the challenges of the age of technology. Further, the Indian bueraucracy, with traditions and approach of law and order, is not considered suitable for managing developmental functions associated with economic and social change. The question is: can the same bureaucracy be entrusted with the maintenance of law and order and bringing about social change? Serious doubts are expressed about the capacity of the Indian bureaucracy to act as an instrument of modernization.

The 'Committed' Bureaucracy

The debate regarding the capability of the Indian bureaucracy has been carried on in terms of generalist *versus* specialist civil service; and law order *versus* development bureaucracy. The government appointed Commissions and Committees to analyse and examine the "capability" issue in the context of the above mentioned debate. The Prime Minister expressed her doubts in this regard. Her charge was that the Indian bureaucracy lacks "commitment", and one who has no "commitment" to policies and programmes implements them in a routine manner or sabotages their implementation with the help of dilatory practices and jungle of procedures. Viality and vigour in administration is conspicuous by its absence because those who are involved in administration are not committed to the programmes which they are administering. Though the Prime Minister did not elaborate or operationalise the concept of "committed bureaucracy", its one implication was clear that she doubted the capability of bureaucracy to deliver the goods.

In spite of the fact that "capability of the bureaucracy" is a crucial issue, no government appointed Commission or Committee has examined it in a comprehensive manner. No yardsticks or indices of measuring capability of bureaucracy were evolved. At best the Commissions and Committees argued in favour of changing procedures of work and took stand in favour of the supremacy of the generalist or some concession for the specialists. This becomes clear from the opinion expressed by the various administrative reformers commissioned by the Government of India.

Reform of Bureaucracy

It is difficult to reform any bureaucracy especially one which has full control over leavers of power. The proposals of the ARC were examined and scrutinised by a **Secretaries' Committee** (themselves ICS Officials) and proposals limiting the role of the IAS were not accepted. One defect with the ARC proposals is that they are not in favour of a complete break with the past. The ARC wants to retain the IAS but with truncated role. This is not possible. Either the IAS shall continue to occupy its present hegemonic position in the administration; or it should be totally abolished replaced by services trained for the various specific jobs. The failure of the ARC, besides the fact that reforming Bureaucracy is an impossible task, is partly inherent in its approach. The ARC attempted a patch work. It defined areas where IAS is needed, and areas where IAS is not needed. Delineating areas of work and jurisdiction is always a difficult job, especially when some one is being asked to surrender his areas of jurisdiction. Those who are in power can always justify their indispensability for the various tasks they are performing.

Another defect in the approach of the ARC was that it did not present any framework or philosophy of administration as an alternative to the existing system. If it had advanced a totally alternative framework and if found logical and scientific, public pressure could have been built in favour of the ARC proposals for reforming the bureaucracy. The internal pressures of bureaucracy hindering reform or reorganization could be counteracted with external pressures of the informed public and press for reforming the bureaucracy. The ARC could not build any independent support-base in favour of its reform, because it was indulging in patch work and not suggesting an alternative to the present system.

All attempts, which have been partly successful in the past, have been in changing some procedures of work or establishing new organizations like the Department of Personnel. Peripheral reforms have succeeded; basic structural changes in the system have neither been suggested nor implemented. The irony is that even the Prime Minister feels that the bureaucracy lacks commitment and is not capable of meeting the challenges of the present day conflicts in society; but even she finds herself helpless in doing anything concrete in changing the system.

Problems of Indian Bureaucracy

To make the issues clear, there can be only two stands regarding

the problems of Indian bureaucracy. First, the system is sound in essentials, and only needs a peripheral face-lift to deliver the goods. Those who take this stand have to argue that criticism against bureaucracy are exaggerated and it does not suffer from the serious malaise of corruption and inefficiency. A few institutional devices are needed to keep it in good health.

The second stand is that, on the basis of empirical studies and scientific evidence, it has been found that the present system of bureaucracy is unsound in principle and defective in functioning. Macaulay's ideas of civil service are out of date and hence they should be rejected. A Ministry of Steel cannot be left to the charge of a Secretary who has absolutely no background knowledge about steel technology. Further, commitment to a programme is essential for its efficient implementation. Since that commitment is missing and since knowledge of specialised kind is at a discount in the Indian bureaucracy, the whole apparatus is defective and needs a total change.

No Twilight Zones

There are no twilight zones in the debate regarding reform of bureaucracy. Since the debate has been carried on within the premises of the existing system, the reform has been an attempt in futility. To sum up, either the policy makers should accept the system as it is, or wreck it and construct a new system based on new assumptions and fresh premises.

Need for determined Political Leadership

The history of reforming the Indian bureaucracy in the post-independence period is full of half-hearted and weak attempts. Either the political elite should stop criticising the bureaucracy, or it should examine *de novo* the fundamental assumptions underlying it, and test their functionality or dysfunctionality on the basis of clear perception of roles expected of the bureaucracy in the new setting of economic planning and competitive party system. There are certain ecological imperatives which cannot be ignored while evaluating the performance of any institution. The system of bureaucracy which suited the British imperial interests has been entrusted with the tasks of nation-building in a free and democratic country. While the environment in which bureaucracy is operating has changed fundamentally, the system of bureaucracy continues to rest on the same assumptions as developed more than a century ago. The framework of reforming bureaucracy

should be holistic and it must include questions regarding integrity, capability and accountability of the bureaucracy. Any approach which deals with the problem of reform in segments is bound to prove futile. Indian bureaucracy evades an attempt to reform because sometimes partial reality has been analysed; and sometimes action has not followed the thought. The Prime Minister gave the thought that the Indian bureaucracy is incapable because it lacks commitment to the goals of the government. But she did not convert this thought into any action of programme. As she has brought an eminent committed economist in her Secretariat to advise her on matters of economic policy, she could have placed persons in every Ministry in between the Minister and the Secretary. This one structural change in the existing hierarchy would have led to series of changes in the system.

The argument is that if the political leadership is waiting for a movement of the reform to develop internally from the bureaucracy itself, then they can be accused of ignorance of history. Reforming of bureaucracy needs determined political leadership which knows the direction of reform and has the political competence to implement it.

Inadequacies of the Foreign Service

The Foreign Service has to perform specialised tasks in the fields of diplomacy, publicity and commercial activity. No doubt all these three activities are inter-related and form an integrated whole; that does not mean that any one officer is necessarily qualified to carry out each of these tasks. These are specialised jobs and need specialised skills and tools of work. It need not be emphasized that all the three functions to be performed by our missions abroad, should be under the overall charge of the head of the mission. But the present system of entrusting the same members of the Indian Foreign Service with all the three jobs from time to time, seems to be based on a fallacious understanding of their nature. They are highly specialised and need to be performed by individual specialists.

Unified service a Legacy of the British

The present acceptance of the fact that one single unified service can be entrusted with all sorts of tasks is a legacy from the British who have for so long believed in the superiority of the generalist administrator. It is based on the assumption that if a man has intellectual brilliance (which in India is tested in the competitive examinations,

held by the UPSC) he can perform any kind of administrative job. It can be stated beyond doubt that the complexities of the late twentieth century demand specialisation.

Need for Specialised Cadets

Our contention is that diplomacy, publicity and commercial activities require special knowledge and training and the present system of one cadre of persons performing all the tasks is no longer an adequate solution. It is suggested that the IFS should consist of three distinct services instead of the present single unified service. There should be IFS (Diplomacy), IFS (information) and IFS (Commercial and Economic Affairs). These three services would be inter-related but would function as specialised cadres. Consequently the present defects of the generalist approach would cease to exist.

The role of the Foreign Service necessitates its total re-organization. The efficient working of the Ministry of External Affairs and India's missions abroad must depend upon the personnel manning them. Further, co-ordination should be given prime attention by the Minister of External Affairs. In the present changing political context of the Centre-State relations in India, the Ministry should develop a good internal organisation which should be fully posted with information regarding the economic potentialities of each State.

Foreign policy is the product of various forces operating in a country and the world at large. How much influence the civil servant wields in the shaping of a foreign policy is a hidden phenomenon. The official foreign policy is that of the responsible Minister, and the real job of the official in the Ministry and the foreign mission is to implement it in the best possible manner.

***THE REFORM OF POWER: A PROPOSAL FOR AN INTERNATIONAL SECURITY SYSTEM*, by Leonard Beaton [Published by Chatto and Windus, London; 1972; 240 p.]**

In this book, the author who was at one time Director in the Institute of Strategic Studies, London, presents his ideas on the evolution of a new international security system. This can only be brought about by a reform of policy leading to a better understanding, especially by the "Super Powers", of the relationship between power for national defence and power for global destruction; between the compulsion of interdependence and the pressures of independence. The author

rejects as impossible and undesirable the idea that any international structure should be based on world government or that sovereign states should be required to give up national responsibility for national defence. Instead, he suggests that this responsibility should be enhanced so that states are enabled to make commitments and undertake assignments for international security after the NATO pattern. This would bring about a synthesis of national and international policy and supra-national force in the interest of the kind of security which alone can ensure survival.

In seeking this, we must move forward from the present, step by step, using the international institutions we now have, while creating new ones for specific tasks as and when needed. To this end, governments must identify and develop "a common security interest below the level of actual political dispute." It is necessary that the new system must develop from existing international systems working through the United Nations.

The Working Principles

It is not the purpose of this study to say when the kind of conscious international security system it advocates might come into existence. It is a study of how certain elements of it could be constructed if fear of unintended war and fear of the spread of weapons of mass destruction should combine to persuade a decisive group of countries that they must find a safer way to organize force. It is an attempt to find the working principles and the first steps in the reform of power.

The U.N. Security structure

The approach is conservative and gradualist. However, the central problems have already taken shape and some of the lines along which they might be solved have already been indicated. With the United Nations, one obviously important piece of machinery has been constructed. Some elements in its design and experience may have rendered it permanently unfit for the security responsibilities for which it was primarily created: its voting pattern is divorced from the realities of power; there is a long history of resistance specialised military staffs; and where security issues are concerned there has been a constant effort to use the U.N. to promote national interests rather than to work within the limits of the common interest. Nevertheless, the U.N. seems to have achieved one of the elements of strength in governments;

the reputation for being (in spite of almost fatal weaknesses) an inevitable and even possibly permanent fact of life. If we create working security institutions in our time, they will no doubt be linked in some way to the U.N. security structure.

The N.A.T.O.

Other institutions are important for the lessons they teach. The North Atlantic Treaty Organization is an outstanding example of an attempt by significant powers to create an international security system. While this only exist because of a common European-North American appreciation of a particular threat, its life has taught more general lessons. N.A.T.O. has established the classic cases of nuclear guarantees and, more generally, of the transmission of the security problems of certain countries into the security policy of others. Its sharing and planning arrangements, and its system of national forces committed to international commands, all indicate how a modern international security structure might evolve.

The Economic Institutions

The economic institutions of the West—mainly the General Agreement on Tariffs and Trade, the International Monetary Fund, the Organization for Economic Cooperation and Development, the World Bank and its affiliates, and the Group of Ten—also teach important lessons. With them, as with any arrangements for international security, common interests must be found and then enforced through rules that enable those interests to be sustained against particular interests. There was no external stimulus, as with N.A.T.O.; yet they have handled issues which aroused political passions quite as great as those aroused by contemporary security problems among leading powers.

Need for an International Security Organisation

Few countries consider membership in the United Nations to be a political issue responsive to their international policies. With isolated exceptions, the existence of the United Nations is taken for granted in the way that the League of Nations was not. We have advanced to the point where its existence has passed out of international politics. There is similarly no reason why broad and important advances in international security should not be made by the powers jointly in the presence of only a limited willingness to work in concert. This depends on achieving a professional relationship which is deliberately kept outside politics. A central argument advanced here is that the way forward is to

create a central professional military organisation to discover where the common security interest is and to administer it. Such an organization may eventually help to widen the area of concerted action but it should not depend for its creation on a pre-existing alliance relationship. A certain concert of the powers is needed, for example, to operate the International Civil Aviation Organization. Without such a concert, world aviation would be impossible. But this mutually valuable technical objective does not depend on dedication to perfect amity; nor has it required governments to concede ultimate control over their own air space. There was a common interest to be served; it required specialized technical skills; and the necessary organization was created in common to solve the common problems.

Once such an organization had come into existence in the security field and governments knew its working and understood its character, its responsibilities would expand to the extent that governments identified common security interests. In any one period that might be very much or very little, depending on the skill with which the institutions were managed and on the political climate in the world. No doubt there would be periods when the system would do well to survive and continue to discharge its most pressing obligations. But as in federal states, there would be a natural tendency for power to accumulate at the point at which problems could most easily be solved. All the evidence is that on the great security issues this would be at the centre.

An international security system might be created over a period of time without dismantling the present one, as this is understood by governments, and without any particular change in the Soviet-American political climate. It rests on the thesis that there is no irreconcilable element in the present system—an assumption which in turn depends on the belief that there is no group of powers which is ready to challenge the *status quo* by war.

Menace of Nuclear Arms

There is evidence of progress in the search for a common security interest in the nuclear arms talks on testing, non-proliferation and control, in the growing awareness of the danger from the commitment of great powers to opposite sides in conflict between smaller powers, in the increase of functional co-operation in new fields where the interdependence is obvious. Any such evolution will require immense political wisdom and effort, cannot be based on any central monopoly of

power and will be determined largely by relations between the super-powers and particularly on their success in dealing with the menace of nuclear arms.

SOVEREIGNTY AT BAY: THE MULTINATIONAL SPREAD OF U.S. ENTERPRISES by *Raymond Vernon* [Published by Basic Books Inc., New York, 1971, 326p.]

This book deals extensively with a major new economic power that has emerged on the world scene during the last few decades, namely, the large multinational U.S. enterprise. The author describes in detail their different organizational forms, their varied adaptations to developments in technology, transport and communication and their high economic efficiency.

Multinational Enterprise

According to the author such an enterprise generally turns out to be a parent company that controls a large cluster of corporations of various nationalities. The corporations that make up each cluster appear to have access to a common pool of human and financial resources and seem responsive to the elements of a common strategy.

As a rule, multinational enterprises exude an aura of strength and flexibility. These attributes seem to come partly from the fact that the constituent parts of the multinational enterprise generally consist of corporations, that those corporations are of different nationalities, and that their assets are located in a number of national jurisdictions.

Though the corporations are endowed with some of the rights of natural persons, such as the right to own and owe and the right to sue and be sued, they are not constrained by the prescribed three score years and ten. Secondly corporations can create offspring without limit, generate siblings as needed, even experience death and reincarnation. Though the parent of the multinational enterprise may be American, its offspring may take on many other nationalities.

Though multinational enterprises existed here and there for almost as long as the modern corporation itself, they have appeared in considerable numbers only during the past few decades. In terms of what they were created to do—to make and sell goods and service more effectively—there is not much doubt of their utility. At the same

time, however, they sit uncomfortably in the structure of long-established political and social institutions. They sprawl across national boundaries, linking the assets and activities of different national jurisdictions with an intimacy that seems to threaten the concept of the nation as an integral unit. Accordingly, they stir uneasy questions in the minds of men. Is the multinational enterprise undermining the capacity of nations to work for the welfare of their people? Is the multinational enterprise being used by a dominant power as a means of penetrating and controlling the economies of other countries? Whatever the answers to these questions may be, is the political and economic power of the multinational enterprise "excessive"?

Size and Capacity of the Ventures

There are about 187 companies in the U.S. which can be identified as multinational corporations and these contain not only the best-known manufacturing enterprises with major overseas interests but also practically all the major raw-material producers with such interests. They portray a group of enterprises of ties that involve the relatively heavy use of skilled manpower and of advertising outlays—in short, a group of enterprises bearing the characteristics usually associated with oligopoly. Measured by sales or employees per firm, these enterprises are in a class by themselves. The profitability data suggest that the 187 have an edge in that respect. The emphasis among the 187 on relatively extensive use of skilled technical manpower and relatively heavy expenditures for advertising can be detected in various ways; partly inductively, from the characteristics of the industries in which they specialize and partly directly. Though the 187 enterprises tended to concentrate their activities in industries bearing the signs usually associated with oligopoly, they also displayed a strong tendency to spread their activities across many industries. Their outstanding size, it was apparent, was owing in part to the unusual spread of their activities.

Not only were the number of products of the 187 larger in relation to the rest, they were also less closely related to one another. Some kinds of items are generally produced together in the same firm because of various production and marketing affinities, such as steel rods and steel wire; and some are not, such as canned pineapple and aluminium siding.

The Industries in which the 187 are most prominent offer no surprises, in view of their heavy emphasis on skilled manpower and on advertising. At the low end of the scale are textiles and steel, at

the high end motor vehicles, fabricated metals, petroleum, drugs and other chemicals. One might perhaps have expected the tobacco and the aircraft industries to appear higher on the list; but otherwise the picture that emerges is very much according to expectations.

The group holds a major position in the U.S. economy. There is no telling exactly how much of the sales reported by the 187 took place inside the United States because the consolidated statements of these large corporations generally contain a considerable part of the sales of their overseas subsidiaries. Perhaps 32 or 33 per cent would be close to the mark, which is formidable enough.

The dominant position of these enterprises, pronounced as it is in relation to the U.S. economy as a whole, is even more evident in transactions between the U.S. economy and foreign countries. According to an analysis, the 187 enterprises tended to produce items that were heavily export-oriented.

Power of Multinational Enterprises

The multinational enterprise as an economic institution seems capable of adding to the world's aggregate productivity and economic growth, as compared with the visible alternatives. In some kinds of industries, its contribution to productivity and growth seems less than in others. There may even be industries in which the existence of multinational enterprise is stifling the growth, though these situations are probably exceptional.

Conclusions regarding the distribution of the benefits of that growth are more uncertain. However the idea that the "lending" country captures all the benefits while the yield to the "borrowing" country is zero or negative seems altogether improbable.

As for the distribution of benefits within the countries, it is difficult to say how the operations of multinational enterprises are affecting the outcome. For instance, the question as to whether existing inequalities of income are enlarged or reduced in host countries by the operations of multinational enterprises depends partly on the alternative economic system one has in mind. There is no evidence that economies which retain elements of a decentralised enterprise system, such as the Japanese, the Mexican, and the Yugoslav economies, have managed to develop more egalitarian income distributions by placing special limitations on the scope of multinational enterprises.

Effect of Multinational Enterprises

Although it is hard to say just what effect multinational enterprises have had on national income distribution, some other effects of the multinational enterprise, have been clear. As a rule, the presence of multinational enterprises has generated tensions in the foreign countries where they appear: not much in some countries, but a great deal in others. When such enterprises are headed by U.S. Parents, that fact generally tends to increase the level of tension associated with their presence.

Problems of multinational Enterprise

Different value systems lead to different definitions of the problems of the multinational enterprise. The problem contains several elements. Sovereign states have legitimate goals towards which they try to direct the resources under their command. Any unit of a multinational enterprise, when operating in the territory of a sovereign state, is also responsive to a flow of commands from outside, including the commands of the parent and the commands of other sovereigns. Moreover, the multinational enterprises as a unit, though capable of wielding substantial economic power, is not accountable to any public authority that matches it in geographical reach and that represents the aggregate interests of all the countries which the enterprise affects. As long as these two issues remain unsolved, the constructive economic role of the enterprise will be accompanied by destructive political tensions.

Its Role and Future in less-developed countries

The fact that many less-developed countries associate themselves with some form of socialism needs no detailed documenting. The number may even have increased somewhat in the course of time. It is not clear, however, just what that espousal means for the role of the multinational enterprise. During recent years, several genuinely socialist countries have been exercising enormous ingenuity to find a way of assigning a role to foreign-owned enterprises in their economies. The Yugoslavs, of course, have moved farthest in this direction; by 1970, foreign-owned enterprises were in a position to negotiate for rights that were the *de facto* equivalent of those available in such non-socialist states as Mexico or Brazil.

Many other less-developed countries—for example, Pakistan, Tunisia and Iraq—though committed to socialism of some sort, have nevertheless cultivated a certain deliberate ambiguity over the future

position of multinational enterprises in their economies. As India edges her way towards national identification with socialism, it is not at all clear that the country's policies towards foreign investors will grow any more restrictive. Besides, the actual shift of less developed countries towards state ownership of the means of production has not been irrevocable—witness the cases of Indonesia and China. Neither is it clear that the countries that do not yet see the future in these terms will eventually make the shift. Mexico, with her abiding coalition of local big business, bureaucracy, and a single party of ambiguous ideology, seems as likely a model as Guinea. Yugoslavia, with her bent for improvisation and pragmatism, seems no less likely a model of the future than Cuba.

There is one characteristic of the less-developed world, however, that it does seem safe to predict. This is an endemic condition of political instability.

If political instability is to be anticipated as the normal state of being in the less-developed world, however, there is a corollary that does bear on the future of the multinational enterprise. There is generally a learning period following any coup, in which the new leaders confront the question of conflicting national objectives. Is independence, for instance, to take a place ahead of growth? Is long-term growth to be subordinated to short term recovery? And by what means are the chosen priorities to be achieved? Whatever the trend of ideology may be in the less-developed world, therefore, uncertainty will be the lot of the foreign investor.

There is another corollary that goes with the prospect of instability. Situations will be frequent in which one side or another in a local political struggle will need some issue on which to rally local support. One of the most reliable issues for that purpose in less-developed countries is a show of firmness toward the foreign investor. This phenomenon, so common in the life of multinational enterprises, is overwhelmingly likely to endure.

CHINA AS A NUCLEAR POWER IN WORLD POLITICS
by Leo Yueh-Yun Liu [Published by Macmillan; 1972; 125 p]

This book examines China's basic foreign policy objectives from both the historical and the contemporary points of view and China's present and future nuclear strategies. Besides analysing China's view towards the military and political implications of its nuclear weapons

and their impact upon the present nuclear deterrence, the study discusses the possible world order in the future as a result of these developments.

Emergence of China as a Nuclear Power

In recent years, Communist China has been emerging as another nuclear power in the international political system. Since 1964, it has conducted eleven nuclear tests. They ranged from the first enriched-uranium bomb in 1964 to a nuclear warhead carried by a guided missile in 1966, a multi-megaton H-bomb in late 1968 and an underground test in late 1969. Further, in 1970 and 1971 respectively, Communist China successfully launched two space satellites. Thus it has conducted a very impressive variety of tests and at the same time demonstrated rapid progress in nuclear weapons development. It is, therefore, imperative to determine whether Communist China will become a major nuclear power; and, if so, whether that would affect the present international system.

China as a Major Nuclear Power

At the present rate, China will become a major nuclear power, possibly, within the next fifteen years. As regards its attitude towards world nuclear proliferation, although Communist China has advocated nuclear proliferation, it appears that its more direct and true intention is to find a rationale for the development of its own nuclear weapons. It appears that in the Chinese view, the most effective way to break the 'nuclear monopoly, and world co-domination' by the superpowers is by China's becoming a strong and powerful nuclear country itself. In fact, this is its most important alternative and Communist China apparently has pursued it most vigorously.

Effects on International Political System

In the near future, communist China will become a major nuclear power, with a stockpile of I.C.B.M.s and a certain degree of invulnerability of its nuclear force. As a result there will be three major national actors, namely the United States, the Soviet Union and the Communist China, in the international system. Of course the simple fact that a third major national actor will be added to the international system does not necessarily mean that there will be drastic major change in the structure as well as in the characteristics of the system. However, in the event of Communist China becoming the third major national

actor, because of its foreign policy objectives and its relations with other national actors in the system, the international system will face many serious stresses.

When Communist China becomes a major nuclear power, unless there is a drastic change in Chinese foreign policy objectives, it is very likely that it would pursue these objectives more directly and aggressively. For example, it might use its conventional force directly or use nuclear blackmail to force or induce many national actors to support China as the leader of a new power centre in the international system. Communist China might first try to establish its hegemony among countries in South-East Asia. Afterwards, Communist China might try to establish its influence through revolutionary wars or subversions in countries in Africa and Latin America.

The emergence of Communist China as a major nuclear power, because of its foreign policy objectives could virtually force the Asian countries, notably India and Japan, to develop their own nuclear weapons. Consequently, a chain reaction of nuclear proliferation would become inevitable in the international system.

Development of Nuclear Weapons

It is true that there are still many disincentives, such as cost, to nuclear weapons development. However, it is important to note that the cost of nuclear weapons development for countries with small nuclear facilities is by no means prohibitive. As to international control, the Partial Nuclear Test Ban Treaty and the Nuclear non-proliferation Treaty are not universally accepted; nor is there any agency to enforce them. Besides, as far as the Non-proliferation Treaty is concerned, parties to the Treaty can withdraw from it by giving three months' notice. Therefore, these disincentives are by no means quite so effective as they may seem. Should a country get involved in a tense local conflict, the nuclear weapons programme, of its adversaries would provide it with very strong security and prestige incentives to initiate its own nuclear weapons programme. At present, many countries already possess the necessary resources and technology to start a nuclear weapons programme.

Therefore the development of nuclear weapons by many Asian countries in response to the development of operational or major nuclear weapons by Communist China may well lead to a chain reaction of nuclear proliferation in the entire international system. As a result,

the international system would face the following additional stresses which could erode the nuclear deterrence and stalemate in the present international system.

As the number of countries possessing nuclear weapons increases, the probability of their being used would also increase. Since the new nuclear countries would not possess an invulnerable second-strike nuclear force some of them might be tempted to launch a pre-emptive nuclear attack on their adversaries or at least their nuclear facilities to eliminate the threats or potential threats from their adversaries, once and for all.

Threat of Nuclear Attack

So far, there has been no threat of anonymous nuclear attack. At present, a nuclear attack on the United States would inevitably be attributed to the Soviet Union and *vice-versa*. It is unlikely that France and Britain would launch such an attack. Since the attacker could be identified quickly and easily, an immediate retaliatory attack could be launched by the victim. Therefore, neither superpower could expect to attack its adversary and remain undetected and unscathed. However, as the number of small independent nuclear countries increases, the source would become very difficult to identify. Some nuclear countries might, therefore, be tempted to launch a nuclear attack on its enemies, hoping to escape detection.

In a world of nuclear power, adequate communication among countries would also become much more difficult to maintain. So far, between the superpowers, channels such as the 'hot line' have been able to help facilitate communication in time of crisis. However, 'as the number of nuclear powers increases, the amount of attention each country can pay to one rival declines'.

The new complexity would appear in the relations between various new nuclear powers, between the superpowers and those countries, and between the superpowers themselves. Consequently, chances of miscalculation and sim-escalation would become much greater. Such a situation could be extremely dangerous in the nuclear era in which decisions have to be made in split seconds.

Effectiveness of Non-aligned Countries

When Communist China becomes a major nuclear power, many countries, especially those in Asia, might decide or be forced to join the Chinese Camp, or become constant supporters of the Chinese

foreign policy. Consequently, the size, strength and effectiveness of the non-aligned actors in the international system would be greatly reduced.

The reduction in size and significance of the non-aligned actors would also seriously affect the functioning of the United Nations as a 'preventive diplomacy' or 'preventive security' agency in the international system. Furthermore, these countries, have so far regarded the United Nations not only as a significant organisation for the maintenance of world peace, but as the protector of their integrity and independence. However, when these non-aligned countries become nuclear countries in response to Chinese nuclear development, they would feel that since they have nuclear weapons, they do not have to depend on the Organisation for the maintenance of their independence and sovereignty. Should they get involved in a local conflict, they would think that nuclear weapons could be used as a last resort for final victory or for a showdown with their adversaries. Consequently, their willingness to accept the U.N. mediation would significantly decrease.

Stability of the International Political System

When Communist China emerges as a major nuclear power, the international political system, *i.e.* the 'loose bipolar system' will become very unstable. While the addition of a third major nuclear power would inevitably change the basic structural pattern of the international system, with communist China as the third major national actor, there will be more than simply minor structural changes.

The stability of the system would significantly diminish, if not disappear. Several serious changes in the characteristics of the system *e.g.* the decreasing restraining power of the superpower over other national actors; the diminishing effectiveness of the present nuclear stalemate and nuclear deterrence; the reduction in the functions and significance of the universal actor, *i.e.* the United Nations, and of the non-aligned actors in the international system would take place.

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APPENDICES

- I. Statement showing the work transacted by the Fifth Lok Sabha during the period 1st November, 1972 to 31st January, 1973.
- II. Statement showing the work transacted by Rajya Sabha during the period 1st November, 1972 to 31st January, 1973.
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- IV. List of Bills passed by the Houses of Parliament and assented to by the President during the period 1st November, 1972 to 31st January, 1973.
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- VII. Party Position in Parliament and State Legislatures—
 - A. (i) Lok Sabha (State-wise)
(ii) Lok Sabha (Party-wise)
 - B. (i) Rajya Sabha (State-wise)
(ii) Rajya Sabha (Party-wise)
 - C. State Legislative Assemblies.

APPENDIX I

*Statement Showing the work transacted by Lok Sabha during the period
1st November, 1972 to 31st January, 1973*

N. B.— The Seventh Session of Lok Sabha commenced on February 19, 1973. The details about its activities during the session will be published in the July, 1973 issue of the *Journal*. The information relating to the sittings etc. of Committee of Lok Sabha during the period 1st November, 1972 to 31st January, 1973 is given below :

Name of the Committee	Meetings held
Business Advisory Committee	7
Committee on Absence of Members from the Sittings of the House	1
Committee on Petitions	5
Committee on Private Members Bills and Resolutions	4
Committee on Privileges	3
Committee on Public Undertakings	24
Committee on Subordinate Legislation	3
Committee on the Welfare of Scheduled Castes and Scheduled Tribes	7
Estimates Committee	29
House Committee	1
Railway Convention Committee	13
Rules Committee	2
<i>Joint Committees</i>	
(i) Joint Committee on Salaries and Allowances of Members of Parliament	2
(ii) Joint Committee on Offices of Profit	2
(iii) Joint Committee on the Mines (Amendment) Bill, 1972	5
(iv) Joint Committee on the Untouchability (Offences) Amendment and Miscellaneous Provisions Bill, 1972	5
(v) Joint Committee on the Companies (Amendment) Bill, 1972	10
(vi) Joint Committee on the Disturbed Areas (Special Courts) Bill, 1972	3

Name of the Committee	Meetings held
(vii) Joint Committee on the Foreign Exchange Bill, 1972 .	5
(viii) Joint Committee on the Presidential and Vice-Presidential Elections (Amendment) Bill, 1972	5
(ix) Joint Committee on the Delhi School Education Bill, 1972	11
(x) Joint Committee on the National Library Bill, 1972 .	1
(xi) Joint Committee of Chairmen, House Committees of both Houses of Parliament	4

APPENDIX II

Statement showing the work transacted by the Rajya Sabha during the period 1st November 1972 to 31st January, 1973

N. B.—The Eighty-third session of Rajya Sabha commenced on February 19, 1973. The details about its activities during the session will be published in the July 1973 issue of the *Journal*. The information relating to the sittings etc. of Committees of Rajya Sabha during the period 1st November, 1972 to 31st January, 1973 is given below :

Name of the Committee	Meetings held
Business Advisory Committee	3
Committee on Government Assurances	2
Committee on Petitions	5
Committee on Subordinate Legislation	4
<i>Joint Committees</i>	
Joint Committee on the Adoption of Children Bill, 1972	9
Joint Committee on the Code of Criminal Procedure Bill, 1970	2
Joint Committee on Homoeopathy Central Council Bill, 1971	9
Joint Committee on the Indian Penal Code (Amendment) Bill, 1972	4

APPENDIX III

Statements showing the activities of the State Legislatures during the period 1st October, 1972 to 31st December, 1972

Sessions held	Bills passed		No. of Questions				Short Notice		Name of the Committee	Committee at Work	
	Govt.	Private	Unstarred		Starred		Admtd.	Recd.		Sittings held	No. of Reports presented
			Recd.	Admtd.	Recd.	Admtd.					
1	2	3	4	5	6	7	8	9	10	11	12
..	..	..	696	256	456 ¹	..	..	..	Committee on Government Assurances	..	7
									Committee on Petitions	..	3
									Committee on Public undertakings	..	..
									Committee on Subordinate Legislation	..	21
									Estimates Committee	..	11
									Public Accounts Committee	..	8
									Business Advisory Committee	..	5
								

One

(From 1-7-72¹ to 13-9-72)

---29 sittings

Committee on Government Assurances	12	..
Committee on Petitions	1	..
Committee on Privileges	2	

Assam Legislative Assembly⁴

Three	13	1131	1122	147	140	50	38	Business Advisory Committee	7	..
(i) (From 5-6-72 to 27-7-72) —34 sittings										
(ii) on 14-8-72 —1 sitting										
(ii) (From 19-9-72 to 25-9-72) —6 sittings										
								Committee on Government Assurances	2	..
								Committee on Petitions	1	3
								Committee of Privileges	2	..
								Committee on Sub-ordinate Legislation	3	..
								Estimates Committee	9	1

¹Includes notices received prior to 1-10-72.

²The figures given pertain to the period 1-7-72 to 30-9-72.

³The Session Commenced on 21-3-72. See J.P.I. Vol. XVIII No. 4, October, 1-9-72, p. 975.

⁴The figures given pertain to the period 1-7-72 to 30-9-72.

Hóúte Committee	4	..
Library Committee	3	..
Public Accounts Committee .	34	..
Rules Committee	6	
Committee on delegated Legis- lation	11	..

Goa, Daman & Diu Legislative Assembly

One

(From 21-11-72
to 30-11-72)

—8 sittings

7 ⁶	210	141	1	27 ¹	3	2	2 ⁰	Business Advisory Committee .	2	2
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Committee on Government Assurances	3	..
Library Committee .	3	..
Public Accounts Committee	2	..

Gujarat Legislative Assembly

One

(From 13-11-72
to 22-12-72)

—20 sittings

11	..	2563	1156	231	101	51	11	Business Advisory Committee .	3	3
----	----	------	------	-----	-----	----	----	-------------------------------	---	---

¹The figures relate to the period from 1-7-72 to 30-12-72.

²Of these, 3 Bills were introduced during the last session.

³Of these, 26 Starred Questions were treated as unstarred.

⁴Of these 1 Short Notice Question was treated as Starred.

Committee on Subordinate Legislation	6	..
Estimates Committee	7	.
Library Committee.	9	.
Public Accounts Committee	26	..

Himachal Pradesh Vidhan Sabha

One

(From 8-12-72 to 22-12-72)

10 ..	743	423	324	317 ¹⁰	4	..	Business Advisory Committee	3	2
							Committee on Government Assurances	15	..
							Committee on Petitions	4	
							Committee on Privileges	2	
							Committee on Subordinate Legislation	14	..
							Estimates Committee	14	..

House Committee/Members' Accommodation Committee	1	..
Library Committee.	5	..
Public Accounts Committee	16	..

⁹For details for the period from 1-10-72 to 6-10-72 also see JPP Vol XIX No. 1, (January, 1973) p. 336

¹⁰Including those Notices for Starred Questions which were admitted as unstarred.

	1	2	3	4	5	6	7	8	9	10	11	12
<i>Jammu and Kashmir</i>												
One												
(From 27-10-72 to 1-11-72)		2	..	..	..	..	..	..	..	..	..	..
—5 sittings												
<i>Madhya Pradesh Vidhan Sabha</i>												
One												
(From 11-12-72 to 21-12-72)		18	..	1439	695	593	435	30	8	Business Advisory Committee .	2	2
—9 sittings										Committee on Government Assurances	3	1
										Committee on Petitions	3	1
										Committee on Private Members Bills and Resolutions	2	1
										Committee on Privileges	1	..
										Committee on Subordinate Legislation	3	..
										House Committee /Members' Accommodation Committee	1	..
										Public Accounts Committee	7	1
										Rules Committee	2	1

Appendices

Mysore Legislative Assembly

12 ..	424	388	47	44	18	12	2	4	..
One (From 27-11-72 to 21-12-72)									
—20 sittings									

Mysore Legislative Council

8 ..	292	280	10	9	24	7	6	4	1
One (From 4-12-72 to 30-12-72)									
—23 sittings									

	1	2	3	4	5	6	7	8	9	10	11	12	
									Committee on Government Assurances			1	1
									Committee on Public Undertakings			12	..
									House Committee			1	..
									Public Accounts Committee			5	..
									Committee on the Welfare of SC/ST			12	..
									Joint Committee on the Mysore (Bomby & Hyderabad areas) Religious & Charitable Inams Abolition Bill, 1972			4	..
									<i>Nagaland Legislative Assembly</i>				
									Business Advisory Committee			1	..
									Estimates Committee			1	..
									Library Committee			1	..
									Public Accounts Committee			2	2
									<i>Orissa Legislative Assembly</i>				
									Committee on Government Assurances			5	..

One
(From 24-11-72
to 28-11-72)

—4 sittings

Committee on Petitions	4	..
Committee on Privileges	1	..
Committee on Public Under- takings	10	..
Committee on Subordinate Legislation	8	..
Estimates Committee	11	..
House Committee	3	..
Library Committee.	1	..
Public Accounts Committee	11	..

Punjab Vidhan Sabha

One
(From 12-12-72
to 15-12-72)
—5 Sittings

9	..	716	420	106	69	3	..	Business Advisory Committee	3	2
								Committee on Government Assurances	8	..
								Committee on Privileges	1	..
								Committee on Public Under- takings	13	..
								Committee on Subordinate Le- gislation	18	1
								Estimates Committee	11	1
								General Purposes Committee	1	—
								House Committee	2	..

I	2	3	4	5	6	7	8	9	10	11	12
									Library Committee.	8	..
									Public Accounts Committee	9	..
									Rules Committee	1	..
									<i>Rajasthan Legislative Assembly</i>		
..	..	..	..	..	..	..	..	..	Committee on Government Assurances	14	..
									Committee on Petitions	20	..
									Committee on Privileges	10	..
									Committee on Public Undertakings	23	..
									Committee on Subordinate Legislation	9	..
									Estimates Committee	18	..
									House Committee/Members' Accommodation Committee	7	..
									Public Accounts Committee	36	..
									Committee for the Welfare of S.C. & S.T.	42	..
									<i>Tamil Nadu Legislative Assembly</i>		
Two	11	..	2619	1585	..	63	..	..	Estimates Committee	22	..

(i) on 13-11-72
 --1 Sitting
 (ii) From 2-11-72
 to 15-12-72
 --12 Sittings

Public Accounts Committee	57	..
<i>Select Committees on—</i>		
(i) The Tamil Nadu Agricultural Income Tax (Amendment) Bill 1972	47	I
(ii) The Tamil Nadu Buildings (Lease and Rent Control) Second Amendment Bill, 1972	7	..
(iii) The Tamil Nadu Recognised Private Schools (Regulation) Bill, 1972	6	..

Tamil Nadu Legislative Council

Two
 (i) From 9-8-72 to 15-11-72—
 —10 Sittings
 (ii) From 2-12-72 to 29-12-72—
 —8 Sittings

11	..	378	103	..	14 ¹¹	5	2	Business Advisory Committee	4	..
								Committee on Government Assurances		I
								House Committee Members' Accommodation Committee	I	..

Tripura Legislative Assembly

10
 (From 7-12-72 to 15-12-72)
 —7 Sittings

3	..	518	331	137	74	14	5	Business Advisory Committee	2	I
								Committee on Government Assurances	3	I
								Committee on Privileges	I	..

¹¹Starred Questions treated as unstarred.

I	2	3	4	5	6	7	8	9	10	11	12
									Committee on Subordinate Legislation	1	..
									Estimates Committee	7	2
									Library Committee.	1	..
									Public Accounts Committee	2	1
<i>Uttar Pradesh Legislative Assembly</i>											
One	7	..	1049	482	..	..	1529	110	Business Advisory Committee	4	2
(From 12-12-72 to 31-12-72) ^a									Committee on Government Assurances	18	..
—10 Sittings									Committee on Petitions	1	..
									Committee on Privileges	2	2
									Committee on Public Undertakings	5	..
									Committee on Subordinate Legislation	18	10
									Estimates Committee	6	..
									Housing Committee	2	..
									Library Committee	1	..
									Public Accounts Committee	25	..
									Rules Committee	3	..

APPENDIX IV

List of Bills passed by the Houses of Parliament and assented to by the President during the period 1st November, 1972 to 31st January, 1973

S.No.	Title of Bill	Date of Assent by the President
1.	The Khadi and other Handloom Industries Development (Additional Excise Duty on Cloth) Amendment Bill, 1972.	26-11-72
2.	The Central Sales Tax (Amendment) Bill, 1972	30-11-72
3.	The Limestone and Dolomite Mines Labour Welfare Fund Bill, 1972	2-12-72
4.	The Appropriation (Railways) No. 4 Bill, 1972	3-12-72
5.	The Appropriation (Railways) No. 5 Bill, 1972	3-12-72
6.	The Appropriation (No. 5) Bill, 1972	8-12-72
7.	The Appropriation (No. 6) Bill, 1972	8-12-72
8.	The Food Corporations (Amendment) Bill, 1972	15-12-72
9.	The Payment of Bonus (Amendment) Bill, 1972	19-12-72
10.	The Carriage by Air Bill, 1972	19-12-72
11.	The Coal Mines Labour Welfare Fund (Amendment) Bill, 1972	22-12-72
12.	The Indian Railways (Amendment) Bill, 1972	22-12-72
13.	The Sick Textile Undertakings (Taking Over of Management) Bill, 1972	23-12-72
14.	The Indian Tariff (Amendment) Bill, 1972.	24-12-72
15.	The Industrial Finance Corporation (Amendment) Bill, 1972.	24-12-72
16.	The Industrial Development Bank of India (Amendment) Bill, 1972	24-12-72
17.	The Delimitation Bill, 1972	30-12-72
18.	The State Financial Corporations (Amendment) Bill, 1972	30-12-72
19.	The Richardson and Cruddas Limited (Acquisition and Transfer of Undertaking) Bill, 1972	30-12-72
20.	The Mulki Rules Bill, 1972	30-12-72

Appendix V

List of Bill passed by the State Legislatures during the period 1st October, 1972 to 31st December, 1972.

Andhra Pradesh Legislative Council*

1. The Andhra Pradesh Agricultural Lands (Prohibition of Alienation) Bill, 1972.
2. The Andhra Pradesh Vacant Lands in Urban Areas (Prohibition of Alienation) Bill, 1972.
3. The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Second Amendment) Bill, 1972.
4. The Andhra Pradesh Appropriation (No. 3) Bill, 1972.
5. The Andhra Pradesh Agricultural University (Amendment) Bill, 1972.
6. The Andhra Pradesh (Andhra Area) Tenants and Ryots Protection (Amendment) Bill, 1972.
7. The Indian Treasure Trove (Andhra Pradesh Amendment) Bill, 1972.
8. The Visakhapatnam Steel Project (Acquisition of Lands) Bill, 1972.
9. The Andhra Pradesh Civil Courts Bill, 1972.
10. Andhra Pradesh Gram Panchayats and Panchayat Samithis and Zilla Parishads (Amendment) Bill, 1972.
11. The Jawaharlal Nehru Technological University Bill, 1972.
- **12. The Andhra Pradesh Land Reforms Ceiling on Agricultural Holdings) Bill, 1972.

Assam Legislative Assembly*

1. The Assam Agricultural Income Tax (Amendment) Bill, 1972.
2. The Assam Amusement and Betting Tax (Amendment) Bill, 1972.
3. The Assam Appropriation (No. II) Bill, 1972.
4. The Assam Appropriation (No. III) Bill, 1972.

*Relates to the period July 1. to September 30, 1972.

**Assent awaited.

5. The Court Fees Assam (Amendment) Bill, 1972.
6. The Assam Electricity Duty (Amendment) Bill, 1972.
7. The Assam Contingency Fund (Augmentation of Corpus) Bill, 1972.
8. The Assam Finance (Sales Tax) (Amendment) Bill, 1972.
9. The Assam Fixation of Ceiling on Land Holdings (Amendment) Bill, 1972.
10. The Assam Panchayati Raj Bill, 1972.
11. The Assam Professions, Trades, Callings and Employment Taxation (Amendment) Bill, 1972.
12. The Assam Sales Tax (Amendment) Bill, 1972.
13. The Assam Secondary Education (Amendment) Bill, 1972.

Bihar Legislative Assembly*

Bihar Appropriation (No. 3) Bill, 1972.

Delhi Metropolitan Council

1. The Delhi Delegation of Powers (Amendment) Bill, 1972.
2. The Central and other Societies (Regulation) Bill, 1972.
3. Delhi Land Holdings Ceiling (Amendment) Bill, 1972.
4. The Electricity supply Amendment Bill, 1972.
5. The Extension of Bombay Smoke Nuisance Act, 1972 to the Union Territory of Delhi.
6. The Delhi Private Coaching Institutions (Regulation) Bill, 1972.
7. The Agricultural Produce Marketing (Regulation) Bill, 1972.

Goa, Daman and Diu Legislative Assembly

1. The Goa, Daman and Diu Mamlatdar's Court (First Amendment) Bill, 1972.
2. The Goa, Daman and Diu Prevention of Begging Bill, 1972.
3. The Goa, Daman and Diu Live-Stock Improvement Bill, 1972.
4. The Goa, Daman and Diu Appropriation (Excess Expenditure), Bill, 1972.
5. The Goa, Daman and Diu Supplementary Appropriation Bill, 1972.
6. The Goa, Daman and Diu Contingency Fund (First Amendment) Bill, 1972.

*Original in Hindi. Relates to the period July 1, 1972 to September 30, 1972.

7. Legislative Diploma No. 1984 dated 14-4-1960 (Amendment), Bill, 1972.

Gujarat Legislative Assembly

1. The Child Marriage Restraint (Gujarat Amendment) Bill, 1972.
2. The Gujarat Contingency Fund (Temporary Increase) Bill, 1972.
3. The Bombay Land Revenue and the Gujarat Panchayats and Education cess (Amendment) Bill, 1972.
4. The Bombay Police Gujarat (Amendment) Bill, 1972.
5. The Bombay Land Requisition (Gujarat Extension of Duration) Bill, 1972.
6. The Gujarat (Third supplementary) Appropriation Bill, 1972.
7. The Gujarat Housing Board (Amendment) Bill, 1972.
8. The Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Bill, 1972.
9. The Gujarat Essential Services Maintenance Bill, 1972.
10. The Bombay Provincial Municipal Corporations (Gujarat Amendment) Bill, 1972.
11. The Gujarat Civil Services Tribunal Bill, 1972.

Haryana Vidhan Sabha

1. The Haryana Ceiling on Land Holdings Bill, 1972.
2. The Punjab Cooperative Societies Haryana (Amendment) Bill, 1972.
3. The Punjab Agricultural Produce Markets (Haryana Second Amendment) Bill, 1972.
4. The Punjab Khadi and Village Industries Board (Haryana Amendment) Bill, 1972.
5. The Punjab General Sales Tax (Haryana Amendment and Validation) Bill, 1972.
6. The Punjab Anatomy (Haryana Amendment) Bill, 1972.
7. The Haryana Municipal Common Lands (Regulation) Bill, 1971.*

Himachal Pradesh Vidhan Sabha

1. Himachal Pradesh Essential Services (Maintenance) Bill, 1972.
2. The Himachal Pradesh Tolls (Repealing) Bill, 1972.

*This Bill which was passed by the Vidhan Sabha on 2nd August, 1971 was received back from the Governor and was reconsidered by the House and passed again with amendments on the 6th October, 1972.

3. The Himachal Pradesh (Transfer Tenancy) Tenants (Protection of Rights) (Amendments), Bill, 1972.
4. The Himachal Pradesh Requisitioning and Acquisition of Immoveable Property Bill, 1972.
5. The Himachal Pradesh Panchat Raj (Amendment), Bill, 1972.
6. The Himachal Pradesh Legislative Assembly Members Pension Bill, 1972.
7. The Himachal Pradesh Motor Vehicles Taxation Bill, 1972.
8. The Himachal Pradesh Ceiling and Land Holding Bill, 1972.
9. The Himachal Pradesh Tenancy and Land Reform Bill, 1972.
10. The Himachal Pradesh Appropriation Bill, 1972.

Jammu and Kashmir Legislative Council

1. A Bill to Provide for Comprehensive Legislation relating to Land Reforms in the State of Jammu and Kashmir.
2. A Bill to amend the Jammu and Kashmir Forest Act, 1987.

Madhya Pradesh Legislative Assembly*

1. Madhya Pradesh Official Language (Amendment) Bill, 1972.
2. Madhya Pradesh Motor Vehicles Taxation (Amendment) Bill, 1972.
3. Motor Vehicles (Madhya Pradesh Amendment) Bill, 1972.
4. Madhya Pradesh Cultivation by Tractors (Recovery of Charges) Bill, 1972.
5. Madhya Pradesh Reclamation Duty in lands tilled by Tractors Bill, 1972.
6. Indian Partnership (Madhya Pradesh Amendment) Bill, 1972.
7. Madhya Pradesh Secondary Education (Special Provisions) Amendment Bill, 1972.
8. Madhya Pradesh University Law (Amendment) Bill, 1972.
9. Acquisition of Land (Madhya Pradesh Amendment) Bill, 1972.
10. Madhya Pradesh Weedicides and Insecticides Bill, 1972.
11. Madhya Pradesh Khadi and Village Industries (Second Amendment) Bill, 1972.
12. Madhya Pradesh Housing Board Bill, 1972.
13. Madhya Pradesh Appropriation (No. 5) Bill, 1972.

*Original in Hindi.

14. Madhya Pradesh Agricultural Produce Marketing Bill, 1972.
15. Madhya Pradesh Agricultural Loan regulation and Miscellaneous Provisions (Bank) Bill, 1972.
16. Madhya Pradesh Vidhan Sabha Members' Salaries and Allowances Bill, 1972.
17. Madhya Pradesh Members of Legislature Prevention of Disqualification (Amendment) Bill, 1972.
18. Madhya Pradesh Ceiling on Land Holdings (Amendment) Bill, 1972.

Mysore Legislative Assembly

1. The Mysore Homoeopathic Practitioners (Amendment) Bill, 1972.
2. The Mysore Ayurvedic and Unani Practitioners Registration and Medical Practitioners Miscellaneous Provisions (Amendment) Bill, 1972.
3. The Mysore Tenants (Relief in Payment of arrears of Rent) Bill, 1972.
4. The Government Grants (Mysore Extension) Bill, 1972.
5. The Mysore Stamp (Amendment) Bill, 1972.
6. The Mysore Court Fees and Suits valuation (Amendment) Bill, 1972.
7. The Mysore Appropriation (No. 3) Bill, 1972.
8. The Mysore Contingency fund (Amendment) Bill, 1972.

Nagaland Legislative Assembly

1. The Nagaland Forest (Amendment) Bill, 1972.

Punjab Vidhan Sabha

1. The Talwara Township (Periphery) Control Amendment Bill, 1972.
2. The Punjab Cinemas (Regulation) Amendment Bill, 1972.
3. The Punjab Cattle Fairs (Regulation) Amendment Bill, 1972.
4. The Patiala State Ijlas-i-khas Order of 1919 (Repealing) Bill, 1972.
5. The Punjab Land Reforms Bill, 1972 (Bill No. 31-PLA of 1972).
6. The Punjab Appropriation (No. 5) Bill, 1972.
7. The Punjab Entertainments Duty (Amendment) Bill, 1972.

8. The Punjab Khadi and Village Industries Board (Amendment) Bill, 1972.
9. The Punjab General Sales Tax (Amendment and Validation) Bill, 1972.

Tamil Nadu Legislative Assembly

1. The Tamil Nadu Land Reforms of (Ceiling on Land) Sixth Amendment Bill, 1972.
2. The Tamil Nadu Public Trusts (Regulation of Administration of Agricultural Lands) Amendment Bill, 1972.
3. The Indian Stamp (Tamil Nadu Amendment) Bill, 1972.
4. The Tamil Nadu Levy of Ryotwari Assessment on Free-hold Lands Bill, 1972.
5. The Tamil Nadu District Municipalities (Amendment) Bill, 1972.
6. The Madras City Municipal Corporation and the Madurai City Municipal Corporation Amendment Bill, 1972.
7. The Mettur Township, Courtallam Township and Bhavanisagar Township (Amendment) Bill, 1972.
8. The Tamil Nadu Betting Tax (Second Amendment) Bill, 1972.
9. The Tamil Nadu Urban Land Tax (Amendment) Bill, 1972.
10. The Tamil Nadu District police (Amendment) Bill, 1972.
11. The Tamil Nadu Appropriation (No. 4) Bill, 1972.
12. The Tamil Nadu Societies Registration Bill, 1972.

Tamil Nadu Legislative Council

1. The Tamil Nadu Agricultural Income-tax (Amendment) Bill, 1972.
2. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Sixth Amendment Bill, 1972.
3. The Tamil Nadu Public Trusts (Regulation of Administration of Agricultural Lands) Amendment Bill, 1972.
4. The Indian Stamps (Tamil Nadu Amendment) Bill, 1972.
5. The Tamil Nadu Levy of Ryotwari Assessment of Freehold Lands Bill, 1972.
6. The Tamil Nadu Betting Tax (Second Amendment) Bill, 1972.
7. The Tamil Nadu District Municipalities (Amendment) Bill, 1972.
8. The Madras City Municipal Corporation and Madurai City Municipal Corporation (Amendment) Bill, 1972.

9. The Mettur Township, Courtallam Township and Bhavanisagar Township (Amendment) Bill, 1972.
10. The Tamil Nadu District Police (Amendment) Bill, 1972.
11. The Tamil Nadu Appropriation (No. 4) Bill, 1972.

Tripura Legislative Assembly

1. The Bengal Municipal (Tripura Amendment) Bill, 1972.
2. The Tripura (Courts) Order Amendment Bill, 1972.
3. The Tripura Appropriation (No. 2) Bill, 1972.

Uttar Pradesh Legislative Assembly

1. The Uttar Pradesh Ceiling on Property (Temporary Restriction on Transfer) (Amendment) Bill, 1972.
2. The Uttar Pradesh State Legislature (Officers Salaries and Allowances) (Amendment) Bill, 1972.
3. The Uttar Pradesh Appropriation (Regularization of Excess Expenditure, 1966-67) Bill, 1972.
4. The Uttar Pradesh Appropriation (Regularization of Excess Expenditure, 1967-68) Bill, 1972.
5. The Uttar Pradesh Appropriation (Supplementary, 1972-73) Bill, 1972.
6. The Uttar Pradesh Imposition of ceiling on Land Holdings (Amendment) Bill, 1972.
7. The Uttar Pradesh Legislative Chambers (Members Emoluments) (Amendment) Bill, 1972.

APPENDIX VI

*Ordinances issued by the Central and State Governments during the period
1st October, 1972 to 31st December, 1972*

		Date of Promulgation	Date on which laid before the House	Date of Cessation	Remarks
1	2	3	4	5	6
Central*					
1.	The Sick Textile Undertakings (Taking Over of Management) Ordinance, 1972	31-10-72	13-11-72	..	..
2.	The Coal Mines (Taking Over of Management) Ordinance, 1973	30-1-73	..	..	..
States					
<i>Andhra Pradesh</i>					
1.	The Hyderabad Municipal Corporation (Amendment) Ordinance, 1972.	24-10-72	..	..	The Assembly has not met so far after it was adjourned sine die on 6-9-72.
2.	The Andhra Pradesh (Andhra Area) Estates (Abolition and Conversion into Ryotwari) Amendment Ordinance, 1972	21-12-72	..	..
3.	The Criminal Law Amendment (Andhra Pradesh Extension and Amendment) Ordinance, 1972	23-12-72		..	
4.	The Andhra University (Amendment) Ordinance, 1972	30-12-72	..	..

*Relates to the period 1-10-72 to 31-1-73.

1	2	3	4	5	6
<i>Assam*</i>					
1.	The Assam Contingency Fund (Augmentation of Corpus) Ordinance, 1972.	12-8-72	19-9-72	25-9-72	Replaced by Legislation.
2.	The Assam Appropriation Ordinance, 1972.	Do.	Do.	Do.	Do.
3.	The Indian Electricity (Assam Amendment) Ordinance, 1972.	27-9-72			
4.	The Tinsukia and Dibrugarh Electric supply Under takings (Aquisition) Ordinance, 1972.	21-9-72			
<i>Bihar**</i>					
1.	Bihar Salaries and Allowances of Ministers (Fourth Amendment) Ordinance, 1972	1-7-1972	14/15-8-72	11-10-72	
2.	Bihar Salaries and Allowances of Dy. Ministers (4th Amendment) Ordinance 1972.	"	"	"	
3.	Bihar Legislature (Salaries and Allowances of Officers) (3rd Amendment) Ordinance, 1972.	"	"	"	
4.	Indian Stamp (Bihar Second Amendment) Ordinance, 1972.	"	"	"	
5.	Bihar Entertainment Tax Court Fees and Stamp (Jurisdiction Amendment) Second Amendment Ordinance, 1972.	"	"	"	
6.	Bihar Entertainment Tax (3rd Amendment) Ordinance 1972.	"	"	"	
7.	Bihar Sales Tax (Second Amendment) Ordinance, 1972.	"	"	"	

*Relates to the period 1st July, 1972 to 30th September, 1972.

**Original in Hindi—The information relates to the period 1st July 1972 to 30th September, 1972.

1	2	3	4	5	6
8.	Bihar Motor Spirit (Taxation on Sale) (3rd Amendment) Ordinance, 1972.	1-7-72	14/15-8-72	11-10-72	
9.	Bihar District Boards and Local Boards Control and Man- agement (3rd Amend- ment) Ordinance, 1972.	"	"	"	
10.	Bihar Panchayat Raj (2nd Amendment and Vali ation) Ordi- nance, 1972.	"	"	"	
11.	Bihar Panchayat Samitis and Zila Parishads (3rd Amendment) Ordi- nance, 1972.	"	"	"	
12.	Bihar Medical Educa- tion Dissemination (Regulation and Control) 2nd Amend- ment Ordinance, 1972.	"	"	"	
13.	Bihar Health Race Second Ordinance, 1972.	"	"	"	
14.	Bihar Excise-duty (2nd Amendment) Ordi- nance, 1972.	"	"	"	
15.	Bihar Khadi and Vill- age Industries (Se- cond Amendment) Ordinance, 1972.	3-7-73	"	"	
16.	Bihar subsidy to In- dustries (Second Amendment) Ordi- nance, 1972.	"	"	"	
17.	Bihar Motor Vehicles Taxation (Second Amendment) Ordi- nance, 1972.	"	"	"	
18.	Motor Vehicles (Bihar 3rd Amendment) Ordinance, 1972.	"	"	"	
19.	Patna Municipal Cor- poration (Second Amendment) Ordi- nance, 1972.	"	"	"	

1	2	3	4	5	6
20.	Bihar Municipalities (Second Amendment) Ordinance, 1972. .	3-4-72	14/15-8-72	11-10-72	
21.	Mithila University (Second Amendment) Ordinance, 1972. .	"	"	"	
22.	Anugrah Narayan Sinha Institute of Social Studies (Second Amendment) Ordinance, 1972. .	"	"	"	
23.	Bihar Primary Education (Second Amendment) Ordinance, 1972. .	"	"	"	
24.	Bihar State University (Patna, Bihar, Bhagal- pur, Ranchi and Ma- gadh Universities) Control and Manage- ment) Second Ordi- nance, 1972. . .	"	"	"	
25.	Bihar School Exami- nation Board (Second Amendment) Ordi- nance, 1972. . .	"	"	"	
26.	Bihar State Univer- sity Law (Second Amendment) and Repeal Ordinance, 1972. . .	"	"	"	
27.	Bihar Ancient Monu- ments and Archaeo- logical sites and Remains Third Ordi- nance, 1972. . .	5-7-72	"	"	
28.	Bihar Sugarcane (Re- gulation of Supply and Procurement) Second Ordinance, 1972. .	"	"	"	
29.	Bihar Carriage by Pub- lic Transport Pas- sengers and Goods Taxation (Second Amendment) Ordi- nance, 1972. . .	"	"	"	
30.	Patliputra Medical College (Taking over of Management) Second Ordinance, 1972. . .	"	"	"	

1	2	3	4	5	6
31.	Bihar Industrials Area Development Authority Second Ordinance, 1972.	5-7-72	14/15-8-72	11-10-72	
32.	Bihar Government Societies (Second Amendment) Ordinance, 1972	"	"	"	
33.	Bihar Public Debt Recovery (Third Amendment) Ordinance, 1972	"	"	"	
34.	Chhota Nagpur and Santhal Pragna. Autonomous Development Authority (Second Amendment) Ordinance, 1972	"	"	"	
35.	Bihar Land Revenue (Exemption from Payment) (Second Amendment) Ordinance, 1972	"	"	"	
36.	Bihar Kendu Leaves (Trade Control) Third Ordinance, 1972	"	"		
37.	Bihar Tenancy (Second Amendment) Ordinance, 1972	"	"	"	
38.	Chhota Nagpur Tenancy (Second Amendment) Ordinance, 1972.	"	"	"	
39.	Bihar Agricultural Produce Marketing (Third Amendment) Ordinance, 1972.	"	"	"	
40.	Bihar Land Reforms (Validation and Second Amendment) Ordinance, 1972	"	"	"	
41.	Bihar House Lease, Rent and Eviction (Control) Second Amendment Ordinance 1972.	"	"	"	
42.	Bihar Contingency Legislation (Second Amendment) Ordinance, 1972.	"	"	"	

1	2	3	4	5	6
43.	Bihar Hindu Religious Trusts (Second Amendment) Ordinance, 1972.	5-7-72	14/15-8-72	11-10-72	
44.	Bihar Shops and Establishments (Third Amendment) Ordinance, 1972.	"	"	"	
45.	Bihar Child (Second Ordinance) 1972.	"	"	"	
46.	Bihar Gramdan (Third Amendment) Ordinance 1972	"	"	"	
47.	Bihar Soil Water Conservation and land Development (Second Ordinance) 1972	"	"	"	
48.	Bihar Contingency Legislation (Third Amendment) Ordinance. 1972	"	"	"	
49.	Bihar State Housing Board (Second Ordinance) 1972	"	"	"	
50.	Bihar Irrigation and lift Irrigation(Amendment) Ordinance, 1972	"	"	"	
<i>Gujarat</i>					
1.	Gujarat contingency Fund (Temporary Increase) Ordinance, 1972.	25-10-72	13-11-72	15-12-72	Replaced by the Gujarat contingency Fund (Temporary increase) Bill, 1972.
<i>Himachal Pradesh</i>					
1	The Himachal Pradesh Tolls Repealing Ordinance, 1972.	27-6-72	8-12-72	19-12-72	Replaced by legislation
2.	The H.P. Motor Vehicles Taxation Ordinance, 1972.	30-6-72	8-12-72	19-12-72	—do—
3.	The H.P. Panchayat Raj (Amendment) Ordinance, 1972.	24-9-72	8-12-72	19-12-72	—do—
4.	The H.P. (Transferred Territory) Tenants (Protection of Rights) (Amendment) Ordinance, 1972.	3-11-72	8-12-72	19-12-72	—do—

1	2	3	4	5	6
5.	The H.P. Requisitioning and Acquisition of Immoveable Property Ordinance, 1972.	22-11-72	8-12-72	19-12-72	Replaced by legislation
<i>Jammu and Kashmir</i>					
1.	The Jammu and Kashmir Forest (Amendment) Ordinance, 1972	30-10-72	30-10-72		Was replaced by the Legislation namely "A Bill to amend the Jammu and Kashmir Forest (Amendment) Bill, 1972"
<i>Madhya Pradesh*</i>					
1	Madhya Pradesh University Law (Amendment) Ordinance, 1972	1-10-72	11-12-72		Madhya Pradesh University Law (Amendment) Bill, 1972
2	Madhya Pradesh Housing Board Ordinance, 1972	21-11-72	11-12-72		Madhya Pradesh Housing Board Bill, 1972.
<i>Mysore</i>					
1	The Mysore Contingency fund (Temporary Amendment) Ordinance, 1972.	11-10-72	27-11-72†		Replaced by legislation.
2	The Mysore Homoeopathic practitioners (Amendment) Ordinance, 1972	11-10-72	do.		do.
3	The Mysore Tenants (Relief in payment of Arrears Rent) Ordinance, 1972	28-10-72	do		do.
<i>Orissa</i>					
1	The Orissa Contingency Fund (Second Amendment) Ordinance, 1972	20-12-72			
<i>Punjab</i>					
1	The Punjab General Sales Tax (Amendment) and Validation) Ordinance, 1972	10-11-72	12-12-72		Replaced by legislation.
<i>Rajasthan</i>					
1	The Rajasthan Urban Improvement (Amendment and Validation) Ordinance, 1972	2-12-72			

* Original in Hindi.

†Laid on the table of the Legislative Council on 4-12-72.

1	2	3	4	5	6
<i>Tamil Nadu</i>					
1	The Tamil Nadu Agricultural Income Tax (Amendment) Ordinance, 1972	21-11-72	24-11-72*		Replaced by legislation.
2	The Tamil Nadu Betting Tax (Second Amendment) Ordinance, 1972	21-11-72	24-11-72*		do.
<i>Uttar Pradesh</i>					
1	The Uttar Pradesh Ceiling on Property (Temporary Restriction on Transfer (Amendment) Ordinance, 1972	10-10-72	12-12-72	31-12-72	Replaced by legislation
2	The Uttar Pradesh Sales Tax (Amendment) Ordinance, 1972	10-10-72	12-12-72	21-1-73	do.
3	The Uttar Pradesh Tendu Patta (Vyapar Viniyaman) Sanshodhan Adhyadesh, 1972	11-11-72	-do-	22-1-73	do
4	Uttar Pradesh Unauthorised Medical Educational Institutions (Prevention) Ordinance, 1972	24-11-72	12-12-72	22-1-73	do
5	The Uttar Pradesh Rural Local Self Government Laws (Amendment) Ordinance, 1972	24-11-72	12-12-72	22-1-73	do
6	The Uttar Pradesh Contingency Fund (Amendment) Ordinance, 1972	24-11-72	12-12-72	22-1-73	do
7	The Uttar Pradesh Municipalities (Second Amendment) Ordinance, 1972	24-11-72	12-12-72	22-1-73	do
<i>West Bengal</i>					
1	The West Bengal Estates Acquisition (Amendment) Ordinance, 1972 (West Bengal Ordinance XV of 1972)	20-10-72	Will be laid during the ensuing Budget Session.		

*Laid on the Table of the Legislative Council on 2-12-72.

1	2	3	4	5	6
2	The Calcutta Metropolitan Water and Sanitation Authority (Amendment) Ordinance, 1972	26-10-72	will be laid during the ensuing Budget session		
3	The Sri Aurobindo Memorial (Amendment) Ordinance, 1972	Me- 4-11-1972	”		
4	The Bengal Wakf (Amendment) Ordinance, 1972	13-11-72	”		
5	The Murshidabad Estate (Trust) (Amendment) Ordinance, 1972	14-11-72	”		
6	The west Bengal Land (Requisition and Acquisition) Second Amendment) Ordinance, 1972	17-11-72	”		
7	The Motor Vehicles (West Bengal Amendment) Ordinance, 1972	11-12-72	”		

APPENDIX VII
A. PARTY POSITION IN LOK SABHA

(1) State-wise
(As on March 1, 1973)

Name of the State	Seats	Cong.	CPI(M)	CPI	DMK	J. S.	Other Parties	Unattached	Total
I	2	3	4	5	6	7	8	9	10
Andhra Pradesh	41	37	1	1			2(a)		41
Assam	14	14							14
Bihar	53	37		5		2	7(b)		51 (2 vacant)
Gujarat	24	12					9(c)	2	23 (1 vacant)
Haryana	9	7				1		1	9
Himachal Pradesh	4	4							4
Jammu and Kashmir	6	5						1	6
Kerala	19	6	2	3			7(d)	1	19
Madhya Pradesh	37	21				10	5(e)		36 (1 vacant)
Maharashtra	45	40					2(f)	1	43 (2 Vacant)
Manipur	2	2							2
Meghalaya	2							2	2
Mysore	27	27							27
Nagaland	1						1(g)		1
Orissa	20	14		1			5(h)		20
Punjab	13	9		2				1	12*
Rajasthan	23	15				3	4(l)	1	23
Tamil Nadu	39	9		4	20		5(i)		38 (1 vacant)
Tripura	2		2						2
Uttar Pradesh	85	73		5		4		2	84 (1 vacant)
West Bengal	40	15	20	3			2(k)		40
Union Territories									
Andaman & Nicobar Islands	1	1							1
Arunachal Pradesh	1	1							1(l)
Chandigarh	1	1							1
Dadra and Nagar Haveli	1	1							1
Delhi	7	7							7
Goa	2	1					1(m)		2
Laccadive, Minicoy and Amindivi Islands	1	1							1
Mizoram	1							1	1
Pondicherry	1	1							1
Anglo-Indian	2						2(k)		2(l)
TOTAL	524	361	25	24	20	20	52	13	515*

(excluding Speaker and 8 vacancies)

*Excludes the Speaker, who is not a member of any Party.

(a) Telengana Praja Samiti	2	(h) Swatantra	3
(b) Socialist Party	2	UIPG	2
Congress (O)	3	(i) Swatantra	2
UIPG	2	UIPG	2
(c) Swatantra	2	(j) Muslim League	1
Congress (O)	7	Forward Bloc	1
(d) Muslim League	2	Congress (O)	1
Revolutionary Socialist Party	2	Ann. D. M. K.	2
Kerala Congress	3	(k) Socialist Party	1
(e) Socialist Party	1	Revolutionary Socialist Party	1
UIPG	4	(l) Nominated by the President	1
(f) Socialist Party	1	(m) UIPG	1
Forward Bloc	1	(n) UIPG	2
(g) UIPG	1		

A. PARTY POSITION IN LOK SABHA

(II) Party-wise

(As on March 1, 1973)

<i>Name of the Party</i>	<i>Strength</i>
Congress Party	361
C.P.I. (M)	25
C.P.I.	24
Jan Sangh	20
D.M.K.	20
<i>Other Parties :</i>	
U.I.P.G.	14
Congress (O)	11
Swatantra	7
Socialist Party	5
Muslim League	3
Revolutionary Socialist Party	3
Kerala Congress	3
Forward Bloc.	2
Telengana Praja Samiti	2
Anna D. M. K.	2
Unattached	13
Vacancies	8
TOTAL	523
	(excluding Speaker)

B. PARTY POSITION IN RAJYA SABHA

(1) State-wise

(As on March 1, 1973)

States	No. of Seats	CONG.	CONG (O)	JS	DMK	CPI	SWA	CPI (M)	M	S. P.(L)	BKD	SP	AKALI DAL	APHLC	FB(M)	MPP	PSP	Rep.	SMS	RSP	MUP	IND	Nominated	Vacancies
A. P.	18	14					1																3	
Assam	7	6										1												
Bihar	22	11	1	1		3				2													1	1
Gujarat	11	7	1	1			1																	1
Haryana	5	4	1																					
Himachal Pradesh	3	3																						
J. & K.	4	4																						
Kerala	9					3		2	2			1								1				
Madhya Pradesh	16	11	1	4																				
Maharashtra	19	13				1					1	1						1	1				1	
Manipur	1															1								
Meghalaya	1																							
Mysore	12	6	2																				4	
Nagaland	1	1																						
Orissa	10	4					5																	1
Punjab	7	4		1																				
Rajasthan	10	6	1	1			1																1	
Tamil Nadu	18	1	1	10			1	1	3														1	
Tripura	1	1																						
U. P.	34	14	7	5		1				1	3												2	1
W. Bengal	16	7				3		4							1								1	
Arunachal Pradesh	1																							1
Delhi	3	1		2																				
Mizoram	1																				1			
Pondicherry	1				1																			
Nominated	12	2																					10	
	243	120	15	15	11	11	9	7	5	3	4	3		1	1	1		1	1	1	1	14	11	5

C. PARTY POSITION IN STATE LEGISLATIVE ASSEMBLIES

States	Seats	Cong.	Cong(o)	Swat.	JS	CPI	CPI (M)	SP	PSP	Other Parties	Ind.	Nom.	DMK	Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Andhra Pradesh (as on 1-1-73)	288	216	..	..	..	8	1	..	..	39(a)	19	1	..	288(b)
Assam (as on 4-12-72)	114	94	..	..	..	..	..	4	..	15(c)	..	..	..	114(d)
Bihar (as on 22-1-73)	319	172	27	1	24	35	..	34	..	9(e)	14	1	..	319(f)
Gujarat (as on 31-12-72)	168	139	16	..	3	1	..	..	..	..	8	..	..	168(g)
Haryana (as on 5-2-73)	81	52	6	..	2	..	..	..	..	14(h)	7	..	..	81
Himachal Pradesh (as on 2-2-73)	68	53	..	..	5	..	1	..	..	8(i)	1	..	..	68
Kerala (as on 3-11-72)	134	33	3	..	..	16	30	8	4	36(j)	1	..	..	134(k)
Madhya Pradesh (as on 2-2-73)	297	226	..	..	44	5	..	7	..	..	12	1	..	297(l)
Manipur (as on 26-10-72)	60	20	..	..	..	5	..	3	..	20(m)	12	..	..	60
Meghalaya (as on 1-9-72)	60	9	..	..	..	..	..	..	..	43(n)	8	..	..	60
Mysore (as on 2-2-73)	217	165	24	..	..	3	..	2	..	1(o)	20	1	..	217(p)
Nagaland (as on 29-1-73)	52	..	..	..	..	..	..	..	..	52(q)	..	..	..	52(r)
Orissa (as on 23-1-73)	140	83	..	26	..	4	2	..	..	21(s)	3	..	..	140(t)
Punjab (as on 29-1-73)	104	68	..	..	..	10	1	..	..	25(u)	..	..	..	104
Rajasthan (as on 24-1-73)	184	144	1	11	7	4	..	4	..	..	11	..	..	184(v)
Tamil Nadu (as on 7-11-72)	235	6	13	6	..	8	..	..	..	14(w)	3	1	183	235(x)
Tripura (as on 20-1-73)	60	41	..	..	..	1	16	..	..	..	2(y)	..	..	60
Uttar Pradesh (as on 1-1-73)	426	278	36	1	38	4	1	17	..	48(z)	3	..	..	426
West Bengal (as on 27-1-73)	281	216	2	..	..	35	14	..	..	8(aa)	4(bb)	1	..	281(cc)
*Delhi (as on 31-1-73)	61	49	2	..	5	3	..	..	..	1(dd)	1	..	..	61
Goa, Daman & Diu (as on 25-8-72)	30	1	..	..	..	..	..	..	..	28(ee)	1	..	..	30(ff)
Mizoram (as on 9-1-73)	33	..	..	..	..	..	..	..	..	33(gg)	..	..	..	33
Pondicherry (as on 31-12-72)	30	7	3	..	..	3	..	..	..	..	2	..	15	30

*Refers to Delhi Metropolitan Council.

(a) Swatantra-Telengana Praja Samiti Front—3; Socialist Democratic Front 11; Andhra Progressive Democrats 8; Progressive Front 7; Peoples' Democrats 6; Majlis Ittehad-ul Muslimeen 3; RPI —1.

(b) Vacant—4.

(c) United Legislature Party 10; United Front —5.

(d) Vacant—1.

(e) Includes All India Jharkhand 3; Hul Jharkhand-2; Progressive Hul Jharkhand-1; Jharkhand (N. E. Horo Group)-1; Hindustani Soahit Dal—2.

(f) Vacant-1; Includes Hon. Speaker.

(g) Vacant-1.

(h) Includes Vishal Haryana Party-3; Progressive Independent Party-11.

(i) Progressive Front.

(j) Includes Kerala Congress-13; Muslim League-11, Revolutionary Socialist Party-6; Kerala Socialist Party-2; Congress Socialist Party-2; Karshak Tozhiali Party-2.

(k) Vacant-2; Includes Hon. Speaker.

(l) Vacant-2; excludes Hon. Speaker.

(m) Includes M.P.P. -17; U.N.I.C.-3.

(n) Includes A.P.H.L.C.-35; H.S.P.D.P -8.

(o) Janata Pakaha.

(p) Includes Hon. Speaker.

(q) Includes Nagaland Nationalist Organisation—30; United Parliamentary Group—22.

(r) Includes Hon. Speaker.

(s) Jharkhand—2; Jana Congress-1; Utkal Congress-18.

(t) Includes Hon. Speaker; Vacant-1.

(u) Shiromani Akali Dal-25.

(v) Vacant -2.

(w) Tamil Arasu Kazhagam-1; Forward Bloc-7; Muslim League -6.

(x) Including Hon. Speaker.

(y) Supported by CP(M).

(z) Includes B.K.D. -42; Unattached-2 (Speaker & Deputy Speaker) Muslim Majlis-1; S.S.P-1; Vacant-2.

(aa) Includes R.S.P.-3; Socialist Unity Centre-1; Workers Party-1; Gorkha League-2; Muslim League-1.

(bb) Includes Speaker.

(cc) Vacant-1.

(dd) Muslim League.

(ee) Includes Maharashtrawadi Gomantak Party-18; United Goans-10.

(ff) Includes Hon. Speaker.

(gg) Mizo Union-27; A.I. C.C.-6.