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### *Articles*

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## EDITORIAL NOTE

In the context of the two recent cases in the Supreme Court of India involving some vital questions of parliamentary privilege, an Emergent Conference of Presiding Officers of Legislative Bodies in the country was convened in New Delhi in April 1984. It was inaugurated by Dr. Bal Ram Jakhar, Speaker, Lok Sabha. In his address, Dr. Jakhar *inter alia* observed : "Our Constitution has allotted specific duties and responsibilities to Parliament as well as to the Courts and we have to have mutual respect for each other". He added : "I have no manner of doubt that with the strong tradition of democracy laid down in our country, these institutions which form the two wheels of the same vehicle, would supplement and complement each other and become a source of strength to the nation as a whole". We reproduce the text of the address for information of our readers.

We also publish in this issue the texts of the address by His Excellency, Mr. Yasuhiro Nakasone, Prime Minister of Japan, to the Members of Parliament of India during his recent visit to the country, the welcome speech by the Speaker of Lok Sabha and the thanks-giving speech by the Deputy Chairman of Rajya Sabha.

It is proposed to make a determined effort to improve the quality of the contents of the *Journal* and to make it more readable and more useful. All suggestions in this regard will be most welcome.

From this issue onwards it would be our endeavour to publish regularly original contributions by presiding officers, Ministers, Members of Parliament and State Legislatures, renowned scholars and students in the parliamentary field. We would welcome practice and problem-oriented articles on topics of contemporary parliamentary interest particularly based on personal experiences of the parliamentarians. Needless to add the usual caveat that the views expressed in the signed articles are those of the authors themselves and the Lok Sabha Secretariat or the Editor assume no responsibility therefor. Nevertheless, the *Journal* would like to scrupulously avoid material of a partisan or controversial nature.

We have the pleasure of including in this issue four articles. Dr. Bal Ram Jakhar, Speaker, Lok Sabha in his article on "Parliament, People

and Administration” dwells on the vital roles played by the three institutions in our participatory democracy. He cautions the people that they do not become free from responsibility after exercising their franchise and exhorts them to be always alert and vigilant and keep an eye on their elected representatives and also monitor their functioning.

In the second article Shri R. Venkataraman, Union Minister of Defence, discusses some important aspects of Parliament under our Constitution, e.g. the scheme of distribution of powers between the Union and the States, the theory of separation of powers, the merits and demerits of the presidential system *vis-a-vis* the parliamentary system etc.

Shri R.R. Bhole, M.P., in his article entitled “Is Parliament Effective ?” examines the present position and style of functioning of our Parliament and makes some useful and thought provoking suggestions.

Professor Madhu Dandavate, M.P., in his article on “Humour in Parliament” says that humour is the soul of parliamentary life and rightly so. It not only enlivens the proceedings but also greatly helps in dissolving the tensions in Parliament often generated by heated discussions. He gives several instances of lively wit and humour in the Houses of Parliaments in India and abroad. Beginning with this issue, we propose to make ‘Wit and Humour in Parliament’ a regular feature of the *Journal*.

The issue also carries the other regular features like short notes on valedictory meetings of Parliamentary Committees, seminars, parliamentary events and activities, parliamentary privileges, procedural matters, parliamentary and constitutional developments in India and abroad and brief resume of the sessions of the two Houses of Parliament and of the Legislatures of States and Union Territories.

We offer our felicitations to Sarvashri Ram Kishore Shukla, Prasanna Kumar Das and Dayanand Ganesh Narvekar on their election as Speakers of the Legislative Assemblies of the States of Madhya Pradesh and Orissa and the Union Territory of Goa, Daman and Diu respectively.

—*Subhash C. Kashyap*

ADDRESS BY DR. BAL RAM JAKHAR, SPEAKER, LOK  
SABHA AT THE EMERGENT CONFERENCE OF  
PRESIDING OFFICERS HELD AT NEW  
DELHI ON 25 APRIL, 1984

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Friends,

I am happy to have this opportunity of addressing this Emergent Conference of Presiding Officers on a very important and, if I may say so, a sensitive subject connected with the privileges of our Legislatures. It was only in January this year that we had met in Bombay for our annual deliberations. Since then important developments of considerable constitutional importance involving the Legislature, the Press and the Judiciary have taken place. Two privilege cases relating to the Andhra Pradesh Legislative Council and Kerala Legislative Assembly are now pending before the Supreme Court. We have specially assembled here today to consider the issues arising out of these privilege cases which are likely to vitally affect the effective functioning of our Legislatures.

Privileges of the Legislatures are necessary for the proper exercise of the functions entrusted to them by the Constitution. They are enjoyed by individual Members of a Legislature to enable the House to perform its functions efficiently and by the House in its collective capacity for the protection of its Members and vindication of its own authority and dignity. There is, however, a tendency in some quarters to regard these privileges as somewhat anachronistic. Once, we recognise the place of the Legislature in our polity as a people's institution, it is only logical that the Legislatures and their Members should be able to function, without let or hindrance, unassailed from any quarter, if they are to fulfil their assigned role in the polity.

While some of the privileges of the Legislatures are specified in our Constitution, Statutes, Rules of Procedure and Conduct of Business of the House, others are based on precedents and conventions. The most vital privilege of the freedom of speech within the walls of the legislative chamber and the most basic immunity, viz, the immunity from legal action in respect of anything said or any vote given in the House or any Committee thereof have been specially incorporated in our Constitution. In other respects, the Constitution has made provision for Parliament and State Legislatures to define their privileges from time to time by law and until so defined, has equated them with those of the House of Commons in Great Britain as at the commencement of the Constitution. This provision, as you know, was amended in 1979, according to which the powers, privileges and immunities of the House are the same as immediately before coming into force of the Constitutional amendment on 20 June, 1979. No law has so far been passed on the subject with the result that in actual practice the privileges of each House continue to be the same as those of the British House of Commons.

One of the important privileges of a House is its right to exclude any strangers, from which follows the right to regulate the admission of such persons into the House. Regulations have, therefore, been made for admission to the various galleries of a Legislature including the Press Gallery meant for representatives of the press. The admission by cards issued on the advice of a press Gallery Committee. The card gives only a right to be in the Gallery of the House for reporting the proceedings which right may be withdrawn by the Presiding Officer at any time. There is no fundamental right of entry to the Press Gallery. The Presiding Officer is the ultimate authority for this purpose and if anybody tries to challenge that authority, it is detrimental to the collective interests of the House and the people at large.

Another important privilege of a Legislature is that it must not be obstructed or impeded in the performance of its functions. Indignities offered to the House by spoken words or derogatory writings casting reflections on the character of the Legislature or its proceedings tend to obstruct the functioning of the Legislatures by diminishing the respect due to them.

Each House of Parliament, as also a House of the Legislature of a State, is the guardian of its own privileges. It is the sole judge to determine what act constitutes a breach of its privilege or contempt. It has the power to secure the attendance of persons on matters of privilege, to punish for breach of privilege or contempt of the House and commit the offender to custody or

prison. The courts of law have also recognised this power of the House. In fact, in several cases the courts have emphatically stated that they are not competent to scrutinise the exercise of that power by the House.

As regards privileges of Parliament *vis-a-vis* the Fundamental Rights guaranteed to the citizens under the Constitution, the Supreme Court itself held in 1959 in the famous *Searchlight* case that the relevant provisions of articles 105 and 194 were constitutional laws and not ordinary laws made by Parliament or State Legislatures and that, they were as supreme as the provisions of articles relating to Fundamental Rights. The court, therefore, ruled that in such matters, the principle of harmonious construction must be adopted and so construed that the provisions of article 19 (1) (a) which are general, must yield to those of article 194 which are special.

In the *Keshav Singh's* case the main point of contention before the Supreme Court was the power of the Legislatures to commit a citizen for contempt by a general warrant and the Jurisdiction of the courts of law in respect of that committal. Upholding the power of the Legislature to punish anyone for its contempt, the Court, in its majority opinion, had however, ruled that it could not be said that the order of the Legislature would be totally non-justiciable.

As you are aware, the opinion of the Supreme Court was subsequently discussed at the Conference of Presiding Officers in Bombay in 1965. The Conference unanimously adopted a resolution expressing its view that suitable amendments to articles 105 and 194 should be made in order to make the position clear beyond doubt so that the powers, privileges and immunities of Legislatures, their Members and Committees could not, in any case, be construed as being subject or subordinate to any other article of the Constitution. Since, in the meantime, the Allahabad High Court upheld the power of the Legislative Assembly to commit for its contempt, the Government did not bring forth an amendment of the Constitution.

We discussed this matter again at our recent Conference of Presiding Officers in Bombay and after a thorough consideration of all the aspects of the matter adopted a resolution on 3 January, 1984 affirming that "the Legislatures are supreme in their affairs in the conduct of the business of the House and their powers, privileges and immunities granted by the Constitution of India, and no other authority shall have jurisdiction or power to interfere in that respect."



Important privileges of the Legislatures are under attack in the two privilege cases now pending in the Supreme Court. You are doubtless aware about the facts of these cases. It is true that a citizen is entitled to enjoy the Fundamental Rights enshrined in the Constitution but it is also fundamental that the Legislature should have a free hand in the exercise of its rights, duties, powers and privileges, unfettered by any outside agency. If a Legislature summons a person to appear before it, I do not see how his Fundamental Right is breached. If at all he feels aggrieved, the remedy for him is to represent his case before the Legislature. In the Press pass case, the Kerala High Court has held the position that the rules framed under article 208 are subject to scrutiny by the court. If this position is accepted, the very functioning of the Legislatures will become difficult and indeed a serious situation may arise because then the entire procedure of the House is likely to come under the purview of the Court.

It is unfortunate that these conflicts should have arisen at all. Our Constitution has allotted specific duties and responsibilities to Parliament as well as to the Courts and we have to have mutual respect for each other. It would be in the best interests of the nation if democratic norms and traditions set down in the Constitution are meticulously observed and those connected with these institutions do not over-step their limits, so that the ideal concept enshrined in the Constitution remains a living reality and does not become an illusion.

I have no manner of doubt that with the strong tradition of democracy laid down in our country, these institutions which form the two wheels of the same vehicle, would supplement and complement each other and become a source of strength to the nation as a whole.

Friends, you are aware of the debate that has been going on for a number of years on the need or otherwise, of codification of parliamentary privileges in our country. While one view is that codification would impart an element of definiteness and certainty in the law of privileges and would be helpful, particularly to the Press and others to ensure that they do not violate these privileges, the other view is that no code could possibly foresee and provide for all the circumstances and situations and any written law is only likely to expose the action of the Legislature to judicial interference.

I am in agreement with the view that if there is mutual trust and respect between the Legislatures and courts there is hardly any need to codify the law

on the subject of privileges. A written law will make it difficult for the Legislatures as well as courts to maintain that dignity which rightly belongs to the Legislatures and which the courts should uphold as zealously as they uphold their own.

There is always scope for re-examination and re-thinking on this subject, as indeed on any other aspect of our parliamentary procedures and practices. I am sure that deliberations here will throw up many useful ideas and constructive suggestions.

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Prof. Madhu Dandavate : *Can I catch your eyes ?*

Mr. Speaker : *Not only the eyes, I have given you the ears also.*

Prof. Madhu Dandavate : *I am prepared to catch your ears also. I do not mind it.*

Mr. Speaker : *You have already done it.*

*(L.S. Deb., 7 March, 1984)*

**ADDRESS BY HIS EXCELLENCY, MR. YASUHIRO,  
NAKASONE, PRIME MINISTER OF JAPAN,  
TO MEMBERS OF PARLIAMENT**

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On 4 May, 1984, His Excellency, Mr. Yasuhiro Nakasone, Prime Minister of Japan, addressed the Members of Parliament in the Central Hall of Parliament House. We reproduce below the text of his Address as well as of the welcome speech by Dr. Bal Ram Jakhar, Speaker of Lok Sabha and President of the Indian Parliamentary Group and the thanks-giving speech by Shri Shyam Lal Yadav, Deputy Chairman of Rajya Sabha and Vice-President of the Indian Parliamentary Group.

*—Editor*

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**SPEECH BY DR. BAL RAM JAKHAR, SPEAKER, LOK  
SABHA AND PRESIDENT OF THE INDIAN  
PARLIAMENTARY GROUP\***

Your Excellency Mr. Yasuhiro Nakasone, Madam Prime Minister, Hon'ble Deputy Chairman, Hon'ble Members, Ladies and Gentlemen :

It gives me great pleasure to welcome on behalf of the Members of the Parliament of India and on my own behalf the distinguished Prime Minister of Japan and the leader of a great nation whose friendship we value.

Japan and India have been bound by common ties of culture and religion since the dawn of human civilization. The history of old contacts between our two peoples makes a fascinating and absorbing reading. The religious and cultural contacts between India and Japan defying distance in ancient times have been far more intimate and vibrant than usually imagined. There has been mutuality of give and take. The contacts were essentially in the commerce of thought and ideas—religious and secular—and of art and

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\*Spoke in Hindi,

culture. Indeed the countries of Asia—Japan and India and others—represent great civilizations with their own individual characteristics and yet there are so many links between them, coming down from the hoary past. A certain sense of unity is discernible despite the rich diversity that we find in this great continent. It is well, therefore, that this sense of unity is emphasised, leading to greater friendship and cooperation.

Today, the land of the rising sun enjoys the unique distinction of being the first Asian nation to achieve economic modernisation. Coming as it does after the ravages wrought by war, the progress is indeed phenomenal. Japan is amongst the greatest industrial powers in the world today and the strides that it has made during the last over three decades are remarkable indeed. Its economy has withstood the worst of international crises. This shines as a beacon light of hope to the whole of Asia and indeed to all the developing countries of the world.

We in India admire the comparative ease with which Japan has modernised itself retaining at the same time all that is best in its ancient culture and traditions. What adds to the glory of Japanese nation is the excellent mix of tradition and modernity that the great people of Japan have so successfully evolved.

We are today living in a world where interdependence is acquiring growing meaning and content. Prosperity and development should be shared for mutual and wider benefit. We are happy to note that the importance of this message is getting increasingly reflected in Japan's policies. It is thus that Japan has graciously helped us in building a sound infrastructure for our economic growth. Japan, in fact, is playing a vital role in the economic transformation of India through cooperation in trade, industrial technology and agriculture. It has helped us in the establishment of fertilizer, petrochemical, thermal and hydro-electric projects as well as in development of iron ore mines and oil exploration. We are proud of the fact that Japan is one of our leading partners in trade and over the years the Indo-Japanese trade has been rising rapidly.

Japan has emerged as one of the great industrial powers of modern age. Nevertheless, the characteristic feature of the Japanese society that we find is that it is inspired by contentment and love, and not by ambition and greed. The culture of a nation is reflected in its people's appreciation of truth, goodness and beauty everywhere. This is what we witness in Japan in its social institutions, in its manners and etiquette, and in its dealings with things which are not only deft but graceful. The Japanese have endeavoured to bring elegance and grace into an otherwise harsh and drab human existence. In

sum, the genius of Japan manifests itself in the vision of beauty in nature and the power of realising it in one's life.

The world has become bigger in terms of artificial distances created between people, but has become smaller in sheer vulnerability. We shudder to think of the nightmare that befell Hiroshima. As nations whose commitment to disarmament transcends the physical distances that separate them, India and Japan share a dedication to peace and harmony in international life. We believe that there is much that we can accomplish by our understanding and cooperation, both to develop our bilateral relations and to contribute to the life of the world community.

With your Excellency's gracious visit to our country we are delighted to say that our nation's admiration and our deep respect for Japan and its people have been renewed and redoubled. Your visit has moved the people of India. The bounds of friendship between India and Japan have been further strengthened and, I am sure, hereafter relations between our two countries will be closer than ever.

With these words, Your Excellency, I welcome you here and request you to address the Members of our Parliament.

**ADDRESS BY HIS EXCELLENCY, MR. YASUHIRO  
NAKASONE, PRIME MINISTER OF JAPAN\***

*New Friendship, New Beginning*

Honourable the Prime Minister, Honourable the Speaker, Lok Sabha, Honourable the Deputy Chairman, Rajya Sabha and Honourable Members of Parliament :

I have come to India to build a new cooperative relationship, befitting the coming centuries, between the two most powerful democracies in Asia, Japan and India. I have come to forge closer Japan-India relations, which will promote the development of our two countries, and will contribute to the peace and prosperity of Asia and the world.

I should like to express my sincere appreciation to the Indian Parliament and Government for affording me this precious opportunity to state my views on this important matter.

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\*Spoke in Japanese.

Excellencies, India and Japan possess undeniable influence in the international community, and with that influence come major responsibilities.

Seeking "unity in diversity," the 700 million people of India have overcome ethnic, religious and linguistic differences to create the world's largest democracy. At the same time, as one of the first nations to embrace non-alignment in foreign relations, India is making vital contributions today, in its capacity as Chairman of the Non-Aligned Movement, to the cohesion and development of the Third World.

Japan, meanwhile, has become one of the world's leading industrial countries, accounting for approximately ten per cent of world's Gross National Product. As a democratic nation in East Asia that has assimilated Western civilization into its long tradition and unique culture, Japan is now making distinctive efforts on behalf of world peace and prosperity. Now is the time for our two leading nations of Asia to establish a new relationship commensurate with our international standing, and in the service to the international community.

Excellencies, the spiritual contacts between Japan and India go back well over a thousand years, and about a century ago we were sources of strength for each other, as India moved toward nationhood and Japan to modernization.

Allow me to reminisce on a personal note for a moment. I met with Prime Minister Indira Gandhi's Father, the late Prime Minister Nehru, when I visited India for the first time 27 years ago, in 1957. I was in my late thirties at the time, and Prime Minister Nehru told me that, when he was young, he was much encouraged by Japan's victory over Tzarist Russia in the Sea of Japan. It showed him, he said, that even a developing Asian country could defeat a great European power in the cause of preserving its independence and culture. I was deeply struck by Prime Minister Nehru's warm compassion on that occasion as he sought to comfort us, the Japanese, who were still dispirited and miserable from the devastation and defeat of the Second World War. He expressed these same sentiments in his autobiography, evoking the mood of Japan-India relations in the early twentieth century. After World War II, when India achieved its independence, Japan was on trial before the world as a vanquished nation. However, at the Tokyo tribunal, the eminent Indian jurist Radhabinod Pal displayed a sympathetic understanding toward Japan's past deeds, and the Japanese people, in the depths of their despair and remorse, were grateful. And of course everyone knows how, in 1949, Prime Minister Nehru sent an Indian elephant to the children of war-torn Japan.

This elephant, which was named Indira after his daughter, the present Prime Minister, was beloved not only by the children of Tokyo, but also by people throughout Japan.

People-to-people relations between Japan and India grew in this manner, so too did our economic relationship expand. In our trade, Japan's pre-war imports of Indian cotton gave way to growing imports of iron ore, which were important in Japan's industrial recovery. After Japan had regained its pre-war economic levels, it was to India that Japan extended its first yen credits as economic cooperation.

While Japan-India relations of friendship and cooperation were advancing steadily, our two countries were each making spectacular strides in development. Drawing on the creativity and vitality of the Indian people, India achieved through a "Green Revolution" near self-sufficiency in foodstuffs, a goal once thought impossible. India also tackled the task of upgrading her industries, and has now become a nation of major industrial capacity, producing domestically almost all of her consumer goods. India has also made many noteworthy achievements in such advanced high-technology fields as space development and Antarctic exploration.

The Japanese people have a deep respect for India's historic and current cultural accomplishments. Yet, unfortunately, I cannot say that everybody in Japan has a perfect understanding of your impressive political and economic progress. In the other direction, I also wonder whether there are not, at times, some gaps in the understanding of the Indian people about Japan. Solid relations of friendship and cooperation are built on a foundation of accurate mutual understanding.

My present visit to India stems from my determination to take this first step towards creating a new Japan-India relationship, by conveying to you the profound respect and sincere friendship the Japanese people hold for India and by further broadening the understanding and appreciation the Japanese people have of India.

### *A Global Strategy For Peace and Prosperity*

Excellencies, this afternoon I had an extended meeting with Prime Minister Indira Gandhi, during which we exchanged views on a wide range of subjects and I was able to speak with her frankly about my feelings for a new Japan—India relationship. If I may, I should like to take a few minutes here



to explain my thoughts and Japan's policies on the issues of peace and security and on problems in international relations issues which figured prominently in my talks with Prime Minister Indira Gandhi.

Central to my beliefs is my deep conviction that mankind must never, and for all time, allow a Third World War to occur.

The twentieth century has already seen two global conflicts. Global war is like the phenomenon of an enormous flood, caused when the pressures of power politics become too great, and the dykes are overwhelmed. Those who are engulfed in this flood and lose their lives are innumerable. Those who manage to survive quickly set to work on ways to prevent war, erecting new embankments and digging new channels to ensure that the scourge of war never returns. I believe firmly that mankind must never cause such a flood to happen again.

After World War-I, our new embankments and channels were the League of Nations and the Treaty of Versailles. Yet even as these new arrangements appeared to be working well, they were soon challenged severely by new forces. While both parties to a conflict always find rationalizations for their actions, ultimately it was dogmatic world views and nationalistic philosophy that unleashed once again a terrible flood of destruction upon the world. This was the Second World War, and regrettably Japan was one of the challenging forces.

After World War-II, new channels to prevent war were erected again. The world started out with the creation of the United Nations system, and the reality, early in the postwar period, of the superpowers' monopoly of nuclear weapons.

However, the situation was totally changed from what it was after World War-I. First, a large number of nations that were once colonies became independent states. Independence gave birth to political and economic activism in all corners of the world. Awakened peoples have come to criticize sharply those elements of the post-war global structure that are not necessarily in accordance with justice and equity, giving rise to what we call the North-South problem.

Another change that came was advance in science and technology that have drastically multiplied the destructive power of nuclear weapons. Today, enough nuclear weapons exist on the face of our planet to ensure mankind's



extinction many times over. At the same time, the secrets of manufacturing these weapons have spread, and it is no longer possible for a handful of nations to monopolize this technology. The international community now narrowly averts nuclear holocaust, maintaining a fragile peace through a balance of nuclear terror.

Unlike the situation preceding World War-II, we now face the prospect of a truly global catastrophe. Whatever the means employed, any military action which carries the risk of escalating into nuclear war has the potential for triggering global devastation. That is why, it is imperative that we seek through reasoned dialogue and negotiation, through peaceful and democratic means, to resolve international conflicts and to rectify the contradictions and irrationalities in the world system.

I find reason for hope in the startling advances that have been made recently in mass communications, world wide satellite television broadcasting, and other tele-communication technology. Could not the spread of information deepen mutual understanding among all peoples, and be an effective means for making all peoples aware of the folly of war? Is not this technology becoming a great invisible force in support of world peace? If television and satellite-based global communication systems had been fully developed before World War-II, is it not possible that we could have avoided that tragedy?

In any event, all countries today must recognize the very harsh realities we face, and each must choose its strategy for preventing war and preserving peace. Reflecting deeply on the excesses of World War-II, Japan has made utmost efforts to devise a strategy for attaining a lasting world peace and prosperity.

I should like to outline the main points of our strategy. First, Japan recognizes that the question of peace and security has become too large today for any one nation to resolve on its own. We believe these issues must be dealt with through international cooperation and solidarity. Although the attainment of peace ultimately demands global consensus, Japan recognizes the stark reality that it is the balance and deterrence of power that are now actually preventing the outbreak of World War-III. Therefore, we are seeking to build international cooperation as well as to provide for our country a modest and minimum necessary self-defence capability. We have security arrangements with the United States of America and are pursuing a policy of comprehensive security for the nation.

Our stance is based upon an assessment of our geo-political position as an East Asian island nation, and of the military build-up in and around North East Asia as well as its potential threat. This balanced policy has proved effective, both in helping us achieve a domestic consensus, and in alleviating the anxieties of our neighbouring nations that Japan might develop into a military power.

Next, we know that our economic survival demands that we make free market principles the core of our domestic and external policies.

Needless to say, dependent as we are upon overseas resources and overseas markets, we well appreciate that the maintenance of world peace and free trade are the very foundations for our national survival.

Japan has been especially anxious to strengthen its friendly relations with the Third World and non-aligned countries, and to improve and enhance our economic cooperation with developing countries. We seek to strengthen the bonds of coexistence and mutual prosperity on the basis of mutual benefit and equality, in an effort to promote mutually peace and a better world.

Broadly speaking, these three policies are the mainstays of Japan's strategy for peace.

#### *New Development of Japan-India Cooperative Relations*

Excellencies, how then we shape a new relationship befitting our two countries—between Japan that is pursuing the policies I described and which possesses an enormous economy in East Asia, and the great nation of India that is continuing robust development as a leader of the Non-Aligned Movement ?

I should like to express my views on this question, touching on four aspects of our relationship.

First is the question of how our two countries can cooperate in the cause of world peace and disarmament.

The area most demanding and deserving of our cooperation, needless to say, is that of preventing nuclear war. If we can abolish nuclear weapons, achieve disarmament, and devote the surplus thus generated to the develop-

ment of the developing countries, we can hold out promise of a better world for generations to come. As a start, I believe we must promote efforts to bring the balance of power, including the nuclear balance, to the lowest possible levels under reliable guarantees. I am determined to do what I can toward this end.

Although we differ in our foreign policies, although Japan aligns itself with the so-called free world and India with the Non-Aligned Movement, I believe there is great potential for us to cooperate in maintaining peace and promoting disarmament.

Since my appointment as Prime Minister, I have utilized summit-level meetings and other means to pursue a foreign policy seeking world peace. On the opportunity of my visit to India, an influential leader in the Non-Aligned Movement, I am hoping to embark upon a new direction in Japan's foreign policy, to further strengthen our dialogue and cooperation with the countries of the Non-Aligned Movement—a force which constitutes nearly two thirds of the United Nations membership. Discussions with your Government are very important in this sense, and this is certainly one of the main purposes of my visit.

In this vein, I cannot but recall the spirit of Asian friendship and conciliation which prevailed at the Bandung Conference, convened by the late Prime Minister Nehru, one of the most outstanding leaders of the Conference. Of course, this was not, strictly speaking, a meeting of the Non-Aligned Movement, nor was attendance restricted to Asian countries. But I cannot help but feel there was a distillation of the wisdom of Asians in the search to avert conflict and contention through co-existence. Since then the ten principles of the Bandung Conference have undergone numerous historical trials, but their value as principles for ordering international relations, and as a beacon of hope for international solidarity, remains undiminished.

I hope that it will be possible, through frequent consultations with India in that spirit, to bring forth brighter wisdom for building the future of Asia and the world.

Now I should like to turn to the second aspect of our relationship, namely promotion of our bilateral dialogue on the international economy.

At last year's Williamsburg Summit, I urged all countries to show greater understanding of the developing countries' positions. I stressed that North South are two wheels of the same vehicle, and that the world economy is not going to get very far unless both are fully vitalized. I intend to maintain this position at the London Summit next month.

We, in Japan, have long felt that it is one of our responsibilities to cooperate with the developing countries in their nation-building efforts. We have made special efforts, despite our own severe financial constraints, to promote official development assistance and other cooperative efforts on behalf of these countries' economic development and human livelihood. This is another area in which I feel we need a strengthened dialogue with India.

Third, I should like to speak about promoting bilateral economic and industrial cooperation.

As India has consolidated the basis for its economic development with its steadily increasing petroleum production there have been an increasing number of industrial collaborations, in automobiles and other fields, between Japanese and Indian companies. Investment, technical collaboration, and other forms of private-sector industrial cooperation are based on each company's independent and rational assessment of economic condition. In this sense, the economic liberalization measures currently being undertaken by the Government of India have been welcomed by the Japanese Government and industry alike. We hope you will continue to move in this direction.

Last of all, Japan despatched an investment survey mission to India in order to promote industrial cooperation between Japan and India, and I am pleased that talks are proceeding on several industrial collaboration projects after that mission's visit. I should like to send another economic mission of private-sector businessmen to India to build upon this momentum.

The fourth aspect of Japan-India relations is that of exchanges in culture, arts and sports.

Nearly 120 years ago, Japan opened itself to Western civilization, and embarked on prodigious efforts to fuse our indigenous culture and Western civilization into a new culture, to develop new horizons of human civilization

through a harmonious blend of Eastern spirit and Western science and technology.

India is also engaged in a similar effort to create a new culture, harmonizing traditional Indian culture with modern science and technology. Although we may have different cultural backgrounds, we have both been attempting in essence to meet the same historical challenge. I think it would be valuable for us to consult on this, seeking new ways we can cooperate as two countries with great traditions on the Eastern and Western edges of Asia.

The greats of ancient Indian civilization composed the Vedas, gave rise to Buddhism, and invented the cipher "Zero". These cultural benefits crossed the Himalayas and travelled East to bless Japan. Given this historical background, there is an endless stream of cultural pilgrims from Japan now travelling the silk road or coming ashore from the Bay of Bengal in search of their philosophical and artistic roots and birth place. These Japanese come in contact with the vast profound and ancient Indian culture, appreciate the grandeur of nature on the Indian sub-continent and are filled with the spirit of renewed cultural and artistic creativity.

I also place a special emphasis on exchanges in the field of sports, where common rule transcending national boundaries are strictly observed. Noting the storm of applause that invariably ensures from all spectators for new world records or outstanding performances of athletes, regardless of nationality, I believe that sports exchanges have an especially important role to play in preserving peace, preventing war and promoting international dialogue.

In this regard, I recall that it was largely India's strong support which made it possible for occupied Japan to participate in the 1951 Asian Games in New Delhi, despite the opposition of some other participating countries. I should add that it was in large part to show appreciation for the support India had offered for Japan's restitution to the international community, that Japan sent an unprecedentedly large delegation to the Ninth Asian Games which were held in New Delhi thirty-one years later.

Excellencies, Tomorrow morning, I plan to travel to Rajghat to place a wreath at the Samadhi of Mahatma Gandhi, Father of the Nation. Espousing a philosophy of non-violence and leading a simple life, Mahatma Gandhi by the very force of his personality subdued the rulers of the time and won the respect of all peoples in the world. The love and friendship which are

epitomized by Mahatma Gandhi's famous ambition "to wipe every tear from every eye" is indeed the foundation for the building of India. I believe that it is this love and friendship that also constitute the foundation for the very survival of humankind, transcending all ethnic and state boundaries, and binding all countries and peoples together in solidarity.

It is in the spirit of love and friendship, looking towards a new development of cooperative relations between Japan and India, that I should like, from this dais here today, to convey the Japanese people's respect, gratitude and affection to the Honourable the Speaker and Honourable Members of the Indian Parliament, and to all the people of India.

*Bharat Japan Maitri Ki Jai.*

Thank you very much.

SPEECH BY SHRI SHYAM LAL YADAV, DEPUTY  
CHAIRMAN, RAJYA SABHA AND VICE-PRESIDENT  
OF THE INDIAN PARLIAMENTARY GROUP

Your Excellency, Mr. Prime Minister, Madam Nakasone, Madam Prime Minister, Hon'ble Speaker, Members of Parliament, Ladies and Gentlemen:

I have great pleasure in expressing on behalf of the Members of the Indian Parliament and on my own behalf our sincere gratitude to you, Mr. Prime Minister, for the most inspiring and thought-provoking address you have very kindly delivered here a short while ago. Listening to your words, full of warm feelings for our country and our people has indeed been a matter of great pleasure for us and particularly for me, because I am privileged to come from Sarnath (Varanasi), from where Lord Buddha preached his eternal message of peace to the world. May I assure you that we wholeheartedly reciprocate the sentiments expressed by you for sustaining and strengthening Indo-Japanese friendship and cooperation.

Mr. Prime Minister, your visit to India would be a memorable event in continuing friendship of our two countries and will give a fillip to the effort that our two Governments are currently making for closer understanding and cooperation in various fields.



India and Japan have had a long-standing relationship. Both our countries belong to Asia, the cradle of some of the oldest civilizations of the world. The Buddhist religion and philosophy have contributed substantially to the moulding of national character and culture in both our countries.

In more recent years we have watched with admiration the rapid strides that Japan has made in the economic sphere after the devastation suffered in World War II. It redounds to the credit of the hard working Japanese people that Japan is the first Asian nation to have achieved economic modernisation. Not only have their standards of living reached or even exceeded the levels of the most developed countries of the West, but their economy has emerged as one of the most powerful in the world. Indeed your people have transformed the very concept and meaning of the word 'Japanese' within the course of the last three decades. Your technological advances have been remarkable. It is also fascinating to observe how productivity has been increased both in agriculture and industry. We find small and large-scale industries growing side by side and contributing to each other's growth. Your unparalleled achievements are well-reflected in the soaring Gross National Product and export surpluses. Though small in geographical dimensions and in terms of population, you have now become world leaders in several fields including manufacturing industries like automobiles, electronics, steel, and ship building. Your progress is a source of great inspiration to the developing countries especially in Asia.

It has also been my privilege to visit your great country twice and see for myself the democratic culture of the people and the functioning of your government. I had occasion to be the guest of the President of your Senate who treated me to a traditional Japanese style of festivity. On both the occasions I was greatly impressed by the utmost discipline maintained by your people and workers in factories and field. You have utilised every conceivable method for increasing agricultural production by making use of every inch of land available and by introducing floating cultivation. These are things to be seen to be believed and worth emulating by other developing nations.

Significantly, in a world that is spending enormous amounts of its wealth on armaments, Japan is concentrating on economic growth. Indeed nations, especially of the Third World, are worried today as much about their economic security as their political freedom. Hence the quest for a new International Economic Order and a North-South Dialogue. We are glad that Japan under your leadership understands the problems of the developing world and is contributing to attainment of a balanced and faster growth of the world economy. We feel that all nations, and democratic ones in particular, owe it

to their commitment to equality and dignity of man to respond, in partnership with all others, in collective action to the need for peace and prosperity everywhere. Our vision is of a better India in a better world.

Mr. Prime Minister, we India are currently engaged in the tremendous task of achieving, in a democratic way, a better standard of life for our people. We are grateful to the Government and people of Japan for the cooperation and assistance that they have given us in our endeavours, particularly in the fields of fertilizers, transportation and communications.

Your Excellency, may I once again say how happy we are at your sparing some valuable time out of your busy schedule to address the Members of our Parliament. Before I conclude, let me take this opportunity to convey to Your Excellency, and through you to the Members of the National Diet and the people of Japan, the greetings and good wishes of the Members of Indian Parliament and the people of India.

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**Krishna Chandra Halder :** .....*Sir, he is not hearing me. He is reading some paper.*

**Mr. Speaker :** *He is listening by his ears and reading by his eyes.*

**Krishna Chandra Halder :** *Whether he can simultaneously read and listen, I do not know. But if he does that, I am happy.*

*(L.S. Deb., 14 March, 1984)*



**PARLIAMENT, PEOPLE AND ADMINISTRATION\*****DR. BAL RAM JAKHAR**

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The people of India had been under foreign subjugation for a long time and they carried on the struggle to free themselves from the foreign yoke and for translating their ideas into practice so as to march forward along with the community of other nations with pride. In order to attain this objective, our great leaders made innumerable sacrifices. They sacrificed their invaluable lives, spent their best days in jails and suffered exile. Their motto was:

“जननि जन्मभूमिश्च स्वर्गादपि गरीयसी”

That is,

In this world, mother and motherland rank higher than heaven.  
There is nothing higher than that.

A person who forgets this, loses goodness and his soul and becomes inanimate, without compassion and activity.

In the light of the supreme sacrifices made by the founding fathers of our nation, it becomes necessary for all of us to see how the Parliamentary system adopted by our country functions and how the people and the administration work.

Parliamentary democracy is a participatory system in which the people, the Parliament and the Government have their own responsibilities and roles to play. The Parliament and the Administration play complementary roles to serve the people. The correct functioning of each of these and the right inter-relationship between them are essential pre-requisites for sustaining desirable standards in public administration.

Parliament in our polity is a multi-functional institution performing a

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\*Adapted from the address by the author, delivered at a symposium on the subject held at Bombay on 4 January, 1984.

variety of roles. Foremost among them is its representational role. All other aspects of its functioning—its role as law-making body, as controller of nation's purse, as overseer of the administration, as redressor of public grievances etc. —may be said to flow, or derive their real sanction from its status and character as an institution representing the people and their will. Parliament and State Legislatures comprising the elected representatives of the people, are primarily and pre-eminently the fora through which the people seek to express their urges and ventilate their grievances to ensure that the Government is carried on in accordance with their aspirations and needs.

The universal adult suffrage introduced in India for the first time in 1952 made our Parliament and State Legislatures truly representative of the people. Whereas this right was secured in many other countries through long struggles, it is a great tribute to the founding fathers of our nation that we adopted it as a matter of course notwithstanding fears expressed by some that a largely rural and illiterate population would not be able to measure up to the responsibilities of political democracy. Since then the country has gone through seven general elections and each one of these bears eloquent testimony to the wisdom of giving political power to the common people.

In a democratic polity, the participation of the people does not stop at casting of their votes. As a matter of fact, it just starts there. Our ancestors used to say that a horse is a very shrewd animal and it takes no time in making out what sort of a person is riding over it. Similarly, the people who choose their representatives at once make out what type of persons are at the helm of affairs. They exercise their franchise after giving due weightage to the ideologies professed by the candidates. But the administrators may run the administration as they want. The people should, therefore, understand that they have not become free from responsibility after exercising their franchise. In the past, the alien rulers were not responsible to the people. But, now we cannot absolve ourselves of our responsibilities. It will be wrong to say that the responsibility of the people ceases after the exercise of their franchise. They should always be alert and vigilant and kept an eye on their elected representatives. They should also monitor their functioning.

It is not only the representatives of the people who have to be upright, but the people themselves should also prove their honesty. We have seen that some people cry only when they feel the pinch themselves and not when others feel it. If they are not affected by the law, they say it is a good law, but if it affects them adversely they say it is not good. But the law has to be applied uniformly. As Deputy Minister and Leader of the Opposition in the

State of Punjab and also from my present position, I have observed certain strange attitudes of the people. They come with a request to have their sons appointed and if already employed, they request to have them transferred nearer home. When some one is caught taking bribe, they ask us to protect him. So, we have to guard against such things. The people should not think that since they have voted us we will have to do every thing they want. We have to dispel this wrong notion and have to tell them that we will not do any wrong thing. Merely blaming the administration and the politicians will not help. The interest of the individual should be sacrificed in the interest of the constituency, that of constituency in the interest of the State and that of the State in the interest of the country. As Members, if one wants to make use of the administration for his own benefit or for the benefit of his friends, then I want to warn him that this is slow poisoning and if he goes on taking it continuously, he will become an addict to it and only then he will realise its adverse effects. We must be aware as to how much the people are worried about the slow poisoning effect of drugs on the youth of the world who have become addicted to them. So, if we also become a victim of the misuse of power, we will lose hold on the situation and this will lead us to destruction. We have, therefore, to view the triangle, viz., the people, the administration and the politicians in the context of building up of national character and ensure coordination among them.

The people in general should not adopt politics as a profession. Those who enter into politics making it a profession, neither do justice to the nation nor to themselves. Guru Gobind Singh has rightly observed that politics is the path of service and those who want to follow this path should be prepared for the supreme sacrifice. Progress is possible only when the people have a sense of service.

I have been emphasising from the very beginning that our educational system needs to be geared up so as to inculcate in our children the much needed sense of nationalism, morality, discipline, as well aesthetic and civic sense. They will become good citizens if these things are taught to them from the very beginning. If we have to survive in the present-day world, we will have to have the required sense of nationalism and discipline, otherwise, we will be doomed.

In our democratic system, both the ruling party, as well as the Opposition have the right to express themselves. If the Opposition does not allow the ruling party to speak and the ruling party does not allow the Opposition to put forth its views, there cannot exist any democracy. There is a popular

saying that only the wearer knows where the shoe pinches. Thus, only those people can realise the importance of democracy who have lost it. We will also do well to remember that India has the unique distinction of preserving parliamentary institutions ever since attaining independence in 1947 and it is, therefore, no wonder that eyes of envy are cast on us. Let us therefore do everything in our power to reinforce and sustain the functioning of democratic institutions. The Opposition and the ruling party have their due place in our polity and both of them are equally important. They are the two wheels of the same vehicle. If one wheel goes out of order, the other also becomes worthless. They are inter-dependent. Both of them have a duty and a responsibility to the electorate to make the system function in the best interest of the people who elected them. It is necessary also to remind ourselves that a Member represents in Parliament not only those who voted for him in the constituency, but also those who chose to vote for the rival candidate.

Sometimes, I find in the Parliament that the Members, who urge upon and compel me to admit their Motions or Resolutions etc. for discussion, are found absent in the House when the item in their name is taken up for discussion. I am unable to understand this phenomenon. The time of the House should be properly utilised and should not be wasted at all. There is full freedom of speech in the House. But do we initiate or participate in the discussion simply to make our presence felt in the House for just to get publicity in the Press or to terrorise others? We cannot discuss all the subjects or conclude discussion thereon in a day. If twenty Members speak simultaneously, nothing can be made out therefrom. When we are ready to discuss in the House anything and everything under the sun, where is the cause for dispute? It is, therefore, our responsibility to utilise the time of the House properly.

Members have been elected with a responsibility. They are responsible to the people of their Assembly or Parliamentary constituencies. They should always feel that they have a relationship with them. It is their responsibility to keep contact with the people and find out their problems and difficulties. It is true that they cannot go to the people daily. But they can certainly visit the constituency once in a fortnight or in a month.

Our Constitution visualises a social order in which justice—social, economic and political—would inform all institutions of national life. It also lays down a set of comprehensive guidelines for the realisation of such a society. The aim of our democratic polity is to achieve a fuller life for the common man. We have adopted planning as a means for the furtherance of social change and development. Parliamentary involvement in the planning

process emanates from the basic principle that Parliament as a representative body of the people has the inherent right to lay down the foundational guidelines of public policy and oversee their implementation. We, however, sometimes find that our plan projects are not completed within the scheduled time. A plan project, which should be completed within 6 years, takes 12 years for completion and Rs. 1,000 crores are spent on it instead of Rs. 300 crores which might have been allocated. In this way, money, time and everything goes waste and no purpose is served. What is the reason? Why responsibility is not fixed therefore? Our public sector shows losses every year. Why can't we fix responsibility on the persons concerned? This is something which has to be done. Also we have to adhere to the priorities fixed for various sectors.

These days, energy has assumed great significance. It enables us to have more production, more employment and more prosperity. In fact everything depends on energy and there is great demand for it in India. The production, however, lags behind. It is, therefore, essential to complete energy generation projects in time.

Our record of social welfare legislation in regard to the welfare of women and children, of handicapped citizens, of the Scheduled Castes and Scheduled Tribes and other backward classes and labour welfare is indeed impressive.

Parliament's role in social change, however, does not end with the mere enactment of laws. The implementation of these policies rests with the administration. This brings us to the rationale of the Parliamentary and the Legislatures overseeing administration. This accountability of the Executive to the Legislature is a distinctive feature of the parliamentary form of government that exists in our country. It really is indicative of a relationship intended to enhance the responsiveness of administrative agents to the people whom they are expected to serve and to provide a means by which complaints and grievances may be raised and redressed. While, broadly speaking, the Executive has vast freedom in shaping policies and taking steps to implement them, Parliament enjoys the right to call for information and to oversee whether the Government have acted in conformity with their obligations and utilised the powers conferred on them for the purpose for which they were intended. Parliament has to see whether the money sanctioned is being utilised properly or not.

Parliament has the power to oversee the administration and it has to ensure that work is done according to the schedule. A file, which can be

disposed of in a week. sometimes remains pending for months. It is a negative attitude. Those, who do not work should be pulled up and punished. Our elders used to say that punishment awarded to one can set others also right. I have seen persons changing their attitude and I have got the work done. That is my experience. I have witnessed the times changing and we have also sometimes changed times. But it requires a sincere intention and then nothing can stand in its way. Many people from the Administration—young officers belonging to the Indian Administrative Service, the Indian Police Service and the Indian Foreign Service—come to me, and I tell them that they are the future hope of the country and will be holding its reins and therefore they should take an oath that they would not submit to undue pressure even if they have to lay down their lives. And it is only then that the country can be served.

The procedural devices available to the Members of our Parliament to directly oversee the administration need not be recounted here. More or less similar procedures are also available in the State Legislatures. For detailed scrutiny of governmental activities and performance, we have our Standing Committees—notably the three Financial Committees. Besides, we have Committees like the Committee on the Welfare of Scheduled Castes and Scheduled Tribes, the Committee on Petitions and the Committee on Subordinate Legislation etc. In fact, there is an elaborate Committee system in our Parliament. Many of the State Legislatures, notably Kerala and Rajasthan, have added some new Committees in recent years. In my view, it is not so much the number of Committees, but the manner in which they function and the depth of their analysis and their general approach that determine their effectiveness.

As a person who is intimately involved with the parliamentary institution and vitally concerned with its working, I am glad to say that on the whole our Parliament has been performing its multifarious roles fairly well. Of course, there is always scope for improvement in any institution or in its working. In fact, in recent years various suggestions have been made for changes or reforms in regard to our Parliament or its processes and working procedures. It is but proper that as the people's institution, Parliament should be in the focus of public attention and enlightened sections of the community should feel concerned about improving its image.

Of late, there has been some loose talk about the falling standards in our Parliament and Legislatures. I, for one, cannot agree to this pessimistic view. It is true that the character, complexion and style of our functioning

have changed over the years and are changing. With the changing times this is only natural. In the post-independence era, through the very operation of the democratic process, there has been a growing political awareness in the masses resulting in the emergence of new leadership at different levels in the country. It is but natural that the Parliament and the State Legislatures should represent the contemporary society and the times and reflect the mood and temper of the nation. Naturally there is growing anxiety to achieve quicker progress. A Legislature has to be judged by the level of Members' awareness of their obligations towards the people, the concern and zeal shown by them in the direction of removing the inequities in society and bettering the lot of common people. In this respect, the daily proceedings of our Houses are replete with instances of how cases of hardship or injustice suffered by a section of the community or an area in any part of the country are promptly raised in the House and discussed and assurances of remedial measures obtained from the Government.

In our national life one of the most disturbing features is the emergence of regional, caste and religious factors. Of late, violent and divisive forces have been threatening the national unity and the development of the country. As those actively involved in the working of the democratic set-up of the country, we have to ponder and see that these fissiparous tendencies are nipped in the bud and that every effort is made to reinforce and sustain the unity and integrity of the country.

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**M. Arunachalam :** *Sir, consent and dissent are two sides of the coin of democracy. It is wrong to have any political ideology on dissent alone. Negative policies will not yield positive results.*

*(L. S. Deb., 28 March, 1984)*



## PARLIAMENT IN THE INDIAN POLITY\*

—Some Important Aspects—

R. VENKATARAMAN

Gandhiji thought that freedom must have content in the sense that it must have a meaning to the people of India. As far back as 1931, when he went to the Round Table Conference, he said “I shall strive for a constitution which will release India from all thralldom and patronage, and will have, if need be, the right to sin ” By saying that he would give to the nation even the right to sin he meant that the Indian people should have the right to make mistakes and learn from them and correct them so that they might have a bright and better future. He further said:

“I shall work for an India in which the poorest shall feel that it is their country, in whose making they have an effective voice, an India in which there shall be no high class or low class of people, an India in which all communities shall live in perfect harmony. There can be no room in such an India for the curse of untouchability or the curse of intoxicating drinks and drugs. Women shall enjoy the same rights as men. Since we shall be at peace with the rest of the world, neither exploiting nor exploited, we should have the smallest of army imaginable...”

“All interests not in conflict with the interests of the dumb millions will be scrupulously respected, whether foreign or indigenous. Personally, I hate a distinction between foreign and Indian. This is the India of my dreams.”

Thus long before the country became free from its thralldom, Gandhiji

\*Adapted from the talk by the author to the Probationers of the Indian Defence Accounts Service, the Indian Civil Accounts Service and the Defence Lands and Cantonments Service, under the auspices of the Bureau of Parliamentary Studies and Training, Lok Sabha Secretariat, on 20 March, 1984.



had enunciated the fundamental principles on which the Indian Constitution should be based. And, though our Constitution is largely based on the British Constitutional framework, nevertheless, we continued to search for certain ideas and ideals, which would go to enrich the life of the people of the country and also drew lessons from various world events. Of utmost importance to us was the Declaration of Human Right by the United Nations, in which the fundamental rights of the people were inscribed. So, we have a Chapter on Fundamental Rights in our Constitution, which is not available in the British Constitution or many of the other constitutions of the world.

When we began to examine what kind of Constitution would suit a country of vast size like ours having different languages, religions, cultural backgrounds and traditions, where all those diverse elements have to be synthesized and made into a harmonious whole, we felt it was necessary to find a Constitution which would give the utmost liberty and freedom of action to the various groups, be it religious, linguistic or that of other minority interests. The unitary form of Constitution, which the British have, and with which we are familiar, would not therefore suit a country of our size, magnitude and diversity.

*Distribution of powers between Centre and State* : Even during the earlier periods, the British started giving slowly greater powers to the regions. For instance, under the Montague-Chelmsford Reforms, the Government of India Act, 1919, was passed and the provinces created in India for the first time were endowed with certain powers of administration in regard to local interests. When the Government of India Act, 1935, was passed, larger powers, a measure of autonomy, commonly styled as provincial autonomy, was given to the provinces, and the division between the Reserved Subjects and Transferred Subjects, which prevailed under the Montague-Chelmsford Reforms, was given up.

When our Constitution was being framed, there was a debate in the Constituent Assembly, which showed that some Members were interested in having a unitary Constitution for India, but a large majority of them were, however, in favour of the federal structure.

A federal constitution, could be differentiated between a federation founded with devolution of powers from the States to the Centre as in the case of the United States of America and a federal set up as in India in which the devolution of powers took place from the Centre to the States and the States were made autonomous in respect of those powers. Therefore, in our Constitu-

tion, there are three lists, viz., (i) List—I dealing with the Union subjects, (ii) List—II dealing with the State subjects and (iii) List—III dealing with the Concurrent subjects.

Now-a-days, there is lot of controversy regarding the powers of the Centre and the States. People who do not understand the historical background argue as if the States had all the powers and the Centre had taken away those powers from them. As a historical fact, it was the Centre which had large powers and it transferred certain powers to the States. Thus, in our Constitution, the States have only those powers which had been transferred to them. Our Constitution is neither completely federal nor unitary but it provides for a centralised federation, in which the important powers are centralised in the Union Government. One might argue for greater powers or greater devolution of powers to the States. But it would be a distortion to say that the Constitution has been abused by taking away powers from the States to the Centre.

*Parliamentary vs. Presidential system* : The world has known two types of executives, viz., (i) the fixed executive, known as the presidential system, and (ii) the parliamentary executive, known as the cabinet form of government. There were debates in the Constituent Assembly whether we should opt for a presidential form of government, in which the executive is elected for a fixed period and will not be subject to removal till the expiry of that period. The notable example of the presidential form of government or that of the fixed executive is the Constitution of the United States. The President is elected for a period of four years and he cannot be removed either by a vote of No-Confidence by the House of Representatives or by the Senate or by both.

As regards the relative merits and demerits of the parliamentary system versus the presidential system, the presidential system has the advantage of stability. A person elected to the office of the Chief Executive of the country cannot be disturbed for a period laid down in the Constitution. In the infant and nascent democracies, where people have not accustomed themselves to undertake the responsibility of governing themselves, there was a feeling that the presidential system of government would be preferable. The parliamentary form, on the other hand, is truly representatives of the will of the people. So long as the Executive enjoys the confidence of the elected representatives of the people, be it Parliament or any Legislature, only till then it continues to function. The moment the Executive ceases to command the confidence of the Legislature, it must cease to be the Executive and it forfeits its right to govern.

In India, the parliamentary form of government has functioned successfully ever since the Constitution was framed. Very strong and compelling reasons would be required to change this form of government. None of the persons who have asked for a different form of government have come forward with convincing arguments, except to say that the presidential executive will be free from the possibilities of floor crossing, dissentism and so on. So far as the administrative and executive functions are concerned they have not come forward with such merits which are superior to the parliamentary form of government.

In the parliamentary system, naturally, the Legislature is supreme. Also, it is subject to certain limitations. The British Parliament, for instance, is supreme. It can even declare a man a woman and a woman a man and still it will be valid and cannot be challenged by anybody in the world. But, under the Indian Constitution the Parliament is supreme subject to the Constitution and to the extent the laws of Parliament are not in conflict with the Constitutional provisions. But, where an Act of Parliament contravenes the Constitution, then to that extent, it will be invalid and declared *ultra vires*. So, the parliamentary system in England is different from the parliamentary form of Government in India. Whereas a legislation passed by Parliament in England cannot be set aside by any authority, a legislation passed by Parliament in India can be set aside if it is in contravention of the Constitution. What is supreme in our country is the Constitution and what is supreme in the United Kingdom is the Parliament. If we analyse the various constitutions of the world, we will find that of the three arms of Government, *viz.*, the Legislature, the Executive and the Judiciary, one will have supremacy according to the nature of the Constitution. If we take dictatorship, then the Executive will be supreme, and the Parliament and the Judiciary will be subordinate to the Executive. If we take a *laissez faire*—complete private enterprise—State, then the Judiciary will be supreme because the individual's right is superior to that of the whole gamut of the executive functions. That is why we will find that under the United States Constitution very often the Judiciary sets aside many of the activities of the Executive because it is based on their fundamental principle of freedom of contract. As early as in 1848, the State of New York passed a law saying that workers cannot be made to work for more than eight hours a day and enforced the law. The Supreme Court of New York declared it *ultra vires* on the ground that it offended the freedom of contract. This is an example of its supremacy. But in a welfare State, a State in which the welfare of the largest number should prevail, or, in common parlance the greatest good to the greatest number should prevail, we will find that Parliament is supreme in the Constitution of such a State. It is only then that the fundamental objective of serving the interests of the largest number,

of doing the greatest good to the greatest number can be enforced. Therefore, in those cases the Parliament is supreme.

In India, we want to adopt a welfare State as the ideal in order to do greatest good to the greatest number irrespective of the fact that the rights of some individuals might be jeopardised in the process. When Parliament tries to do this, the Judiciary, on the other hand, in accordance with the Constitution, tries to protect the individual rights. The Land Ceiling Acts, the Tenancy Protection Acts and all such welfare measures which are no doubt an infringement of an individual's right and are, nevertheless, intended for the benefit of the vast majority of the people of the country, have at one time or the other been set aside by the Supreme Court. That is why we amended the Constitution and added Ninth Schedule to it. Any legislation included in the Ninth Schedule of the Constitution is not open to challenge in the Supreme Court.

Parliamentary action to introduce planning, for instance, to regulate the activities of the industrial class, to ensure equitable distribution of the resources of the country, to prevent concentration of economic resources to the detriment of the society, which are the objectives included in the Directive Principles of State Policy in our Constitution, are all endeavours to establish a welfare State for giving the greatest service to the greatest number.

*Theory of separation of Powers:* In this context we must understand the separation of functions in the State. It was Montesquieu who wrote in the eighteenth century that democracy can be preserved only when there is a separation of powers, *i.e.* the legislative, executive and judicial functions must be separated and there should be no over-lapping. Giving the example of England, he said that democracy prevailed there because there was separation of powers between the Legislature, the Executive and the Judiciary. Therefore, he said that the *sine qua non* of democracy is separation of powers. It was the time of the French Revolution and French revolutionaries took up this as a basic article of faith and argued that separation of powers must be complete.

The United States Constitution was then framed in which there was total separation of powers, with the result that the Legislature has certain powers, the Executive has certain powers and the Judiciary has certain powers. The Legislature can throw out any Bill recommended by the President. It can pass any law whether the President likes it or not. The President cannot dissolve the Legislature—either the House of the Representatives or the Senate. In Britain, on the other hand, the moment the Legislature cannot carry out the wishes of the Executive, the Prime Minister

of the country has a right to ask for the dissolution of the House and get a fresh mandate from the people, whether the people support that dissolution or act or function which they want to perform.

The separation of powers is however, a broad delineation and not an absolute separation. The Indian Constitution adopted the same kind of delineation rather than absolute separation. We have an Executive which remains only so long as it commands the confidence of the Legislature. Therefore, the Executive is dependent on the Legislature. The Legislature's existence is dependent on the Executive. Nevertheless, there is delineation of the functions. The Executive has certain functions of administration. Parliament has the function of legislating and regulating the overall policy of the country. Judiciary has the function of interpreting the Constitution and preventing any excess or abuse by the Executive.

*Functions of Parliament :* The Parliament in India has several functions. One of the important functions is interpellation. Every morning between 11 a.m. to 12 p.m. Ministers are being put various questions. What is the purpose of that ? The purpose of interpellation is to bring to the notice of the executive mistakes, misdeeds or excesses which have been committed by the administration and to seek clarification of those acts from the executive so that the Parliament as well as the country may be satisfied about it. Personally, as a Minister, I have always welcomed the questions from the Members of Parliament. Contrary to the impression that some Ministers are not very happy with the Question Hour, I have found the Question Hour really very instructive and very useful. But for 20—30 questions which are put on my day, I would know nothing about what is happening in my Department about those matters. It is wrong to think that the Minister is omniscient. He is neither omniscient nor omnipotent. He does not have thousands of eyes with which he can see everything that is happening in his Department. Therefore, when a question is put, immediately the answer goes to the Minister. Then, if anything is wrong, he can correct it. But for the Question Hour, he would not have the opportunity to know as to what are the complaints. Even in America, they are now saying that in their system, the absence of the Question Hour very largely detracts from the efficacy of their functioning and that is why, they substituted it by another system. The President goes to a Press Conference every month and answers questions. It is something like Parliament asking Questions. Therefore, the Question Hour is a very important aspect of administration. Nothing is a greater sin than giving wrong information to Parliament. Not only is a Minister likely to be hauled up for giving wrong information but the very purpose of the Question Hour would be defeated if the answers which are given are not comprehensive.

Sometimes it is very easy to get behind some technicalities in the questions and then say, "No, Sir" or "Yes, Sir". But that is not really doing one's duty or service. The Minister's duty is to give the correct information and to rectify any wrong done. Therefore, the Question Hour must be utilised to the greatest and best advantage so that if anything has gone wrong, if any oversight has happened, it would give an opportunity to us to correct it.

The second important function of Parliament is to legislate. Under our Constitution no tax can be levied without the sanction of Parliament. Nothing can be done except under the authority of law. It is the very basis of democracy. So, if we want to carry on administration, whether it relates to agricultural activities or industrial activities, transport, communication and so on, we have to go to Parliament and obtain its sanction for the legislation. And the discussion in Parliament during legislation brings out various aspects which cannot be known to everybody. In passing the legislation, Parliament takes note of several points of view, the interests of minority groups and that of the people at large and arrives at a compromise. Very often, there will be conflict of interests. The interests of labour, for instance, would be conflicting with that of the management. The interests of the country would be conflicting with the interests of both. So, when Parliament legislates, it takes into account the various interests and then arrives at a compromise. Thus, legislation is a very important function of Parliament.

The administration of the country has to be carried on by raising revenue and spending it. So, the third important aspect of the functioning of Parliament is to pass the Budget, to allow the executive to raise only those taxes which Parliament has sanctioned. In an autocracy, a dictator may say, "Tomorrow I will levy a poll-tax on everybody who has attained 18 years of age." But in a democracy the executive cannot do it. Unless the Parliament passes a law saying that every person over 18 years of age shall be liable to pay a poll-tax, the executive cannot collect the tax. So, we have to prepare a Budget in which we anticipate the expenditure which is likely to be incurred during the year ahead and then we try to match it with the resources that have to be raised by Parliament.

In a household budget one regulates his expenditure according to his income but in a national Budget, we regulate the resources according to our needs and expenditure. First, we make an assessment of all our needs for the year ahead and then we make an assessment of the resources that will be required to meet those needs and then we make a balanced Budget.

In the preparation of Budget, there are competing claims. For instance, I can go to the Finance Minister saying, "If you do not give me Rs. 7000 crores, the defence of the country will break down." Then, the Energy Minister will go and say, "Unless you give me Rs. 5000 crores, you will all live in darkness and there will be no electricity in the country." Like that, there are competing claims. It is the duty of the Finance Minister to make a fair assessment of the required expenditure under each head ; then formulate a Budget and present it to Parliament.

Members of Parliament have no power to move an amendment to increase the tax. They have only the power to move an amendment to reduce the tax. What is the principle behind it ? The Executive says that with the resources it has requested Parliament it will be able to meet the expenditure. Therefore, it is not for any person, not conversant with that, to come forward and say that it should be raised. If an amendment is carried, then the Government resigns. It is because the Government has put forward a balanced Budget on the basis of their calculations and, if it does not get the support of the Legislature, then it has no alternative but to resign.

The function of passing a Budget is very important. Under our Constitution, no money can be spent unless it has been appropriated by Parliament. So, an Appropriation Bill has to be passed. The appropriations are made and, on that basis, the Government can spend money.

No doubt, in the course of the year, unforeseen expenditure might arise or the budgeted amount might not be adequate, In all these cases, the Executive has the authority to come back to Parliament with a supplementary estimates either for new services which could not be thought of when Budget was presented or for the purpose of meeting the excess expenditure on the projects which had already been sanctioned by Parliament. This is emphasized to show that not a pie can be spent without the sanction of Parliament and if there is any excess, it had got to be ratified. Sometimes, it happens that after the year has passed, it is found that on certain items, under certain heads, a larger amount had been spent in which case again we will have to come to Parliament, have that approved as excess expenditure which has been incurred.

*Parliamentary Committees* : Parliament has also a number of committees which are very important. The Estimates Committee is a Committee of the



whole House. It is elected on the basis of proportional representation so that even minority groups can be represented in the Committee. Its duty is to examine the estimates and then come forward with recommendations. Though, the recommendations are not binding, normally, the recommendations of the Estimates Committee are given the highest weightage and are generally accepted.

There is another Committee, *i.e.*, the Public Accounts Committee (PAC). The PAC goes into the Audit Report of the year that had passed and then it questions the Executive, the permanent services, and tries to find out why certain expenditure had been incurred and whether it had been incurred according to the rules and whether it had been properly spent.

There are two kinds of Audit: one looks only for certain vouchers and if the money has been spent, passes it; another is to see whether the money which has been spent, has been properly spent. This is a very important function of the PAC. It is the Comptroller & Auditor General of India who sees whether the money has been spent. But the PAC goes further and deeper and looks into the question, whether the money has been spent properly. This is a very important institution. Many people have appeared before the PAC. I was also the Chairman of the PAC and we asked certain very searching questions to find out whether there had been lack of propriety in the expenditure. There are also a number of other Committees.

*Parliament and Executive* : In our Constitution, the executive is, as I have stated earlier, entirely dependent on the confidence that the legislature has in it. Without getting the confidence of the legislature, the executive cannot function. But then the executive has a large area of discretion in its functioning. It cannot come to Parliament everyday and every time to get the sanction of the legislature. Within the board parameters which have been fixed by Parliament, the executive has a very large discretion and it is the executive which must act with its own self-restraint. If there is self-restraint on the part of the executive, it will be very difficult for any legislature or any committee to find fault. The executive takes decisions on any matter only after going through all the views expressed on it by Parliament and by Parliamentary Committees and, at the same time, it has certain standards of its own. It must observe the standards itself. The executive has to observe the highest standards for the benefit of the country as a whole.

In our executive, we have also separation of functions. There are Departments which are held and administered separately. But we find that there is



overlapping and inter-dependence of the Departments in many cases. Therefore the Cabinet has two important Committees: the Political Affairs Committee, and the Economic Affairs Committee. When more than one Department is involved and a matter relates to economic affairs it goes to the Economic Affairs Committee. If a question relates to political matters dealing with Punjab, for instance, or if there is a question relating to defence, these are matters which go to the Political Affairs Committee. This Committee deliberates thereon and comes to a conclusion. The executive is one, as I have stated which must be self-regulatory rather than expected to be regulated by somebody else.

*Independent Judiciary* : We have, in our Constitution, given a prime duty and responsibility to the judiciary. The judiciary has an absolute right to decide on the legality of the law enacted, to go into the *vires* of law enacted, and also to see whether any executive act has been performed in accordance with the law enacted or not. The jurisdiction which we have deliberately provided in the Constitution enables the judiciary to interfere where there has been an excess of jurisdiction or absence of jurisdiction or something which has been done in such a way as to cause injustice to anybody on account of material irregularity of procedure. These are the broad parameters. I must say that the judiciary has functioned most efficiently and effectively during all these 35 years of the working of our Constitution. There might be small conflicts or misunderstandings or differences of approach here and there, in respect of certain matters, but if we look at the whole history of the judicial decisions from 1950 till date, we will find that there has been a very fair interpretation of the Constitution. There are matters in which there might be difference of opinion. For instance, under article 368 of the Constitution power has been given to Parliament to amend the Constitution. The judiciary has taken the view that the authority is not absolute i.e. without any Limit; it has held that an amendment cannot alter the basic structure of the Constitution. But no mention has been made in the Constitution of the basic structure. Article 368 only says about the special majority required for constitutional amendment. Whether this interpretation will prevail or article 368 will prevail is a matter for history. Time and again this question will be agitating the minds of the people and ultimately some solution would be found. Therefore, even though there might be occasional conflicts in respect of the interpretation of the Constitution, by and large, the duty of interpreting the Constitution is with the judiciary and nobody can question it. That has been accepted by our Government and we have tried to ensure that independence of the judiciary is preserved to the utmost.

## IS PARLIAMENT EFFECTIVE ?

R.R. BHOLE

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Parliament is one of the chief instruments of democracy and therefore effectiveness and accountability are ordinarily considered its principal attributes. Let us see how far we have succeeded in making our Parliament really effective and accountable. India attained Independence in 1947 and became a Republic in 1950. Since then she has been experimenting with parliamentary democracy and trying to involve the participation of nearly 700 millions of our countrymen in the experiment. This is a singularly courageous effort. The others who had started with us fell for dictatorship and are no where near democracy even today. The first two or three Parliaments consisted of our older generation freedom fighters and many other persons devoted to different and better values of life. There were very few professional politicians who had entered public life as 'business' during that period. [The experience after the disappearance of many of the older generation freedom fighters and of persons with the older and precious values of life is that of the rise of a new generation of professional politicians with different values.] The conditions, therefore, of the working of parliamentary democracy during the first one or one and a half generation were bound to be different from the results of the later generations who became predominant in all democratic forums of power. [The style of working before, as well as afterwards, in the Houses of the Parliament, were naturally therefore different.] (There was dynamism of better pace of progress in the beginning, but later some stagnation due to insufficient attention and indifferent attitude with low percentage of efficiency began to creep in. Sometimes, one begins to wonder why, after spending colossal funds for managed economy and welfare State programmes, we are not reaping the full fruits, in the present working of parliamentary democracy and whether by this style of working we are actually condemning ourselves to a righteous impotency.)

There is no doubt that we have come a long distance in the growth of science, technology, technical and managerial manpower. We have also improved in road-mileage, shipping, power, irrigation output, iron, aluminium, steel, cement and fertilizers, electrical and chemical industries, basic and key industries. We are even exporting technical experts to West Asian and African countries. We are producing consumer goods and exporting them. We have

improved upon education though not enough. [There are complaints that we have not done much and the all round progress is not reaching the poor of the villages as well as of the towns. The families of the tribals and the weaker sections have neither economically nor socially advanced in the ratio of the enormous funds spent for their benefit. Is it not, therefore, necessary that the Parliament should examine why these things are happening ?] Although the Constitution has given us a Socialistic Democratic Republic, yet the tools for implementing the Directive Principles of State Policy are more or less the old colonial tools. The old red-tape with constraints of bureaucracy and its alliance with vested interests and at times with politicians, is coming in our way. Many a times, one wonders why such a style of working when not effective is not still made accountable. There is more confusion in such working and the results, after so much effort at the top, are time consuming on account of red-tape, corruption and nepotism. Our 'Yes Ministers' are also more busy with their routine work and do not care to examine the accountability of such bureaucracy who are handling the execution of our welfare projects and programmes to serve the downtrodden, the poor, the peasants and the worker. They neither appear to be serious nor keen to improve the image even of their own political party which is so anxious to implement such programmes. One does not, in these circumstances, see the political will of the 'Yes Ministers' and the 'No bureaucracy'.

(It may also be interesting to see how the Ministers respond to the correspondence with a Member in respect of their local, State or other problems.) Contacting Ministers is admittedly one of the good weapons for a Member to know what is happening in his constituency, in his State or to problems in which he is interested. It is almost a general complaint of the Members of Parliament and also of the State Legislatures that the Ministers are neither serious nor keen to improve the image of their political parties which they represent or to assist the Members in doing so (The first reply which generally a Member of Parliament gets is that the matter under reference from the Member concerned is being examined.) After this letter, the Minister chooses to forget. Sometimes the first reply is also sent very late. If the Member reminds the Minister after some period, the reply given is more or less in the same manner. The experience generally, with a few exceptions, therefore is that the Ministers do not appear to be very keen or serious to respond to the queries sent by the Members. The reason can be that he is not able to handle the bureaucracy under him who is to deal with the problem referred to by the Member or when the bureaucrats forget the 'Yes Minister' also forgets the same. On the other hand, a Member from the Ruling Party sometimes strangely notices that the Minister is more interested in pleasing the Opposition Member taking for granted the Member from his own party.)

I think such attitudes need naturally a good deal of improvement so that the work of the Member and Parliament as well as of the Government becomes more effective and accountable.

*Imp.*  
[The Parliament is undoubtedly a supreme authority to which the Executive including the Council of Ministers, has been made expressly responsible. The work of the Executive has to be scrutinised and questioned by the Parliament and subjected to its ultimate control. The Rules of Procedure and Conduct of Business of Parliament are framed having regard to these principles. The rules, therefore, should be such as to ensure effective parliamentary control over the Executive as also to see that the Executive while implementing the policy, approved by parliament as well as the Directive Principles, contained in the Constitution is to run smoothly and wherever there are bottlenecks and hurdles to cut them to size. Thus a good Government can only be said to be an inevitable consequence of very alert Members of the Legislatures and also the response of the Ministers and the bureaucracy to their scrutiny. It is, therefore, necessary that Parliament or its Members must make their scrutiny and control a reality and make it felt by the Government. The executive should be made responsible to the suggestions and pressures of the Members so that real progress in the implementation of the policies and programmes for upliftment of the poor in the desired direction is achieved.]

*Imp.*  
[What is the present position and the style of working of the Parliament? Can the Members act effectively and are satisfied with the working? There are many ways by which a Member can suggest and pursue solutions for the ills of society and also pressurise the Government in the direction of an effective implementation of the beneficial policies of the Party as well as the Government. There are Starred and Unstarred Questions to be asked; Half-an-Hour Discussion on any important topic can also be held. We can move an Adjournment Motion for an urgent and important matter of public importance. We can give Call-Attention Notices. We can ask for Short Duration Discussions. We can file a 'No-day-yet-named Motions'. A Member can also make a mention under rule 377 of the Rules of procedure on any urgent and important topic or subject on which he wants to attract the notice of the Government. Then, there are Private Members' Resolutions and Bills which a Member can move. Besides these, the Members can also avail of their work in quite a few Parliamentary Committees. The work in the Parliamentary Committees may not be as demonstrative as it is in the House. But, it can be a constructive contribution for a good cause and also for a proper scrutiny of the Government's policy and for examining the legitimate, or illegitimate excessive expenditure of a Department or that of a Corporation.]

There is also a very novel feature in the Indian Parliamentary Practice, the so called 'Zero Hour'. This is a practice of raising matters of interest not covered by Call-Attention Notices, or Adjournment Motions, by Members of Parliament and to ask the Government to make statements just after Question Hour and before the commencement of the scheduled Business. This Zero Hour practice of raising matters appears to be very popular and also many time becomes voicferous. The Members as well as Ministers like it. The Ministers sometimes are anxious to make statements on matters of interest and use this 'Zero Hour' practice. Although, therefore there are many ways and tools taken by a Member of Parliament to work for the cause he represents for his State, or to serve the cause of the country, is he really in a position to effectively use them for bringing about the abolition of economic disparity, social inequality and injustice, especially to the very large section of our poverty stricken people.

(Now, a Member of Parliament is either a Member of the Ruling Party or that of one of the Opposition Groups. Insofar as the actual working of the House is concerned, a Member of the Ruling Party suffers from many handicaps and disadvantages whereas a Member from the Opposition Party has freedom to do almost anything or act in any way he chooses.) Many a time, we notice that Members are not even ready to follow, at the time of the discussion, the discipline according to the Rules of Procedure and Conduct of Business of the House. This is specially so during the Zero Hour. A large number of Members stand up all together and each asks or shouts about his notice or about some subject or motion. On occasions they wave newspapers or even proceed to the well of the House. The Speaker stands up, nobody sits. The Speaker directs, nobody listens. The Speaker asks them to take seats, they protest. Many a time, one does not know what is happening. I think, insofar as the decorum is concerned, there is much scope for improvement everywhere, and also in our practice of what we preach. {Efforts must be made to find ways and means so that our procedure, conduct and behaviour do not degenerate any further.

For the purpose of asking a supplementary question on the answer of a Starred Question, a Member instead of asking in brief the supplementary question goes on talking and sometimes making speeches for quite some time. During the course of discussion on a Call-Attention Notice, there shall not be any debate on such statement made by the Member or Members on any matter of urgent public importance. Each Member in whose name the item stands in the List of Business may, however, with the permission of the Speaker, ask a question. In practice, however, the discussions almost

result in a debate. Each Member, while asking Questions under the Rules, starts making a speech, sometimes for more than 10 to 15 minutes. All this supposedly on the ground that he is formulating a question. The Speaker, therefore, many a time becomes naturally helpless. In the case of a Short Duration Discussion, the experience is almost the same, taking more time by long speeches for getting a reply from the Minister. The Member who has given such a notice has to make a short statement and the Minister has also to reply in a short statement. But, many a time it becomes a long speech.

No-day-yet-named Motions are admitted by the Speaker and notified in the Bulletin. But, for the purpose of allowing time to such motions for discussions, a ballot has to be taken. The number of such motions is so large that one has to be very lucky even if a single motion comes up for discussion in a particular session of Parliament. Such motions lapse after the Parliament session. Therefore, the purpose with which a Member seeks to discuss such motions is not fructified.

Insofar as Starred Questions are concerned, the number of questions sent by Members, excluding the Ministers, is so large that one would be lucky if he gets two or three Starred Questions admitted during the course of the whole session of Parliament, He must also be lucky to get his question included in the first six to seven questions in the daily list of 20 Starred Questions because the experience is that not more than six to seven questions are taken up during the course of the whole Question Hour from 11 a.m. to 12 noon. The supplementary questions by Members sometimes become subject of some interesting speeches and many a time the importance of subjects also takes time. No discussion under the rule is permitted during the Question Hour and the supplementary question is only for further elucidating any matter of fact regarding which an answer has been given. But, supplementary questions become a topic of long explanation. For quite sometime now, the Question Hour is also disturbed by some Members because they desire to bring to the notice of the Speaker some urgent and important motions. These Members take away valuable time from the Question Hour. This should not be permitted.

So far as the Private Members' Bills and Resolutions are concerned, they also come in such large numbers that a Member would be lucky if his Resolution or a Bill passes the first hurdle, viz, the Committee of Private Members' Bills and Resolutions. They first decide to classify a Resolution or a Bill according to the urgency and place it into categories 'A' or 'B'. If it is thrown in category 'B', the Resolution or Bill will never come up for discus-



sion during the whole of five years. It has some chance of coming up for discussion during the period of five years only if it is placed in category 'A'. It is interesting to note that Private Members' Resolutions and Bills are discussed on Fridays of the week generally from 3-30 p.m. to 6.00 p.m. In one week the Private Members' Bills are discussed and in the next week the Private Members' Resolutions are discussed. In the Budget session which is the longest Parliamentary session out of the nine Fridays, four to five are available for discussion on Private Members' Resolutions or Bills. On top of it the Resolutions given notice of by the Members also lapse after the session is prorogued. The Bills, however, do not lapse, though most of them have hardly any chance to see the light of the day in the House for discussion. The record shows that 41 Resolutions and 62 Bills were discussed in the Fifth Lok Sabha, 18 Resolutions and 22 Bills in Sixth Lok Sabha and 26 Resolutions and 32 Bills (in addition one Resolution and one Bill were partly discussed) in the present Lok Sabha.\* We can imagine the fate of Private Members' Bills and Resolutions of 500 Members of Lok Sabha. A Member, therefore, has very few chances to initiate a discussion on his own Resolution or on his own Bill or Motion for discussion. The major time, however, is taken only by the Government business.

So far as the participation of Members even in the discussion on Government business is concerned, a Member from the Ruling Party suffers from many disadvantages and handicaps whereas a Member from the Opposition is almost a freelance and gets up every time he chooses. The next day he turns the pages of the newspapers and listens to radio and views T.V. news and if his name does not appear, he complains in the House that the Ministry of Information and Broadcasting is partial. While on the other hand, a Member from among the large number of Members of the Ruling Party hardly gets a few chances—even three-four-to speak on different items during a session. He will be lucky if he gets more chances. The reason is that the Ruling Party is naturally anxious to satisfy as many Members as possible of the Party and give them chances. So far as the Opposition is concerned, every party or Group, however small it may be, gets a chance to speak on every item of discussion in the House every time and they do enjoy the same.

Important and urgent matters such as those of grievances, atrocities, law and order problem and such other matters appear to be the sole monopoly of the Members of only the Opposition Party. A Member of the Ruling Party,

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\*Upto Fourteenth Session of Seventh Lok Sabha.

more or less as a practice or a convention, does not come forward raising such important and urgent matters. He is made to think or believe that it would hurt the Party. I think this is a wrong practice. In the practice and the belief as it exist today, the Opposition gets away with all the kudos of publicity as well as the credit before public for bringing to the notice of the House such atrocities, law and order problems, women's problems, untouchables problems and other important allied subjects. A Member from the Ruling Party although he would very much like to give the credit to the Ruling Party by bringing such matters in the House, is reluctant many a time, wrongly believing that it will bring discredit to the Ruling Party or the Government. This appears to me a strange anomaly which will have to be rectified in the larger interest of the Party and the Government. It is also in the interest of the voters in the Member's constituency or the State. Surely, he should be left to decide what will hurt the Party and what will bring kudos to his Party and what will not. The Opposition need not be given a free hand. It can be shared legitimately also by the Ruling Party.

I might mention one more important point on the way of publishing the records in present day Parliament. There are many Reports on various Ministries, of various Departments, reporting on the 20-Point and other welfare programmes and projects. Such reports only give the expenditure in terms of rupees and paise but not in terms of the achievements of physical targets or the number of families in a particular area or a State who are benefited by such programmes. Only the increased amount is shown as allotted in the successive projects, but one is left in dark about the physical targets and achievements in terms of the improvements in the social and economic welfare of the poorest of the poor, the poor peasants, the landless labourers, the middle class people and other needy persons. Such a mention, I think is very necessary to know in real terms, the progress in the standard of life of the people. Therefore, when one sees in the new Budget or in the *Economic Survey* increased funds being allotted for various projects, one is lost if he does not find what has happened to the previous expenditure in the last Budget and what exactly are the physical achievements during that period. I think, therefore, it is very necessary that in every Budget and the *Economic Survey*, a proper assessment of the physical targets and achievements of the different economic development and welfare projects are also mentioned. The people are not interested in the monetary figures. They are really interested in the progress of social and economic welfare schemes. There is another aspect about the figure of expenditure on a proposed project or a programme in a particular State or area. The expenditure on such project is estimated and the project is accepted. But, before the project is ready for execution, the project has to get through innumerable hurdles of scrutiny in the form of Committees



and Departments. This process is so time-consuming that one will be surprised if it gets through in a couple of years, if not more. By the time the project becomes ready to be executed, the first estimate which was sanctioned and approved and on the basis of which the scrutiny was done, becomes stale and out of date. The project, therefore, needs to be examined over and over again and the whole matter again goes for the grinds. Such things appear to be happening on many welfare activities. I think something radically should be done to rectify this red-tape and some method should be evolved to cut the time of scrutiny.

It is, therefore, clear that a Member has many limitations and constraints in the House although the Parliament is the supreme authority to control the Executive Government as well as the Council of Ministers. In fact, quite a large number of them cannot or do not play their part, let alone effectively. I suppose, we are following the pattern of Westminster of the British and not of any other country. It is, therefore, necessary to improve the style of working of the Parliament.

In the present democratic set up in which we are working, if we want fruitful results of the all-out efforts, we need to make a lot of improvements in the present style of working. It is, therefore, high time that we seriously apply our minds to all such wastage of our time, energy and money and try to make improvements for fulfilling our social and economic obligations and to bring about the upliftment of the poor and the middleclass rural as well as urban.

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## HUMOUR IN PARLIAMENT

MADHU DANDAVATE

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Humour is the soul of parliamentary life. It acts both as tranquilliser as well as equaliser. When lot of heat is generated in the House, humour has the potentiality to bring down the temperature.

A cursory glance at the proceedings of Parliament both in India and elsewhere reveals the sparkling humour in Parliament.

On one occasion the former Deputy Speaker of Lok Sabha, Professor G.G. Swell, told the House that everything that was said in the House would become the part and parcel of its records. In his great enthusiasm the Deputy Speaker observed, "Even if I refer to my wife she will become a part of the Parliament records." On this a Member quipped "Sir, don't refer to your wife otherwise someone may demand that she should be laid on the table of the House." The Member knew it fully well that any document referred to or quoted in the House had to be laid on the table of the House if so demanded.

On another occasion when the Chinese intrusion had taken place in India the Prime Minister Pandit Nehru assured the House, "We will not surrender to China even an inch of our territory." This made the alert Member Shri H.V. Kamath to get up in the House to ask the Prime Minister, "In your map one inch is equal to how many miles?" The Prime Minister as well as the entire House were drowned in laughter by this ready-witted remark.

Another interesting repartee was by Shri Mahavir Tyagi. When there was a reference to the Chinese incursion in the barren land of India's northern border, the Prime Minister Pandit Nehru referring to this border area had

said, "The land on which the Chinese have built the roads is such that there is not a blade of grass nor a human being." On this came a quick report from Shri Mahavir Tyagi. Referring to his bald head Shri Tyagi said, "Sir, for the last several years there is not a single hair on this head but for that reason shall I surrender my head to the enemy." This led to a hilarious laughter in which the Prime Minister himself heartily joined.

In the old days of the Central Legislature before Independence there was a discussion on the Budget. The Finance Member Raisman was referring in his speech to the tax on salt. On that a Member asked "which salt do you take." Without waiting for a moment came a repartee from Shri N.V. Gadgil—"he takes a somersault." This sharp wit plunged the House into a loud laughter.

While debate was in progress in Rajya Sabha, once Shri Piloo Mody—known as a fat member—was talking to a lady Member sitting just behind and was inadvertently showing his back to the Chair. A Member rising on a point of order drew the attention of the Chair to the fact that by turning his back to the Chair Shri Mody was showing disrespect to the presiding authority. This provoked Shri Piloo Mody to comment, "Sir, as far as I am concerned I have neither back nor front, I am only round."

The Deputy Speaker, Professor G.G. Swell, who had a short stature once angrily told a Member not to get up when he was on his legs. Quick came the repartee from the Member, "Sir, to be frank, I had no idea that you were on your legs."

Once, during the Question Hour the Speaker, Dr. G.S. Dhillon, called the name of *Kumari Kamla Kumari*, a Member of the House in whose name there was a question. Another Member enquired as to why there was mention of "Kumari"\* twice on the list of questions. The Speaker humorously commented, "to make it doubly sure."

There are occasions on which a stormy situation could be saved by instant humour. Once Shri Madhu Limaye was keen on raising a particular issue during "zero" hour. Earlier, he had sent a letter to the Speaker

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\* The word "Kumari" is indication of maiden status. Hindi equivalent of Miss.

threatening him that if the Speaker was interested in the orderly proceedings of the House he should be allowed to raise the issue to which he had referred in his letter. After the Question Hour, at the stroke of twelve, Shri Madhu Limaye got up and in his loud and hoarse voice started making submissions to the Speaker. The Speaker remained undeterred. There were heated exchanges between the Speaker and Shri Limaye. The atmosphere in the House had become very tense. The Speaker had warned Shri Limaye that by speaking in such a loud and insulting tone, he was showing disrespect to the Chair. To save the situation I got up in the House and told the Speaker, "Do not misunderstand the loud voice of Shri Limaye; at home even with his wife he speaks in the same tone." This caused a loud laughter in the House in which the Speaker as well as Shri Limaye joined. Needless to say that in the relaxed atmosphere Shri Madhu Limaye was finally allowed by the Speaker to make his submission.

Once, while participating in the debate on No-confidence Motion the Prime Minister, Shrimati Indira Gandhi, was very bitter in her attack on the Opposition Members. I quietly got up to tell the Prime Minister, "Madam Prime Minister, when we witnessed your tour programme in U.S.A. on the television only a few days back, you appeared so sweet and Charming; but why were you so bitter after returning to our country." This created a burst of laughter in the House and the Prime Minister could not help joining it. After this incident there was no heat in the Prime Minister's speech.

Shri Mool Chand Daga, a Member of the Ruling Party was often critical about various Bills moved by the Government. On one occasion, Shri Venkataraman with his inimitable wit and humour referring to Shri Daga said, "Sir, Mr. Daga is our Goal Keeper who scores goals against us only."

In the Sixth Lok Sabha as a Railway Minister I was speaking on the Railway Budget. A Member enquired as to why the railway trains passing through the State of Bihar were attacked both by the reservationists as well as anti-reservationists during the Bihar agitation. To avoid unnecessary controversy I quipped, "both 'reservationists' as well as 'anti-reservationists' attack the railway train because the train has 'reserved' as well as 'unreserved' compartments."

In the House of Commons there have been instances of devastating humour. The famous repartee between Mr. Gladstone and Mr. Disraeli is a

memorable one. Referring to the disastrous policies pursued by Disraeli, Gladstone remarked in the House of Commons, "Mr. Disraeli, you will die by the hangman's noose or by a vile disease." On this Disraeli sprang up a surprise to the House by his sharp wit. He said, "Sir, that depends upon whether I embrace your principles or your mistress."

There are many such instances of humour in Parliament. Humour is the only solvent in which all tensions in Parliament can be dissolved and relaxed mood so essential for fruitful debates ensured. Such is the role of humour in our parliamentary life. If parliamentarians ignore the importance of humour they will do so only at their own peril.

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**M. Ram Gopal Reddy :** *Mr. Speaker, Sir, Shri Paswan has got two firsts today : he is first in the question list and his name also appears first under the Calling Attention.*

**Mr. Speaker :** *So, he has monopolised the business of the House. Take action against him under the Monopolies Act.*

**Prof. Madhu Dandayate :** *In the matter of business of the House bigamy is permissible.*

(L.S. Deb., 7 March, 1984)

**JOINT VALEDICTORY MEETING OF THE  
PARLIAMENTARY FINANCIAL  
COMMITTEES, 1983-84**

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A joint valedictory meeting of the three Financial Committees of Parliament, viz. the Estimates Committee, the Public Accounts Committee and the Committee on Public Undertakings for the year 1983-84 was held on 2 May, 1984. The Speaker, Dr. Bal Ram Jakhar presided.

Complimenting the Chairmen, the Conveners and the Members of the Committees on their "excellent" record of work during the year, Dr. Jakhar said that the Financial Committees were known for their independence, competence and balanced approach. If these high traditions of work and approach were maintained, he had no doubt that these committees would ever remain potent instruments of parliamentary surveillance over the executive. Dr. Jakhar said :

"In our parliamentary system, the Financial Committees occupy a pivotal position in so far as they function on behalf of, and as a limb of, Parliament. Complete freedom of opinion and free exercise of minds are characteristics of the proceedings of the Committee; but the final voice that emerges from the Committee represents the collective wisdom and consensus of its Members. In fact, the very strength and effectiveness of a Committee lies in the unanimity of its recommendations. Fortunately, in our Financial Committees, we have built up a tradition of detachment and objectivity of approach and this, to a great extent, accounts for the high esteem in which their recommendations are always held."

Dr. Jakhar further observed :

"The tasks before the Financial Committees are really stupendous. Painstaking research, incisive analysis and close deliberations precede

the formulation of their recommendations. Moreover, the work of the committees does not end with the mere presentation of reports. They have to pursue the recommendations made and watch their implementation.”

Expressing his happiness over the work done by the Committees, the Speaker said that besides making a significant impact in ensuring economy and efficiency and plugging various loopholes by streamlining administrative procedures, these Committees had from time to time made remarkable contributions for the improvement of the financial system and the financial accountability. The useful work done by these Committees in maintaining a vigil over governmental spending and performance, and that too on a continuing basis, had won general approbation. However, there was a growing need for further strengthening the devices of parliamentary scrutiny and oversight to give fuller meaning to the whole concept of Executive accountability to the Legislature and-through it-to the people. The Speaker suggested that we must have more Committees. We could accommodate all the view points in Committees and arrive at a consensus which could be brought before Parliament.

Referring to the achievements of three Committees, Dr. Jakhar said that the Estimates Committee not only presented 39 Reports greatly widening its coverage but had also broken the previous records by holding no less than 141 sittings spanning over 300 hours. The Committee had appropriately devoted its attention to the pressing need of universalisation of Elementary Education. The Committee had observed that the children should acquire at the earliest of their educational career an attitude conducive to a balanced development of knowledge and values as well as capabilities for work. Dr. Jakhar hoped that as recommended by the Committee the goal of universalisation of Elementary Education would be reached at least by the turn of the century. He was of the view that in order to make our nation great and efficient we had to pursue education in such a way that the qualities of discipline, patriotism, nationalism, aesthetics, devotion to duty and sharing of responsibilities were inculcated in the minds of the children from the very beginning.

The Speaker said that the Public Accounts Committee had presented altogether 57 Reports and covered a wide range of government activities. The anxiety of the Committee in regard to improving the planning and implementation of socio-economic developmental programmes was reflected in such Reports as on National Malaria Eradication Programme, Drought Prone Area

Programme and so on. The Committee had consistently drawn attention to the shortcomings in the tax administration. The Speaker suggested that the income-tax policy should be reviewed.

Appreciating the coordinated approach by the Committees, Dr. Jakhar said that the Committee on Public Undertakings had done well in taking up a horizontal study of Productivity in Public Undertakings. The report thereon supplemented the last year's report of the Estimates Committee on Industrial Policy relating to productivity. Such reports would hopefully make for improvement in productivity of the entire industrial sector in the country—private and public. He further said that the Committee on Public Undertakings had also given a number of useful reports and given constructive suggestions. These should be pursued and implemented.

Earlier, welcoming the Speaker, Shri Bansi Lal, Chairman, Estimates Committee, thanked him for taking keen interest in the Committee's work and said that it was but appropriate that the meeting took place in his distinguished presence to take stock of the work during the year. Giving a brief account of the work done by the Committee, Shri Bansi Lal said :

“...the Estimates Committee has held an all-time record number of 141 sittings lasting in all over 300 hours. Even with this input of time and effort we could not possibly cover all the Estimates of the Government of India. However, we could achieve again the highest ever coverage of 20 subjects relating to 15 Ministries and Departments of the Government. While selecting the subjects we were guided by their socio-economic relevance. It is thus we had examined and reported on Railway Safety, Rail Transport of Perishable Commodities and Coal, Railway Purchases, National Highways, Distribution of Fertilizers, Drug Standards, Broadcasting, Elementary Education, Supplies and Disposal, Civil Aviation, Imports & Exports, All India Services, Law and Order as well as Pollution Control in the Union Territory of Delhi, Generation of Atomic Power, Motor Car Industry, Banking, Coast Guards Organisation etc. We have presented a record number of 30 Reports—20 Original and 10 Action Taken Reports.”

Referring to some of the important recommendations of the Committee, the Chairman said that the Committee had received an impression that the



renewal programmes of the railways had been grossly neglected in the past. The Committee, therefore, had called for augmentation of financial allocations for railway rehabilitation programmes to make rail travel less hazardous. In its Report on Broadcasting, the Committee felt that a time had come to evolve a national policy on broadcasting to be brought before Parliament. The Committee had appreciated the step by step approach of the Government for granting autonomy to AIR and Doordarshan, but felt that even at present and within the existing structure there was scope for greater autonomy. In regard to universalisation of elementary education, the Committee recommended that a perspective plan should be evolved and implemented to universalise the primary education to make it truly work-oriented uniformly throughout the country before the turn of the century. In order to achieve fully the objectives of nationalisation of banks, the Committee had in its Report on Banking called for augmentation of credit facility for the priority sectors and weaker sections of the society, the Chairman added.

Speaking for the Public Accounts Committee, its Chairman, Shri Sunil Maitra, thanked the Speaker for upholding the tradition of appointing a Member of the Opposition to the important office of Chairman of the Committee and said :

“...We have continued to cover in our examination the Accounts and Audit Reports relating to the Union Government on a selective basis. There is always a trade off between intensive and extensive examination. We have so carefully selected the issues that we could cover a great deal of governmental activities and at the same time concentrate on matters of vital importance. In all, the Committee has presented 57 Reports, 29 original and 28 Action Taken. The Reports have been received quite well going by the comments that we heard and saw in the mass media. Though it is in the nature of the work of the Public Accounts Committee to be critical in its approach, we have struck a balance and as partners with Government in the common endeavour of making improvements in our systems we have given constructive suggestions. I am happy to acknowledge here that Government have extended their cooperation to us ungrudgingly both in regard to initially placing the facts before us and later on responding to our views and suggestions positively.”

Shri Maitra also recalled some of the important findings and conclusions of the Committee as well as its suggestions for improving the financial and

administrative systems in the country. Shri Maitra *inter alia* observed that the investment in immovable property was one of the common outlets for concealed wealth. The Committee, therefore, in its Report on Acquisition of Immovable Properties, had pointed out that as against over 77 lakh intimations of sale/transfer of properties received from the Registering authorities during the period of over ten years and 55,310 notices issued for acquisition of properties, the number of properties actually taken over by the Department so far had been merely 15. According to the Committee, it was imperative that once acquisition proceedings were initiated they should be pursued to their logical conclusion.

Shri Maitra further observed that the Committee's Report on Cost of Collection of Direct Taxes disclosed that the number of individual assesseees with a returned income of above rupees five lakhs shown on the records of the Income-tax Department was only 900 as on 31 March, 1982. What was more surprising was that even this number had come down to 599 as on 31 March 1983. The Committee had found it difficult to believe that the number of individual assesseees with an income of over Rupees five lakhs could be only 599 in the whole country. In the opinion of the Committee, it was just indicative of the ineffectiveness of the Income-tax Department to prevent large scale evasion of tax in the higher slabs of income. Though during the five year period (1978—83) the Department had been substantially strengthened, the position in three vital areas of work of the Department, *i.e.* Assessments, Collections and Appeals, had not shown any improvement.

Shri Madhusudan Vairale, Chairman, Committee on Public Undertakings said that Public Undertakings were important instruments of planned development of the country. A massive growth of the public sector had been witnessed after Independence. Therefore, the responsibilities of the Committee on Public Undertakings, the youngest of the Financial Committees, had been increasing. Shri Vairale said :

“We have continued the practice of covering a large number of Public Undertakings in a horizontal study of an important aspect of their functioning and taking up a comprehensive appraisal of a few undertakings carefully selected every year. We have thus studied the productivity of about 100 production enterprises covering not only labour and capital productivity but also productivity of other factors of production such as management, R & D etc. We have compre-

hensively examined 8 Public Undertakings either on our own or on the basis of Reports of Comptroller and Auditor General of India incorporating the results of appraisals by the Audit Board. These were in different spheres of economic activity *viz.* Small Scale Industries, Steel, Petroleum, Washed Coal, Thermal Power and Machine Tools Production, Warehousing, Rehabilitation of refugees etc. We have presented 20 Reports—10 each original and Action Taken.”

Shri Vairale further said that in view of the importance assigned by the Government under New 20-Point Programme to the development of small scale sector which accounted for almost half of the nation's industrial production and provided direct employment to about 75 lakh persons as well as the tremendous potential of this sector towards the economic growth and opportunities for educated unemployed, the Committee in its Report on National Small Industries Corporation had recommended that in order to give this sector the required thrust for coordinated development, the Government should create a separate Department in the Ministry of Industry headed by a Secretary exclusively incharge of the multifarious activities relating to the small scale sector.

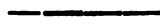
Shri Vairale further observed that the optimum utilisation of various inputs in public enterprises wherein investment had been made was of crucial importance to the economy of the country. There was substantial scope for augmenting productivity in Public Undertakings by better management even granting the environmental and infrastructural constraints faced by them. In its Report on horizontal study of Productivity in Public Undertakings the Committee *inter alia* pointed out that productivity linked incentive schemes, if devised carefully, would yield good results. The Committee had also given a number of suggestions for improving capital productivity.

The Chairmen expressed their gratitude to the Speaker for the “courtesy” extended to them and said that they were thankful to him for providing them “valuable ideas” and “suggestions” as well as ‘advice’ and ‘guidance’ from time to time.

Dr. Jakhar, Shri Maitra and Shri Vairale placed on record their appreciation for the services of the Comptroller and Auditor General of India, Shri Gian Prakash, who had retired recently and said that with his long experience of administration in various capacities he had rendered invaluable assistance to the Committees on Public Accounts and Public Undertakings in discharg-

ing their strenuous and exacting responsibilities. While wishing him well on retirement, they welcomed his successor, Shri T.N. Chaturvedi.

The Speaker was pleased that the officers and staff of the Lok Sabha Secretariat working with the three Financial Committees had given the best of themselves and had been able to discharge their onerous responsibilities to the satisfaction of the Committees. He said that he was proud of his staff and credit for their work went, in a large measure, to the leadership provided by the able and experienced Secretary-General Shri Avtar Singh Rikhy who retired in December, 1983 and his eminent successor, Dr. Subhash C. Kashyap, who knew how to distribute responsibilities.



**Indrajit Gupta :** *It takes two hours to read a report. These people do not do any work.*

**Prof. Madhu Dandavate :** *Kindly announce that there is no ban on reading reports.*

*(L.S. Deb., 28 March, 1984)*

**VALEDICTORY MEETING OF THE COMMITTEE ON  
THE WELFARE OF SCHEDULED CASTES  
AND SCHEDULED TRIBES, 1983-84**

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A Valedictory meeting of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes (1983-84) was held on 30 April, 1984. The Speaker of Lok Sabha, Dr. Bal Ram Jakhar, presided over the function.

Dr. Jakhar was pleased with the Committee's "impressive performance" and said that during the last two years the Committee, by holding more sittings and putting in more hours of work, presented as many as 31 reports on many important subjects. Also, it undertook 12 study tours and presented reports thereon. This, of course, was the outcome of the dedication with which the Members had applied themselves to the work of the Committee, the Speaker added. The Speaker observed:

"To accelerate the process of socio-economic transformation of the Scheduled Castes and Scheduled Tribes, Government has initiated programmes on which substantial amounts of public money have been expended. It is necessary to have critical evaluation of the implementation to know how far these measures have benefited these communities and whether some changes need to be introduced in the programmes in order to make them more effective and meaningful. In this connection, I recall that in one of its reports, the Committee has rightly expressed its unhappiness over the fact that no critical evaluation studies have been made about the actual achievements of the Special Component Plan. In the same report it has also recommended that a quick evaluation be made in selected blocks in each State to assess the extent to which the assistance given under various

schemes of the integrated Rural Development Programme has raised the income level of the Scheduled Caste and Scheduled Tribe families.”

Referring to the observation of the Committee about ‘an understanding-gap’ between the Government officials and tribals in regard to developmental measures being undertaken in tribal areas, the Speaker said that this gap could be bridged effectively and quickly if more and more persons, both male and female, from amongst the tribals themselves were recruited as social workers and trained to work among their fellow tribals; they would be more effective in removing any misgivings among the tribals about the socio-economic development of their areas.

Expressing his happiness at the work done by the outgoing Committee, the Speaker observed that this Committee also, like its predecessors, acted as a strong arm of Parliament in supplementing the latter’s efforts towards ensuring the welfare of Scheduled Castes and Scheduled Tribes’. He expressed the hope that the new Committee would keep up the pace of work set by the outgoing Committee.

The Speaker complimented the Chairman, Shri A.C. Das, for providing “valuable guidance” and “leadership” to the Committee and said that Shri Das had done development work among *Adivasis* for more than 17 years, and he had always been taking active interest in the upliftment of the weaker sections of the society. The Speaker also complimented the Conveners of the various Study Groups and the Members of the Committee for the high quality work done by them and said that their interest in understanding the problems of the Scheduled Castes and Scheduled Tribes, their concern about improving the conditions of these people, as also the amount of hard work put in by them had been reflected in the reports submitted by the Committee.

Earlier, Shri A.C. Das, Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes, in his welcome speech expressed his gratitude to the Speaker for his “unfailing courtesy” and “guidance” to the Committee. The Chairman stated that though the present Committee was constituted in May, 1983, it had in fact been in office for two years as almost all the Members, who had been elected in 1982, were also re-elected in 1983.

Giving a brief account of the work done by the Committee, the Chairman said that during the last two years the Committee had held 96 sittings lasting about 172 hours and had presented as many as 31 Reports, including 17

original reports. The Committee examined varied subjects such as socio-economic conditions of Scheduled Castes and Scheduled Tribes in the Union Territories of Pondicherry and Dadra and Nagar Haveli; Working of Integrated Tribal Development Projects in Madhya Pradesh; Special Component plan for Scheduled Castes; and Benefits provided to Scheduled Castes and Scheduled Tribes in the Cooperative Sector. In order to assess the intake of Scheduled Castes and Scheduled Tribes in services, the Committee examined a number of public undertakings and Government Departments which *inter alia* included Oil & Natural Gas Commission, Rourkela Steel Plant, Bharat Leather Corporation, Indian Oil Corporation, National Textile Corporation, Syndicate Bank and Union Bank of India. While examining the banks the Committee had gone into the question of providing credit facilities to Scheduled Castes and Scheduled Tribes and recommended that the banks should take immediate necessary measures to enhance lending to persons belonging to Scheduled Castes and Scheduled Tribes so that they got a substantial proportion of the credit earmarked for weaker sections under the priority sector.

The Chairman observed that the Committee was concerned that several Ministries/Departments of the Central Government had not prepared Special Component Plans in their respective sectors although three years of the Sixth Plan were over. The Committee recommended that every Central Ministry/Department whose activities had a bearing on the development of Scheduled Castes should identify the schemes which directly benefited the Scheduled Castes and quantify outlays for the Special Component Plan in their respective sectors.

Referring to the working of Integrated Tribal Development Projects in Madhya Pradesh, the Chairman said :

“The Committee noticed that there were shortfalls of Rs. 32.76 crores in 1978-79, Rs. 31.26 crores in 1979-80 and Rs. 26.95 crores in 1981-82 in the utilisation of funds allocated for various schemes in Tribal Sub-Plan area. The Committee also found that the State Government had been diverting the funds, meant for the development of tribal sub-plan area to non-tribal area. The Committee has recommended that the administrative and implementation machinery should be strengthened both at the State level and Project level so that there is full utilisation of funds allocated for tribal sub-plan. In no case, the funds allocated for implementation of development programmes/schemes in the sub-plan areas should be permitted to be diverted to non-tribal areas”.

As regards educational facilities for Scheduled Castes and Scheduled Tribes in Indian Institutes of Technology, the Chairman said :

“The Committee has expressed concern that a very large number of seats reserved for Scheduled Castes and Scheduled Tribes have remained unfilled year after year. The percentage of seats which remained unfilled during the years 1980-81, 1981-82 and 1982-83 was 39, 76 and 80 for Scheduled Castes and 75, 96 and 92 for Scheduled Tribes respectively. The Committee has recommended that separate Entrance Examination should be conducted for Scheduled Caste/Scheduled Tribe candidates and talented among them should be picked up and given special coaching to bring them upto the general standard of the course.”

The Chairman further observed that the Committee divided itself into two Study Groups for the purpose of on-the-spot study of subjects taken up for examination and undertook tours to various States/Union Territories and said :

“During these tours, the Committee held discussions with the representatives of concerned organisations on the question of providing reservation to the Scheduled Castes and Scheduled Tribes in services. The Committee also discussed with the officials of State Governments/Union Territory Administrations the socio-economic problems of these communities and the various programmes and schemes drawn up for their social and economic upliftment. On account of these tours, I must say, the Committee has been able to create awareness among the Central and State authorities about their obligation towards these weaker sections of the society. The Committee has impressed upon them that it is their moral duty to do their utmost to help the Scheduled Castes/Scheduled Tribes and to make all-out efforts to improve their standard of living and thus bring them above the poverty line.”

Expressing his happiness over the work done by the Committee, the Chairman observed that it had proved to be an effective watchdog for the implementation of constitutional safeguards for Scheduled Castes and Scheduled Tribes. During its term, the Committee received as many as 2040 complaints/representations from these communities from all over the country and many of their grievances had been redressed due to the intervention of the Committee, the Chairman added.



## BIENNIAL ELECTIONS TO RAJYA SABHA\*

Article 83 (1) of the Constitution of India provides that the Council of States (Rajya Sabha) shall not be subject to dissolution, but as nearly as possible, one-third of the Members thereof shall retire as soon as may be on the expiration of every second year in accordance with the provisions made in that behalf by Parliament by law. Pursuant to this provision of the Constitution, 78 sitting Members of the Rajya Sabha, including four nominated by the President of India under article 80 (1) (a) of the Constitution, became due for retirement in 1984. State-wise break-up of vacancies with dates of retirement of Members from each State is given below:

Maharashtra-7; Orissa- 4; Tamil Nadu-6; Uttar Pradesh—11; West Bengal—5; Delhi—1.	...	2.4.84
Andhra Pradesh—6; Assam—3; Bihar— 7; Gujarat—4; Haryana—2; Himachal Pradesh— 1; Karnataka— 4; Medhya Pradesh—5; Manipur— 1; Punjab— 2; Rajasthan—3.	...	9.4.84
Meghalaya—1	...	12.4.84
Arunachal Pradesh—1	...	26.5.84
Nominated—4	...	13.4.84

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

On 12 March, 1984, the Ministry of law, Justice and Company Affairs (Legislative Department) issued three Notifications under Section 12 of the Representation of the People Act, 1951, calling upon the elected Members of the Legislative Assemblies of the respective States/Union Territories to elect in accordance with the provisions of the said Act and the rules and orders made thereunder, the number of Members to fill the vacancies which were due to fall in April 1984. The notification in regard to filling the seat of one Member from the Union Territory of Arunachal Pradesh that was due to fall vacant on 26 May, 1984, was issued by the Ministry of law on 1 May, 1984.

The following programme was fixed for the election in the States/Union Territories:

State/ Union Territory	Last date for making nominations	Date for the scru- tiny of nomi- nations	Last date for with- drawal of candi- datures	Date on which a poll shall if necessary, the be taken.	Date before which the election shall be com- pleted.					
1	2	3	4	5	6					
1. Maharashtra	}	}	}	}	}					
2. Orissa										
3. Tamil Nadu										
4. Uttar Pradesh										
5. West Bengal										
6. Delhi						19.3.84	20.3.84	22.3.84	29.3.84	31.3.84
7. Andhra Pradesh										
8. Assam										
9. Bihar										
10. Gujarat										

1	2	3	4	5	6
11. Haryana					
12. Himachal Pradesh					
13. Karnataka	19.3.84	20.3.84	22.3.84	29.3.84	31.3.84
14. Madhya Pradesh					
15. Manipur					
16. Punjab					
17. Rajasthan					
18. Meghalaya	19.3.84	20.3.84	22.3.84	31.3.84	2.4.84
19. Arunachal Pradesh	8.5.84	9.5.84	11.5.84	21.5.84	24.5.84

During the biennial elections held up to May, 1984, 74 new Members were elected to the Rajya Sabha filling up all the vacancies and their term commenced from the next day from the date of retirement of the respective Members. In the case of nominated Members, however, only 3 out of 4 vacancies were filled by the President on 9 May, 1984.

Following these elections, the strength of the Political parties represented in Rajya Sabha was as follows: Congress (I)— 152, C.P.I. (M)— 13, A.I.A.D. M.K.—11, Janata— 9, B.J.P.— 8, Lok Dal—5, C.P.I.—5, Telugu Desam—5, D.M.K.— 3, National Conference— 3, Congress (S)— 2, Akali Dal— 2, Forward Bloc— 2, R.S.P.— 1, Muslim League— 1, Kerala Congress— 1, N.N. D.P.— 1, Janvadi— 1, Janata (G)— 1, N.D.P.— 1, Independents— 6, \*Nominated— 6.

\*Out of 10 nominated Members, 4 joined Congress (I) Party.

## PARLIAMENTARY EVENTS AND ACTIVITIES

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### CONFERENCES AND SYMPOSIA

**71st Inter-Parliamentary Conference :** The 71st Inter-Parliamentary Conference was held in Geneva from 2 to 7 April, 1984. The Indian Delegation to the Conference was led by Dr. Bal Ram Jakhar, Speaker, Lok Sabha and consisted of Shri Kalp Nath Rai, Minister of State in the Department of Parliamentary Affairs, Shri Kamaluddin Ahmed, M.P., Smt. Kailash Pati, M.P., Miss Saroj Khaparde, M.P., Shri Sat Paul Mittal, M.P., Shri S. Singarvadival, M.P., Shri Harkishan Singh Surjeet, M.P., and Shri Atal Bihari Vajpayee, M.P., Shri Sudarshan Agarwal, Secretary-General. Rajya Sabha was Secretary to the Delegation.

The Conference discussed and adopted resolutions on the following subjects :—

1. The contribution of Parliaments to the success of current and future negotiations leading to the cessation of the arms race, arms control and world disarmament, aimed at ensuring peace.
2. The role of parliamentarians in the solution of population problems within the overall context of resources and development with particular reference to.
  - (a) Population and Natural Resources—the inter-relationship between population problems (over/under population, low/high growth rates, mal-distribution), and production, flow and consumption of natural resources with particular reference to food):

- (b) Population and Financial Resources-Poverty and development : financial and assistance programmes in the areas of population and development;
- (c) Population Trends and Policies in view of the International Conference on Population, 1984—formulation and monitoring of population policies within the economic and social development process.

The following supplementary item on the Agenda was also considered :

“The continuation of the Arab-Israeli conflict and the Iraq-Iran war in the Middle East, threats to international peace and security.”

During the Conference period, meetings of the Inter-Parliamentary Council and Standing Study Committees of the Inter-Parliamentary Union were also held. The Association of Secretaries-General of Parliaments also met in Geneva during that period. Shri Sudarshan Agarwal, Secretary-General, Rajya Sabha attended the meetings of the Association.

*Emergent Conference of Presiding Officers* : An Emergent Conference of Presiding Officers of Legislative Bodies in India was held at Parliament House Annexe, New Delhi on 25 April, 1984 to consider the issues arising out of the Privilege Cases pending in the Supreme Court. Dr. Bal Ram Jakhar, Speaker of Lok Sabha and Chairman of the Conference, presided. Almost all the Presiding Officers of the legislative Bodies in India as also the Deputy Chairman of Rajya Sabha and the Deputy Speaker of Lok Sabha attended the Conference.

The following Resolution was unanimously adopted at the Conference :

“The Presiding Officers of Legislative Bodies in India assembled in their Emergent Conference in New Delhi on 25 April, 1984 while reiterating the supremacy of the legislature under the Constitution and faith in the independence of the Judiciary and the freedom of the Press, hereby unanimously resolves.

- (a) that under article 105/194 of the Constitution, the legislatures in India had, and were intended by the founders of the Constitution to have exclusive jurisdiction to decide all matters relating to the privileges of the House, their Members and Committees without any interference from the Courts of law or any other authority;

- (b) that rules framed under article 118/208 are not subject to scrutiny by any court of law and the provision regarding their being subject to constitutional provisions refers to only the provisions regarding rules of procedure enshrined in the Constitution and not to all other provisions;
- (c) that mutual trust and respect must exist between the legislatures and courts each recognising the independence, dignity and jurisdiction of the other in as much as their roles are complementary and supplementary to each other;
- (d) that, if necessary, an amendment might be made in the Constitution so as to place the position beyond all shadow of doubt; and
- (e) that the Committee of the Presiding Officers appointed at their Conference in Bombay in January, 1984 may continuously monitor further progress in the matter and from time to time made suitable recommendations to the Chairman of the Conference and finally to the Conference itself at its Calcutta meeting in October, 1984.

This Conference authorises the Chairman to take such other steps as he deems fit to achieve the above objectives.”

#### PARLIAMENTARY DELEGATIONS FROM ABROAD

*Zairean Parliamentary Delegation* : In response to an invitation from India, a Zairean Parliamentary Delegation led by His Excellency Mr. Nzondomyo A' Dokpe Lingo, President of the Legislative Council of Zaire, visited India in February, 1984.

On 8 February, 1984, the Delegation called on the Speaker, Lok Sabha who hosted a banquet in their honour. On the same day a meeting between the Delegation and Members of our Parliament was also held. On 9 February, 1984, the Delegation called on the Chairman, Rajya Sabha.

Besides Delhi, the delegates visited some places of cultural and industrial interest viz, Agra, Jaipur and Bombay.

*Swedish Parliamentary Delegation* : In response to an invitation from India, a Swedish Parliamentary Delegation led by His Excellency Mr. Ingemund Bengtsson, Speaker of the Swedish Parliament visited India in February-March, 1984.

On 27 February, 1984, the delegation called on the Speaker, Lok Sabha and the Chairman, Rajya Sabha and the same day a meeting between the Delegation and Members of our Parliament was also held and the Speaker, Lok Sabha hosted a banquet in their honour.

Besides Delhi, the delegates visited some places of cultural and industrial interest viz, Agra, Bombay and Pune.

*French Parliamentary Delegation* : In response to an invitation from India, a French Parliamentary Delegation led by His Excellency Mr. Louis Mermaz, President of the National Assembly of France visited India in March, 1984.

On 1 March, 1984, the Delegation called on the Speaker, Lok Sabha, and also the Chairman, Rajya Sabha. On 2 March, 1984, the Speaker, Lok Sabha hosted a banquet in honour of the Delegation. A meeting between the visiting Delegation and Members of Indian Parliament was held on 6 March, 1984.

Besides Delhi, the delegates visited some places of cultural and industrial interest viz, Varanasi, Agra, Jaipur and Bombay.

*Polish Parliamentary Delegation* : In response to an invitation from India, a Polish Parliamentary Delegation led by His Excellency M. Stanislaw Gucwa, Marshal of the Sejm (Speaker of the Polish Parliament) visited India in March, 1984.

On 19 March, 1984, the delegation called on the Speaker, Lok Sabha, a meeting was held between the delegation and Members of Parliament and the Speaker, Lok Sabha hosted a banquet in their honour. On 28 March, 1984, the Delegation called on the Chairman, Rajya Sabha.

Besides Delhi, the delegates visited some places of cultural and industrial interest viz. Agra and Jaipur.

#### BUREAU OF PARLIAMENTARY STUDIES & TRAINING

During the period 1 January to 2 May, 1984, the following Programmes/Courses were organised by the Bureau of Parliamentary Studies and Training, Lok Sabha Secretariat :

*Seminar on "Private Members' Business"* : A Seminar on "Private Members' Business" was held under the joint auspices of the Bureau of Parliamentary Studies and Training and the Indian Parliamentary Group from 27 to 29 April, 1984 in Committee Room (Main), Parliament House Annexe. Besides the Members of Parliament and the Indian Parliamentary Group (IPG), representatives from the State Legislatures also attended and



participated in the Seminar. The Seminar was inaugurated by Dr. Bal Ram Jakhra, Speaker, Lok Sabha on 27 April, 1984. It was attended by 40 Members of Parliament, 16 Associate Members of IPG and 45 Members from the State Legislatures, including Shri T.S. Negi, Speaker, Himachal Pradesh Vidhan Sabha.

The following were the Panel Speakers :

1. Shrimati Margaret Alva, M.P.
2. Shri S.W. Dhabe, M.P.
3. Shri Eduardo Faleiro, M.P.
4. Shri Shankar Prasad Mitra, M.P.
5. Shrimati Geeta Mukherjee, M.P.
6. Professor Narain Chand Parashar, M.P.
7. Shri Uttam Rathod, M.P.

Besides the above-mentioned Panel Speakers, three other Members of Parliament, two Associate Members of IPG and 31 Members of the State Legislatures took part in the discussion.

*Appreciation Courses for Probationers/Officers of All India/Central Services* : Five Appreciation Courses in Parliamentary processes and procedures were organised by the Bureau viz, the First Course for Officers of Steel Authority of India and Ministry of Steel and Mines (Department of Steel) —16 to 20 January, 1984. Fourth Course for Indian Audit and Accounts Service probationers—30 January to 4 February 1984; the Fourteenth Course for Indian Administrative Service Probationers—17 to 24 February 1984; the Eighth Course for Indian Foreign Service Probationers—2 to 9 March 1984 and the Sixth Course for the Probationers of the Indian Defence Accounts Service, the Indian Civil Accounts Service and the Defence Lands and Cantonment Service—19 to 24 March, 1984.

*Study Visit* : At the request of the office of the Comptroller and Auditor General of India, a two-day Study Visit was organised for Mr. Nils Swedberg, former member of the Supreme Audit Institutions of Sweden on 27 and 28

January, 1984 to enable him to familiarise himself with the working of Committees on Public Accounts, Public Undertakings and Government Assurances.

The Bureau also organised 29 one-day Study Visits for among others, Dr. James Teah Tarpeh, Vice-Chancellor of Liberia and groups of (i) Indian Statistical Service Probationers; (ii) Indian Telecommunication Service Probationers; (iii) Officers of the rank of District, Additional District and Sessions Judge and Superintendent of Police and (iv) Students of American Embassy School.

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**Pattabhi Rama Rao** : .....*I may answer my hon'ble friend Dr. Swamy. He is wasting his labour by sitting in the Opposition.*

**Dr. Subramaniam Swamy** : *In the next elections, we will in the ruling Party.*

**Pattabhi Rama Rao** : *It will not happen as long as you are there.*

(*L.S. Deb.*, 3 March 1984)

PRIVILEGE ISSUES

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LOK SABHA

*Alleged manhandling of a Member by some people and inaction on the part of police authorities\** : On 5 November, 1982, a Member (Dr. Golam Yazdani) made a statement in the House under rule 377 of the Rules of procedure and Conduct of Business in Lok Sabha, regarding his alleged manhandling and attack by *lathis* by some people at Malda, West Bengal, and inaction on the part of police authorities on 8 October, 1982.

In his statement the Member alleged, *inter alia*, that he had miraculously escaped from an attempt on his life but had sustained severe injuries on both of his hands and head on that day. He was taken to the Chanchal Hospital where stitches were given to his head injury and other injuries were attended to. On 10 October, 1982, he was removed to District Hospital, Malda, from where he was discharged on 16 October, 1982. He had gone home but all along he had a feeling of insecurity and apprehension that he would be risking his life if he stayed there. So he came to Delhi on 20 October, 1982, and as per the advice of the C.G.H.S. doctor of South Avenue, he was admitted to the Nursing Home of Dr. Ram Manohar Lohia Hospital.

Dr. Yazdani requested the Speaker and through him the Home Minister to have a thorough investigation made into the case by the CBI. He further requested the Speaker that the matter may be referred to the Committee of Privileges as he felt that he was unable to discharge his duties as Member of Parliament from his constituency unless the situation improved. He also sought protection as his life was threatened.

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\* See also *JPI*, December, 1982, Vol. XXVIII, No. 4, p. 504

The Speaker (Dr. Bal Ram Jakhar), after taking the sense of the House, referred the matter to the Committee of Privileges.

The Committee of Privileges, after examining the Member (Dr. Golam Yazdani), in their Seventh Report presented to the House on 20 December, 1983, reported *inter alia* that Dr. Golam Yazdani in his evidence before the Committee deposed as under :

‘On the 8th of October, I was at home, in my constituency. On that very day, I had a programme to start for Delhi to attend the Parliament session. I had my railway booking also at Malda Station to catch Tinsukia Mail on 9.10.82 at 4.21 early in the morning.....On that very day, in the afternoon, I went to the northern part of my constituency, because I was coming to Parliament and I wanted to find out the people’s grievances, problems etc.-whatever they may be so that I might raise them in Parliament. So, I went in the afternoon on a motorcycle. I did not drive the motorcycle; it was driven by a man named Sanaullah. I went there and I returned to Chanchal at about 9 P.M., which is about 1 Km. from my home.....Some people from there told me : “Doctor Sahib, CPM people have conspired to finish you. Don’t proceed further. You run backward to save yourself”. So, I was confused and sensing danger I did not go forward. I started running backwards.’

On being asked by the Committee to explain the reasons as to how the breach of privilege had occurred, Dr. Yazdani said that the injury was done to him by the person knowing fully well that he had to come to attend the Parliament session. When asked to identify and name the person who had allegedly assaulted him, the Member said that he could recognise the person but could not name him immediately.

The Committee found that cases relating to the alleged assault on Dr. Golam Yazdani were pending in a court of law. The Committee considered precedents in which they had postponed consideration of a question of privilege when a case based on similar facts was pending in a court of law. The Committee were, however, of the view that the jurisdiction of the Committee of Privileges and of the courts of law were quite different even where the facts were the same; the issues to be decided by the court were absolutely different from the issues that were to be decided by the Committee

of Privileges. The court could not decide on privilege, and the right to privilege was not subject to Fundamental Rights; and that the rule of *sub judice* did not apply to privilege matters. The Committee had, therefore, considered the matter on its merits without waiting for the decision of the court.

The Committee noted that Dr. Yazdani had not been able to mention the names of any of his assailants either in his statement in the House or during the course of his oral evidence before the Committee. The Committee, therefore, felt that it was not possible for them to proceed further in the matter.

The Committee, after taking into account the facts and circumstances of the case, were of the opinion that no question of breach of privilege or contempt of the House was involved and recommended no further action in the matter. However, the Committee deprecated such incidents of assaults on the elected representatives of the people.

The Committee desired that as requested by Dr. Golam Yazdani, the Ministry of Home Affairs should arrange\* with the Government of the State of West Bengal to provide suitable protection to his life and property, as he apprehended danger to his life.

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

*Alleged undignified and unbecoming behaviour with a Member by the Vice-Chancellor of a University at a meeting of the Court of that University : On 4 April, 1983, a Member (Shri Mohd. Asrar Ahmad) had given notice of question of privilege against Shri Saiyid Hamid, Vice-Chancellor of Aligarh Muslim University for his alleged undignified and unbecoming behaviour with him at a meeting of the Court of the University held on 26 March, 1983.*

In his notice the Member *inter alia* alleged that while he was speaking at the meeting the Vice-Chancellor interrupted him and in an extremely harsh

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\*The Ministry of Home Affairs [*vide* their Office Memorandum No. I/13012/31/82-IS (D. II), dated 17 January, 1984] intimated as under :

“Government of West Bengal have since reported that in compliance with the orders of the Committee of Privileges, an armed police guard has already been provided at the residence of Dr. Golam Yazdani, M.P., at Malda and personal security guard has also been provided.”

tone asked him to lower his voice. When he pointed out that his hearing capabilities were not normal and he spoke with raised voice even in Parliament, Shri Hamid contemptuously said that it was not Parliament House. The Member further alleged that because of the behaviour of the Vice-Chancellor, he was finding it difficult to discharge his duties as a representative of the Lok Sabha on the Court of the Aligarh Muslim University. He, therefore, felt that by acting in this unbecoming manner the Vice-Chancellor had committed a breach of privilege and contempt of the House.

On 29 April, 1983, Shri Asrar Ahmad raised the question of privilege in the House and moved the following motion which was adopted by the House :

“That the matter be referred to the Committee of Privileges with instructions to report by the first week of the next session.\*”

The Committee of Privileges, after examining the Member (Shri Mohd. Asrar Ahmad) and Shri Saiyid Hamid, the Vice-Chancellor of Aligarh Muslim University, in their Sixth Report presented to the House on 17 November, 1983, reported *inter alia* that during the course of his evidence before the Committee the Member *inter alia* stated that at a meeting of the Court of the Aligarh Muslim University, the Vice-Chancellor, while asking him to speak slowly, said that when he spoke, it appeared that someone was hammering on their ears. On his saying that he was hard of hearing, and spoke loudly in Parliament also, Shri Hamid said that it was not Parliament. When he pointed out that before him other persons had also spoken loudly but only he was interrupted, the Vice-Chancellor said that he would be interrupted again and again. In reply to a question, the Member, Shri Asrar Ahmad had further said that so far as the question of obstruction was concerned neither he was allowed to speak there nor allowed to discharge his duties.

In his evidence before the Committee, Shri Saiyid Hamid, the Vice-Chancellor of Aligarh Muslim University deposed that the allegations made against him were unfounded. He had the highest respect for Parliament and he had invariably behaved with decorum and respect towards all the Members of the Court of the University including the Members sent by the Parliament. Shri Hamid added that he had a span of 37 years as a civil servant. The Committee

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\*On 28 July, 1983, a motion was adopted by the House, extending the time for the presentation of the Report upto the last day of the first week of the Thirteenth Session of the Seventh Lok Sabha.

could get his entire record of service from the Department of Personnel. They would not come across any incident in which he had behaved indecorously with a Member of the Central Legislature or that of a State Legislature.

While replying to question before the Committee, Shri Saiyid Hamid *inter alia* said that he did not make any reference to Parliament. What he said was an idiom which translated into English might seem a little offensive, otherwise it was just a witticism. Unfortunately, the idiom (when you speak loudly, your voice falls like hammers on the ears of audience) which should have made the Member less tense, was misconstrued. He appeared to have felt hurt on that basis. It was an unfortunate thing that it was misconstrued. He had absolutely no intention of hurting him or saying that he was doing any damage to the ear-drums of the audience. That was never his intention,

After a careful consideration of the evidence of the Member (Shri Mohd. Asrar Ahmad) and that of Shri Saiyid Hamid, the Vice-Chancellor of Aligarh Muslim University, the Committee felt that there had been some misconception about the use of certain words by the Vice-Chancellor while requesting Shri Ahmad to speak in a lower tone. During the course of his evidence, Shri Hamid had clarified more than once that he had absolutely no intention of hurting the feelings of Shri Ahmad or obstructing him from speaking at the meeting of the Court.

In view of the above, the Committee felt that as a Presiding Officer of the Court, the Vice-Chancellor had certain duties and powers to conduct and regulate the proceedings of the Court and that Members of the Court including Members representing Parliament were expected to extend their cooperation to the Vice-Chancellor. A Member of Parliament would naturally had to discharge his functions in the meetings of the Court like other Members within the parameters of his position as a Member of the Court as distinct from his duties as a Member of Parliament in Parliament.

The Committee noted that the Vice-Chancellor had categorically denied making any reference to Parliament at all least of all, in a contemptuous way. The Committee, therefore, were of the opinion that taking into account the totality of the facts and circumstances of the case, no further notice need be taken of the matter and recommended that it might be dropped.

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

*Alleged remarks by a Minister at a party meeting that Governments of two States will be dumped in sea by the people :* A news item captioned "J & K,



West Bengal Governments will be 'dumped' in sea" was published in the *Indian Express*, dated 2 March, 1984 which read *inter alia* that the Union Minister for Railways (Shri A.B.A. Ghani Khan Choudhury) while addressing a function at the AICS (I) office, Delhi, said on 1 March, 1984, that the people of West Bengal and Jammu and Kashmir would soon 'dump' their Governments in the Bay of Bengal and Indian Ocean respectively with the help of the Central Government.

On 2 March, 1984, when Shri Abdul Rashid Kabuli and several other Members sought to raise the matter in the House, the Speaker (Dr. Bal Ram Jakhari) observed as under :

"You give something in writing. I will write to him and ask if he has said anything like that".

Later, on the same day, two Members (Sarvashri Abdul Rashid Kabuli and Saif-ud-Din Soz) sent a joint letter to the speaker regarding the said news-item.

On 8 March, 1984, when several Members sought to raise the matter in the House, the Speaker observed *inter alia* as under :

"The hon. Minister has reported to me that he has been misquoted and he never said that.....He said that the people are responsible and the people will take care of it.....I have made an enquiry. I am satisfied..... He has stated that he did not say that.....He said that he was misquoted, he never said like that, that the Central Government is going to do this or that".

The matter was, thereafter, closed.

#### RAJYA SABHA

*Alleged censoring of mail of a Member :* On 8 March, 1984, a Member (Shri V. Gopalsamy) sought to raise a question of privilege in regard to which a notice had been given earlier against the Chief Secretary of the Government of the State of Tamil Nadu, the Superintendent of Police (C.I.D.), Madras, and the Superintendent of Police, Tirunelveli, that an order stating that in the interest of public security and tranquillity, all postal articles addressed to him or emanating from him should be subjected to censorship had been passed by the State Government. The Member stated that when he had raised the matter on 7 December, 1983, the Deputy Chairman had informed that remarks

would be called from the concerned persons. He, therefore, would like to know the reasons for such orders.

Thereupon, the Chairman (Shri M. Hidayatullah) observed as under :

“You remember that sometime back there was a question raised about tapping of telephones and at that time I gave a ruling.....So I again reiterate what I said then : ‘I must, however, say that any malafide action or interference with the legitimate duties of the hon. members of this House, if proved, will not have the protection of this ruling. I repeat with respect the observation of the hon. the Speaker :

“I would permit myself one observation before concluding this subject that this is about communications sent by my office including the Lok Sabha Secretariat to Members. I hope the concerned authorities realise that such communications would not attract the attention of the censoring authorities”.

The same will apply to this House *mutatis mutandis*’.

I must say that in America there is a provision in the Constitution itself against such searches and investigations. We should be very reluctant to do this in our country. The Law does allow it. But I hope the law will be administered very very carefully without causing any offence to hon. members. I think, with these remarks, your question is over”.

## STATE LEGISLATURES

### ANDHRA PRADESH LEGISLATIVE ASSEMBLY

*Holding of a Panchayat Samiti meeting by a Minister without inviting the local Member :* On 23 March, 1981, the Speaker (Shri Kona Prabhakar Rao) observed in the House *inter alia* that some Members (Sarvashri G. Latchanna, Jaipal Reddy, Venkaiah Naidu and Sobhanadresswara Rao) had given a notice under rule 168 of the Rules of Procedure of the Assembly against the Minister for Revenue for holding the meeting of *Udayagiri Panchayat Samiti* to discuss drought situation without inviting the local Member (Shri Venkaiah Naidu) in time, thereby giving an impression among the public that Shri Naidu was not interested in discussing drought situation in the area. Thus, the Minister has allegedly committed a breach of privilege against the Member.

The Speaker further observed that a breach of privilege arose when a Member was prevented from discharging his duties as the Member of the Legislative Assembly. The Members by virtue of their membership also become Members of other public bodies or Committees from time to time. The duties performed by them in their capacity as Presiding Members of *Panchayat Samitis* or as Members of Railway Users Consultative Committees etc. were distinct from their duties as Members of the Assembly. A Member going in the capacity as a Presiding Member of a *Panchayat Samiti* if prevented from going to the *Samiti* by others could not claim any privilege.

Observing that a Member of the Assembly had certain duties to discharge in the actual transaction of the business of the House and for performing such duties, he had got certain privileges provided in the Constitution and in the Rules of Procedure of the Assembly, the Speaker said that a breach of privilege of the Member occurred only when it concerned his character and conduct in his capacity as Member of the House and it must be based on matters arising in the actual transaction of the business of the House.

In view of the above, the Speaker held that there appeared to be no *prima facie* case of breach of privilege. However, it appeared to be a matter of propriety for a Minister to inform the legislator of the constituency, in which he proposed to tour, well in advance so that the concerned Legislator might have ample opportunity to participate in the public function.

#### RAJASTHAN LEGISLATIVE ASSEMBLY

*Alleged maltreatment of Members by some police officers:* On 9 September, 1983, the Speaker (Shri Poonam Chand Bishnoi) observed\* in the House that some Members (Sarvashri Yadu Nath Singh, Kamendra Singh, Megh Raj Tawad, Nathu Singh and Gopal Pacherwal) had given three notices of questions of privileges alleging that on 9 August, 1983, at 3.30 A.M., 150 personnel of R.A.C. attacked room No. 4 of Jodhpur House, New Delhi, and forced two Members (Sarvashri Narendra Singh Bhati and Shivram Sharma) out of the room. The Members alleged that two senior police officers Sarvashri Raghunath Singh and Bhatnagar, the Inspector-General of Police and the Deputy Inspector-General of Police respectively had insulted the Members. Thus, the dignity of the House had been tarnished.

The Speaker further observed that he had also received a notice of Calling Attention from a Member in this connection. It appeared from the

\*Original in Hindi.

facts received thereon that Shri Narendra Singh Bhati had filed cases in a court at New Delhi against the State Government and the said officers and the matter was *sub judice*. It also appeared that a dispute was going on for a long time between the State Government and Shri Bhati over the possession of the room by him.

In view of the above, the Speaker observed that a question of breach of privilege arose only when a Member was prevented from discharging his duties connected with the House or some sort of restriction was put on his movement to or from the House and held that the "Present case appears to be a personal dispute and it is not connected with the proceedings of the House in any way. Hence, I find myself unable to give consent to this question of privilege."

*Non-provision of opportunity by Chief Minister for discussion on certain reports in the House :* On 9 September, 1983, the Speaker (Shri Poonam Chand Bishnoi) observed\* in the House that a Member (Shri Bhairon Singh Shekhawat) had given notice of a question of privilege against the Chief Minister (Shri Shiv Charan Mathur) on the ground that during his tenure of Chief Minister-ship no report was discussed in the House except the Report of the Commissioner of Scheduled Castes and Scheduled Tribes. Since the Chief Minister was deliberately not providing an opportunity for the consideration of certain reports, he had committed a breach of privilege against the Members.

The Speaker, in this connection, referred to rule 126 of the Rules of Procedure and Conduct of Business in Rajasthan Legislative Assembly which provides that on the recommendations of the Business Advisory Committee, discussion will be held on the reports mentioned under this rule in one or more sessions of the Assembly every year. In other words, he said that the discussion could not be held unless Business Advisory Committee made recommendations in this regard or the House itself decided to have a discussion on any such report. It was evident from the record that during the last Session, Reports of the Rajasthan State Mines and General Corporation Ltd., and that of the Rajasthan State Mineral Development Corporation were discussed. In addition, discussion on the Budget of the Rajasthan State Electricity Board had been included in the list of Business dated 9 September, 1983.

The Speaker further observed that the Chief Minister was not a Member

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\*Original in Hindi.

of the Business Advisory Committee but he was specially invited to its meetings so that his advice might also be available. Shri Shekhawat was a member of the Committee and was free to express his views in the Committee. Besides this, the Report of the Business Advisory Committee is always presented to the House for discussion and the same is implemented only after the approval of the House. The House had discussed such reports on many occasions and Shri Shekhawat being the Leader of the Opposition, had objected in the House to several recommendations made in these reports. In such circumstances, the Speaker held that "it cannot be said that the Chief Minister has committed breach of privilege of the House by not providing an opportunity for discussion on the Annual Reports. I am, therefore, unable to allow this question of privilege."

*Non-fulfilment of an assurance given by the Chief Minister in the House :* On 9 September, 1983, the Speaker (Shri Poonam Chand Bishnoi) *inter alia* observed\* in the House that a Member (Shri Yadu Nath Tingh) had given notice of a question of privilege to the effect that the Chief Minister (Shri Shiv Charan Mathur) had announced in the House on 4 March, 1983, that Ghana firing incident on 7 November, 1982, would be investigated into by a judge of the High Court but as yet no action had been taken on this announcement. It amounted to a contempt of the House.

The Speaker further observed that non-fulfilment of the announcements, promises and assurances given by the Chief Minister/Ministers in the House did not amount to a breach of privilege. There were several occasions when assurances and promises were made in the House by the Government on several matters. It was certainly the responsibility of the Government to fulfil those assurances and promises. A special procedure had been evolved in the House to look into these assurances and related matters. A Committee on Assurances had been constituted which reviewed in detail the assurances given in the House and submitted its report to the House.

In view of the above, the Speaker observed that in the instant case, the State Government could have abided by the announcement made by the Chief Minister. Yet this could not be said to be a breach of privilege and therefore, he was unable to allow this as a question of privilege.

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\*Original in Hindi.

## PROCEDURAL MATTERS

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### LOK SABHA

*Adjournment Motion—fixing of date for discussion :* On 24 February, 1984, the Speaker (Dr. Bal Ram Jakhar) had given his consent to an Adjournment Motion given notice of by Professor Madhu Dandavate and 38 other Members regarding situation in the State of Punjab leading to communal violence and confrontation between Central Reserve Police Force (CRPF) and sections of the people both in Punjab and Haryana States. Professor Dandavate who secured first place in ballot, asked for leave of the House to move the Adjournment Motion. Leave was not opposed. Then the Speaker observed that he would consult leaders of party/groups and fix date and time for taking up discussion on the motion.

Several Members submitted that once leave had been granted by the House, debate on the Adjournment Motion was bound to be fixed at 4 p.m. or earlier on that day as provided in rule 61. Thereupon, the Minister of Parliamentary Affairs (Shri Buta Singh), with the permission of the Speaker, moved a motion under rule 388 of the Rules of Procedure and Conduct of Business in Lok Sabha for suspension of rule 61 in its application to the Adjournment Motion to be moved by Professor Dandavate. The Motion was adopted by the House.

There were no sittings of the House on 25 and 26 February, 1984. On 27 February, 1984, immediately after Question Hour the Speaker announced that as agreed to by the Leaders of party/groups, discussion on the Adjournment Motion would be taken up at 4 p.m. on 28 February, 1984. The discussion commenced accordingly, and the motion was negatived.

*General Budget—Presentation on a Parliamentary holiday :* In accordance with the long standing practice, General Budget is presented on the last

working day of the month of February. 29 February, 1984, happened to be a Parliamentary holiday on account of *Maha Shivratri*. However, on the request of the Government, a sitting of the House was specially fixed at 5 p.m. on that day for presentation of the General Budget. Accordingly, the House met and the Minister of Finance presented the General Budget for the year 1984-85.

*Raising of a matter based on unconfirmed Press reports :* On 2 March, 1984, after Question Hour, a Member (Shri Abdul Rashid Kabuli) sought to raise a matter regarding reported threat given by the Union Minister for Railways (Shri A.B.A. Ghani Khan Chowdhury) at a Congress Party meeting to the effect that the Party would dump the Governments of the States of Jammu and Kashmir and West Bengal into the Bay of Bengal. The Speaker (Dr. Bal Ram Jakhar) disallowed the raising of the matter by the Member in the House. Then Shri Satish Agarwal and some other Members submitted that once decisions had been taken at a party meeting on important issues having far reaching effects and reported in the Press, the same could not be ignored by Parliament on the pretext that Press reports were not confirmed.

Thereupon, the Speaker *inter alia* observed that he always got things confirmed from whatever sources were available at his command before allowing any discussion. He could not go on allowing a discussion on hearsay reports. However, in this case, since no notice had been given, he could not do anything.

*Conduct of the Governor on discussion :* On 5 March, 1984, a Member (Shri Ram Vilas Paswan) referred to the Adjournment Motion given notice of by him regarding reported public speech made by the Governor of the State of Madhya Pradesh criticising Government's policy of reservation of seats for Harijans and Adivasis for jobs and in educational institutions, and pleaded for its being admitted. Several Members supported Shri Paswan's plea. The Speaker (Dr. Bal Ram Jakhar). however, withholding his consent, observed that the conduct of the Governor of a State could not be discussed on an Adjournment Motion but could be discussed only on a substantive motion after ascertaining factual position from the Government.

On 7 March, 1984, another Member (Shri Indrajit Gupta) handed over the Speaker a video-tape of the alleged speech made by the Governor. On reference made to the Ministry of Home Affairs, it was found that the Governor had not made remarks reportedly attributed to him. Thereafter, the matter was treated as closed.



*“Zero hour”* : On 8 March, 1984, amidst submissions by several Members on various subjects, a Member (Dr. Krupasindhu Bhoi) submitted that a lot of time of the House was being wasted in the name of ‘zero hour’. He demanded that the Chair might give a ruling on the matter. Thereupon, the Speaker observed that “There is no ‘zero hour’; it is irregular and against the rules.....Time and again, the Members have tried to raise it and I have given the same ruling”.

*Ministers’ right to reply in a particular language* : On 13 March, 1984, during Calling Attention, a Member (Shri Mani Ram Bagri) submitted that since the question was asked in Hindi and the Minister knew the language, should therefore, he reply in Hindi. Thereupon, the Deputy Speaker (Shri G. Lakshmanan) observed that any Member could speak in the House not only in English or in Hindi but also in other Indian languages. Similarly, the Ministers could also speak either in English or in Hindi according to their convenience. No Member could insist on Ministers to reply questions one or the other language.

*Direction to Government to make statement* : On 13 March, 1984, while interrupting discussion on General Budget, a Member (Shri Mani Ram Bagri) referred to an attempt on the life of the former Chief Minister of the State of Punjab (Shri Darbara Singh) on that day in Punjab and demanded a statement from the Government. Another Member (Shri Ramavatar Shastri) also demanded that the Deputy Speaker might direct the Government to make a statement on the subject. Thereupon, the Deputy Speaker (Shri G. Lakshmanan) *inter alia* observed that “I cannot direct the Government to make a statement.....you have said something and that has gone on record. It is for the Government to do that.....I cannot ask the Government to come with a statement every time when anyone speaks”.

*Responsibility to send parliamentary team to study situation* : On 19 March, 1984, immediately after the Question Hour, several Members, belonging to Opposition groups, made a suggestion that a team of Members of Parliament led by the Speaker should be sent to the State of Punjab to study the situation there arising out of extremists’ activities. Thereupon, the Speaker (Dr. Bal Ram Jakhar) observed that it could be decided only by the House. It was for the Government to come forward with such a proposal after consulting all sections of the House.

*Presence of Cabinet Minister in House* : On 21 March, 1984, during the

Half-an-Hour discussion a Member (Shri Ram Vilas Paswan) insisted on the presence of the Minister for Energy (Shri P. Shiv Shankar), Minister of Cabinet rank, in the House to reply to the discussion as the Minister of State (Shri Arif Mohd. Khan) could not deal with policy matters. Thereupon, the Deputy Speaker (Shri G. Lakshmanan) *inter alia* observed that the Council of Ministers was jointly responsible to the House. Therefore, any Minister could represent the Government.

*Parliamentary, etiquette-Crossing of floor between the Chair and a Member/ Minister speaking:* On 28 March 1984, during discussion on a Calling Attention while the Minister of Health and Family Welfare was replying to the clarificatory questions, two Members crossed the floor between the Chair and the Minister. Thereupon, the Deputy Speaker (Shri G. Lakshmanan) observed that the Members should not cross the floor between the Chair and a Member or a Minister when he is speaking.

## STATE LEGISLATURES

### KARNATAKA LEGISLATIVE COUNCIL\*

*Presentation of reports by joint/Select Committee granting of extension of time for:* Sarvashri T.N. Narasimha Murthy, A.K. Subbiah and other Members raised points of order when two reports of the joint Select Committee on (i) the Karnataka Zilla Parishads, Taluk Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Bill, 1983, and (ii) the Karnataka Educational Bill, 1983, were sought to be presented to the House. Their contention was that the reports could not be presented to the House since the motion for time for the presentation of the reports had earlier been rejected by the House.

Both the Bills were introduced in the Legislative Assembly on 11 August, 1983, and referred to the Joint Select Committee, the next day with a direction to submit the report by 15 September, 1983. The Legislative Council discussed the motion for concurrence on 16 August, 1983, and agreed to the setting up of the joint Select Committees. Since the Committees could not present their reports by 15 September, 1983, the Assembly as well as the Council granted extension of time for presentation of the reports upto 18 October, 1983. As the Committees could not finalise their reports even by that date, the Assembly granted further extension upto the first day of the commencement of the next sitting of the House. The Council, however, did not do so.

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\*Contributed by the Karnataka Legislature Secretariat.

Giving his ruling on the subject, the Chairman observed that there was no provision in the Rules of Procedure in Legislative Council for granting extension of time for presentation of reports of the Joint Committees in respect of Bills originating in the Legislative Assembly.

He further observed that the established parliamentary practice was that the House which initiated a motion for appointment of a Joint Committee was incharge of such Committee and the Chairman of such Joint Committee functioned under the direction of that House only. In case of extension of time to the Joint Committee, the other House was informed by means of a formal message. Dismissing the points of order, the Chairman ruled that since both the bills originated in the Legislative Assembly who also granted extension of time to the Joint Committees, the Chairman of the Joint Committees had to function under the direction of the Presiding Officer of that House. As such the points of order objecting presentation of reports to the Council could not therefore be sustained.

## UNION TERRITORY LEGISLATURES

### GOA, DAMAN AND DIU LEGISLATIVE ASSEMBLY\*

*Attachment of financial memorandum to a Bill:* On 14 January 1983, a Member (Sri R.D. Khalap) raised a point of order during the consideration of the Goa, Daman and Diu Official Language Bill, 1982, stating that since the Bill involved financial implications it should have been accompanied by a financial memorandum. The Speaker upholding the point of order asked the Member tabling the Bill (Shri Herculano Dourado) to furnish a financial memorandum. Since Shri Dourado felt that no financial memorandum was necessary as no financial implications were involved, the Speaker referred the matter to the concerned Department of the Government, who opined that in the absence of any clear idea about the implementation of the Bill, it was difficult to work out the estimate of recurring and non-recurring expenditure involved in the Bill.

The Member (Shri Herculano Dourado) thereafter wrote to Speaker listing reasons as to why the Bill would not involve immediate additional expenditure and requested the Speaker to reconsider his earlier ruling.

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\*Contributed by the Goa, Daman & Diu Legislative Assembly Secretariat.

Agreeing with the Member, the Speaker stated that a similar Bill had been tabled in 1966 and the then Speaker had ordered the same to be published in the Official Gazette without a financial memorandum. Revising his ruling of 14 January, 1983, the Speaker ruled on 19 January, 1984 that no financial memorandum was required and ordered that the item on resumption of consideration of the Bill be included in the list of Business for the next day.

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**B.R. Bhagat :** *Unfortunately, probably he came to the House in a state of absent-mindedness.*

**Buta Singh :** *He was rumour-minded.*

**B.R. Bhagat :** *Yes, rumour-minded and he got derailed.*

**Ratansinh Rajda :** *Rumour or humour ?*

*(L.S. Deb., 18 April, 1984)*

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 January to 31 March, 1984)

INDIA

DEVELOPMENTS AT THE CENTRE

*Cabinet Reshuffle* : The Union Council of Ministers was reshuffled on 7 February when portfolios of some Ministers of State and Deputy Ministers were changed. The changes in the portfolios of Ministers of State were : Shri Arif Mohammad Khan was given—Energy in place of Agriculture ; Shri S.M. Krishna—Finance in place of Industry ; Shri Niharanjan Laskar—Commerce and Department of Supply in place of Home Affairs ; Shri Pattabhi Rama Rao—Industry in place of Finance and Shrimati Ram Dulari Sinha—Home Affairs in place of Commerce. The Deputy Minister for Law, Justice and Company Affairs Shri Ghulam Nabi Azad was made Deputy Minister for Information and Broadcasting while Shri Ashok Gehlot, Deputy Minister for Tourism and Civil Aviation was shifted to Department of Sports. Shri Mallikarjun was made Deputy Minister for Department of Sports and Department of Parliamentary Affairs. Earlier he was Deputy Minister for Information and Broadcasting and Department of Parliamentary Affairs.<sup>1</sup>

*New Comptroller and Auditor General* : Shri T.N. Chaturvedi was sworn in, on 27 March, as the new Comptroller and Auditor General of India by the President, Giani Zail Singh.<sup>2</sup>

*Biennial elections to Rajya Sabha* : In the biennial elections, held on 29 and 31 March for 73 Rajya Sabha seats, the Congress (I) got 48 seats while

1. *Statesman*, 8 February, 1984 and *Cabinet Secretariat List of Council of Ministers* (As on 7 February, 1984).

2. *Times of India*, 28 March, 1984.

the Telugu Desam got 5 seats. The seats won by other parties were : Janata Party and AIADMK—4 each ; CPI (M) and BJP—3 each ; Lok Dal—2 ; and CPI, DMK, Forward Bloc and Independent—1 each.<sup>3</sup>

## AROUND THE STATES

### ASSAM

*New Governor* : Shri Bhishma Narain Singh was appointed as Governor of the State on 26 March, succeeding Shri Prakash Mehrotra.<sup>4</sup>

### GUJARAT

*New Governor* : Shri B.K. Nehru, Governor of Jammu and Kashmir, was appointed Governor of the State on 26 March, succeeding Shri K.M Chandy.<sup>5</sup>

### JAMMU AND KASHMIR

*New Governor* : Shri Jagmohan, Lt. Governor of Delhi, was appointed Governor of the State on 26 March, succeeding Shri B.K. Nehru.<sup>6</sup>

### MADHYA PRADESH

*New Speaker* : Shri Ram Kishore Shukla was unanimously elected on 5 March as Speaker of the State Legislative Assembly.<sup>7</sup>

*New Governor* : Shri K.M. Chandy, Governor of Gurjarat, was appointed Governor of the State on 26 March, in place of Shri Bhagwat Dayal Sharma.<sup>8</sup>

### ORISSA

*Cabinet reshuffle* : On 11 February, the State Council of Ministers was reshuffled with the swearing-in of Shri Somnath Rath, Speaker of the State Assembly as a Cabinet Minister and dropping of Shri Dayanidhi Naik. The strength of the Ministry remained at 16. The allocation of the portfolios was as follows :

3. *Hindu*, 30 March, 1984 and *Hindustan Times*, 1 April, 1984.
4. *Free Press Journal*, 27 March, 1984.
5. *Ibid*
6. *Ibid*
7. *Statesman*, 6 March, 1984
8. *Free Press Journal*, 27 March, 1984.

*Cabinet Ministers :*

Shri J.B. Patnaik, Chief Minister : *General Administration, Home, Information and Public Relations, Planning and Coordination, Industries, Irrigation and Power, Science, Technology and Environment, Tourism, Sports and Culture* ; Shri Upendra Dixit : *Commerce, Labour and Employment* ; Shri Basudev Mohapatra : *Revenue and Transport* ; Shri Gangadhar Mohapatra : *Education and Youth Services* ; Shri Raghunath Patnaik : *Finance and Law* ; Shri Ram Chandra Ulaka : *Harijan and Tribal Welfare* ; and Shri Somnath Rath : *Agriculture*.

*Ministers of State :*

Shri Basant Kumar Biswal : *Works, Housing and Urban Development, Mining and Geology* ; Shri Niranjana Patnaik : *Irrigation and Power* ; Shri Bhajaman Behera : *Community Development and Rural Reconstruction* ; Shri Jugal Kishore Patnaik : *Health and Family Welfare* ; Shri Harihar Karan : *Forest, Fisheries and Animal Husbandry* ; Shri Kishore Chandra Patel : *Industries, Food and Civil Supplies* ; Shri Kuanria Majhi : *Cooperation* ; and Shri Habibulla Khan : *Excise*.

*Deputy Minister:*

Shrimati Saraswati Hembram : *Community Development and Rural Reconstruction*.<sup>9</sup>

*New Speaker* : Shri Prasanna Kumar Das was unanimously elected as the Speaker of the State Assembly on 22 February.<sup>10</sup>

## PUNJAB

*MLA's election set aside* : On 16 January, the Supreme Court quashed the election of Shri Tej Singh to the State Legislative Assembly from Baghapurana constituency. The court ruled that Shri Singh had indulged in corrupt practices.<sup>11</sup>

## UTTAR PRADESH

*Cabinet reshuffle* : The State Council of Ministers was reshuffled on 8

9. *Statesman*, 12 February, 1984.

10. *Patriot*, 23 February, 1984.

11. *Times of India*, 17 February, 1984.

February when 20 more Ministers were sworn in, raising the strength of the Ministry to 44.<sup>12</sup>

#### WEST BENGAL

*Changes in the Ministry* : Shri Nihar Kumar Basu was sworn in as a new Cabinet Minister on 10 January to replace Shri Nirmal Bose. He was given charge of Cooperation Department.<sup>13</sup>

#### UNION TERRITORIES

##### DELHI

*New Lt. Governor* : Shri P.G. Gavai was appointed new Lt. Governor on 26 March in place of Shri Jagmohan.<sup>14</sup>

##### GOA DAMAN AND DIU

*Removal of Speaker by 'No-confidence'* : On 22 March, Shri Froilano Machado, Speaker of the Legislative Assembly, was voted out of the office through a no-confidence motion.<sup>15</sup>

*New Speaker* : Shri Dayanand Ganesh Narvekar was elected as the new Speaker of the Assembly on 5 April.<sup>16</sup>

#### DEVELOPMENTS ABROAD

##### ALGERIA

*Election of the President* : On 12 January, President Chadli Bendjedid was re-elected for a second five-year term.<sup>17</sup>

*New Prime Minister* : Mr. Abdelhemid Brahimi was appointed country's new Prime Minister on 22 January.<sup>18</sup>

##### BANGLADESH

*New Prime Minister* : Shri Ataur Rehman Khan was appointed, on 29

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12. *Hindustan Times*, 9 February, 1984.

13. *Times of India*, 8 and 11 January, 1984.

14. *Free Press Journal*, 27 March, 1984.

15. *Hindustan Times*, 23 March, 1984.

16. *Times of India*, 6 April, 1984.

17. *Statesman*, 14 January, 1984.

18. *Times of India*, 24 January, 1984.



March, as the country's new Prime Minister. He was sworn in on 31 March.<sup>19</sup>

#### CHILE

*Imposition of emergency* : A state of emergency was declared on 23 March in the country to counter the opposition protest against the military rule.<sup>20</sup>

#### ECUADOR

*Imposition of emergency* : A state of emergency was declared on 17 March in the country following a three week old strike in two oil producing states which was damaging the national economy.<sup>21</sup>

#### GUINEA

*Death of the President* : Shri Ahmed Sekou Toure, President of the country, passed away on 26 March<sup>22</sup>.

#### NIGERIA

*New Ministry* : A new 18-member Cabinet was sworn in on 18 January by the Head of State, Maj. Gen. Mohammad Buhari.<sup>23</sup>

#### NORTH KOREA

*New Prime Minister* : Mr. Kong Sung was appointed on 26 January as the country's new Prime Minister.<sup>24</sup>

#### PANAMA

*Resignation by the President* : President Ricardo de la Espriella resigned from the office on 13 February.<sup>25</sup>

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19. *Ibid*, 30 March, 1984, *Free Press Journal*, 1 April, 1984.

20. *Times of India*, 25 March, 1984.

21. *Tribune*, 19 March, 1984.

22. *Hindu*, 28 March, 1984.

23. *Indian Express*, 20 January, 1984.

24. *Hindu*, 28 January, 1984.

25. *National Herald*, 15 February, 1984.

## TAIWAN

*New President* : President Chiang Ching Kuo was re-elected on 21 March for another six year term.<sup>26</sup>

## TUNISIA

*Proclamation and revocation of emergency* : A state of emergency was declared on 3 January in the whole country following widespread rioting.

The emergency was, however, revoked on 25 January.<sup>27</sup>

## U.S.S.R.

*Death of the President* : President Yuri Andropov died on 10 February after a long illness.<sup>28</sup>

*New Party Chief* : On 13 February, Shri Konstantin Chernenko was unanimously elected as the General Secretary of the Soviet Communist Party. He succeeded late Mr. Yuri Andropov as new Head of the State, as under the present Constitution, the offices of Party General Secretary and Head of the State are combined.<sup>29</sup>

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26. *Indian Express*, 22 March, 1984.

27. *Hindustan Times*, 4 and 27 January, 1984.

28. *Times of India*, 11 February, 1984.

29. *Hindustan Times*, 14 February, 1984.

## SESSIONAL REVIEW

## SEVENTH LOK SABHA

## Fourteenth Session

The Fourteenth Session (Budget Session) of the Seventh Lok Sabha commenced on 23 February, 1984 with an Address by the President to both the Houses of Parliament assembled together. A brief resume of the important discussions held and other business transacted upto 31 March, 1984 is given below :

## A. DISCUSSIONS

*President's Address* : In his address, the President claimed that during the current year, the economy had made an impressive recovery and progress overcoming the adverse effects of widespread failure of rains. The country could take legitimate pride of the fact that the average GNP growth rate would be about 5.4 per cent during the first four years of Sixth Plan. In view of increase in the foreign exchange reserves, the Government had decided voluntarily not to make any further withdrawals under the Extended Fund Facility with the International Monetary Fund. The price situation had, however, caused anxiety. On 7 January 1984 the annual rate of inflation had reached 10.4 per cent. The Government had taken several measures to bring down the inflation, which included incentives for agricultural and industrial production, strengthening of public distribution system, a vigorous procurement drive, timely marginal augmentation of domestic supplies through imports and enforcement of fiscal and monetary discipline aimed at the reduction of excess liquidity in the system. The country the President added, could achieve sustained progress only in a climate of harmony and determination to resist any threats to its unity and integrity.

The President said that some internal as well as external forces were at work to undermine India's political and social stability. In today's complex international situation, it was essential to intensify vigilance for preserving the economic and political independence. The President appealed to every patriotic citizen, to cooperate with the Government in putting down forces that seek to divide the people on the basis of caste, creed, region or language. In this context, he referred to the dastardly assassination of an Indian diplomat in the United Kingdom by a gang of terrorists claiming to represent a secessionist movement in Jammu and Kashmir. Such events, he pointed out, only emphasised the need for vigilance and preparedness.

In a brief reference to domestic political scene, the President said that Tribunals had started working in Assam to facilitate a resolution of the foreigners' issue and firm measures had been taken to check immigration. Punjab witnessed tragic violence against innocent persons. It was imperative to restore normalcy and peace in that State. The Government had always been anxious that the problem of Punjab be solved through dialogue between all concerned. The President described recent spread of violence in Haryana as a distressing development and hoped that peace would soon be restored in affected areas. The Government, he added, had been seriously concerned over the acceleration of activities of communal and anti-national elements, which constitute a serious threat to the security and integrity of the country.

The international situation, the President pointed out, was disturbing and the arms race had continued unabated. The security environment in the region had worsened. The militarisation of the Indian Ocean area continued and the induction of highly sophisticated weapons in the neighbourhood caused concern. In spite of the build up, India had preserved in her policy of seeking friendship with all her neighbours. The ethnic violence in Sri Lanka in which Indian Nationals and Tamils and others of Indian origin suffered heavy casualties had naturally caused deep concern to the entire country and it was hoped that the proposed all Parties Conference there would lead to a lasting and satisfactory solution.

The President claimed that the Seventh Conference of Non-Aligned Countries held in New Delhi in 1983 was an event of high significance. The Prime Minister, Shrimati Indira Gandhi, as Chairperson of the Movement, had already taken a number of initiatives to promote peace, disarmament and economic cooperation. India also played host to the Commonwealth Heads of Government Meeting in November, 1983. It brought together Heads of

Government belonging to industrialised as well as developing countries and gave new support to initiatives for peace and international cooperation.

Concluding, the President said that the Republic was passing through a period of stress. Important national tasks required steadfast devotion on the part of its public servants and people's representatives. A rededication to national ideals was needed so that all might give their best to the cause of national unity and progress.

The President's Address was discussed for three days *i.e.* on 27, 28 February and 1 March, 1984, on a Motion of Thanks moved by Shri B.R. Bhagat. Initiating the discussion, Shri Bhagat made a fervent appeal to national forces to join hands in facing the crisis before the country unitedly, honestly and courageously, forgetting petty differences. Shri Xavier Arakal, who seconded the motion suggested that efforts should be made to solve the problem of the State of Punjab collectively. Shri Samar Mukherjee called upon all secular and democratic forces to stand up to face the divisive and communal forces. Shri Indrajit Gupta suggested that Peace Committees should be set up in all villages in Punjab. The Minister of State in the Ministry of Energy, Shri Arif Mohammad Khan said that the agitations launched in Assam and Punjab were an attempt to weaken national unity and the happenings in Kashmir were aimed at putting an obstacle in the way of progress.

Winding up the discussion in which 21 other Members\* took part, the Prime Minister Shrimati Indira Gandhi observed that the most important fact of the year and of the last four years had been the big increase in the development effort year by year. In the Sixth Plan, the growth of the Gross Domestic Product was expected to be 5.2 per cent which was the highest in any plan. Irrigation and dry farming had been given special concern by the Government. The thrust of 20-Point Programme was higher production and direct help to weaker sections, specially in creating employment in rural areas. The Government agencies, she added, were doing utmost to check the phenomenon of corruption and to punish the guilty.

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\*Other Members who took part in the discussion were : Sarvashri A.C. Das, Keyur Bhushan, Chandrajit Yadav, S.B. Sidnal, Kamal Nath Jha, Rasheed Masood, D.P. Yadav, T.S. Negi, Ashok Sen, Suraj Bhan, M. Satyanarayana Rao, N. Soundarajan, Uma Kant Mishra, Abdul Rashid Kabuli, Banarasi Das and Chintamani Panigrahi, Prof. Nirmala Kumari Shaktawat, Saravashri Sontosh Mohan Dev, M. Ramgopal Reddy, Bajubon R. Kharlukhi and P. Namgyal.

Dealing with the Punjab problem, Shrimati Gandhi clarified that there had never been any contradiction in Government's views. The basic problem in Punjab, she added, was not the demands put forward by the Akali Dal but the kernel of extremism with its irrational and destructive philosophy of violence. She agreed with the suggestion of forming peace brigades, peace committees or holding peace marches in the State.

Referring to Kashmir, the Prime Minister stressed the need for a firm and effective action and continued vigilance in view of the disturbing situation and concerted activities of the secessionists. The Central Government had pointed out to the State Government that insulting the national flag was no less serious than insulting the Constitution.

Dismissing the allegation of Pakistan that India was not reconciled to the formation of Pakistan as an old complaint, the Prime Minister re-affirmed that India believed in co-existence and wanted good relations with all her neighbours including Pakistan and China. India, she added, had taken an active part in the establishment of the South Asian Regional Cooperation and wanted to develop a climate of peace, trust and mutual respect. She expressed the hope that if the Indian people worked together to combat the disruptive forces, the country could achieve far greater progress.

The Motion of Thanks was, thereafter, adopted.

*Railway Budget* : Presenting the Railway Budget for the year 1984-85 on 24 February, 1984, the Minister of Railways, Shri A.B.A. Ghani Khan Choudhury stated that in the context of scarce resources and competing demands for the same, the overall thrust would be to step up productivity in every field. Within the availability of overall resources, attempts would be made to improve the passenger services and to a limited extent additional trains would also be introduced.

The Minister stated that with a target of 245 million tonnes of originating revenue earning traffic and an increase of 3% in the passenger KM over the traffic of current year 1983-84, the gross traffic receipts at current fares and freight for the year 1984-85 were estimated at Rs. 5342.78 crores and the total expenditure including contributions to the Depreciation Reserve Fund was estimated at Rs. 5037 crores. The net revenue of Rs. 305.78 crores would not be sufficient to meet the divided liability of Rs. 490 crores. The anticipated additional revenue from the proposed small surcharge in the

passenger and coaching traffic and goods traffic amounting to Rs. 114.22 crores would leave an uncovered balance of Rs. 70 crores, which would be carried over to the deferred dividend liability account.

The Railway Budget was discussed in the House on 5, 6, and 7 March 1984. Initiating the discussion, Professor Madhu Dandavate pointed out that without the Central assistance and more allocation for track renewals, railways would not be able to cope up with the primary renewals of the track. He also advocated for greater dieselisation and electrification and completion of on going works without any political considerations.

Winding up the discussion in which 46 other Members\* participated, the Minister of Railways, Shri A.B.A. Ghani Khan Choudhury, at the outset, assured the Members that various suggestions made by them for raising additional resources would be examined in consultation with the Ministries concerned within the framework of constitutional provisions.

Dealing with the suggestion regarding replacement of steam locomotives with diesel and electric locomotives, Shri Choudhury informed the House that it would be done in a phased manner within the availability of resources. He also assured the House that Railways would make necessary repairs and arrange for better maintenance of coaches till their replacements become available

Concluding Shri Khan announced that freedom fighters whose cases were being dealt with by both the Central and State Governments would be given complimentary first class passes for the circular tours valid for six months and while on tour medical facilities would also be provided to the extent possible on request, free of cost.

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\*Other Members who took part in the discussion were : Sarvashri Chandulal Chandrakar, Ram Pyare Panika, Basudev Acharya, Rajnath Sonkar Shastri, K.T. Kosalram, Xavier Arakal, J.S. Patil, Bhubaneswar Bhuyan, Bishnu Prasad, Ram Nagina Misra, Saif-ud-Din Soz, Balkrishna Wasnik, Era Mohan, Narain Chand Parashar, Girdhari Lal Vyas, Narayan Choubey, Virdhi Chander Jain, Shantibhai Patel, R.P. Yadav, Nandi Yelliah, P. Shunmugam, S.T.K. Jakkayan, Acharya Bhagwan Dev, Uttam Rathod, Harikesh Bahadur, Satya Dev Sinha, Arjun Sethi, Krishna Chandra Halder, Kusuma Krishna Murthy, Era Anbarasu, Baburao Paranjpe, P.J. Kurien, Golam Yazdani, K. Mayathevar, Mool Chand Daga, Ramavatar Shastri, Deen Bandhu Verma, Partap Bhanu Sharma, Chandra Pal Shailani, Chintamani Jena, Harihar Soren and A.G. Subburaman, Shrimati Krishna Sahi, Shrimati Kesharbai Kshirsagar, Shrimati Geeta Mukherjee and Shrimati Gurbrinder Kaur Brar.



*Situation in Punjab* : Moving an Adjournment Motion on 28 February, 1984 regarding communal violence and confrontation between central Reserve Police Force (C.R.P.F.) and sections of the people both in the State of Punjab and Haryana, Professors. Madhu Dandavate urged the Government to show flexibility in resolving the Punjab problem in keeping with legitimate aspirations of Haryana.

Supporting the Motion Shri Charan Singh stressed the need to prevent communal organisations from entering into politics. Shri Atal Bihari Vajpayee wanted the Government to curb with iron hand the killings and murders in Punjab and Haryana and to ensure that religious places were not used for storing arms and giving shelter to the criminals. Condemning the burning of the Constitution, he appealed to the Akalis to adopt a due process to get the Constitution amended.

In a brief intervention, the Prime Minister, Shrimati Indira Gandhi, said that the Government had agreed to the transmission of Gurbani but they could not go ahead as the Akalis did not allow laying of transmission lines. The Government, She added, had no objection to the proposal about All India Gurudwara Act, but felt that other Gurudwaras in different States should also be consulted. In the absence of any guarantee about an agreement on the river-waters dispute binding and final, she had suggested its reference to the Tribunal.

Dealing with the demand regarding entry of police into the Gurudwaras, the Prime Minister said that she entirely agreed with the Members that no religious place be made a sanctuary for criminals and accumulation of arms. But the Government had to keep in view the repercussions before taking any action to enter the Gurudwaras.

Speaking on the Motion, the Minister of Parliamentary Affairs, Sports and Works and Housing, Shri Buta Singh, said that owing to the differences among the Akali leadership, they had become helpless in controlling the agitation.

Intervening in the discussion lasting for about six hours, in which 14 other Members\* participated, the Minister of Home Affairs, Shri P.C. Sethi stated

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\*Other Members who took part in the discussion were : Sarvashri R.S. Sparrow, Satyasadhan Chakraborty, Chiranji Lal Shrama, Vikram Mahajan, K.K. Tawari, Bhogendra Jha, Zainul Basher, Harikesh Bahadur, R.L. Bhatia, K.P. Unnikrishnan, Karan Singh, A.K. Roy, Saif-ud-Din Soz and Chandrajit Yadav.



that the tripartite meeting, convened by Government to discuss the issues relating to territories, had to be adjourned due to eruption of communal violence in various parts of Punjab. The sudden eruption of violence in several places in Haryana had further aggravated the situation.

The Akali Dal, Shri Sethi said, had raised a new demand, asking for amendment of article 25 of the Constitution. Instead of seeking it through constitutional means, they had resorted to a programme of burning a part of the Constitution. This deliberate display of disrespect to the Constitution had shoked the entire nation.

The Minister assured the House that the action had already been taken to strengthen and streamline the law and order machinery in Punjab and strict instructions had been issued to deal with violence wherever it occurred with utmost firmness.

After Professor Dandavate replied, the motion was negatived.

In a statement made on 19 March, 1984 regarding assaults on the lives of Shri Ved Pal, the Deputy Speaker of Haryana Vidhan Sabha and Shri Darbara Singh, former Chief Minister of Punjab in response to a Calling Attention Notice by Shri Zainul Basher, the Minister of State in the Ministry of Home Affairs, Shri P. Venkatasubbaiah condemned the acts of violence.

Answering question, the Minister said that the State of Punjab and the Union Territory of Chandigarh had been declared as disturbed areas and it had some salutary effect with regard to maintaining the law and order situation. Besides, police arrangements had been strengthened by setting up special squads, intensifying patrolling and organising raids. Armed guards had been provided in buses and trains and at known targets.

*General Budget* : Presenting the General Budget for the year 1984-85 on 29 February 1984, the Finance Minister, Shri Pranab Mukherjee, said that the Budget had been formulated against the background of strong recovery in national income and agriculture and an equally impressive improvement in balance of payments. The thrust of the Budget for 1984-85, was on the development of infrastructure, provision of benefits to weaker sections particularly in the rural areas and giving impetus to 20-Point Programme. High priority was being accorded to the development of agricultural sector, and higher allocations were provided for power, coal, railways, ports and oil exploration and production. The plan outlay of the Centre, States, and Union Territories had also been substantially increased. To mobilise resources for public investment, he had proposed 'National

Deposit Scheme' with handsome incentives. The Government, he said, would also set up an expert Committee to consider the change in the financial year.

The Budget included the total receipts for 1984-85 at Rs. 40,501 crores as against the estimated expenditure of Rs. 42,536 crores. Thus, the overall budgetary gap at the existing rates of taxation would be Rs. 2035 crores. The various tax measures together with reliefs and concessions proposed in the Budget, would yield an additional revenue of Rs. 272.88 crores to the Centre. The Budget would leave an uncovered deficit of Rs. 1762 crores. Shri Mukherjee hoped that the low deficit combined with proposals for boosting production and lowering prices would have a salutary effect on the inflationary psychology in the economy. The general discussion on the Budget lasted for five days. Initiating the discussion on 9 March, 1984, Shri Sunil Maitra felt that it would not be possible to increase production without land reforms. He wanted the Government to give some incentives to the agriculturists. Shri Indrajit Gupta urged the Government to discontinue the compulsory Deposit Scheme.

Intervening in the discussion, the Deputy Minister in the Ministry of Finance, Shri Janardhana Poojary, said that the Budget was constructive and imaginative and it had provided relief to all sections of the society. Dealing with the allegations by Members about deterioration in the quality of service in the Banking sector and for not implementing the programme for weaker sections, Shri Poojary held that there had been expansion and improvement in the Banking sector after the nationalisation.

Taking part in the discussion, Shri Neelalohithadasan Nadar drew the attention towards the regional imbalances in the country and the neglect of the State of Kerala in regard to industrial development.

Replying to the discussion in which 40 other Members\*, participated,

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\*Other Members who took part in the discussion were : Sarvashri K. Brahamanand Reddy, A. Kalanidhi, Braja Mohan Mohanty, Maganbhai Barot, Zainul Basher, S.R.A.S. Appalanaidu, V. Kulandaivelu, K.C. Sharma, N. Gouzagin, C. Chin naswamy, R. Prabhu, R.R. Bhole, Chaudhary Multan Singh, Krishan Datta Sultançuri, Satish Agarwal, S.S. Ramaswamy Padayachi, Rajesh Kumar Singh, P. Penchalaiah, Y.S. Mahajan. Kunwar Ram, B.K. Nair, Ramnath Dubey, N. Dennis, Jairam Verma, Vidya Ram Phulwariya, Madhusudan Vairale, F.H. Mohsin, Rizaq Ram, Chitta Basu, Chiranji Lal Sharma, Chandrajit Yadav, Eduardo Faleiro, K.P. Unnikrishnan, Abdul Rashid Kabuli and A.K. Roy, Shrimati Shalini Patil, Shrimati Vidya Chennupati, Shrimati Vidyavati Chaturvedi, Shrimati Jayanti Patnaik and Shrimati Kesharbai Kshirsagar.

the Minister of Finance, Shri Pranab Mukherjee, said that the philosophy behind the Budget was to encourage savings and investment, to provide support to the planning to maintain the developmental tempo and also create a situation for economic growth. Despite fall in plan investment in real terms because of inflation the achievement in physical terms in certain sectors *viz.* like production of oil and power generation had been spectacular and annual average growth rate had been 5.4 per cent during the last four years. Owing to substantial increase in the remittances by non-resident Indians, the trade gap had come down from Rs. 5800 crores to Rs. 5000 crores and would be further less during the current year.

Defending the tax proposals, Shri Mukherjee pointed out that the underlying idea behind withdrawal of concessions from large number of areas and extension of benefits to the Corporate Sector was to provide incentives for savings and investments.

Sharing the concern expressed by the Members regarding inflation, Shri Mukherjee said that Government could not adopt traditional western method of fighting inflation sacrificing development. He, however, assured the Members that they would definitely keep the inflation under control.

All the Demands for Grants on Account relating to Budget (General) were voted in full.

*Establishment of Military bases in Pakistan and Bangladesh by the United States of America :* On 6 March 1984, making a statement in response to a Calling Attention Notice by Shri Jagpal Singh, the Minister of External Affairs, Shri P.V. Narasimha Rao informed the House that according to a report emanating from US, the Pakistani Government had promised to allow US planes to use Pakistani airfields in the event of certain contingencies in the Persian Gulf. In return, Pakistan was to benefit from the ongoing security assistance programme with the USA joint intelligence sharing and the training of its military personnel. In the case of Bangladesh, some reports suggested that there were moves on the part of the United States to seek naval facilities in Chittagong and St. Martin islands.

The Government, Shri Rao said, had, however, been given to understand by US officials that the United States had sought no bases or facilities in Pakistan and that it had no interest in acquiring facilities in Bangladesh. The Government of India, Shri Rao said, had also taken note of the denials of Pakistan and Bangladesh Governments and hoped that the reports had no

**basis.** But the matter, being of the utmost concern to India, Government would naturally continue to watch such developments carefully.

*Multi-million dollar contract by Pakistan with U.S.A. for purchase of sophisticated arms and ammunitions :* Making a statement on 7 March, 1984, the Minister of Defence, Shri R. Venkataraman said that the Government had viewed with deep concern the recent press reports on Pakistan's bid to acquire medium range air-to-air missiles systems for their F-16 aircraft and various other acquisitions. Such massive induction into the Indian sub-continent could only give new impetus to the arms race and heighten tensions in the area. The experience, since Independence, had been that arms acquisitions by Pakistan had invariably resulted in their use against India.

The Minister stated that Pakistan had been vigorously pursuing efforts to achieve uranium enrichment and spent fuel reprocessing capability and the Government could not ignore serious security implications arising from it. He assured the Members that the Government was fully prepared to meet any threat.

*Continuation of President's rule in Punjab :* On 19 March, 1984, moving the Statutory Resolution, regarding continuance in force of the Presidential Proclamation in respect of Punjab the Minister of Home Affairs, Shri P.C. Sethi said that as the situation in Punjab continued to be disturbed, the Governor had recommended continuance of President's rule for a further period. It was, therefore, proposed that President's rule might be continued for a further period of six months with effect from 6 April, 1984.

The House held a combined discussion on the Statutory Resolution and the Punjab Budget, 1984-85, Demands for Grants and Supplementary Demands for Grants, lasting for more than three hours, in which 13 Members\* took part.

Replying to the discussion, Shri Sethi said that the position in Punjab had certainly improved after President's rule. The All-India Sikh Students Federation had been declared an unlawful body and some persons belonging to that body had been arrested.

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\*Members who took part in the discussion were : Sarvashri Satyasadhan Chakraborty, Rasheed Masood, Subramaniam Swamy, Suraj Bhan, Krishan Dutt Sultanpuri, Bhogendra Jha, Acharya Bhagwan Dev, Harikesh Bahadur, Abdul Rashid Kabuli and Chitta Basu, Shrimati Gurbrinder Kaur Shrimati Sukhbans Kaur and Shrimati Rajendra Kumari Bajpai.

Dealing with various demands of the Akali Dal, Shri Sethi reiterated that the religious demands had by and large been accepted. The demand for more autonomy had been raised by many States and Sarkaria Commission had been appointed for the purpose.

Shri S.M. Krishna, Minister of State in the Ministry of Finance, said that Punjab had made tremendous strides under the 20-Point Programme and had made very impressive gains in the Integrated Rural Development Programme (IRDP). An assistance amounting to Rs. 10 crores had been given to cotton growers as relief for damage to their crops due to floods. Out of 3712 villages, 2293 villages, had been provided with drinking water facility and all the inhabited villages of the State had been electrified.

The Statutory Resolution was adopted. All the Demands for Grants on Account (Punjab) 1984-85 and all the Supplementary Demands for Grants (Punjab) 1983-84 were voted in full.

*Homage to National Martyrs :* On 23 March 1984, the House adopted the following resolution moved by the Speaker, Dr. Bal Ram Jakhar :

“This House pays its homage to the National Martyrs, Bnagat Singh, Rajguru and Sukhdev who were hanged on this day in 1930 by British Imperialists and died for the cause of the freedom of Mother India, while declaring their faith in Republican, Democratic, Secular and Socialist India.”

*Continuing atrocities on Scheduled Castes and Scheduled Tribes :* Raising a discussion on 27 March, 1984, Shri Ram Vilas Paswan asked the Government to withdraw weapons from Bhoomi Sena in Bihar, which was indulging in atrocities against weaker sections. He said that unless cultural revolution was brought about against conservatism the problem would not be solved.

Replying to a four hour discussion in which 12 other Members\* participated, the Minister of Home Affairs, Shri P.C. Sethi, said that crimes against Scheduled Castes and Scheduled Tribes and the question of their protection had been continuously engaging attention of the Central and State Governments. The Centre had formulated comprehensive guidelines to

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\*Other Members who took part in the discussion were : Sarvashri A.R. Mallu, Ajit Kumar Saha, Chandra Pal Shailani, Mani Ram Bagri, Krishan Dutt Sultanpuri, Suraj Bhan, Ram Swaroop Ram, Ramavatar Shastri, Bheekhabhai, Ram Lal Raji, Hiralal R. Parmar and Sunder Singh.

deal with such crimes and communicated the same to State Governments for necessary action.

Dealing with the demand for banning of Bhoomi Sena, Shri Sethi said that he would be asking the Chief Minister of Bihar to make out a case against that organisation so as to enable the Government to take suitable legal action.

*Nuclear Collaboration between Pakistan and China* : Making a statement on 30 March 1984, in response to a Calling Attention Notice by Shri M. Ramagopal Reddy, the Minister of External Affairs, Shri P.V. Narasimha Rao informed the House that reports appearing from time to time regarding possible Chinese collaboration in Pakistan's efforts for developing nuclear weapons and the possibility of Pakistan's nuclear programme having a non-peaceful dimension had been a matter of concern for India. Keeping all aspects of the matter in view, Shri Rao assured the House that the Government had been keeping a constant watch on all developments having bearing on India's security.

#### B. LEGISLATIVE BUSINESS

*Prevention of Damage to Public Property Bill, 1984* : On 8 March, 1984, moving that the Bill, as passed by Rajya Sabha, be taken into consideration, the Minister of State in the Ministry of Home Affairs, Shri P. Venkatasubbaiah, said that public property particularly buses, telephones, railway, Government buildings etc. were national assets and damage to them during riots, bandhs or other agitations was a national loss. The basic law relating to damage to property did not make any distinction between private and public property. It was considered necessary to make immediate provision for deterrent punishment for causing damage to public property.

Earlier, moving a Statutory Resolution regarding disapproval of the Prevention of Damage to Public Property Ordinance, Shri Satyanarayan Jatiya said that Government should not have any distinction between the public property and the private property in the matter of protection.

Replying to the brief combined discussion in which 12 other Members\*

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\*Other Members who took part in the discussion were : Sarvashri E. Balanandan, B.K. Nair, Rajnath Sonkar Shastri, Virdhi Chander Jain, Bapusaheb Parulekar, Mool Chand Daga, N.K. Shejwalkar, Chandra Pal Shailani, Vijay Kumar Yadav, G. Narasimha Reddy, Harish Kumar Gangwar and Saif-ud-Din Soz.



participated, Shri Venkatasubbaiah said that the Bill was in the national interest. The Indian Penal Code, he added, defined mischief and damage to property while the Bill in question sought to fix minimum punishment for such acts. For private property, provisions of Indian Penal Code would apply.

The Statutory Resolution was negatived and the Bill was passed.

*The Asiatic Society Bill, 1984* : On 15 March, 1984, moving that the Bill as passed by Rajya Sabha be taken into consideration, the Minister of State in the Ministries of Education and Culture and Social Welfare, Shrimati Sheila Kaul, said that the Bill sought to declare Asiatic Society as an institution of national importance and to provide for requisite financial assistance and also suitable powers of control. She further added that objects of the Asiatic Society were to organise, initiate and promote researches in humanities and sciences in Asia and to establish, maintain and run research institutions.

Commending the Bill to the House, the Minister said that perusal of its various provisions would indicate that an effort had been made to maintain a balance between autonomy and accountability of the Institution.

Winding up a brief discussion in which nine Members\* participated, Shrimati Sheila Kaul assured the House that the autonomy of society would not be touched and efforts would be made to take the Society out from the crisis.

The Bill was passed.

### C. OBITUARY REFERENCES

During the period, obituary references were made to the passing away of Mr. Yuri Vladimirovich Andropov, President of U.S.S.R. Sarvashri J.C. Barve, C.M. Stephen, and Dr. B.N. Singh, all sitting Members, Sarvashri Achal Singh, P. Sivasankaran, Baijnath Kureel, Y. Shaiza, Rajdeo Singh and Raja Ram Shastri, Lt. Col. Kanwar Dalel Singh and Shri Shobha Ram, all Ex-Members and Shri Gopikrishna Vijaivargiya, Ex-Member of Rajya Sabha and Member of the Constituent Assembly. The Members stood in silence for a short while as a mark of respect to the deceased.

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\*Members who took part in the discussion were : Sarvashri Sudhir Kumar Giri, Acharya Bhagwan Dev, Ajit Kumar Mehta, Girdhari Lal Vyas, Vasant Kumar Pandit, Harish Rawat, Harikesh Bahadur, Abdul Rashid Kabuli and R.L.P. Verma.

## RAJYA SABHA

## HUNDRED AND TWENTY-NINTH SESSION\*

The Rajya Sabha met for its Hundred and Twenty-Ninth Session on 23 February, 1984, and adjourned *sine die* on 23 March, 1984. A resume of some of the important discussions and other business transacted during the Session is given below in brief :

## A. DISCUSSIONS

*Motion of thanks on President's Address* : On 27 February, 1984, Shri Hansraj Bhardwaj moving a motion of thanks to the President for his Address to both Houses of Parliament said that the country had made impressive progress in the production of foodgrains, generation of energy and in the field of science and technology during the year under review. The 20-point Programme, launched by the Government, had shown impressive results and it had gone a long way in minimising the socio-economic inequalities between the various sections of the society.

Referring to the internal situation in the country, the Member said that while normalcy had been restored in Assam after installation of an elected Government in the State, the situation in the State of Punjab was still causing anxiety.

Replying to the debate\*\* on 2 March, 1984, the Prime Minister Shrimati Indira Gandhi said that the President's Address was a report of the various activities of the Government and it afforded an opportunity to see all the problems and endeavours to solve them in a correct perspective. The economic and social policies of the Government had been aimed at the betterment of the poorer sections of the society. Belittling the national effort and minimising

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

\*\*Other Members who took part in the discussion were : Sarvashri Era Sezhiyan, Sudhakar Pande and Harkishan Singh Surjeet, Dr. Malcolm S. Adiseshiah, Sarvashri Jagdambi Prasad Yadav, Vithalrao Madhavrao Jadhav, Aladi Aruna alias V. Arunachalam, Baharul Islam, Madan Bhatia and Sharief-ud-din Shariq, Dr. Rafiq Zakaria, Sarvashri Ghanshyambhai Oza, P.N. Sukul, B. Satyanarayan Reddy and Santosh Kumar Sahu, Shrimati Pratibha Singh, Shri M. Kalyanasundaram, Kumari Saroj Khaparde, Sarvashri Mirza Irshadbaig Ayubbaig, Dipen Ghosh, B. Ibrahim and R. Mohanarangam, Shrimati Ratan Kumari, Sarvashri Jaswant Singh, V. Gopalsamy, S.W. Dhabe, Ghulam Rasool Matto and Ajit Kumar Sharma, Prof. (Shrimati) Asima Chatterjee, Sarvashri Harekrushna Mallick and Shiva Chandra Jha.



the achievements would demoralise the entire nation and hamper its future progress. The inflation rate which had galloped to 21.4% in 1979-80 was, however, causing anxiety to the Government and it was trying to control the prices. These were gradually coming down. While the Government would do everything to reduce the hardships of the people due to inflation, it would not be in country's long-term interest to control inflation at the cost of economic growth.

Referring to the terrorism of the extremist elements, the Prime Minister regretted that the secessionist forces were raising their heads in different parts of the country and were threatening the nation's unity and integrity.

With regard to foreign policy, the Prime Minister expressed the hope that Pakistan would respond to the friendly moves and gestures made by India. There was need and scope for greater cooperation with China also.

The motion of thanks was thereafter adopted by the House.

*The Budget (Railways) 1984-85\** : On 6 March, 1984, Shri Ladli Mohan Nigam initiating the discussion said that the modernisation programme in the railways was artificial. The railways were spending huge amounts of money on the maintenance of air-conditioned coaches as compared to second class coaches. The railway system needed to be toned up by providing proper amenities to staff, fixing loading points for each region, taking corrective steps in regard to decreasing turn-out of the railways and giving topmost priority for conversion of metre gauge lines into broad-gauge.

On 8 March, 1984, the Railway Minister, Shri A.B.A. Ghani Khan Choudhury, replying to the discussion\*\*, felt that unless a much larger allocation was made for the railways by the Planning Commission and the Finance Ministry no meaningful developmental effort would be possible.

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\*Laid on the Table of the House on 24 February, 1984.

\*\*Other Members who took part in the discussion were : Sarvashri Vithalrao Madhavrao Jadhav and Sukomal Sen, Shrimati Ratan Kumari, Sarvashri R. Mohanarangam, Ram Pujan Patel, A.G. Kulkarni, M.M. Jacob, Syed Ahmad Hashmi, Shanti Tyagi, Ajit Kumar Sharma and H. Hanumanthappa, Dr. Malcolm S. Adiseshiah, Sarvashri Ram Bhagat Paswan and Ghulam Rasool Matto, Shrimati Pratibha Singh, Sarvashri Harishankar Bhabhra, M.S. Ramachandran, Rameshwar Singh. T, Basheer, Shyam Sunder Mohapatra, Suraj Prasad, Scato Swu, Robin Kakati, Keshavprasad Shukla, R. Ramakrishnan, Sankar Prasad Mitra, V. Gopalsamy, C.K. Jaffer Sharief, Ramanand Yadav, Kumari Saroj Khaparde, Sarvashri Lakhan Singh, Khushwant Singh, Vithalbhai Motiram Patel, B. Satyanarayan Reddy, Hashim Raza Abidi Allahabadi, Dharam Chander Prashant, C. Haridas, Radhakrishnan Malviya, Rafique Alam and Dr. Sankata Prasad.

As regards, reservations, the Ministry of Railways was initiating a pilot scheme in Delhi and on the basis of experience gained, it would be extended to other areas. With a view to reduce crowding at railway stations, one-rupee platform ticket had been introduced. A lot of vigilance was proposed to check ticketless travellers and the anti-social elements.

*Budget (General) 1984-85\** : On 12 March, 1984, Shri R.R. Morarka, initiating the general discussion, said that the present Budget was a puzzle. Plan expenditure had been increased by 25 per cent and defence expenditure by Rs. 800 crores. Subsidies were not reduced and even fiscal incentives had been given in a large measure both in direct and indirect taxation. Market borrowing was increased by very small amount and yet deficit was contained within reasonable limits.

It was good that the Finance Minister had accepted the principle that higher rates of taxation had become counter-productive. By reducing the income-tax rates, he had brought the tax rate structure at the lowest in the history of the Republic. It was good that he had demolished many tax shelters. However, one would wish that income-tax rate should also be reduced on the slab of Rs. 40,000-50,000. One regrettable feature of the present Budget was that that the pattern of taxation benefited the Centre and hurt the States, the Member observed.

Shri Morarka further said that there was nothing in the Budget to curb the indiscriminate expansion of money supply. If there had been improvement in the balance of payments it was because of the fall in the international price of crude. He also requested the Finance Minister to ensure that the existing banking system did not decay and deteriorate any further.

On 15 March, 1984, the Minister of Finance, Shri Pranab Mukherjee replying to the discussion\*\*, said that the Budget was an instrument which

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\*Laid on the Table of the House on 29 February, 1984.

\*\*Other Members who took part in the discussion were : Sarvashri P.N. Sukul and Nirmal Chatterjee, Prof. B. Ramachandra Rao, Sarvashri Murlidhar Chandrakant Bhandare, T. Aliba Imti and Chand Ram, Dr. Bhai Mahavir, Shri Vishvajit Prithvijit Singh, Dr. Malcolm S. Adiseshiah, Shrimati Ratan Kumari, Prof. (Smt.) Asima Chatterjee, Shri Maqsood Ali Khan, Dr. M.M.S. Siddhu, Sarvashri M.M. Jacob and S.W. Dhabe, Shrimati Usha Malhotra, Sarvashri Rambhagat Paswan and Ghulam Rasool Matto, Shrimati Sushila Shankar Adivarekar, Sarvashri Vithalrao Madhavrao Jadhav, Rameshwar Singh M.S. Ramachandran and A.G. Kulkarni, Shrimati Monika Das, Sarvashri Sushil Chand Mohunta, Ram Pujan Patel, Kalraj Mishra, V.N. Tiwari, Shanti Tyagi, R. Ramakrishna Sarvashri Syed Shahabuddin, Nand Kishore Bhatt, and Shyam Sundar Mohapatra Ramanand Yadav and Kalyan Roy, Sarimati Krishna Kanl, Shri H. Hanumanthappa, Kumari Saroj Khaparde, Sarvashri Ajit Kumar Sharma, Bijoy Krishna Handique and G. Varadaraj Shrimati Amarjit Kaur.

reflected the General economic policies pursued by the Government. The Government wanted to provide incentives for savings and for investments in order to create a climate of growth. Despite difficulties, it wanted to maintain the development tempo.

The Minister stated that like previous year, this year also, he had reduced the direct tax rates, because he thought that there was necessity for providing relief in these areas. So far as, concessions in the indirect taxes were concerned, it was not intended that certain industrial units would make profit out of the concession. The Government's intention was that there should be additional demand, new demands should be created, by passing on the concession to the consumers. The Minister appealed to the corporate sector, not to kill the goose which laid the golden egg. They should get profits out of the increased and enhanced demand. If they would not do so, the Government would withdraw the relief.

The areas of the States and the Centre were so demarcated that one had to function as a complementary of the other. The planning effort would not be successful if the State plans were not successful. It was wrong to say that the whole Budget effort and exercise had been made to deprive the States. It was a popular Budget but not a populist Budget, he added.

*Use of electronic voting machines Supreme Court decision :* On 9 March, 1984, Shri Lal K. Advani called the attention of the Minister of Law, Justice and Company Affairs to the situation arising out of the decision of the Supreme Court in setting aside election of a candidate from Parur Assembly Constituency in Kerala held in 1982, on the ground that the use of electronic machine for voting in some booths in that constituency had no legal sanction and wanted to know about the action taken by the Government to remedy the situation.

Making a statement on the subject, the Minister of Law, Justice and Company Affairs, Shri Jagannath Kaushal said that the Government had made it clear to the Election Commission more than once its agreement in principle in regard to the introduction of voting machines. Government's view had been that until people were made familiar with the system of voting through electronic machines and until it had been demonstrated in advance that this system of voting left no scope for misuse, it would not be appropriate to use the machines for purposes of elections to Legislative Assemblies and Parliament. It was precisely for this reason that sanction for the purchase of the machines had been accorded subject to the condition that the machines should be used first on a trial basis in elections to local authorities.

Replying to the points raised by Members, the Minister said that the Election Commission had come to the Government for the amendment of the statute for the purpose of introducing the electronic voting machine but the Government did not take steps to implement the Commission's recommendation. Accordingly, the Commission thought it necessary to act on its own by virtue of its constitutional and statutory powers under article 324 of the Constitution. The Election Commission deposed in the Supreme Court that its power under article 324 was comprehensive and the Government of India had nothing to do with it.

The Government was still of this view that amendment of the law would only be necessary when a decision was taken that electronic voting machines would be used in Assembly and Lok Sabha elections and that the Government would be agreeable to the use of these machines only when they were satisfied that there were no chances of misuse, the Minister concluded.

*Resolution re : abolition of Andhra Pradesh Legislative Council :* On 14 March, 1984, Shri Era Sezhiyan called the attention of the Minister of Law, Justice and Company Affairs to the resolution passed by the Legislative Assembly of Andhra Pradesh recommending abolition of the Legislative Council of that State and wanted to know about the Government's reaction thereto.

Making a statement on the subject, the Minister of Law, Justice and Company Affairs, Shri Jagannath Kaushal, said that according to the communication dated 7 April, 1983, received from the Chief Electoral Officer and Principal Secretary to the Government of Andhra Pradesh, the Andhra Pradesh Legislative Assembly passed on 24 March, 1983, the following resolution under article 169 of the Constitution :

“The Legislative Assembly of the State of Andhra Pradesh resolves that the Legislative Council of the State be abolished.”

A request was also made in that communication to the effect that immediate action might be taken to undertake legislation in pursuance of the said resolution. The resolution had the effect of conferring on Parliament the requisite competence to enact a Bill for the abolition of the State Legislative Council without having recourse to the procedure for amendment of the Constitution provided for under article 368 of the Constitution.

The decision of the Central Government that it had not found it possible to agree to the proposal for undertaking legislation for abolition of the Legislative Council of Andhra Pradesh was communicated by the Minister to the Chief Minister of Andhra Pradesh through his letter dated 31 December, 1983.

Replying to the points raised by Members, the Minister said that the Central Government had not usurped any power which did not belong to them. After the resolution had been passed by the Andhra Pradesh Assembly, the power to initiate legislation for abolition of the Upper House had come to Parliament. For initiating the legislation either the Government or a non-official Member had to come forward. The Government did not agree with the resolution and so they were not prepared to bring forward necessary legislation. However, it was open to Members to come forward with a non-official Bill for the purpose.

*Farewell to Retiring Members*: On 23 March, 1984, the Chairman, bidding farewell to the retiring Members said that the Rajya Sabha had reached the end of yet another biennium and it meant that there was going to be a change in the Membership of the House. The Members of the Rajya Sabha who would remain behind would feel the wrench of parting which was always full of sad memories. Voices which were familiar to the House would suddenly get hushed.

Members had worked together whether in harmony or in confrontation only for the good of the country. Each Member did, whatever he did, from this aim. The Chairman wished the departing friends Godspeed and all the best in their lives with more and more opportunities for service to the motherland.

The Leader of the House and the leaders of various parties and groups in the House, on behalf of their respective parties and groups, associated themselves with the sentiments expressed by the Chairman in bidding farewell to the retiring Members and appreciated their contribution in the deliberations of the House.

#### B. LEGISLATIVE BUSINESS

*The Asiatic Society Bill, 1984*: On 5 March, 1984, the Minister of State in the Ministries of Education and Culture and Social Welfare, Shrimati Sheila Kaul, moving the motion for consideration of the Bill said that the main object of the Bill was to declare the Asiatic Society as an institution of

national importance and to provide for requisite financial assistance to it. The constitution of Asiatic Society which was a Society originally registered under the Societies Registration Act, 1860, and deemed to be registered under the West Bengal Societies Registration Act, 1961, was not in any way being affected. But a framework was being created so that as an institution of national importance, it received adequate funding and the needs of accountability consistent with maintenance of autonomy were fully taken into account.

The accountability of the new institution was ensured by providing for audit of the accounts by the Comptroller and Auditor-General of India and laying of the audited accounts before Parliament, by providing for laying of the Annual Report of the Society before Parliament, and by providing for a Planning Board which would advise the Central Government with respect to planning and implementation of various development programmes of the Society and other matters concerning the Society. On the other hand, the autonomy of the Society had been fully preserved by retaining the present Memorandum and Regulations of the Society. Thus an effort had been made in the Bill to maintain a balance between autonomy and accountability of the institution.

Replying to the debate Shrimati Sheila Kaul said that many Members had raised questions about the composition of the Planning Board of the Society. The Minister clarified that the Board would consist of highly educated and intellectual people.

The Motion for consideration of the Bill was adopted and the Bill was passed after clauses etc. were adopted.

*The Visva-Bharati (Amendment) Bill 1978*: On 22 March, 1984, the Minister of State in the Ministries of Education and Culture and Social Welfare, Shrimati Sheila Kaul, moving the motion for consideration of the Bill, said that the Joint Committee on the Bill had done an excellent job and inducted a number of new ideas and thoughts in keeping with the ideals of Gurudev Tagore.

Visva-Bharati, a renowned institution founded by Gurudev Rabindra Nath Tagore, was declared as an institution of national importance and also incorporated as a unitary, teaching and residential University by an Act of Parliament enacted in 1951. The University had to face serious difficulties in its day-to-day working on account of the negative attitude adopted by certain persons. This had vitiated the academic life of the University. To remedy



the situation the Visva-Bharati Act had to be amended through a Presidential Ordinance, which was replaced by an Act of Parliament in November, 1971. This was done purely as an interim measure and the comprehensive legislation was to follow.

To ensure the restoration of the original character of the University, the Government appointed a Committee under the Chairmanship of Justice S.A. Masud, Ex-Judge of the Calcutta High Court. The Committee submitted its report in July, 1975. Mainly based on the recommendations of this Committee, an amendment Bill was introduced in this House in March, 1978, and referred to the Joint Committee, which was reconstituted in 1980 after the Lok Sabha elections.

The Joint Committee incorporated the objects of the University in the body of the Act in a comprehensive manner and also recommended that a specific duty might be devolved on the University to give effect to the ideas of Tagore on the pattern of education, in organising its activities and in implementing its academic programmes.

Replying to the debate, Shrimati Sheila Kaul said that the ideas cherished by Gurudev and the ones proposed to be incorporated in the Visva-Bharati Bill were no way in conflict with the needs of the present times and of scientific development and research. Concluding, the Minister said that the provisions made in the Bill for rural reconstruction and for culture and cultural relations would go a long way in promoting rural technology.

The motion for consideration of the Bill and its clauses etc. as amended were adopted and the Bill, as amended, was passed.

### C. THE QUESTION HOUR

During the Session, 5511 notices of Questions (5005 Starred and 506 Unstarred) and 4 Short Notice Questions were received. Out of these, 396 Starred Questions and 2728 Unstarred Questions were admitted. No Short Notice Question was admitted. After the lists of Question were printed 10 Starred and 58 Unstarred Questions were transferred from one Ministry to another.

*Daily Average of Questions* : Each of the lists of Starred Questions contained 18 to 21 Questions. On an average, 4 Questions were orally answered on the floor of the House per sitting. The maximum number of Questions orally answered was 7 on 15 March, 1984, and the minimum number of

Questions orally answered was 2 on 24 February, 7 and 19 March, 1984 respectively.

The minimum number of Questions admitted in the list of Unstarred Questions was 91 on 16 March, 1984 and their maximum number was 168 on 20 March, 1984, their average came to 130 per sitting.

*Half-an-Hour Discussion* : In all 18 notices of Half-an-Hour Discussions were received during the Session and out of these, only 3 were admitted and discussed in the House.

#### D. OBITUARY REFERENCES

During the Session, the Chairman made references to the passing away of Mr. Yuri Vladimirovich Andropov, (President of U.S.S.R.) and Sarvashri N. Naroatham Reddy, Gopikrishna Vijaivargiya and Abdul Rezzak Khah, all ex-Members. The Members stood in silence for a short while as a mark of respect to the deceased.

#### STATE LEGISLATURES

##### ASSAM LEGISLATIVE ASSEMBLY\*

The Session of the Assam Legislative Assembly commenced on 27 February, 1984 and was adjourned *sine die* on 4 April, 1984.

*Amendment of Estate Duty Law* : On 3 April, 1984, the Legislative Assembly adopted the following resolution in pursuance of article 252 of the Constitution of India, empowering Parliament to amend further the Estate Duty Act, 1953 in so far as it affected agricultural land :

“WHEREAS by a resolution passed by this Assembly in pursuance of clause (1) of article 252 of the Constitution on the 18th March, 1954, estate duty in respect of agricultural land is now regulated in the State of Assam by the Estate Duty Act, 1953 (34 of 1953), as passed by Parliament ;

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\*Contributed by the Assam Legislative Assembly Secretariat.



AND WHEREAS it appears to this Assembly to be desirable that the Estate Duty Act, 1953 shall cease to apply to the levy of estate duty in respect of agricultural land situate in the State, and for this purpose, necessary amendments should be made in the Act ;

AND WHEREAS it appears to this Assembly that the Act aforesaid should be further amended to provide for the following matters, namely :—

- (i) to omit the provisions of the said Act relating to aggregation of agricultural land with other property for the purpose of determining the rate of estate duty ;
- (ii) to amend sub-section (3) of section 85 of the said Act relating to the laying of rules before both Houses of Parliament so as to bring it in conformity with the model rule laying formula as approved by the Committees on Subordinate Legislation of both Houses of Parliament ;

NOW, THEREFORE, this Assembly hereby resolves, in pursuance of article 252 of the Constitution, that the Estate Duty Act, 1953 (34 of 1953) be amended by Parliament to provide for the aforesaid matters.”

#### BIHAR LEGISLATIVE ASSEMBLY\*

The Session of the Bihar Legislative Assembly commenced on 13 March, 1984 and was adjourned *sine die* on 3 April, 1984.

*Amendment of Estate Duty Law* : A resolution was adopted by the Legislative Assembly in pursuance of article 252 of the Constitution of India, empowering Parliament to amend further the Estate Duty Act, 1953 in so far as it affected agricultural land.

#### GUJARAT LEGISLATIVE ASSEMBLY\*\*

The Session of the Gujarat Legislative Assembly commenced on 6 February, 1984 and was adjourned *sine die* on 4 April, 1984.

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\*Contributed by the Bihar Legislative Assembly Secretariat.

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

*Amendment of Estate Duty Law* : On 4 April, 1984, the Assembly adopted a resolution in pursuance of article 252 of the Constitution of India, empowering Parliament to amend further the Estate Duty Act, 1953 in so far as it related to agricultural land.

*Members' Pension Bill* : On 4 April, 1984, the Assembly passed the Gujarat Legislative Assembly Members' Pension Bill, 1984. The Bill provides for payment of a pension of Rs. 300 per month to a person who has served as a Member of the House for a period of not less than five years. The Bill also provides for an additional pension of Rs. 60 per month for each additional year where a person has served as such Member for a period exceeding five years. In no case however, the pension payable can exceed Rs. 600 per month.

#### HIMACHAL PRADESH LEGISLATIVE ASSEMBLY\*

The Budget Session of the Himachal Pradesh Legislative Assembly commenced on 12 March, 1984 and was adjourned *sine die* on 12 April, 1984.

*Amendment of Estate Duty Law* : On 12 April, 1984, Shri Virbhadra Singh, Chief Minister of the State, moved a resolution in pursuance of article 252 of Constitution of India, authorising Parliament to amend the Estate Duty Act, 1953 in so far as it related to agricultural land. The resolution was adopted on the same day.

*Obituary Reference* : During the Session, obituary reference was made to the passing away of Shri Hari Dass, former Minister and Ex-Member of the House.

#### KARNATAKA LEGISLATIVE ASSEMBLY\*\*

✓ *Confidence Motion* : On 17 January, 1984, Shri Ramakrishna Hegde, Chief Minister of the State, moved the following resolution in the House.

“That this House expresses its Confidence in the Council of Ministers headed by Shri Ramakrishna Hegde.”

The Motion was put to vote and adopted.

\*Contributed by the Himachal Pradesh Legislative Assembly Secretariat.

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

**MANIPUR LEGISLATIVE ASSEMBLY\***

The Session of the Manipur Legislative Assembly commenced on 27 February, 1984 and adjourned *sine die* on 6 March, 1984.

*Inclusion of Manipuri Language in Eighth Schedule of Constitution* : The following resolution was adopted by the House :

“That this House agrees to urge the Central Government for immediate inclusion of Manipuri Language in the Eighth Schedule of the Indian Constitution.”

*Obituary References* : During the Session, obituary references were made to the passing away of Shri Yangmaso Shaiza former Chief Minister of the State and sitting Member, Shri Hrangbung Khersung and Shri Sorokhaibam Chourajit Singh, both ex-Members. The Members stood in silence for two minutes as a mark of respect to the deceased.

**SIKKIM LEGISLATIVE ASSEMBLY\*\***

The Budget Session of the Sikkim Legislative Assembly commenced on 1 March, 1984 with an Address by the Governor. A Motion of Thanks to the Address was moved by the Chief Minister on the same day which was discussed and adopted by the House on 5 March, 1984. The Session concluded on 8 March, 1984.

*Obituary References* : During the Session, obituary references were made on the passing away of Sarvashri C.M. Stephen, M.P. and Major K.B.S. Basnet. The Members observed silence for two minutes as a mark of respect to the departed souls.

**TRIPURA LEGISLATIVE ASSEMBLY\*\*\***

The Budget Session of the Tripura Legislative Assembly commenced with an Address by the Governor on 16 March, 1984. A Motion of Thanks on Governor's Address was moved and adopted by the House. The House was adjourned *sine die* on 30 March, 1984.

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\*Contributed by the Manipur Legislative Assembly Secretariat.

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

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

*Obituary Reference* : During the Session, obituary reference was made to the passing away of Mr. Yuri Andropov, President of U.S.S.R. The Members stood in silence for two minutes as a mark of respect to the deceased.

## UNION TERRITORY LEGISLATURES

### MIZORAM LEGISLATIVE ASSEMBLY\*

The Session of Mizoram Legislative Assembly commenced on 14 March, 1984 with an Address by the Lt. Governor. A Motion of Thanks on the Address was adopted by the House on 15 March, 1984, The House was adjourned *sine die* on 21 March, 1984.

*Obituary References* : During the Session, obituary references were made to the passing of Shri C.M. Stephen, M.P. and Shri Yongmasho Shaiza, Chief Minister of Manipur. The Members stood in silence for a minute as a mark of respect to the departed souls.

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Satyasadhan Chakraborty : *Sir, how can you allow it ? It he says there is an elephant in the house should I accept this ?*

Mr. Speaker : *I shall appoint him to tame it.*

(L.S. Deb., 14 March, 1984)

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\*Contributed by the Mizoram Legislative Assembly Secretariat.

## BOOK REVIEWS

**RIGHT TO PROPERTY AND THE INDIAN CONSTITUTION.** *By M. Hidayatullah.*  
*Published by Calcutta University and Arnold-Heinemann, New Delhi, 1983,*  
*206 pages.*

This is a book of collection of 9 lectures by Justice M. Hidayatullah, Vice-President of India on a controversial subject, the right to private property and on the view taken by the Constituent Assembly in framing the Constitution and later by our Parliament on this right. Justice Hidayatullah was requested to deliver these lectures before the Calcutta University in the series of Tagore Law Lectures. I think Justice Hidayatullah was the right person to be asked to deliver lectures on this complex but interesting subject because he was well-grounded and experienced as a judge with vast legal knowledge.

He traces the development of the history in his lectures from the primitive notions of such right when human beings themselves were properties to the present day reconciliation of individual right to private property with the rights and interests of society as a whole. Starting with man's primitiveness from the early stone-age and the days of food-gatherers and wading through the excavations of Mohanjodaro, Mesopotamia, along the great rivers of Egypt, Asia Minor and China, he arrives at the beginning of civilisation. Then he enters the early Empires of Babylon, Greeks and Romans and also takes a look at the codes of the Assyrians, the Hittites, the Hebrews and others. After examining the middle-aged Feudalism of Europe, the Muslim countries, Japan and China, he continues to talk of socialism and communism. Then he enters the pre-British period in India, the British period with Feudal Princes and Chiefs and Zamindars and then in the fertile area o the guarantee of their rights to property.

After exploring the debates of the Constituent Assembly on right to property along with the other six rights to freedom in article 19 and the rights in articles 31 and 13 of the Constitution, he concludes by judging the Seventeenth Amendment and the Ninth Schedule with an analytical discussion of the judgements in the *Golak Nath* case and the *Kesavananda's* case which over-ruled the *Golak Nath* case. He took the opportunity in the final stage lectures to review the Forty-fourth Amendment which omitted article 19(1) (f) and also to comment on *Kesavananda's* case which according to him, relied on the Privy Council's judgement in *Mc Cawley Vs. King* whose facts, he says, were different. The provisions of the so-called Queensland Constitution in that case were also different from our cases so that no assistance can really be got from general observations. The author with his usual literary flair has worked hard, according to his own admission, for 15 years, preparing these lectures and making it upto-date, in spite of the fact that our Constitution was amended from time to time frequently—sometimes even with retrospective effect.

I cannot help but say that his treatment of this public cause subject has given the reader a superb picture of the evaluation of the right to property till its great height as a Fundamental Right and then till its dip to present subordinate place to be enjoyed only because of the concessions at the pleasure of the State. Who knows the right to property in future will no more be any right at all of an individual and that it will belong only to the people and the society; that perhaps is its right place. Justice Hidayatullah has, throughout in his lectures, provided the reader with important reference points while evaluating his point of view and also while in search of the transformation of ideas regarding property till the present stage, I suppose, in the direction of capitalist way of development. His lectures on the contributions of Romans and then on Feudalism and elsewhere contain, however, so many unnecessary details that one wonders how the audience had patience to bear his evaluations and recitation of facts. But they do show the depth of his studies on the subject. Similarly, his studies on socialism and communism give us a mine of information from the time of French Revolution to the time of Reformers like Robert Owen in England, Saint-Simon and Fourier in France, Ferdinand Lassalle and Karl Johann Rodbertus in Germany and Marx and Engels, Lenin and Stalin. His study of socialism must have been a very laborious one and no wonder that he gathered so many important things for his lecture.

His investigation of the constitutional amendments on the right to property and examination of the influence of article 19(1) (f) on article 31 leading to the Fourth, Sixth, Seventh and other Amendments which added many Acts to Ninth Schedule is in detail. He discusses the amendments to article 31 with

reference to the merits and also the demerits of some of the Supreme Court judgments and his own opinion as a judge in these judgments. When there was ouster of the jurisdiction of Courts by certain amendments, that also became the subject of attack in the Supreme Court cases. Justice Hidayatullah reviews a number of cases on the topic having regard to right to private property and expresses many times more or less like an opinion of the Court and advises in the end that the right to property be given only a protection as has been done in part XIII of the Constitution in regard to Trade, Commerce and Intercourse within the Territories of India.

This book is a scholarly treatise on the right to property with important reference points and will, I am sure, be very useful to any enquiring student and lawyer alike.

—R.R. BHOLE.

**CENTRE-STATE RELATIONS AND COOPERATIVE FEDERALISM.** By *Dr. Chandra Pal*. Published by *Deep & Deep Publications, New Delhi, 1983, 352 pages.*

All exposes on 'Centre'-State relations—I regret that the term 'Centre' rather than the constitutional term 'Union' is used here as elsewhere as (i) the Constitution recognises no 'Centre' and (ii) the opposite of a centre is its periphery—have a specific point of view, a bias. The bias of Dr. Chandra Pal is set forth in the title of his monograph and that is his view that the Centre-State relations must be analysed in the frame of cooperative relationship between the federal government and the constituent states and as between the States in the discharge of the functions required by the people and the country, rather than in the demarcation of powers as between the units. The evolution of cooperative federalism is traced briefly in the history of the three federal constitutions of the United States of America, Canada and Australia which starting from classical federalism of a weak centre and strong states have moved to a strong centre and multiple relations with the states through a series of administrative cooperative arrangements, coordination and some control of state policies through conditional federal grants and the back up decisions of the judiciary at the highest level. The development of cooperative federalism is traced to (i) its emerging as an antidote to the 'evils arising out of the competitive trends of classic federalism' (p. 22), (ii) its necessity in times of war and threats to national life, (iii) its being a derivative of the unifying force of modern science and technology and mass media, and (iv) its inevitable instrumentality for the realisation of a social welfare state.

This development is contrasted with that of classic or dual federalism which is characterised as wrong because it encouraged 'a false competition between the national and state governments and left too many problems in a no man's land in between' (p. 27) as against cooperative federalism which, on the one hand, promotes action by either government and joint action by both occasionally, and, on the other, rests on the theory of coordinative responsibilities, but in practice places those of federal government at a 'superior' level.

Turning to India, it is pointed out that 'neither the mid-twentieth century ideological climate, nor her own economic situation (demanding the taking of giant strides to counter the colonial legacy of poverty and backwardness), nor even actual experience of the so-called true federations permitted India the luxury of experimenting with competitive federalism with its equal 'sovereignties' (p. 74). Against this backdrop, the Constituent Assembly adopted the structure of cooperative federalism providing for a strong central government but not necessarily weak States. The legislative powers are rather exhaustively distributed between the Centre and the States and jointly in three lists. The wide range of powers accorded to the Centre and the manner in which it has exercised them as in the case of industries which are in the States list but which using entry 52 of the Union List has through the Industries (Development and Regulation) Act brought all industry, including small-scale ones, under its control, and the consequent continuing controversy over the distribution of powers between the Centre and the States are referred to. While admitting that there is some truth in the charge that 'since 1950 persistent efforts have been made to erode even the limited powers of the state', (p. 77), the monograph refers to the observation of the Australian Solicitor General that 'if there is such a thing as a strict, pure or unqualified federal principle, then the hard fact is that there are no federations and no federal constitutions' and concludes with the *obiter dicta*, 'the Indian Constitution gives effect to the principle of unity in diversity by creating a lasting Union once for all' (p. 78). The developments of concurrent legislative powers of the Union and States, the case of repugnancy, the legislation by Parliament on States List items when national interest, international agreements or proclamation of national emergency are involved together with legislation with the consent of the States, the manner in which the reservation of State legislation for the President's consideration has been used, and the judiciary decisions giving an expanding definition to the Centre's residuary powers are reviewed, ending with the growing trend to transfer items from the State List to the Concurrent List on the grounds of aiming at 'national uniformity'



and 'the public reposing these days more confidence in the Centre than in the States' (p. 96).

Dealing with Centre-States cooperation in administration, the functioning of the Governor who is both (a) the representative of the Centre in the States and (b) the constitutional head of the State is reviewed, and a revealing table I (pp. 107-110) is given showing the imposition of President's rule in the States 51 times between 1951 and 1979. 'not always to cope with situations of political instabilities in the State but also to subserve other ends—and that too on a liberal scale' (p. 107), with the Governors' committee wanting to enlarge their discretionary powers, inviting, as the monograph points out 'greater possibility of central intervention in the States affairs, which would result 'to some extent, (in the) negation of democracy in the country' (p. 113). Despite all this, the overall conclusion drawn is that the institution of Governor is 'to ensure harmonious and cooperative relations between the Centre and the States'. The powers of the Centre under articles 254, 257 and 365 of the Constitution to give directions to the State Governments which is unique to the Indian federation are reviewed and given approval as enabling the Centre to enforce its laws and executive powers in the States as part of the Rule of Law on which the Constitution is based and as trends of the Constitution's cooperative federalism. The All India Services—(IAS-IPS), the functioning of the Joint Public Service Commission, the High Courts, and the application of the full faith and Credit clause as part of this administrative cooperative structure are similarly reviewed. The conclusion drawn is that 'the provisions of the constitution relating to direction and control of the States contain potentiality for mischief and are capable of being abused to the utter neglect of state autonomy', they are however sparingly used and 'have to be tolerated as a necessary evil in a country devoted to (the) welfare state ideal where powerful centrifugal forces are at work' (p. 128).

The financial relationship between the Centre and the States based on the Centre being allocated elastic sources of revenue and the States local and inelastic ones, resulting in the States becoming 'more and more dependent on the Centre for their growing financial needs and thereby the Centre exercising greater financial control over the States' (p. 167) are noted. The four types of tax sharing provisions in the Constitution and the omissions of the Centre to levy taxes under the heads listed in article 269 depriving the States, 'which are in burning need of more resources,...of potential sources of revenue... (which is) against the spirit of the Constitution,...(and as a result of which) a creeping financial paralysis already affects seven large states' (p. 154) are further noted. Table I on page 146 shows the declining share of income-tax

in total tax revenues accruing to the States between 1951-52 to 1978-79, Tables 2 and 3 on pages 153 and 154 show the effects of the work of the Finance Commission under which some rich States had large non-Plan revenue surpluses, while the grants-in-aid are not adequately adjusted to States with lower social services, or the tax effort made. The specific purpose grants to the States under article 282 of the Constitution made by the Planning Commission have been growing, forming about 70 per cent of State Plan outlays which the monograph characterises as helping in 'national coordination of policies' and fulfilment of Plan priorities (p. 157). With regard to market borrowing, though the States have been given that right under the Constitution, it also provides that no State can borrow from the market without the Centre's consent if any Central loan made to it is outstanding, and this has been so from 1952. In March 1952, the total debt of the States to the Centre was Rs. 448 crores and in March 1978, it was Rs. 16,283 crores (increase of 34 times), while loans from the Centre to States also increased 47 times. The conclusion on the Centre-State financial relations is that while 'on the whole cooperative solutions have been found for problems as they have arisen...a feeling still persists that the States have not had a fair deal... due to the spirit in which the Centre has interpreted and applied certain provisions of the Constitution in the field of Centre-State financial relations' (p. 168).

The concluding sections of the monograph analyse (a) some instruments for cooperation covering judicial adjudication of inter-State disputes, and inter-state water disputes settlements through Central intervention and tribunals, (b) some councils for cooperation in inter-state activities including the central councils for health, for local self-government, regional sales tax councils ending with a plea for the establishment of an Inter-State Council as provided in article 263 'to serve as a constant forum for communication between the Centre and States and thus to effectuate the principles of cooperative federalism' (p. 195), (c) some statutory bodies including the six zonal councils which since 1967 have not functioned regularly, the University Grants Commission which has helped universities to develop despite its constraints, the Damodar Valley Corporation, other river and water and water pollution control boards, Central Electricity Authority, Central Warehousing Corporation and the Drugs Committee, and (d) non-statutory bodies starting with the Planning Commission with its important function of making national economic policies and plans with a poor record of monitoring and evaluation of implementation, the lack of or inadequate planning at the state and district levels, the National Development Council which reviews and approves the Five Year Plans, the Inter-University Board which reviews and

makes recommendations on university education, the National Integration Council which has an important task in this multi-cultural country but which has had a chequered history, the Central Family Welfare Council which has helped develop and diversify the family planning programme, the All India Council of Technical Education, the Central Water and Power Commission, Governor's conferences, Chief Ministers' conferences, other Ministers/officials conferences and the party system which functioned till 1967 under the powerful personal direction of Mr. Nehru with a single party being in power at the Centre and most of the States, since 1967 when there were different parties in power at the Centre and in the States, and after 1977 when the Congress Party was replaced at the Centre, at which time, the monograph states, the discussions in the National Development Council 'presented the uncustomary sight of the tail wagging the dog' (p. 278). and concluding with the statement that 'cooperative federalism starts to work smoothly when there is one party rule in the Centre and in large number of States...and is hindered when there is different party rule at the two levels of governments' (p. 278).

The last chapter of the monograph on appraisal and the future states that (a) the Constitution is sound and is based on the concept of cooperative federalism but its working has raised questions on the potential for misuse of articles 256 and 257, (b) article 356 has been 'used as a weapon of political vendetta against (some) governments' in the States' (p. 295) which can be corrected only by a vigilant electorate. (c) the Centre-State financial relations are unsatisfactory, which more consultations and the establishment of an inter-state council can ameliorate, and (d) the Planning Commission whose working is defective and for which a well functioning National Development Council could provide a corrective. On both the analysis and suggestions for the future, I have many reservations and alterations to those set forth in the monograph. That is natural in a subject like Centre-State relations. There is however, a mark of persuasion in the monograph's suggestions for the future: namely, (i) to prevent the Centre's dominance in financial relations over States, the Finance Commission, whose personnel should be appointed after consultation with the Inter-State Council, should be made responsible for all Plan and non-Plan grants for each five year period, (ii) all existing loans to States should be consolidated and transferred to the Reserve Bank, all future loans for productive purposes being given by it, (iii) to check misuse of powers by the Central Government, norms for the use of article 356 should be developed including the use of an advisory body of High Court and Supreme Court judges to be convoked by the President when the article is to be used, (iv) to meet the demand for state autonomy involving their being consulted on all issues affecting them, the existing consultative statutory and non-statutory

bodies should be fully used, and (v) to take account of the possibility that coalition governments may be in power at the Centre and in most States in the future, the 'Centre-State relationship should be made impersonnel, formulised and based on, as far as possible, non-political formulae' (p. 308).

The book under review is the product of vast, comprehensive, and impressive research into the many sources and documents on the basis of which federal relations and Centre-State relations in India have developed. The notes and references attached at the end of each chapter and bibliography appended after Appendix-II of the primary and the secondary documents consulted show the academic study and work which has been involved in the writing of this monograph. To my knowledge, there is no facet of Centre-State relations in India which has been over looked in this compendium. The author, after making clear his bias in favour of cooperative federalism, brings an objective, scholarly and pragmatic approach both to his analysis of the many problem areas surrounding Centre-State relations and the suggestions for dealing with them. I regard the analysis of legislative matters (chapter III), of administrative matters (chapter IV) and of financial matters (chapter V) as the strong point of the monograph. The data on which they rest is well documented, the analysis is objective and the way forward is hinted at in a sophisticated and subtle manner. On the future perspectives, the suggestion for making the Finance Commission responsible for all Plan and non-Plan grants to the States (though not supported by the kind of analysis that that major conclusion needs) is both far-reaching and is one that most economists are now advocating. So too is the suggestion to develop certain norms, including use of a high power judicial advisory committee, for the President's exercise of article 356 of the Constitution.

There are also some weaknesses in the monograph. Perhaps because of the speed with which the publication came out there are a number of grammatical and printing errors (in p. 22 (three), 34,39,46, 77 (two), 80,84 (two), 91,94,95,103,106,107,113,114,115,118,123,142,144 (two), 152,155,158,160,162, 168,209,216,249,308). In the next edition these errors can be corrected and removed. The manuscript seems to have been completed in 1978-79 so that some of the data is incomplete or dated, such as the List of States where article 356 was used in table I (pp, 107-110) which stops at 1979, as does Table I on page 146 setting forth the share of taxes transferred to the State, the reference to the Deputy Chairman of the Planning Commission being a non-official (p. 245) and the concept of the rolling plan (p. 249). Some of the source material is rather weak as the quotation on page 78 taken from a newspaper article, and sometimes there are contradictions as on page 90 where

the conclusion of the Indian Law Institute is approvingly quoted as revealing that the Centre does try to dictate its policies to the States in giving Presidential assent in a few cases, while at the end of the page it is stated that the Presidential assent is to offer guidance to the States on their legislation. The real problem of the present system of sharing some taxes with the States is not the amount of sharing as pages 146-148 state, but the fact that the Centre gives tax reliefs and concessions only in the shareable taxes, namely, income-tax and excise duties, while on surcharges, corporation tax and customs duties which are not shared there are continuous increases, as this year's Budget shows. One remedy which the monograph does not go into is to make all taxes shareable and take up separately the percentage of sharing. Similarly, the defect in grants to States under article 282 made by the Planning Commission (see pp. 156-157) is that they have strings attached, and this is the basis for the recommendation made later (p. 306) for all these grants to be determined by the Finance Commission. In my view the weakest part of the monograph is its treatment and analysis of the Planning Commission. First it is placed in Chapter VIII as one out of 13 bodies. This is because of the classification into statutory and non-statutory bodies used by the author. Even so, to place the Planning Commission along side the Inter-University Board, National Integration Council, All India Council of Technical Education, Central Family Welfare Board, Governors Council etc. is not very enlightening. The major irritant in Centre-State relations is the Planning Commission which (a) has no statutory basis, (b) is now a part of the Central Government both formally and in fact, while it is responsible for approval of the plans of each and all of the States, and (c) has adopted a centralised methodology in formulating the Five Year Plans without having before it the States, plans. This issue should have been treated as fully as legislation, administration and finance have been.

Allowing for these weaknesses, I return to my judgement that the monograph is an important source book for all those involved in Centre-State relations. Its major thesis, that there is need for a strong Centre, which will function cooperatively with strong States, is an all time moral for India. It speaks with authority based on sound scholarship and it points to areas which need our attention immediately and over time. It is an important addition to the corpus of information on Centre-State relations.

MALCOLM S. ADISESHIAH

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## APPENDIX I

### STATEMENT SHOWING THE SITTINGS HELD BY THE COMMITTEES OF THE SEVENTH LOK SABHA DURING THE PERIOD 1 JANUARY TO 31 MARCH, 1984

Sl. No.	Name of the Committee	No. of sittings held
1	2	3
(i)	Business Advisory Committee	4
(ii)	Committee on Absence of Members	...
(iii)	Committee on Public Undertakings	4
(iv)	Committee on Papers laid on the Table	5
(v)	Committee on Petitions	4
(vi)	Committee on Private Member's Bills and Resolutions	4
(vii)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes	14
(viii)	Committee of Privileges	1
(ix)	Committee on Government Assurances	2
(x)	Committee on Subordinate Legislation	6
(xi)	Estimates Committee	34
(xii)	General Purposes Committee	1
(xiii)	House Committee	3
(xiv)	Accommodation Sub-Committee of House Committee	...
(xv)	Public Accounts Committee	24

1	2	3
(xvi)	Railway Convention Committee	2
(xvii)	Rules Committee	1
<b>JOINT/SELECT COMMITTEES</b>		
(i)	Joint Committee on Offices of Profit	7
(ii)	Joint Committee of the Houses to Examine the question of working of Dowry Prohibition Act, 1961	...
(iii)	Joint Committee on Salaries and Allo- wances of Members of Parliament	2
(iv)	Joint Committee on the Marriage Laws (Amendment) Bill, 1981	3
(v)	Joint Committee of Chairmen, House Committees of both the Houses of Parliament	...
(vi)	Joint Committee on the Life Insurance Corporation Bill, 1983	5

## APPENDIX II

### STATEMENT SHOWING THE WORK TRANSACTED DURING THE HUNDRED AND TWENTY-NINTH SESSION OF RAJYA SABHA

1. <i>Period of the Session</i>	23 February, 1984 to 23 March, 1984
2. <i>Number of Meetings Held</i>	22
3. <i>Total Number of Sitting Hours</i>	123 hours & 22 minutes (excluding lunch break)
4. <i>Number of Divisions Held</i>	Nil
5. <i>Government Bills</i>	
(i) Pending at the commencement of the Session	9
(ii) Introduced	4
(iii) Laid on the Table as passed by Lok Sabha	14
(iv) Returned by Lok Sabha with any amendment	Nil
(v) Referred to Select Committee by Rajya Sabha	Nil
(vi) Referred to Joint Committee by Rajya Sabha	Nil
(vii) Reported by Select Committee	Nil
(viii) Reported by Joint Committee	1
(ix) Discussed	19
(x) Passed	19
(xi) Withdrawn	Nil
(xii) Negatived	Nil

(xiii) Part-Discussed	Nil
(xiv) Returned by Rajya Sabha without any recommendation	10
(xv) Discussion postponed	Nil
(xvi) Pending at the end of the Session	8

**6. *Private Members' Bills***

(i) Pending at the commencement of the Session	90
(ii) Introduced	4
(iii) Laid on the Table as passed by Lok Sabha	Nil
(iv) Returned by Lok Sabha with any amendment and laid on the Table	Nil
(v) Reported by Joint Committee	Nil
(vi) Discussed	4
(vii) Withdrawn	Nil
(viii) Passed	Nil
(ix) Negatived	3
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	1
(xii) Discussion postponed	Nil
(xiii) Motion for circulation of Bill negatived	Nil
(xiv) Referred to Select Committee	Nil
(xv) Lapsed due to retirement/death of Member in-charge of the Bill	Nil
(xvi) Pending at the end of the Session	91

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

(i) Notices received	Nil
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(ii) Admitted	Nil
(iii) Discussion held	Nil
<b>8. Number of Statements Made Under Rule 180 (Calling-Attention to Matter of Urgent Public Importance)</b>	
Statements made by Ministers	7
<b>9. Half-an-hour Discussion Held</b>	3
<b>10. Statutory Resolutions</b>	
(i) Notices received	4
(ii) Admitted	4
(iii) Moved	4
(iv) Adopted	Nil
(v) Negatived	4
(vi) Withdrawn	Nil
<b>11. Government Resolutions</b>	
(i) Notices received	2
(ii) Admitted	2
(iii) Moved	2
(iv) Adopted	2
<b>12. Private Members Resolutions</b>	
(i) Received	8
(ii) Admitted	8
(iii) Discussed	1
(iv) Withdrawn	1
(v) Negatived	Nil
(vi) Adopted	Nil
(vii) Part-discussed	Nil
(viii) Discussion postponed	Nil

13. <i>Government Motions</i>	
(i) Notices received	1
(ii) Admitted	1
(iii) Moved	1
(iv) Adopted	1
(v) Part-discussed	Nil
14. <i>Private Members Motions</i>	
(i) Received	204
(ii) Admitted	204
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Part-discussed	Nil
(vi) Negatived	Nil
(vii) Withdrawn	Nil
15. <i>Motions Regarding Modification of Statutory Rule</i>	
(i) Received	9
(ii) Admitted	1
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Negatived	Nil
(vi) Withdrawn	Nil
(vii) Part-discussed	Nil
16. <i>Number of Parliamentary Committees Created, if any, During the Session</i>	Nil
17. <i>Total Number of Visitors Passes Issued</i>	2010
18. <i>Total Number of Persons Visited</i>	6979

19. <i>Maximum Number of Visitors' Passes Issued on any Single Day, and Date on Which Issued</i>	176 on 8.3.84
20. <i>Maximum Number of Persons Visited on any Single Day and Date on which Visited</i>	312 on 8.3.84
21. <i>Total Number of Questions Admitted</i>	
(i) Starred	396
(ii) Unstarred	2728
(iii) Short-Notice Questions	Nil
22. <i>Discussion on the Working of the Ministries</i>	Nil
23. <i>Working of Parliamentary Committees</i>	

Name of Committee	No. of meetings held during the period 1 January to 31 March, 1984	No. of Reports presented during the Session
(i) Public Accounts Committee	*	*
(ii) Committee on Public Undertakings	.	.
(iii) Business Advisory Committee	2	Nil
(iv) Committee on Subordinate Legislation	14	4
(v) Committee on Petition	9	2
(vi) Committee on the Welfare of Scheduled Castes and Scheduled Tribes	*	.
(vii) Committee of Privileges	2	1



(viii)	Committee on Rules	1	...
(ix)	Joint Committee on Offices of Profit	•	*
(x)	Committee on Government Assurances	13	1
(xi)	Committee on Papers Laid on the Table of the House	10	3
(xii)	Joint Committee on the Indian Veterinary Council Bill, 1981	6	1
(xiii)	Joint Committee on the Mental Health Bill, 1981	2	Nil
(xiv)	Parliamentary Committee for Reconciliation between the Nirankaris and the Akalis	4	...
24.	<i>Number of Members Granted Leave of Absence</i>		... 2
25	<i>Petition Presented</i>		... 1
26.	<i>Names of New Members Sworn with Dates</i>		... Nil
27.	<i>Obituary references</i>		

S. No.	Name	Sitting Member/Ex-Member
1	Mr. Yuri Vladimirovich Andropov	President of U.S.S.R.
2.	Shri N. Naroatham Reddy,	Ex-Member
3.	Shri Gopikrishna Vijaivargiya	—do—
4.	Shri Abdul Rezzak Khan	—do—

\*See *Supra* Appendix 1.

**APPENDIX III**  
**STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF STATES AND UNION TERRITORIES DURING THE**  
**PERIOD 1 JANUARY TO 31 MARCH, 1984**

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
1	2	3	4	5	6	7	8
<i>States</i>							
Andhra Pradesh L.C.	...	...	...	...	...	...	...
Andhra Pradesh L.A.	9.2.84 to 5.5.84	44	22(28)	4	239(261)a	290(b)	736(39)
Assam L.A.	27.2.84 to 4.4.84	20	14(9)	...	571(528)	40(35)	10(5)
Bihar L.C.	13.3.84 to 3.4.84	15	1(13)	...	506(527)	(5)	225(114)
Bihar L.A.	13.3.84 to 3.4.84	14	11(11)	...	3687(1483)(c)	(1179)	(87)
Gujarat L.A.	6.2.84 to 4.4.84	39	18(16)	7	4789(2436)(d)	87(437)(e)	44(3)
Haryana L.A.	12.3.84 to 4.4.84	18	20(19)	...	369(200)	89(57)	1
Himachal Pradesh L.A.	12.3.84 to 12.4.84	23	16(16)	...	2020(1251)	272(354)(f)	3(1)
Jammu & Kashmir L.C.	27.1.84 to 3.4.84	25	1(1)	1	473	80	...
Jammu & Kashmir L.A.	...	...	...	...	...	...	...
Karnataka L.C.	16.1.84 to 12.4.84	48	(42)	...	1048(574)	245(238)	9(1)
Karnataka L.A.	16.1.84 to 12.4.84	50	41(39)	...	1559(1463)	641(641)	39(29)

Kerala L.A.	25.11.83 to 20.12.83	18	11(6)	...	4799,2211)(g)	(1921)	1(1)
Madhya Pradesh L.A.	...	...	...	...	...	...	...
Maharashtra L.C.	28.11.83. to 16.12.83	15	(3)3	12	1460(344)	115(24)	63(16)
Maharashtra L.A.	23.11.83 to 16.12.83	15	11(10)	6	3122(531)	150(50)	139(33)
Manipur L.A.	...	...	...	...	...	...	...
Meghalaya L.A.	{	9.12.83 to 19.12.83	7	3(3)	7(7)	173(173)	...
		24.2.84 to 29.2.84	4	...	...	178(176)	...
		20.3.84 to 3.4.84	11	2	39(39)	1(1)	1(1)
Nagaland L.A.	{	14.2.84 to 17.2.84	3	2(1)	12/(127)	40(40)	...
		20.3.84 to 30.3.84	4	...	...	...	...
Orissa L.A.	...	...	...	...	...	...	...
Punjab L.A.	...	...	...	...	...	...	...
Rajasthan L.A.	5.3.84 to 20.4.84	29	15(11)	2	2953(832)	2202(1089)	19(1)
Sikkim L.A.	1.3.84 to 8.3.84	6	4(4)	...	25(25)	...	...
Tamil Nadu L.C.	13.2.84 to 28.4.84	27	(28)	...	283(36)	5(4)	...
Tamil Nadu L.A.	...	...	...	...	...	...	...
Tripura L.A.	16.3.84 to 30.3.14	11	4(4)	...	576(375)	8(76)(h)	3(1)
Uttar Pradesh L.C.	{	13.2.84 to 15.3.84 and 17 and 26.3.84 to 29.4.84	17 and 1	3(13)	...	621(619)	246(177)
		26.3.84 to 29.4.84	1	...	1561(1384)	...	...

1	2	3	4	5	6	7	8
Uttar Pradesh L.A.	13.2.84 to 30.4.84	39	13(15)	...	2259(787)(i)	1913(3195)(j)	1294(217)
West Bengal L.A.	24.2.84 to 27.4.84	20	19(19)	...	2539(1431)	1128(804)	14
<i>Union Territories</i>							
Arunachal Pradesh L.A.	3.2.84 and 26.3.84 to 29.3.84	1	5(5)	...	139(96)	50(50)	3(2)
Delhi Metropolitan Council	...	...	...	...	...	...	...
Goa, Daman and Diu L.A.	16.1.84 to 20.1.84 19.3.84 to 5.4.84	5 8	4(4)	1	665(297)	3 <sup>1</sup> (277)(k)	8(8)
Mizoram L.A.	14.3.84 to 21.3.84	6	3(3)	...	29(26)	3(3)	...
Pondicherry L.A.	...	...	...	...	...	...	...

**Notes :** (i) Figures in Cols. 4 and 5 indicate the number respectively of Government and Private Members' Bills introduced with the number of Bills passed in brackets.

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

(a) The figure 261 includes Notices received as Starred Questions.

- (b) **The figure 290 includes 82 Notices received as Starred Questions and 208 Notices received as Short Notice Questions.**
- (c) **The figure 3687 includes Notices received as Starred Questions, Unstarred Questions and Short Notice Questions.**
- (d) **The figure 2436 includes 1 Notice received as Short Notice Questions.**
- (e) **The figure 437 includes 255 Notices received as Starred Questions.**
- (f) **The figure 354 includes Notices received as Starred Questions.**
- (g) **The figure 4799 includes Notices received as Starred and Unstarred Questions.**
- (h) **The figure 76 includes 72 Notices received as Starred Questions.**
- (i) **The figure 787 includes 397 Notices received as Short Notice Questions.**
- (j) **The figure 3195 includes 1428 Notices received as Starred Questions and 321 Notices received as Short Notice Questions.**
- (k) **The figure 277 includes Notices received as Starred Questions.**



Bihar L.A.	5(2)	73(1)	78	24	...	69	24	27	110	...	51	51	81	51	...	59(f)
Gujarat L.A.	9(6)	6	2	8(7)	1	9(4)	3(2)	7(7) (g)	4(4)	...	2(1)	1	12(5)	1	...	7(h)
Haryana L.A.	3(3)	14(1)	2	...	3(3)	21(5)	11(1)	17(1)	20(2)	...	6	4	15(1)	...	...	...
Himachal Pradesh L.A.	7(7)	11(1)	3(1)	...	...	9(6)	4(1)	6(4)	10(2)	...	3	3	15 (19)	3	...	3(1)(i)
Jammu & Kashmir L.C.	4(3)	4(1)	...	...	3	...	2	...	8	2	2	2	...	3(1)	...	...
Jammu & Kashmir L.A.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Karnataka L.C.	7	...	1	...	1(1)	...	...	...	...	...	...	...	...	...	...	...
Karnataka L.A.	...	(1)	...	(5)(2)	1	6(2)	1	10(1)	5(2)	...	...	1	...	...	...	3(1)(j)
Kerala L.A.*	3(3)	6	20	3(3)	...	17(6)	5	11	7	...	3	3	15(10)	...	9(1)(k)	29(l)
Madhya Pradesh L.A.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Maharashtra L.C.*	4(2)	10(1)	4	3(3)	...	...	...	...	...	...	...	...	...	...	...	...
Maharashtra L.A.*	4(4)	10(1)	5(1)	3(3)	...	10(2)	14(2)	17(2)(m)	...	...	...	...	17(2)	...	...	8(h)

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Manipur L.A.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Meghalaya L.A.**	4	...	...	...	...	9	4(1)	3	2	...	3	5	6	...	...	...
Nagaland L.A.	2	1(1)	2	...	...	...	1	...	1(1)	...	...	...	1(2)	...	...	...
Orissa L.A.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Punjab L.A.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Rajasthan L.A.	4(4)	17(2)	28	...	14	19(o)	23(1)	14	47(p)	...	20	19	17(4)	12(q)	...	...
Sikkim L.A.	...	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Tamil Nadu L.G.	7	3	...	...	2	...	...	...	...	...	...	...	...	...	...	...
Tamil Nadu L.A.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Tripura L.A.	2(2)	2(1)	...	...	1	2(1)	...	4(1)	2(3)	...	...	2(1)	4(1)	...	...	...
Uttar Pradesh L.C.	5(5)	10	16	...	11	10(5)	...	...	...	...	15	...	...	9	2(r)	37(s)
Uttar Pradesh L.A.	10(10)	15(2)	4(2)	...	3(1)	23(2)	4(3)	21	12(3)	...	...	...	11(7)	1	...	4(t)
West Bengal L.A.	9(7)	3(1)	5(1)	...	3(4)	6(1)	4(3)	3	7	...	5	...	8(5)	3	3(1)(t)	...
<i>Union Territories</i>																
Arunachal Pradesh L.A.	1(1)	...	...	...	...	...	...	...	1	...	...	...	2(1)	...	1(v)	...





- (i) Committee on the Papers Laid on the Table of the House—3(1)
- (j) Committee on the Welfare of Backward Classes—3(1)
- (k) Select Committee on the Kerala Public Men (Prevention of Corruption) Bill, 1982—9(1)
- (l) Subject Committees 1 to x—29 sittings.
- (m) Committee on the Welfare of Scheduled Castes—1(1) and Committee on the Welfare of Scheduled Tribes —6(1).
- (n) Committee on the Welfare of Vimukta Jatis & Notified Tribes—8 sittings
- (o) Committee on Public Undertakings—9 sittings and Sub-Committee of Committee on Public Undertakings—10 sittings.
- (p) Estimates Committee (A)—27 sittings and Estimates Committee (B) —20 sittings.
- (q) Rules Sub Committee—12 sittings
- (r) Select Committee on U.P. Krishi Evam Prodyogik Vishwavidyalya (Sanshodhan) Vidheyak, 1981—2 sittings.
- (s) Parliamentary and Social Good will Committee—6 sittings; Compilation of Rulings Committee—10 sittings; Administrative Delay Committee—17 sittings and Parliamentary Studies Committee—4 sittings.
- (t) Housing Advisory and Kitchen Committee—1 sitting.
- (u) Select Committee on the Calcutta University (Amendment) Bill, 1984—3(1)
- (v) Select Committee on the Arunachal Pradesh Motor Vehicle Taxation Bill, 1982—1 sitting
- (w) Select Committee on Public Health Bill—2 sittings and Select Committee on Preservation of Trees Bill—1 sitting.
- (x) Ad-hoc Committees—18(1).

## APPENDIX IV

LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENTED  
TO BY THE PRESIDENT DURING THE PERIOD 1 JANUARY TO 31  
MARCH, 1984

Sl. No.	Title of the Bill	Date of assent by the President
1.	The Banking Laws (Amendment) Bill, 1983.	12-1-84
2.	The Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Amendment Bill, 1984.	16-3-84
3.	The Prevention of Damage to Public Property Bill, 1984.	16-3-84
4.	The Industries (Development and Regulation) Amendment Bill, 1984.	21-3-84
5.	The Asiatic Society Bill, 1984.	23-3-84
6.	The Appropriation (Vote on Account) Bills 1984.	23-3-84
7.	The Appropriation Bill, 1984.	23-3-84
8.	The Appropriation (No. 2) Bill, 1984.	23-3-84
9.	The Appropriation (Railways) Bill, 1984.	23-3-84
10.	The Appropriation (Railways) No. 2 Bill, 1984.	23-3-84
11.	The Appropriation (Railways) No. 3 Bill, 1984.	23-3-84
12.	The Pondicherry Appropriation (Vote on Account) Bill, 1984.	26-3-84
13.	The Pondicherry Appropriation Bill, 1984.	26-3-84
14.	The Punjab Appropriation (Vote on Account) Bill, 1984.	26-3-84
15.	The Punjab Appropriation Bill, 1984.	26-3-84
16.	The Ganesh Flour Mills Company Limited (Acquisition and Transfer of Undertakings) Bill, 1984.	30-3-84
17.	The Inchek Tyres Limited and National Rubber Manufacturers Limited (Nationa- lisation) Bill, 1984.	31-3-84

## APPENDIX V

### LIST OF BILLS PASSED BY THE LEGISLATURES OF STATES AND UNION TERRITORIES DURING THE PERIOD 1 JANUARY TO 31 MARCH, 1984

#### ANDHRA PRADESH LEGISLATIVE ASSEMBLY

1. The Andhra Pradesh Appropriation (Vote on Account) Bill, 1984.
2. The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1984.
3. The Andhra Pradesh Irrigation Utilisation and Command Area Development, Bill, 1984.
4. The Andhra Pradesh Educational Institutions (Regulation of Admission and Prohibition of Capitation Fee) (Amendment) Bill, 1984.
5. The Andhra Pradesh Educational Institutions (Regulation of Admission and Prohibition of Capitation Fee) (Amendment) Bill, 1984.
6. The Andhra Pradesh Societies Registration Act (Andhra Pradesh Amendment) Bill, 1983.
7. The Andhra Pradesh Educational Institutions (Regulation of Admission and Prohibition of Capitation Fee) (Second Amendment) Bill, 1983.
8. The Andhra Pradesh District (Formation (Amendment) Bill, 1984.
9. The Andhra Pradesh Motor Vehicles Taxation (Amendment) Bill, 1983.
10. The Hyderabad Municipal Corporations (Second Amendment) Bill, 1983.
11. The Hyderabad Municipal Corporations (Amendment) Bill, 1984.
12. The Andhra Pradesh Urban Areas Development (Second Amendment) Bill, 1983.

13. The Andhra Pradesh Housing Board (Amendment) Bill, 1984.
14. The Andhra Pradesh General Sales Tax (Amendment) Bill, 1984.
15. The Andhra Pradesh Excise (Amendment) Bill, 1984.
16. The Andhra Pradesh Panchayat Samithis and Zila Parishads (Second Amendment) Bill, 1983.
17. The Andhra Pradesh Panchayat Samithis and Zila Parishads (Amendment) Bill, 1984.
18. The Andhra Pradesh Appropriation Bill, 1984 (Supplementary Estimates).
- \*19. The Andhra Pradesh (Telangana Area) Abolition of Inams (Amendment) Bill, 1983.
20. The Andhra Pradesh Contingency Fund (Amendment) Bill, 1983.
21. The Andhra Pradesh Appropriation Bill, 1984.
22. The Andhra Pradesh Prevention of Dangerous activities of Communal Offenders Bill, 1984.
23. The Andhra Pradesh Entertainment Tax (Amendment) Bill, 1984.
24. The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Second Amendment) Bill, 1984.
25. The Andhra Pradesh Civil Courts (Amendment) Bill, 1983.
26. The Andhra Pradesh (Telangana Area) Small Causes Courts (Amendment) Bill, 1984.
27. The Indian Electricity (Andhra Pradesh Amendment) Bill, 1984.
28. The Andhra Pradesh Cinemas (Regulation) (Amendment) Bill, 1984.

**ASSAM LEGISLATIVE ASSEMBLY**

1. The Assam Appropriation (No. I) Bill, 1984.
2. The Assam Appropriation (No. II) Bill, 1984.
3. The Assam State Industrial Relief Undertakings (Special Provision) Bill, 1984.

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\*Awaiting assent.

4. The Assam Tea Plantation Provident Fund (And Pension Fund) Scheme (Amendment) Bill, 1984.
5. The Indian Stamp (Assam amendment) Bill, 1984.
6. The Assam State Transport Corporation (Prevention of unauthorised Travel) (Amendment) Bill, 1984.
7. The Code of Criminal Procedure (Assam Amendment) Bill, 1984.
8. The Assam Purchase Tax (Amendment) Bill, 1984.
9. The Assam Agricultural Income Tax (Amendment) Bill, 1984.

#### BIHAR LEGISLATIVE COUNCIL

1. Bihar Sahukar (Sansodhan) Vidheyak, 1983.
2. Bihar Rajya Abhiyantran Evam Farmecy Sheshnik Sanstha (Viniyaman Evam Niyantran) (Sansodhan) Vidheyak, 1983.
3. Bihar Viniyog Vidheyak, 1984.
4. Bihar Viniyog (Sankhya-2) Vidheyak, 1984.
5. Bihar Viniyog (Lekhanudan) Vidheyak, 1984.
6. Bihar Vitta Vidheyak, 1984.
7. Bihar Viniyog (Adhikai vyay) 1968-69, 69-70, 70-71, 71-72, 72-73, 73-74, 74-75, 75-76 Tatha 76-77 Vidheyak, 1984.
8. Kumardhuvi Engineering Works (K. E. W.) (Adhigrahan Aur Prabandh) (Sansodhan) Vidheyak, 1984.
9. Dand Prakriya Sanhita (Bihar Sansodhan) Vidheyak, 1983.
10. Bihar Van Upaj (Vyapar Viniyaman) Vidheyak, 1983.
11. Santhal Pargana Vidhi (Sansodhan) Vidheyak, 1984.
12. Indira Gandhi Aayurvedigyan (Sansodhan) Vidheyak, 1984.
13. Bihar Eint Aapurti (Niyantran) Vidheyak, 1982.

#### BIHAR LEGISLATIVE ASSEMBLY

1. The Bihar Appropriation (No. 2) Bill, 1984.
2. The Bihar Appropriation Bill, 1984.

3. The Bihar Appropriation (Vote on Account) Bill, 1984.
4. The Bihar Finance Bill, 1984.
5. The Bihar Appropriation (Excess Expenditure 1968 to 1977) Bill, 1984.
6. The Bihar Forest Produce (Trade Regulation) Bill, 1983.
7. The Code of Criminal Procedure (Bihar Amendment) Bill, 1983.
8. The Bihar Bricks Supply and Price Control Bill, 1982.
9. The Indira Gandhi Auyurvedic Science Institution Bill, 1984.
10. The Kumardhubi Engineering Works Ltd. (K. E. W.) (Taking over of Managemen ) (Amendment) Bill, 1984.
11. Santhal Pargana law (Amendment) Bill, 1984.

#### GUJARAT LEGISLATIVE ASSEMBLY

1. The Bombay Irrigation (Second Amendment) Bill, 1980.
- \*2. The Gujarat University Services Tribunal Bill, 1983.
3. The Gujarat Tax on Luxuries (Hotels and Lodging Houses) (Amendment) Bill, 1984.
4. The Bombay Motor Vehicles Tax (Gujarat Amendment) Bill, 1984.
5. The Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Bill, 1984.
6. The Bombay Inams (Kutch Area) Abolition (Gujarat Amendment) Bill, 1984.
7. The Bombay Provincial Municipal Corporation (Gujarat Amendment) Bill, 1984.
8. The Gujarat Rural Development Cess Bill, 1984.
- \*9. The Gujarat Educational Institutions (Regulation) Bill, 1984.
10. The Gujarat (Supplementary) Appropriation Bill, 1984.
11. The Gujarat Sales Tax (Amendment) Bill, 1984.
12. The Bombay Sales of Motor Spirit Taxation (Gujarat Amendment) Bill, 1984.
13. The Gujarat Contingency Fund (Amendment) Bill, 1984.
- \*14. The Gujarat Entertainment Tax (Amendment) Bill, 1984.
15. The Gujarat Appropriation Bill, 1984.
- \*16. The Gujarat Legislative Assembly Member's Pension Bill, 1984.

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\* Awaiting assent.

## HARYANA LEGISLATIVE ASSEMBLY

1. The Faridabad Complex (Regulation and Development) (Amendment) Bill, 1984.
2. The Haryana Affiliated Colleges (Security of Service) (Amendment) Bill, 1984.
3. The Punjab Land Revenue (Haryana Amendment) Bill, 1984.
4. The Haryana Cooperative Societies Bill, 1984.
5. The Haryana Legislative Assembly (Allowances and Pension of Members) (Amendment) Bill, 1984.
6. The Faridabad Complex (Regulation and Development) Fees Validation Bill, 1984.
7. The Haryana Rural Development Fund (Amendment) Bill, 1984.
8. The Haryana Urban Development Authority Bill, 1984.
9. The Haryana Development and Regulation of Urban Areas (Amendment) Bill, 1984.
10. The Haryana Appropriation (No. 1) Bill, 1984.
11. The Haryana Appropriation (No. 2) Bill, 1984.
12. The Haryana Appropriation (No. 3) Bill, 1984.
13. The Haryana Appropriation (No. 4) Bill, 1984.
14. The Haryana Appropriation (No. 5) Bill, 1984.
15. The Haryana Legislative Assembly (Allowances and Pension of Members) (Second Amendment) Bill, 1984.
16. The Punjab Entertainment Duty (Haryana Amendment) Bill, 1984.
17. The Haryana Legislative Assembly (Facilities to Members) (Amendment) Bill, 1984.
18. The Haryana Legislative Assembly Speaker's and Deputy Speaker's Salaries and Allowances (Amendment) Bill, 1984.
19. The Haryana General Sales Tax (Amendment and Validation) Bill, 1984.



**HIMACHAL PRADESH LEGISLATIVE ASSEMBLY**

1. The Epidemic Diseases (Himachal Pradesh Amendment) Bill, 1984.
2. The Punjab Security of State (Himachal Pradesh Amendment) Bill, 1984.
3. The Himachal Pradesh Courts (Amendment) Bill, 1984.
4. The Himachal Pradesh Agricultural Produce Markets (Amendment) Bill, 1984
5. The Himachal Pradesh Housing Board (Amendment) Bill, 1984.
6. The Himachal Pradesh Scheduled Castes Development Corporation (Amendment) Bill, 1984.
7. The Himachal Pradesh Appropriation Bill, 1984.
8. The Himachal Pradesh Appropriation (Vote on Account) Bill, 1984.
9. The Himachal Pradesh Aayurvedic and Unani Practitioners (Amendment) Bill, 1984.
10. Colonisation of Government Lands (Punjab) (Himachal Pradesh Repealing) Bill, 1984.
11. The Himachal Pradesh Appropriation (No. 2). Bill, 1984.
12. The Himachal Pradesh Municipal Corporation (Amendment) Bill, 1984.
13. The Himachal Pradesh Ex-Servicemen Corporation (Amendment and Validation) Bill, 1984.
14. The Himachal Pradesh Hindu Public Religious Institutions and Charitable Endowments Bill, 1984.
15. The Himachal Pradesh Prevention of Malpractices at University, Board or Other, Specified Examinations Bill, 1984.
16. The Public Wakfs (Extension of Limitation) (Himachal Pradesh Amendment) Bill, 1984.

**KARNATAKA LEGISLATIVE COUNCIL**

1. The Electricity (Supply) (Karnataka Amendment) Bill, 1980.
2. The Karnataka Motor Vehicles Taxation (Amendment) Bill, 1983.

3. **The Public Wakfs (Extension of limitation) (Karnataka Amendment) Bill, 1983.**
4. **The Karnataka Minister's Salaries and Allowances (Amendment) Bill, 1983.**
5. **The Code of Criminal Procedure (Karnataka Amendment) Bill, 1984.**
6. **The Karnataka Court Fees and Suits Valuation (Amendment) Bill, 1984.**
7. **The Karnataka Improvement Boards (Amendment) Bill, 1984.**
8. **The Karnataka Open Places (Prevention of Disfigurement) (Amendment) Bill, 1983.**
9. **The Karnataka Advocate Welfare Fund Bill, 1983.**
10. **The Bangalore Water Supply and Sewerage (Amendment) Bill, 1983.**
11. **The Karnataka Agricultural Credit Operations and Miscellaneous Provisions (Amendment) Bill, 1983.**
12. **The Karnataka Public Libraries (Amendment) Bill, 1984**
13. **The Bangalore Development Authority (Amendment) Bill, 1983.**
14. **The Karnataka Electricity (Taxation on Consumption) (Amendment) Bill, 1983.**
15. **The Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) (Amendment) Bill, 1984.**
16. **The Karnataka Inams Abolition Laws (Amendment) Bill, 1984.**
17. **The Karnataka State Universities (Amendment) Bill, 1984.**
18. **The Karnataka Rent Control (Amendment) Bill, 1984.**
19. **The Karnataka Educational Institutions (Prohibition of Capitation Fee) Bill, 1984.**
20. **The Karnataka Silkworm Seed, Cocoon and Silk Yarn (Regulation of Production, Supply of Distribution and Sale) (Amendment) Bill, 1984**
21. **The Karnataka Forest (Amendment) Bill, 1984.**
22. **The Karnataka Mineral Rights Tax Bill, 1984.**

23. The Karnataka Agricultural Credit Pass Book Bill, 1984.
24. The Karnataka Land Reforms (Amendment) Bill, 1984.
25. The Karnataka Advocates Welfare Fund Bill, 1984.
26. The Karnataka Lokayukta Bill, 1984.
27. The Karnataka Legislature Salaries, Pensions and Allowances (Amendment) Bill, 1984.
28. The Karnataka Appropriation Bill, 1984.
29. The Karnataka Cooperative Societies (Amendment) Bill, 1984.
30. The Karnataka State Servants (Determination of Age) (Amendment) Bill, 1984.
31. The Karnataka Contingency Fund (Amendment) Bill, 1984.
32. The Karnataka Appropriation (No. 2) Bill, 1984.
33. The Karnataka Sales Tax (Amendment) Bill, 1984.
34. The Karnataka Entertainment Tax (Amendment) Bill, 1984.
35. The Karnataka Motor Vehicles Taxation (Amendment) Bill, 1984.
36. The Karnataka Zila Parishads, Taluk Panchayat Samities, Mandal Panchayats and Nyaya Panchayats Bill, 1984.
37. The Karnataka and Revenue (Amendment) Bill, 1984.
38. The Karnataka Certain Inams Abolition (Amendment) Bill, 1984.
39. The Karnataka Village Offices Abolition (Amendment) Bill, 1984.
40. The Karnataka Appropriation (No. 3) Bill, 1984.
41. The Karnataka Appropriation (No. 4) Bill, 1984.
42. The Karnataka Education Bill, 1983.

KARNATAKA LEGISLATIVE ASSEMBLY

1. The Karnataka Motor Vehicles Taxation (Amendment) Bill, 1983.
2. The Public Wakfs (Extension of Limitation) (Karnataka Amendment) Bill, 1983.
3. The Karnataka Ministers' Salaries and Allowances (Amendment) Bill, 1983.

4. The Electricity (Supply) (Karnataka Amendment) Bill, 1983.
5. The Bangalore Water Supply and Sewerage (Amendment) Bill, 1983.
6. The Agricultural Credit Operations and Miscellaneous Provisions (Amendment) Bill, 1984.
7. The Public Libraries (Amendment) Bill, 1984.
8. The Karnataka Electricity (Taxation Consumption) (Amendment) Bill, 1984.
9. The Code of Criminal Procedure (Amendment) Bill, 1983.
10. The Karnataka Court Fees and Suits Valuation (Amendment) Bill, 1983.
11. The Karnataka Improvement Boards (Amendment) Bill, 1983.
12. The Karnataka Open Places (Prevention of Disfigurement) (Amendment) Bill, 1983.
13. The Karnataka Advocate Welfare (Amendment) Bill, 1983.
14. The Bangalore Development Authority (Amendment) Bill, 1984.
15. The Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) (Amendment) Bill, 1984.
16. The Karnataka Silkworm Seed, Cocoon and Silk Yarn (Regulation of Production, Supply of Distribution and Sale) (Amendment) Bill, 1984.
17. The Karnataka Forest (Amendment) Bill, 1984.
18. The Karnataka Educational Institutions (Prohibition of Capitation Fees) (Amendment) Bill, 1984.
19. The Karnataka Lokayukta Bill, 1984.
20. The Karnataka Legislature Salaries, Pensions and Allowances (Amendment) Bill, 1984.
21. The Mineral Rights and Tax Bill, 1984.
22. The Karnataka Agricultural Credit Pass Book Bill, 1984.
23. The Karnataka Land Reforms (Amendment) Bill, 1984.
24. The Karnataka Inam Abolition Laws (Amendment) Bill, 1984.

25. The Karnataka Appropriation Bill, 1984.
26. The State Universities (Amendment) Bill, 1984.
27. The Rent Control (Amendment) Bill, 1984.
28. The Contingency Fund (Amendment) Bill, 1984.
29. The Cooperative Societies (Amendment) Bill, 1984.
30. The Karnataka Municipal Corporations and Certain other Laws (Amendment) Bill, 1984.
31. The Karnataka Land Revenue (Amendment) Bill, 1984.
32. The Karnataka Appropriation Bill (No. 2) 1984.
33. The Karnataka Entertainments Tax (Amendment) Bill, 1984.
34. The Karnataka Sales Tax (Amendment) Bill, 1984.
35. The Karnataka Certain Inams Abolition (Amendment) Bill, 1984.
36. The Karnataka Village Officers Abolition (Amendment) Bill, 1984.
37. The Karnataka Appropriation (No. 3) Bill, 1984.
38. The Karnataka Appropriation (No. 4) Bill, 1984.
39. The Mysore Religious and Charitable Inams Abolition (Karnataka Amendment) Bill, 1984.
40. The Karnataka Motor Vehicles Taxation (Amendment) Bill, 1984.
41. The Karnataka Municipalities (Amendment) Bill, 1984.
42. The Karnataka Zila Parishads, Taluk Panchayat, Samithis, Mandal Panchayats and Nyaya Panchayats Bill, 1983.
43. The Karnataka Education Bill, 1983.

**KERALA LEGISLATIVE ASSEMBLY**

1. The Kerala Motor Vehicles (Taxation of Passengers and Goods) Revival and Special Provisions Bill, 1983.
- \*2. The Kerala Public Men (Prevention of Corruption) Bill, 1983.

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\* Awaiting assent.

3. The Legislative Assembly (Removal of Disqualifications) (Amendment) Bill, 1983.
4. The Kerala Public Services (Amendment) Bill, 1983.
5. The Super Clays and Minerals Mining Company (Private) Limited (Acquisition of Undertakings) Bill, 1983.
6. The Kerala Appropriation (No. 11) Bill, 1983.

#### MAHARASHTRA LEGISLATIVE COUNCIL

1. The Maharashtra Irrigation (Amendment) Bill, 1983.
2. The Maharashtra Vacant Lands (Further Interim Protection to occupiers from Eviction and Recovery of Arrears of Rent) (Second Extension of Duration) Bill, 1983.
3. The Bombay Municipal Corporation (Amendment) Bill, 1983.
4. The Maharashtra Village Panchayats (Temporary Postponement of Elections due to preparation of revised Assembly Roll) Bill, 1983.
5. The Maharashtra Debt Relief (Retrospective Extension of Duration of Certain Chapters) Bill, 1983.
6. The Bombay Land Requisition (Amendment) Bill, 1983.
7. The Maharashtra Ministers' Salaries and Allowances (Amendment) Bill, 1983.
8. The Maharashtra Employment Guarantee (Amendment) Bill, 1983.
9. The Bombay Labour Welfare Fund (Amendment) Bill, 1983.
10. The Maharashtra (Third Supplementary) Appropriation Bill, 1983.
11. Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) (Amendment) Bill, 1983.
- \*12. The Maharashtra Ownership Flats, (Regulation of the Promotion of Construction, Sale, Management and Transfer) (Amendment and Validating Provisions) Bill, 1983.
13. The Maharashtra Cooperative Societies (Amendment) Bill, 1983.

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\* Awaiting assent.

## MAHARASHTRA LEGISLATIVE ASSEMBLY

1. The Maharashtra Irrigation (Amendment) Bill, 1983.
2. The Maharashtra Vacant Lands (Further Interim Protection to Occupiers from Eviction and Recovery of Arrears of Rent) (Second Extension of Duration) Bill, 1983.
3. The Bombay Municipal Corporation (Amendment) Bill, 1983.
4. The Maharashtra Village Panchayats (Temporary Postponement of Elections due to preparation of revised Assembly Roll) Bill, 1983.
5. The Maharashtra Debt relief (Retrospective Extension of Duration of certain Chapters) Bill, 1983.
6. The Bombay Land Requisition (Amendment) Bill, 1983.
7. The Maharashtra Ministers' Salaries and Allowances (Amendment) Bill, 1983.
8. The Maharashtra Employment Guarantee (Amendment) Bill, 1983.
9. The Bombay Labour Welfare Fund (Amendment) Bill, 1983.
10. The Maharashtra (Third Supplementary) Appropriation Bill, 1983.
11. Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) (Amendment) Bill, 1983.
- \*12. The Maharashtra Ownership Flats, (Regulation of the Promotion of Construction, Sale, Management and Transfer) (Amendment and Validating Provisions) Bill, 1983.
13. The Maharashtra Cooperative Societies (Amendment) Bill, 1983.

## MEGHALAYA LEGISLATIVE ASSEMBLY

1. The Meghalaya Sales Tax (Amendment) Bill, 1983.
2. The Meghalaya Appropriation (No. III) Bill, 1983.
3. The Meghalaya Purchase Tax (Amendment) Bill, 1983.
4. The Meghalaya Appropriation (No. 1) Bill, 1984.
5. The Meghalaya Appropriation (Vote on account) Bill, 1984.

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\* Awaiting assent.

## NAGALAND LEGISLATIVE ASSEMBLY

1. The Nagaland Appropriation (No. 1) Bill, 1984.
2. The Nagaland Appropriation (No. 2) Bill, 1984.
- \*3. The Societies Registration (Nagaland Second Amendment) Bill, 1984.

## RAJASTHAN LEGISLATIVE ASSEMBLY

1. Rajasthan Viniyog (Sankhya—1) Vidhayak, 1984.
2. Rajasthan Viniyog (Sankhya—2) Vidheyak, 1984.
3. Rajasthan Viniyog (Sankhya—3) Vidheyak, 1984.
- \*4. Rajasthan Viniyog (Sankhya—4) Vidheyak, 1984.
- \*5. Rajasthan Aaksmikta Nidhi (Sanshodhan) Vidheyak, 1984.
- \*6. Rajasthan Karniya Upropan (Sanshodhan) Vidheyak, 1984.
7. Rajasthan Aavasan Board (Sanshodhan Aur Vidhimanyakaran) Vidheyak, 1984.
- \*8. Audhyogic Vivad (Rajasthan Sanshodhan) Vidheyak, 1984.
9. Rajasthan Bhudan Yagya (Sanshodhan Aur Vidhimanyakaran) Vidheyak, 1984.
- \*10. Jodhpur Vishav Vidyalaya (Nam-Parivartan Aur Sanshodhan) Vidheyak, 1984.
11. Mohan Lal Sukhadiya Krishi Vishavvidyalaya (Sanshodhan) Vidheyak, 1984.

## SIKKIM LEGISLATIVE ASSEMBLY

1. The Sikkim Entertainment Tax (Amendment) Bill No. 1 of 1984.
2. The Sikkim legislative Assembly Members (Payment of Pension) Bill No. 2 of 1984.
3. The Sikkim Appropriation Bill, No. 3 of 1984.
4. The Sikkim Appropriation Bill, No. 4 of 1984.

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\* Awaiting assent.



**TAMIL NADU LEGISLATIVE COUNCIL**

1. **Madura Sugars Limited (Acquisition and Transfer of Undertaking) Bill, 1984.**
2. **The Pachaiyappa's Trust (Taking over of Management) (Amendment) Bill, 1984.**
3. **The Tamil Nadu Exhibition of Films on Television Screen) Through Video Cassette Recorders (Regulation) Bill, 1984.**
4. **The Tamil Nadu Cinemas (Regulation) (Amendment) Bill, 1984.**
5. **The Tamil Nadu Cooperative Societies (Appointment of Special Officers) (Amendment) Bill, 1984.**
6. **The Tamil Nadu Panchayats (Appointment of Special Officers) (Amendment) Bill, 1984.**
7. **The Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) (Amendment) Bill, 1984.**
8. **The Tamil Nadu Panchayats (Amendment) Bill, 1984.**
9. **The Tamil Nadu Municipal Councils (Appointment of Special Officers) (Amendment) Bill, 1984.**
10. **The Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and special Provisions) (Amendment) Bill, 1984.**
11. **The Mother Teresa Women's University Bill, 1984.**
12. **The Tamil Nadu Payment of Salaries (Amendment) Bill, 1984.**
13. **The Tamil Nadu Stage Carriages and Contract Carriages (Acquisition) (Amendment) Bill, 1984.**
14. **The Madras City Police and the Tamil Nadu District Police (Amendment) Bill, 1984.**
15. **The Tamil Nadu General Sales Tax (Amendment) Bill, 1984.**
16. **The Tamil Nadu Appropriation (Vote on Account) Bill, 1984.**
17. **The Tamil Nadu Appropriation Bill, 1984.**
18. **The Tamil Nadu Appropriation (No. 2) Bill, 1984.**

19. The Indian Penal Code and the Code of Criminal Procedure (Tamil Nadu Amendment) Bill, 1984.
20. The Tamil Nadu Debt Relief (Amendment) Bill, 1984.
21. The Tamil Nadu General Sales Tax (Second Amendment) Bill, 1984.
22. The Tamil Nadu Entertainments Tax and local Authorities Finance (Amendment) Bill, 1984.
23. The Tamil Nadu Entertainment Tax (Second Amendment) Bill, 1984.
24. The Tamil Nadu General Sales Tax (Third Amendment) Bill, 1984.
25. The Tamil Nadu General Sales Tax (Fourth Amendment) Bill, 1984.
26. The Tamil Nadu Additional Sales Tax (Amendment) Bill, 1984.
27. The Tamil Nadu Cultivating Tenants (Special Provisions) Bill, 1984.
28. The Tamil Nadu Flood Affected Areas Cultivating Tenants (Temporary Relief) Bill, 1984.

#### TRIPURA LEGISLATIVE ASSEMBLY

- \*1. The Indian Forest (Tripura Amendment) Bill, 1984.
- \*2. The Tripura Educational Institutions (Acquisition of Right, Title & Interest) (Amendment) Bill, 1984.
3. The Tripura Appropriation (No. 2) Bill, 1984.
4. The Tripura Appropriation Bill, 1984.

#### UTTAR PRADESH LEGISLATIVE COUNCIL

1. Police (Uttar Pradesh Sanshodhan) Vidheyak, 1984.
2. Uttar Pradesh Shri Badrinath Tatha Shri Kedarnath Mandir (Sanshodhan) Vidheyak, 1984.
3. Uttar Pradesh Viniyog (Lekhanudan) Vidheyak, 1984.

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\* Awaiting Assent.

4. Uttar Pradesh Viniyog (1983-84 ka Dwitiya Anupurak) Vidheyak, 1984.
5. Uttar Pradesh Swayat Shasan Vidhi (Sanshodhan) Vidheyak, 1984.
6. Intermediate Shiksha (Sanshodhan) Vidheyak, 1984.
7. Uttar Pradesh Viniyog (1983-84 ka Tritiya Anupurak) Vidheyak, 1984.
8. Uttar Pradesh Zila Parishad (Alpakalik Viyawastha) (Sanshodhan) Vidheyak, 1984.
9. Uttar Pradesh Sthaniya Nidhi Lekha Pariksha Vidheyak, 1984.
10. Society Rajistrikaran (Uttar Pradesh Sanshodhan) Vidheyak, 1984.
11. Uttar Pradesh Kshetra Samitis Tatha Zila Parishad (Sanshodhan) Vidheyak, 1984.
12. Uttar Pradesh Rajya Vidhan Mandan (Sadasyomki Uplabdhya Aur Pension) (Sanshodhan) Vidheyak, 1984.
13. Uttar Pradesh Viniyog Vidheyak, 1984.

**UTTAR PRADESH LEGISLATIVE ASSEMBLY**

1. The Uttar Pradesh Appropriation (Second Supplementary 1983-84) Bill, 1984.
2. The Uttar Pradesh Appropriation (Vote on Account) Bill, 1984.
3. The Uttar Pradesh Local Self-Government Laws (Amendment) Bill, 1984.
4. The Intermediate Education (Amendment) Bill, 1984.
5. The Uttar Pradesh Zila Parishads (Alpakalik Vyawastha) (Sanshodhan) Vidheyak, 1984.
6. The Uttar Pradesh Appropriation (Third Supplementary 1983-84) Bill, 1984.
7. The Uttar Pradesh Local Fund Audit Bill, 1984.
8. The Police (Uttar Pradesh Amendment) Bill, 1984
9. The Uttar Pradesh Control of Goondas (Amendment) Bill, 1982.

10. The Societies Registration (Uttar Pradesh Amendment) Bill, 1984.
11. The Uttar Pradesh Kshetra Samitis and Zila Parishads (Amendment) Bill, 1984.
12. The Police (Uttar Pradesh Amendment) Bill, 1984.
13. The Uttar Pradesh Shri Badrinath and Shri Kedarnath Temples (Amendment) Bill, 1984.
14. The Uttar Pradesh State Legislature (Members' Emoluments and Pension) (Amendment) Bill, 1984.
15. The Uttar Pradesh Appropriation Bill, 1984.

#### WEST BENGAL LEGISLATIVE ASSEMBLY

- \*1. The Motor Vehicles (West Bengal Amendment) Bill, 1984.
2. The Gangasagar Mela (Amendment) Bill, 1984.
- \*3. The West Bengal Court-fees (Amendment) Bill, 1984.
4. The West Bengal Taxation Laws (Amendment) Bill, 1984.
- \*5. The Calcutta University (Amendment) Bill, 1984.
- \*6. The Motor Vehicles (West Bengal Second Amendment) Bill, 1984.
7. The Calcutta Municipal Corporation (Amendment) Bill, 1984.
8. The West Bengal Legislature (Removal of Disqualifications) (Amendment) Bill, 1984.
9. The West Bengal Council of Higher Secondary Education (Amendment) Bill, 1984.
- \*10. The Lumbini Park Mental Hospital Acquisition Bill, 1984.
- \*11. The Indian Stamp (West Bengal Amendment) Bill, 1984.
12. The West Bengal Taxation Laws (Second Amendment) Bill, 1984.
13. The West Bengal Standards of Weights and Measures (Enforcement) (Amendment) Bill, 1984.
- \*14. The West Bengal Shops and Establishments (Amendment) Bill, 1984.

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\* Awaiting assent.

15. The West Bengal Shops and Establishments (Second Amendment) Bill, 1984.
16. The West Bengal Appropriation (Vote on Account) Bill, 1984.
- \*17. The Registration (West Bengal Amendment) Bill, 1984.
18. The West Bengal Appropriation Bill, 1984.
19. The West Bengal Board of Secondary Education (Amendment) Bill, 1984.

## UNION TERRITORIES

### ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY

- \*1. The Arunachal University Bill, 1984.
- \*2. The Arunachal Pradesh Anchal and Village Forest Reserve (Constitution and Maintenance) Amendment Bill, 1984.
- \*3. The Arunachal Pradesh Motor Vehicle Taxation Bill, 1982.
- \*4. The Arunachal Pradesh Appropriation Bill 1984.
- \*5. The Arunachal Pradesh Appropriation (No. 2) Bill, 1984.

### GOA, DAMAN AND DIU LEGISLATIVE ASSEMBLY

1. The Goa, Daman and Diu Shops and Establishments (Amendment) Bill, 1984.
2. The Goa, Daman and Diu School Education Bill, 1980.
3. The Goa, Daman and Diu Supplementary Appropriation Bill, 1984.
4. The Goa, Daman and Diu Appropriation (Vote on Account) Bill, 1984.

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\*Awaiting assent.

## APPENDIX VI

## ORDINANCES ISSUED BY THE CENTRAL AND STATE GOVERNMENTS DURING THE PERIOD 1 JANUARY, TO 31 MARCH, 1984

Sl. No.	Subject	Date of promulgation	Date on which laid before the House	Date of Cessation	Remarks
1	2	3	4	5	6
CENTRAL GOVERNMENT					
1.	The Industries (Development and Regulation) Amendment Ordinance, 1984 (No. 1 of 1984).		12-1-84	23-2-84	5-4-84 Replaced by Legislation.
2.	The Ganesh Flour Mills Company Limited (Acquisition and Transfer of Undertakings) Ordinance, 1984 (No. 2 of 1984).		28-1-84	-do-	-do-
3.	The Prevention of Damage to Public Property Ordinance, 1984 (No. 3 of 1984).		-do-	-do-	-do-
4.	The Incheck Tyres Limited and National Rubber Manufacturers Limited (Nationalisation) Ordinance, 1984 (No. 4 of 1984).		14-2-84	-do-	-do-

STATE GOVERNMENTS

ANDHRA PRADESH

1. The Andhra Pradesh Abolition of Posts of Part-time Village Officers Ordinance, 1984.	6-1-84	13-2-84	—	Replaced by Legislation
2. The Andhra Pradesh District (Formation) (Amendment) Ordinance, 1984.	11-1-84	-do-	—	-do-
3. The Andhra Pradesh Housing Board (Amendment) Ordinance, 1984.	25-1-84	-do-	—	-do-
4. The Andhra Pradesh Urban Areas (Development) (Amendment) Ordinance 1984.	-do-	-do-	—	—
5. The Andhra Pradesh Prevention of Dangerous Activities of Communal Offenders Ordinance, 1984.	27-1-84	-do-	—	—
6. The Andhra Pradesh Excise (Amendment) Ordinance, 1984.	28-1-84	-do-	—	-do-
7. The Andhra Pradesh Abolition of Posts of Part-time Village Officers (Second) Ordinance, 1984.	21-3-84	27-3-84	—	—

1	2	3	4	5	6
8.	The Andhra Pradesh District (Formation) (Second Amendment) Ordinance, 1984.	-do-	-do-	--	--
9.	The Andhra Pradesh Entertainment Tax (Amendment) Ordinance, 1984.	-do-	-do-	--	Replaced by Legislation
10.	The Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Ordinance, 1984.	-do-	-do-	--	--
11.	The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Amendment) Ordinance, 1984.	21-3-84	17-3-84	--	--
12.	The Andhra Pradesh District (Formation) (Third Amendment) Ordinance, 1984.	27-4-84	2-5-84	--	--
13.	The Andhra Pradesh Abolition of Posts of Part-time Village Officers (Third) Ordinance, 1984.	-do-	-do-	--	--
14.	The Andhra Pradesh Entertainments Tax (Second Amendment) Ordinance, 1984.	-do-	-do-	--	--
15.	The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Second Amendment) Ordinance, 1984.	-do-	-do-	--	--



16. The Andhra Pradesh Public Employment (Regulation of Age of Superannuation) (Second) Ordinance 1984.

-do- -do- -

ASSAM

1. The Assam State Industrial Relief Undertakings (Special Provision) Ordinance, 1983.

30-12-83 27-2-84 -

2. The Assam Tea Plantation Provident Fund Scheme (Amendment) Ordinance, 1983.

4-1-84 -do- -

3. The Code of Criminal Procedure (Assam (Amendment) Ordinance, 1984.

8-2-84 -do. -

BIHAR

1. The Bihar State Engineering and Pharmacy Educational Institution (Regulation and Control) (Second Amendment) Ordinance 1983.

- 13-3-84 25-4-84 -

2. The Bihar Contingency Fund (Third Amendment) Ordinance, 1983.

- -do- -do- -

1	2	3	4	5	6
3.	The Bihar Intermediate Education Council (Fourth) Ordinance, 1983.	--	-do-	-do-	--
4.	The Indira Gandhi Aayurvedic Science Institution (Second) Ordinance, 1983.	--	-do-	-do-	--
5.	The Bihar Forest Produce (Trade Regulation) (Fourth) Ordinance, 1983.	--	-do-	-do-	--
6	The Bihar Bricks Supply (Control) (Fourth) Ordinance, 1983.	--	-do-	-do-	--
7	The Kumardhubi Engineering Works Ltd. (K.E.W.) (Taking over of Management) (Amendment) (Second) Ordinance, 1983.	--	-do-	-do-	--
GUJARAT					
1	The Gujarat Tax on Luxuries (Hotels and Lodging Houses) (Amendment) Ordinance, 1983.	28-11-83	6-2-84	--	Replaced by Legislation.
2.	The Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Ordinance, 1983.	19-12-83	-do-	--	-do-

3. The Bombay Inams (Kutch Area) Abolition (Gujarat Amendment) Ordinance, 1983.	-do-	-do-	-	-do-
4. The Bombay Motor Vehicles Tax (Gujarat Amendment) Ordinance, 1983.	20-12-83	-do-	-	-do-
5. The Gujarat Educational Institutions (Regulation) Ordinance, 1984.	16-1-84	-do-	-	-do-
6. The Bombay Provincial Municipal Corporations (Gujarat Amendment) Ordinance, 1984.	17-1-84	-do-	-	-do-
7. The Gujarat Rural Development Cess Ordinance, 1984.	3-2-84	-do-	-	-do-

HARYANA

1. The Faridabad Complex (Regulation and Development) (Amendment) Ordinance, 1984.	9-1-84	12-3-84	-	Replaced by Legislation.
2. The Haryana General Sales Tax (Amendment) Ordinance, 1984.	21-2-84	-do-	-	-do-
3. The Haryana Urban Development Authority (Amendment) Ordinance, 1984.	25-3-84	-do-	-	-do-

1	2	3	4	5	6
	<b>HIMACHAL PRADESH</b>				
1.	The Punjab Security of State (Himachal Pradesh Amendment) Ordinance, 1984.	14-1-84	13-3-84	30-4-84	Replaced by Legislation.
	<b>KARNATAKA</b>				
1.	The Karnataka Lokayukta Ordinance, 1984.	7-1-84	—	—	—
2.	The Karnataka Cooperative Societies (Amendment) Ordinance, 1984.	9-1-84	—	—	—
3.	The Karnataka Forest (Amendment) Ordinance, 1984.	13-1-84	—	—	—
4.	The Karnataka Contingency Fund (Temporary Amendment) Ordinance, 1984.	-do-	—	—	—
	<b>KERALA</b>				
1.	The Gandhiji University Ordinance, 1983	1-10-83	28-11-83	6-1-84	—
2.	The Kerala Public Services (Amendment) Ordinance, 1983.	5-10-83	-do-	-do-	Replaced by Legislation.
3.	The Abkari (Amendment) Ordinance, 1983	1-11-83	-do-	-do-	-do-

4. The Super Clays and Minerals Mining Company (Private) Limited (Acquisition of Undertakings) Ordinance, 1983.	-do-	-do-	-do-	-do-
5. The Kerala Private Forest (Vesting and Assignment) (Amendment) Ordinance, 1983.	18-11-83	-do-	-do-	—
6. The Kerala Survey and Boundaries (Amendment) Ordinance, 1983.	-do-	-do-	-do-	—
7. The Kerala Tolls (Amendment) Ordinance, 1983.	23-11-83	29-11-83	-do-	—
MAHARASHTRA				
1. The Maharashtra Vacant Lands (Further Interim Protection to Occupiers from Eviction and Recovery of Arrears of Rent) (Second Extension of Duration) Ordinance, 1983.	29-9-83	28-11-83	6-1-84	Replaced by Legislation.
2. The Bombay Municipal Corporation (Amendment) Ordinance, 1983.	25-10-83	-do-	13-12-83	-do-
3. The Maharashtra Village Panchayats (Temporary Postponement of Elections due to Preparation of revised Assembly Roll) Ordinance, 1983.	8-11-83	-do-	26-12-83	-do-

1	2	3	4	5	6
4.	Maharashtra Debt Relief (Retrospective Extension of Duration of Certain Chapters) Ordinance, 1983.	16-11-83	-do-	7-1-84	-do-
5.	The Bombay Land Requisition (Amendment) Ordinance, 1983.	17-11-83	-do-	29-12-83	-do-
RAJASTHAN					
1.	Rajasthan Ke Vishav Vidyalaya Adhyapak Tatha Adhikari (Seva ki Vishesh Sharte) (Sanshodhan) Adhyadesh, 1983.	3-10-83	-	-	-
2.	Shri Mohan Lal Sukhadia Vishva Vidyalaya (Dwitiya Sanshodhane Adhyadesh,) 1983.	15-10-83	-	-	-
3.	Rajasthan Avaasan Board (Sanshodhon Aur Vardhimanayakari) Adhyadesh, 1984.	13-2-84	-	-	-
4.	Rajasthan Upniveshan (Sanshodhan) Adhyadesh, 1984.	-do-	-	-	-
5.	Rajasthan Kaarniya Upropan Sanshodhan Adhyadesh, 1984.	-do-	8-3-84	-	-

TAMIL NADU

				Replaced by Legislation
1. The Tamil Nadu Cinemas (Regulation) (Amendment) Ordinance, 1984.	6-1-84	14-2-84	—	—
2. The Tamil Nadu Exhibition of Films on Television Screen Through Video Cassette Recorders (Regulation) Ordinance, 1984.	14-1-84	-do-	—	-do-
3. The Tamil Nadu Payment of Salaries (Amendment) Ordinance, 1984.	-do-	-do-	—	-do-
4. The Tamil Nadu Stage Carriages and Contract Carriages (Acquisition) (Amendment) Ordinance, 1984.	28-1-84	-do-	—	-do-
5. The Tamil Nadu Women's University Ordinance, 1984.	30-1-84	-do-	—	-do-
UTTAR PRADESH				
1. The Uttar Pradesh Krishi Evam Prodyogik Vishwavidyalaya (San hodhan) Adhyadesh, 1984.	24-3-84	26-3-84	8-5-84	—
2. The Uttar Pradesh Official Language (Amendment) Ordinance, 1984.	-do-	-do-	-do-	—

1	2	3	4	5	6
3.	The Uttar Pradesh Kshetra Samitis and Zila Parishads (Sanshodhan) Adhyadesh, 1984.	24-3-84	26-3-84	27-4-84	Replaced by Legislation
4.	The Uttar Pradesh Zila Parishads (Alpakalik , Vyawastha) (Sanshodhan) Adhyadesh, 1984.	-do-	-do-	-do-	-do-
5.	The Uttar Pradesh Salese Tax (Amendment) Ordinance, 1984.	-do-	-do-	8-5-84	---
6.	The Uttar Pradesh Urban Buildings (Regulation of Letting, Rent and Eviction) (Amendment) Ordinance, 1984.	-do-	-do-	-do-	---
WEST BENGAL					
1.	The Calcutta Municipal Corporation (Amendment) Ordinance, 1983.	4-1-84	28-2-84	6-4-84	Replaced by Legislation
2	The West Bengal Council of Higher Secondary Education (Amendment) Ordinance, 1984.	16-1-84	-do-	-do-	-do-
3.	The Lumbini Park Mental Hospital Acquisition Ordinance, 1984.	2-2-84	-do-	-do-	-do-



- |  |        |      |      |      |
|--|--------|------|------|------|
| 4. The West Bengal Legislature (Removal of Disqualifications) (Amendment) Ordinance, 1984. | 4-2-84 | -do- | -do- | -do- |
| 5. The West Bengal Board of Secondary Education (Amendment) Ordinance, 1984.               | 9-2-84 | -do- | -do- | -do- |

UNION TERRITORIES

GOA DAMAN AND DIU

- |   |         |         |         |   |
|---|---------|---------|---------|---|
| 1. The Goa, Daman and Diu Preservation of Trees (Second) Ordinance, 1983. | 22-8-83 | 17-1-84 | 27-2-84 | — |
| 2. The Goa, Daman and Diu Preservation of Trees Ordinance, 1984.          | 25-2-84 | 23-3-84 | —       | — |
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## APPENDIX VII

## A. PARTY POSITION IN LOK SABHA (AS ON 15 MAY, 1984)

Sl. No.	Name of States/ Union Territories	2	3	4	5	6	7	8	9	10	11	12
		Seats	Cong. (I)	CPI(M)	Lok Dal	Janata	BJP	Other Parties	Unattained	Total	Vacancies	
(i) STATES												
1.	Andhra Pradesh	42	38	...	...	...	...	3(a)	1	42	...	...
2.	Assam	14	7	...	...	...	...	...	...	7	7	7
3.	Bihar	54	30	...	...	7	2	9(b)	3	51	3	3
4.	Gujarat	26	23	...	...	1	...	...	2	26	...	...
5.	Haryana	10	6	...	2	1	1	...	...	10	...	...
6.	Himachal Pradesh	4	3	...	...	...	...	...	...	3	1	1
7.	Jammu and Kashmir	6	2	...	...	...	...	3(c)	1	6	...	...
8.	Karnataka	28	26	...	...	1	...	...	...	27	1	1
9.	Kerala	20	6	6	...	...	...	6(d)	2	20	...	...
10.	Madhya Pradesh	40	31	...	...	...	6	...	1	38	2	2



	1	2	3	4	5	6	7	8	9	10	11	12
26. Dadra and Nagar Haveli	1	1	1	1	...	...	...	...	...	...	1	...
27. Delhi	7	6	7	6	...	...	...	1	...	...	7	...
28. Goa, Daman and Diu	2	1	2	1	...	...	...	...	...	1	2	...
29. Lakshadweep	1	1	1	1	...	...	...	...	...	...	1	...
30. Mizoram	1	1	1	...	...	...	...	...	...	1	1	...
31. Pondicherry	1	1	1	1	...	...	...	...	...	...	1	...
32. Nominated (Anglo-Indian)	2	...	2	...	...	...	...	...	...	2	2	...
	544	347	544	347	36	25	22	16	63	18	527	16

\*Excluding the Speaker

- (a) Congress (S)—1; Telugu Desam — 2.
- (b) Congress (S)—2; CPI—6; Congress (J)—1.
- (c) National Conference—3.
- (d) Congress (S)—1; CPI—2; Muslim League—2; DSP—1.
- (e) CPI—1.
- (f) Congress (S)—1.
- (g) AIADMK—3; Muslim League—1; D.M.K.—14.
- (h) CPI—1, DSP—8; Janavadi—2; Congress (J)—1.
- (i) RSP—4; Forward Block—3; CPI—3.

**B. PARTY POSITION IN RAJYA SABHA (AS ON 1 APRIL 1984)**

Sl. No.	States/Union Territories	Seats	Cong. (I)	Janata	C.P.I.(M)	BJP	Other Parties	Unattached	Total Vacancies	
1	2	3	4	5	6	7	8	9	10	
<b>STATES</b>										
1.	Andhra Pradesh	18	15	1	...	...	2(a)	...	18	...
2.	Assam	7	3	2	...	...	2(b)	...	7	...
3.	Bihar	22	12	3	...	3	4(c)	...	22	...
4.	Gujarat	11	8	2	...	...	...	1	11	...
5.	Haryana	5	3	1	...	...	1(d)	...	5	...
6.	Himachal Pradesh	3	2	...	...	1	...	...	3	...
7.	Jammu and Kashmir	4	...	...	...	...	3(e)	1	4	...
8.	Karnataka	12	11	1	...	...	...	...	12	...
9.	Kerala	9	3	...	3	...	3(f)	...	9	...
10.	Madhya Pradesh	16	10	2	...	4	...	...	16	...
11.	Maharashtra	19	12	1	...	...	4(g)	1	18	1

1	2	3	4	5	6	7	8	9	10	11
12.	Manipur	1	1	...	...	...	...	...	1	...
13.	Meghalaya	1	1	...	...	...	...	...	1	...
14.	Nagaland	1	...	...	...	...	1(h)	...	1	...
15.	Orissa	10	8	2	...	...	...	...	10	...
16.	Punjab	7	3	...	, 1	...	3(i)	...	7	...
17.	Rajasthan	10	7	1	...	2	...	...	10	...
18.	Sikkim	1	1	...	...	...	...	...	1	...
19.	Tamil Nadu	18	3	1	...	...	14(j)	...	18	...
20.	Tripura	1	...	...	1	...	...	...	1	...
21.	Uttar Pradesh	34	22	2	...	3	6(k)	1	34	...
22.	West Bengal	16	...	...	9	...	5(l)	1	15	1
UNION TERRITORIES										
23.	Arunachal Pradesh	1	1	...	...	...	...	...	1	...
24.	Delhi	3	2	...	...	1	...	...	3	...
25.	Mizoram	1	...	...	...	...	...	1	1	...

26. Pondicherry	1	...	...	...	...	...	...	...	...	1
27. Nominated	12	4	...	...	...	...	...	...	8	12
	244	132	19	14	14	48	14	14	14	241
										3

(a) Telegu Desam—1; National Democratic Party—1.

(b) Socialist—1; Assam Jatiyatavadi Dal—1.

(c) C.P.I.—3; Lok Dal (c)—1.

(d) Lok Dal (c)—1.

(e) National Conference—3.

(f) K.C.—1; M.L.—1; Janata (g)—1.

(g) Congress (S)—3; R.P.I. (Khobragade)—1.

(h) Naga National Democratic Party—1.

(i) Akali Dal—3.

(j) C.P.I.—1; AIDMK—9; DMK—4.

(k) Janavadi—1; Lok Dal (C)—4; D.S.P.—1.

(l) F.B.—2; C.P.I.—1; R.S.P.—2.

## C. PARTY POSITION IN LEGISLATURES OF STATES AND UNION TERRITORIES

State/Union Territory	Seats	Cong (I)	Janata	Lok Dal	BJP	Cong.(S)	CPI(M)	CPI	Other Parties	Ind.	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11	12	13
STATES												
Andhra Pradesh L.C. (As on 31-10-83)	90	56	1	...	6	...	1	2	9(a)	7	82	8
Andhra Pradesh L.A. (As on 1-5-84)	295	58	1	...	4	...	4	5	215(b)	6	293	2
Assam L.A. (As on 1-4-84)	126	98	...	...	...	1	2	1	2(c)	5	109	17
Bihar L.C. (As on 1-4-84)	96	31	11	1	2	1	...	5	2(d)	2	55	41
Bihar L.A. (As on 1-3-84)	325	192	37	15	23	5	6	21	17(e)	5	321*	3
Gujarat L.A. (As on 31-3-84)	182	141	16	...	12	...	...	...	6(f)	6	181	1
Haryana L.A. (As on 31-3-84)	90	57	9	15	6	...	...	...	1(g)	...	88*	1





	1	2	3	4	5	6	7	8	9	10	11	12	13
Manipur L.A.													
(As on 1-10-83)	60	44	1	...	...	...	1	5	8(o)	1	60	...	...
Meghalaya L.A.													
(As on 1-4-84)	60	...	...	...	...	...	...	...	59(p)	...	59*	...	...
Nagaland L.A.													
(As on 1-4-84)	60	35	...	...	...	...	...	...	23(q)	1	59	1	1
Punjab L.A.													
(As on 31-3-84)	117	65	...	1	...	4	8	35(r)	1	114	3		
Rajasthan L.A.													
(As on 1-4-84)	200	148	9	4	32	3	1	1	1	199	1		
Sikkim L.A.													
(As on 1-4-84)	32	28	...	...	...	...	...	4(s)	...	32	...		
Tamil Nadu L.C.													
(As on 30-12-83)	63	5	...	...	...	...	...	1	33(t)	2	41*	21	
Tamil Nadu L.A.													
(As on 1-12-83)	235	32	5	...	...	...	11	10	167(u)	6	231*	3	
Tripura L.A.													
(As on 1-4-84)	60	12	...	...	...	...	37	...	8(v)	3	60	...	
Uttar Pradesh L.C.													
(As on 1-4-84)	108	31	3	10	4	...	...	2	11(w)	1	62	46	

Uttar Pradesh L.A. (As on 1-4-84)	426	323	10	...	...	2	1	6	73(x)	9	424	2
West Bengal L.A. (As on 1-4-84)	295	55	...	...	...	170	...	7	59(y)	2	293	2
<i>Union Territories</i>												
Arunachal Pradesh L.A. (As on 1-4-84)	33	28	...	...	...	...	...	...	3(z)	2	33	...
Delhi Metropolitan Council (As on 1-4-83)	61	38	1	2	19	...	...	...	...	...	60*	...
Goa, Daman & Diu L.A. (As on 1.4.84)	30	...	17	...	...	...	...	...	12(aa)	1	30	...
Mizoram L.A. (As on 1-4-84)	33	9	...	...	...	...	...	...	24(bb)	...	33	...
Pondicherry L.A.**												

\* Excluding the Speaker/Chairman.

\*\* Pondicherry Legislative Assembly is under dissolution.

(a) Telugu Desam—5 and Progressive Democratic Front—4.

(b) Telugu Desam—200, Progressive Democratic Front—7, Majlis-Ittehad—UI—Muslimeen—4; Rashtriya Sanjay Manch—2; Nominated—1 and Marxists Communist Party—1.

- (c) Plains Tribals Council of Assam—2.
- (d) Bihar Janta Party—1 and Jharkhand Mukti Morcha—1.
- (e) Forward Bloc—1; Jharkhand Mukti Morcha—14; S.U.C.I.—1 and Nominated—1.
- (f) Rashtriya Congress—6.
- (g) Indian National Congress(J)—1.
- (h) National Conference—30 and Others—1.
- (i) National Conference—46; Nominated—2; P. Con.—1 and P.P.—1.
- (j) All India Anna Dravida Munnetra Kazhagam (A.I.A.D.M.K.)—1, Kranti Ranga—6; MES-5; and Nominated—1.
- (k) Indian Union Muslim League—13, Kerala Congress(J)—7; Kerala Congress—6; Janta(G)—4; National Democratic Party—4; All India Muslim League—4; Revolutionary Socialist Party—4 and Socialist Republican Party—2.
- (l) Republican Party of India [R.P.I (Khobragade)]—1 and Nominated—1.
- (m) Peasants and Workers Party—3; Republican Party of India (R.P.I.) (Gavai Group)—1; Republican Party of India (R.P.I.) (Kamble Group)—1 and Shiv Sena—3.
- (n) Peasants and Workers Party—8 and R.P.I. (Khobragade Group)—1.
- (o) M.P.P.—4 and P.L.P.—4.
- (p) Meghalaya Democratic Front—37 and Meghalaya United Parliamentary Party—22.
- (q) Nagaland National Democratic Party—23.
- (r) Shiromani Akali Dal(L)—32; Shiromani Akali Dal(T)—2 and All India Communist Party—1.
- (s) Sikkim Congress(R)—2; Sikkim Prajatantra Congress—1 and Sikkim United Council—1.

## CORRIGENDA

- Page 172, line 4, for 'feedom' read 'freedom'
- Page 173, line 16 from bottom, for 'discusseed'  
read 'discussed'
- Page 178, line 14, for 'bounds' read 'bonds'
- Page 189, line 4, for 'we' read 'we in'
- Page 190, line 12 from bottom, for 'withont'  
read 'without'
- Page 204, line 20, for 'by' read 'be'
- Page 204, line 8 from bottom, for 'santioned'  
read 'sanctioned'
- Page 206, line 4, for 'be' read 'the'
- Page 210, line 7, for 'voicferous'  
read 'vociferous'
- Page 212, line 11 from bottom, for 'pirtial'  
read 'partial'
- Page 216, line 2, for 'report' read 'retort'
- Page 224, line 19, for 'futher' read 'further'
- Page 228, line 7, for 'Scheduled'  
read 'Scheduled'
- Page 237, line 12 from bottom, for 'Frist'  
read 'First'
- Page 238, line 3 from bottom, for 'will'  
read 'will be'
- Page 239, line 3, for 'authtoriies'  
read 'authorities'
- Page 247, line 9 from bottom, for 'essions'  
read 'sessions'

P. T. O.

- Page 248, line 15, for 'dhri' read 'Shri'
- Page 248, line 15, for 'Tingh' read 'Singh'
- Page 248, line 16, for 'dhri' read 'Shri'
- Page 250, line 15 from bottom, for 'on discussion'  
read 'discussion on'
- Page 252, line 14 from bottom, for 'contention  
extention of' read 'contention'
- Page 252, line 12 from bottom, for 'motion for'  
read 'motion for extention of'
- Page 259, line 2 for 'Morch' read 'March'
- Page 262, line 14 from bottom, for 'coeanaréa'  
read 'Ocean area'
- Page 266, line 2 in the foot note, for 'Tawari'  
read 'Tewari'
- Page 286, line 4 from bottom, for 'it' read 'if'
- Page 287, line 11 from bottom, for 'tarting'  
read 'Starting'
- Page 287, line 2 from bottom, for 'o' read 'of'
- Page 289, line 2, for 'on' read 'own'

- (t) A.I.A.D.M.K.—23; Dravida Munnetra Kazhagam (D.M.K.)—5; Teachers-Graduates Progressive Front—4; and Gandhi—Kamaraj National Congress—1.
- (u) A.I.A.D.M.K.—132; D.M.K.—31; All India Forward Bloc—3 and Nominated—1.
- (v) R.S.P.—2 and Tripura Upajati Juba Samiti—6.
- (w) Lok Tantrik Samajvadi Dal—3; Shikseak Dal—4 and Nirdaliya Vidhayak Paksha—4.
- (x) Rashtriya Lok Tantrik Morcha—63; Democratic Socialist Party—6; Congress(J)—3 and Soshit Samaj Dal—1.
- (y) Forward Bloc—27; Revolutionary Socialist Party—19; West Bengal Socialist Party—3; Democratic Socialist Party—3; Revolutionary Communist Party of India—2; Forward Bloc (Marxist)—2; Socialist Unity Centre of India—2 and Nominated—1.
- (z) People's Party of Arunachal Pradesh—3.
- (aa) Goa Congress—8; Maharashtrawadi Gomantak Party (M.G.P.)—2 and M.G.P. (Separate Group)—2.
- (bb) People's Conference (P.C.)—23 and Mizo Union—1.