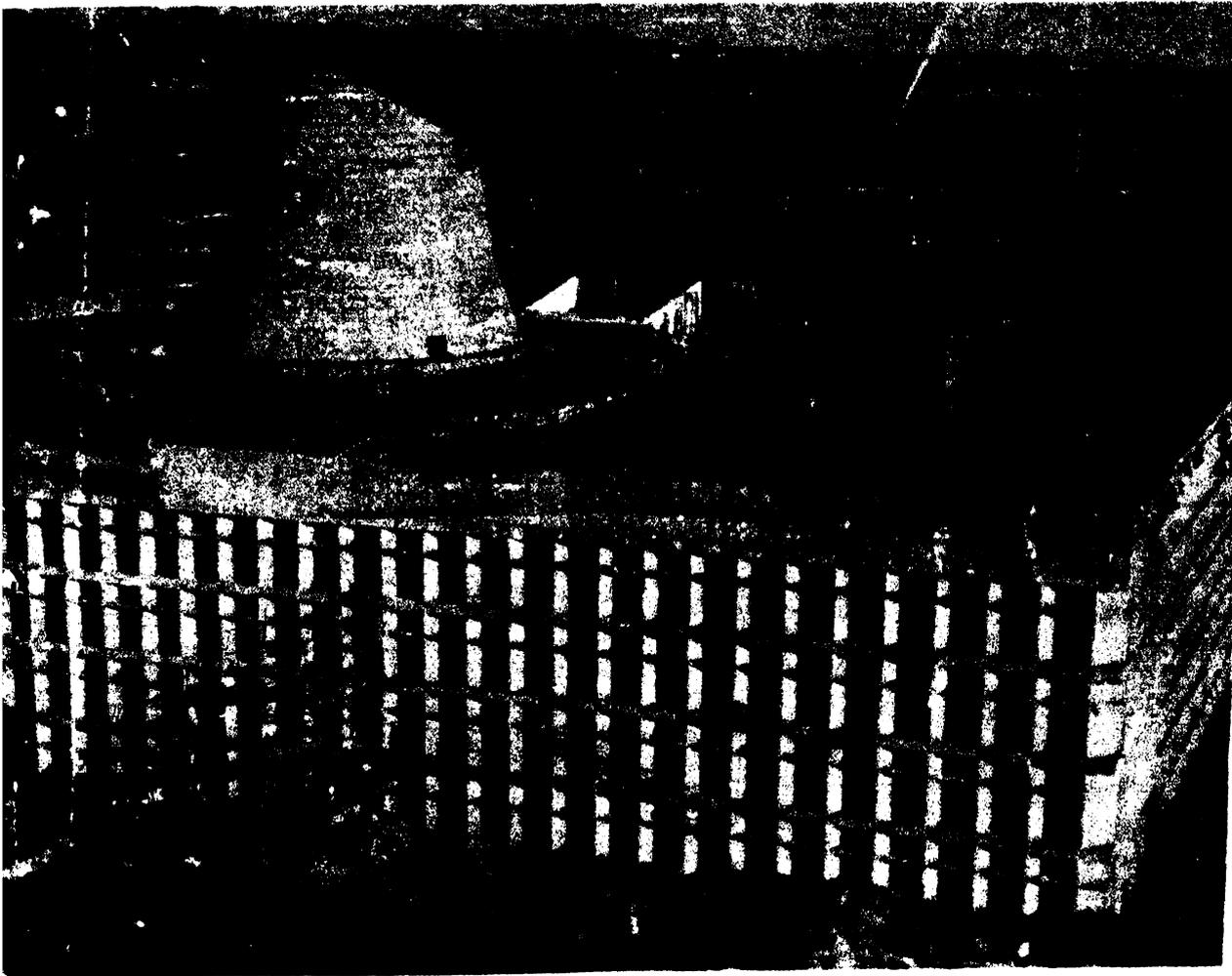


The Journal of Parliamentary Information



A view of the new Punjab Legislature Building (under construction)

**The Journal of
PARLIAMENTARY INFORMATION**

Editor : M. N. KAUL, Bar-at-Law

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THE
JOURNAL OF PARLIAMENTARY INFORMATION

Vol. VII]

October, 1961

[No. 2

Estimates Committee of Lok Sabha (1960-61)

SPEAKER'S ADDRESS AT VALEDICTORY SITTING

[The valedictory sitting of the Estimates Committee (1960-61) was held on May 4, 1961. We reproduce below a few excerpts from Speaker Shri M. Ananthasayanam Ayyangar's address to the Committee on the occasion.—Editor.]

Shri Dasappa and friends,

I am very happy to have been able to come and talk to you this evening. You have done exceedingly good work and I must first congratulate Shri Dasappa and thank him for the enormous trouble that he has been taking (*Cheers*). It is really a thankless task. Those persons who are responsible for the irregularities and wasteful expenditure would not like the examination by the Committee very much. I know a number of cases where some Ministers came and told me "The Committee are going a little too much into our affairs; they are entering into details and so on and so forth; you ask them to keep quiet." Very often, I had to tell them, "I have no hand in the matter; they are autonomous." If some kind of difficulty arises, then I am there to help you; otherwise, you take your own independent decisions.

Increasing Work of Committee

The work of the Estimates Committee is becoming more and more heavy. I think, in the beginning when the first Estimates Committee was appointed, the work was lighter, but now the volume of work has increased tremendously. So many reports are being brought out.

Savings resulting from implementation of Recommendations

I also noticed one new feature in your reports. Earlier, at the end of the Estimates Committee reports we had no information as to what exactly we would save if the recommendations were implemented. You know that people would have no patience to go through the whole report. Now I find that there is an appendix to each report giving the savings that would result on implementation of the recommendations contained in the report.

Non-Party nature of Committee's deliberations

There are no party differences in this Committee. On the floor of the House it appears sometimes that the members

of the opposing groups are irreconcilable. But in this Committee I am yet to come across an instance, after all these eleven years of its existence, when opinions have been expressed on the basis of party affiliations. I hope and trust that that kind of harmony will always prevail among all sections of people constituting this Committee and that all of them will work with one interest, namely, to serve the community and to see that no wastage occurs.

Reports not discussed in the House

The reports of the Estimates Committee are not discussed in the House. We are following the English practice. The reason is that not all your recommendations are accepted by Government and if Government are given an opportunity to discuss the report on the floor of the House they may issue a whip and throw out your Report. The whole work that you have done will thus be in vain.

The Ministries are given ample opportunity to present their view-point before the Committee. The draft Report is also sent to them for factual verification. If the Government desire to bring any fresh material which was not originally available and has a bearing on the facts stated in the Report, it is open to them to bring it to the notice of the Chairman of the Estimates Committee and request him to reconsider the matter. If the Chairman

agrees he can place the whole matter before the Committee for reconsideration.

Examination of Public Undertakings

So far as the public undertakings are concerned, recently we have been seeing that their number is increasing. We originally thought that there may be another Committee, but then, Government may not be in favour of it. Now we have appointed a Sub-Committee to look into the subjects dealt with by public undertakings. We are considering as to whether we ought not to have a separate Committee for public undertakings.

The public undertakings have increased to over 60 in number. We are increasing the capacity of various industrial undertakings. In one case a steel plant was contemplated at a cost of Rs. 128 crores. The estimates later rose to Rs. 170 crores which were again revised to over Rs. 200 crores. What is this kind of budgeting? Therefore, it is necessary that you examine such things.

I once again congratulate the Committee for the enormous labour that they have put in and the great interest that they have evinced in this task. They have gone into all the matters without fear or favour. The Chairman, in particular, deserves all the credit, and he was helped by all the members.

Short Notes

Visit by the Bulgarian and Malayan Parliamentary Delegations

A 7-member parliamentary delegation from Bulgaria led by His Excellency Mr. Ferdinand Kozovski, President of the National Assembly of Bulgaria, visited India in March. Besides Delhi, the delegates were taken to a few other places of cultural and industrial importance in the country. Their itinerary included the four State Capitals of Chandigarh, Bangalore, Madras and Calcutta, besides the Pilana Community Development Block, Agra and Bhakra-Nangal. The delegates watched the proceedings of the two Houses of Parliament on March 15. An 'At-Home' by the Chairman, Rajya Sabha and Speaker, Lok Sabha and a dinner by the Speaker were arranged in honour of the delegation.

In May a 8-member Malayan parliamentary delegation led by his Excellency Dato Haji Abdul Rahaman bin Mohamed Yasin, President of the Senate and His Excellency Dato Haji Mohammed Noah bin Omar, Speaker of the House of Representatives of Malaya, arrived. Members of this delegation were shown round Agra, Rohtak Community Development Block, Kashmir, Lucknow, Durgapur and Calcutta. Besides the proceedings of Lok Sabha and Rajya Sabha, the delegates witnessed also the Joint Session of the Houses of Parliament on the opening day on May 6. The delegates were entertained at a dinner jointly arranged by the Chairman of Rajya Sabha and the Speaker of Lok Sabha.

• • • •

Spring Meetings of the Inter-Parliamentary Union

The Spring Meetings of the Inter-Parliamentary Union were held in Geneva in April this year. Indian Group of the Inter-Parliamentary Union was represented at these meetings by Dr. H. N. Kunzru, M.P. The following subjects were approved for inclusion in the agenda of the 50th Inter-Parliamentary Conference which was to be held in Brussels (Belgium) in September this year:

1. Effects on World Trade of the Policies followed by the Regional Economic Communities.
2. The Evolution of Countries in Process of Development:
 - (a) The Strengthening of International Assistance in the Economic Sphere so as to promote the Growth of Under-developed and Newly-Independent Countries.
 - (b) Problems of Education and of Vocational, Scientific and Technical Training in countries in process of Development.
3. The Way to Peace:
 - (a) Principles which should guide States in their Mutual Relations for eliminating International Tension and preserving Peace.
 - (b) Methods of reinforcing the United Nations so as to consolidate its Work in the Maintenance of Peace.

- (c) Principles governing the Political Development of Non-self-Governing Territories so as to lead them towards Independence and Democracy through the Elimination of Colonialism.

4. Parliamentary Control of International Organizations.

* * * *

Inauguration of the Indian Parliamentary and Scientific Committee

The Indian Parliamentary and Scientific Committee was inaugurated by the Prime Minister, Shri Jawaharlal Nehru, on August 27, 1961 in the Central Hall of Parliament House.

The idea of the formation of this Committee, according to its sponsors, had been engaging the attention of some Members of Parliament for some time. The question was being considered as to how best M. Ps. could keep themselves informed of the scientific and technological developments and make useful contribution to discussions concerning scientific matters in Parliament. In the atomic age science was advancing so rapidly and impinging on the lives of the people that, it was felt, a much closer association between the representatives of the people and men devoted to science was called for. In the U.K. a Parliamentary and Scientific Committee had been functioning from as long back as 1939 and had come to play a significant role. Leading scientists and technologists periodically addressed the Committee on scientific subjects, particularly from the parliamentary and governmental point of view. Convinced of the utility of a like body, some Members of Parliament decided during the 1960 Winter Session of Parliament to form one in India and drew up a provisional

constitution for giving shape to this idea.

The Committee is conceived of as a non-party body which would provide a permanent liaison between Parliament and scientific institutions. The main function of the Committee would be the consideration and discussion of scientific information in relation to proceedings in Parliament. To this end, the Committee would take steps to enlist the interest and support of as many scientific societies as possible so that the influence of science could be brought to bear in the counsels of the State. As part of this objective, the Committee would endeavour, amongst other things,—

- (i) to provide Members of Parliament with authoritative scientific information from time to time;
- (ii) to bring to the notice of Members of Parliament and Government the results of scientific research and technical development which bear upon questions of current public interest;
- (iii) to arrange for suitable action through parliamentary channel, whenever necessary, in order to ensure that proper regard is paid for the scientific point of view; and
- (iv) to provide its members and other approved subscribers with a regular summary of scientific matters dealt with in Parliament.

On this Committee—the membership of which is open to all Members and ex-Members of both Houses of Parliament and organisations and societies of a scientific or technical nature fulfilling certain qualifications—are several M.Ps., Union Ministers and representatives from the Planning Commission and

scientific organisations. Shri Lal Bahadur Shastri, the Union Home Minister, is the Chairman, and Shri H. C. Dasappa, Shri R. P. N. Sinha (both Members of Parliament) and Shri Krishan Kant are the Secretaries of the Committee.

At the time of its inauguration, the Chairman of the Committee, Shri Lal Bahadur Shastri, said that the Committee would strive, on the one hand, to keep M.Ps. in touch with what was happening in the world of science and bring them into contact with scientific associations and organisations in the country and, on the other, keep the scientists who subscribed to the Committee informed of the proceedings in Parliament relating to matters of scientific interest.

In the course of his address, the Prime Minister Shri Jawaharlal Nehru declared that the country must develop the scientific temper in dealing with its own problems and those of the world, since national integration could come about only through such an approach. He wanted the Members of Parliament to imbibe the spirit and temper of science so that it was reflected in their thinking on any subject.

The inauguration of the new body was followed on the next day by a seminar on the "Place of Science in Secondary Education," in which, among others, Dr. D. S. Kothari, Chairman, University Grants Commission, Dr. A. C. Joshi, Vice Chancellor, Panjab University and Dr. K. P. Basu of the Planning Commission, participated.

* * * *

**Laws made by Parliament held *ultra*
by the Supreme Court**

Under the Indian Constitution the High Courts and the Supreme Court

enjoy the power to interpret the Constitution and to pronounce upon the constitutionality of laws. While the pronouncements of all these courts help in defining or clarifying the scope of the written provisions of the laws made by the legislatures, a special importance attaches to the decisions of the Supreme Court inasmuch as they are binding on all the courts throughout the country and are bound to be obeyed as the law of the land. When a law is declared invalid by the Supreme Court, it becomes "dead, inoperative, for all purposes everywhere".

A law may be held bad and invalid on several grounds—as for example, because it offends the fundamental rights or falls outside the competence of the enacting legislature, or because it travels beyond the orbit of permissible legislation on the subject, or is repugnant in any other way to the spirit or the provisions of the Constitution. However, according to the "doctrine of severability", the entire law does not become dead if only a part of it is unconstitutional and the rest of it can survive to serve the object the legislation had in view. Where a law or a part of law is so held invalid by the court, an amendment to the law may be brought forward in the light of the decision of the court or in rare cases the Constitution itself may be amended in order to express the intentions of the framers more comprehensively or clearly, or to embody changes otherwise thought necessary.

During the period since the commencement of the Constitution, as a result of judicial review, there have been a number of instances where the courts have held an act, rule or executive order unconstitutional and therefore void. The statement below gathers the instances of

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laws made by Parliament held *ultra vires* by the Supreme Court and the remedial measures, if any, taken to meet the objections of the Court.

*Table showing laws made by Parliament held ultra vires by the Supreme Court and Measures taken by Parliament to meet the Objections of the Courts.**

Sl. No.	Name & Provision of the Act held invalid	Name of the Case and Citation	Grounds on which Act/ Provision held invalid	Measures taken by Parliament
1	2	3	4	5
1	The Preventive Detention Act, 1950 (Act 4 of 1950), s.14.	Gopalan v. State of Madras, A.I.R. 1950 S.C. 27	The impugned section, which prevented the detenu from disclosing the ground of detention to the Court, was <i>ultra vires</i> as it infringed the detenu's right under Article 22(5) of the Constitution.	The impugned section was omitted by the Preventive Detention (Amendment) Act, 1950 (s. 3)
2	The Sholapur Spinning & Weaving Co. (Emergency Provisions) Act, 1950 (Act 28 of 1950).	Dwarkanadas v. Sholapur Spinning Co., A.I.R. 1954 S.C. 119	The Act infringed Article 31(2) since by empowering the Government not merely to take over the superintendence of the affairs of the Sholapur Spg. & Wvg. Co. but in effect and substance to take over the undertaking itself it authorised deprivation of property without compensation within the meaning of Article 31.	The Act was repealed by the Repealing and Amending Act, 1957. Earlier by the Constitution (Fourth Amendment) Act, 1955 Article 31 was amended to lay down clearly, <i>inter alia</i> , that the obligation to pay compensation under clause (2) of the Article would no longer arise unless the ownership or the right to possession of the individual was transferred to the State. Thus, after the amendment action such as that taken by the Government in the Sholapur case would not be unconstitutional.
3	The Prize Competitions Act, 1955, (Act 42 of 1955), ss. 4-5.	R. M. D. C. v. Union of India, A. I. R. 1957 S.C. 628.	The restrictions imposed by the impugned sections in respect of prize competitions involving substantial skill were not reasonable restrictions on the fundamental right guaranteed by Article 19 (1) (g) and as such were not saved by Article 19(6). However, the impugned	..

*In addition to the laws mentioned in this table in a recent case, *Sakal Papers Limited v. Union of India*, the Supreme Court held on September 25, 1961 that Sec. 3(1) of the Newspaper (Price and Page) Act of 1956 and the Newspaper (Price and Page) Order of 1960 made thereunder were unconstitutional on the ground that they infringed the freedom of expression and opinion guaranteed to the Press under Art 19(1XA) of the Constitution.

1	2	3	4	5
			<p>provisions were severable in respect of their application to competitions of a gambling character (i.e. in which success did not depend to any substantial extent on skill).</p>	
4	<p>The Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 (Act 45 of 1955), s. 5(1)(a)(iii).</p>	<p>Express Newspaper Ltd. v. Union of India, A.I.R. 1958 S.C. 578.</p>	<p>The impugned provision, which required payment of gratuity to working journalists who voluntarily resigned from service, was an unreasonable restriction on the petitioners' (owners of newspapers) right to carry on business and as such violative of Article 19 (1) (g).</p>	..
5	<p>The Drug and Magic Remedies (Objectionable Advertisements) Act, 1954 (Act 21 of 1954), ss. 3(d) and 8.</p>	<p>Hamdard Dawakhana v. Union of India, A.I.R. 1967, 8 C. 554.</p>	<p>The words "or any other disease or condition which may be specified in the rules made under this Act" in sec. 3(d)* conferred uncanalised and uncontrolled power to the Executive. Parliament had established no criteria or standards and had not prescribed any principle on which a particular disease or condition was to be specified in the Schedule. As such, the power of specifying diseases and conditions as given in clause (d) of sec. 3 went beyond permissible boundaries of valid delegation. The clause was, therefore, <i>ultra vires</i>. However, the taking out of the offending words did not affect the constitutionality of the rest of the clause or section as they were severable.</p>	..

*The prohibition under the Act is applicable to conditions and diseases set out in the various clauses of Sec. 3 and to those that may under the last part of clause (d) be specified in the rules made under Sec. 16.

The first part of Sec. 8 empowering any person authorised by any of the provisions of the Act to seize or detain documents, etc. which in the opinion of such person contained any advertisement contravening any of the provisions of the Act, went far beyond the purpose for which the Act was enacted and the absence of the safeguards which the legislature had thought it necessary and expedient in other statutes *e.g.* the Indian Drugs Act, was an unreasonable restriction on the fundamental right guaranteed by Article 31. Therefore, the portion of the section *i.e.* "any person authorised by any of the provisions of this Act" was unconstitutional. Since, however, if this portion were exercised the remaining portion would not be even intelligible the whole section had to be struck down.

Men should be free in what only concerns themselves, but they should not be free when they are tempted to aggression against others. The freedom we should seek is not the right to oppress others, but the right to live as we choose and think as we choose where our doing so does not prevent others from doing likewise.

—BERTRAND RUSSELL

The Budget in Parliament—(2)

by

S. L. SHAKDHER,

Joint Secretary, Lok Sabha Secretariat

[*This is the second and final instalment of the talk on the subject delivered by the author as part of the Short Term Course on Budgeting conducted by the Indian Institute of Public Administration in September 1959. The first instalment appeared in the last issue of the Journal.—Editor.*]

The Appropriation Bill

At the end of the discussion on the demands relating to a Ministry, the demands are voted and grants made. After all the grants are made for all the Ministries, on the last day allotted for the discussion of demands, any residuary demands for which no separate time has been allotted are put to the vote of the House at the fixed hour of the last day, and, in parliamentary terminology, it is called 'guillotine'. An Appropriation Bill which embodies the grants made by Lok Sabha is then introduced. The Appropriation Bill is considered and passed like any other Bill save that normally no discussion is permitted unless the Member who desires to have a discussion shows to the satisfaction of the Speaker that he has some new points to discuss which have not already been covered by the discussion on the Budget and the Demands relating to Ministries. Even then, such a discussion must conclude within the time allotted by the

Speaker and the Bill passed within the prescribed time-table.

The passage of the Appropriation Bill is necessary because no money can be withdrawn from the Consolidated Fund unless it is authorised by law. Therefore, monies can be withdrawn from the Consolidated Fund only after the Appropriation Bill has been passed.

In the U.K., on the other hand, money can be withdrawn from the Consolidated Fund after a Money Resolution has been passed by the House of Commons. In the U.K., they too pass an Appropriation Bill, but that is much later, in order to give statutory effect to the Money Resolutions passed by the House.

The Finance Bill

The theory is that after the monies have been voted by the House and the total amount of expenditure required for the Government is determined, the House will have to consider the ways and means of raising the revenue required to meet that expenditure. This is achieved by passing the Finance Bill which, I told you earlier, is introduced at the time of presentation of the Budget on the last day. On a motion that 'the Finance Bill be taken into consideration', a Member may discuss matters relating to general

administration, local grievances within the sphere of the responsibility of the Government or monetary or financial policy of the Government. Finance Bill is the one Bill where the rule of relevancy in debate is entirely dispensed with. Normally, on any other Bill Members are required to confine their speeches to the subject-matter of the Bill. In the case of the Finance Bill, however, the position is different.

The Finance Bill is a statutory method of giving approval to the taxes proposed by the Government. Therefore, before taxes are voted, Members must be allowed to represent their grievances, for we have the old maxim *viz.*, no taxation without representation of grievances and Members are permitted to ventilate all kinds of grievances and Government must give satisfactory assurances before the Bill is passed by the House.

After the Finance Bill is passed in the Lok Sabha, it is sent to Rajya Sabha for its concurrence. Since the Finance Bill is invariably a Money Bill, Rajya Sabha has no power to amend it. It can only make recommendations within 14 days of receipt of the Bill and it is within the power of Lok Sabha to accept these recommendations or to reject them. If Lok Sabha accepts any of the recommendations, as in the case of other Money Bills, it is submitted to the President in an amended form for his assent.

The definition of a Money Bill is contained in Article 110 of the Constitution of India. This, in turn, is based on the Parliament Act, 1911, of the United Kingdom. But, there are some differences between the provisions contained in the Parliament Act, 1911, and our Article 110. The differences are: in India the Speaker has absolute power to

declare a Bill as Money Bill. He is not bound to give any reasons. He is not bound to consult anybody. His decision has to be accepted by all and even the Courts cannot go into it. In the House of Commons, the Speaker has to take the advice of two Members of the Panel of Chairmen before he certifies a Bill as Money Bill.

Our definition of Money Bill is a little wider than the definition contained in the Parliament Act, 1911. A careful comparison of the two provisions shows clearly that while there is rigidity in the provisions in the U.K., there is some elasticity in the provisions of our Constitution although the language was intended to make it as rigid as in the U.K. Since the Speaker does not record the grounds on which he declares a Bill as a Money Bill, it is impossible both in the U.K. and in India to deduce any principles out of the long series of decisions. One can only go by precedents and one precedent is not binding on the subsequent decision by the same Speaker and much less can a decision given by a Speaker be binding on the decisions of subsequent Speakers.

Under Article 117 of the Constitution of India some Bills which attract the provisions of Article 110 can be introduced only in Lok Sabha. These other Bills are generally known as Financial Bills. They are not strictly Money Bills because a Money Bill must contain only provisions which fall to be classified under Article 110. If a Bill contains mixed provisions, that is called a Financial Bill. If, by oversight or mistake, a financial Bill is introduced in Rajya Sabha and a question arises whether it has been correctly introduced in that House, the question under the *Rules of

*Rule 161(4) of the Rules of Procedure and Conduct of Business in the Council of States.

Rajya Sabha has to be referred to the Speaker for his opinion. Though the Chairman of Rajya Sabha is not bound by that opinion, normally he will give due weight to that opinion, for, eventually the Bill has to come to Lok Sabha and that House may decline to proceed with that Bill, if it holds that it was wrongly introduced in the other House.

After the Finance Bill has been passed by the Houses of Parliament and sent to the President for his assent, one may say that the consideration of the financial business by Lok Sabha is complete. But during all the discussions that have taken place in the House at various stages of financial business, which I have described so far, the discussion has taken place only on questions of policy and broad principles and the House has at no time discussed details of estimates. It has not satisfied itself whether the details have been correctly arrived at, whether there is justification for the various amounts shown for the various services and supplies, establishments, projects and schemes and whether the expenses are commensurate with the achievements and also whether the expenditure actually incurred by the Departments of Government has been in accordance with the Appropriation Bill on the purposes specified therein and whether there has been any misappropriation, misspending or any financial impropriety.

The Financial Committees

The Lok Sabha has, therefore, following the model of the U.K., appointed two Standing Committees called the Estimates Committee and the Public Accounts Committee to discharge specified functions. These Committees are

important Committees of the House and their recommendations are given considerable weight. All parties are represented on these Committees. They are elected by a system of proportional representation by the single transferable vote and normally representatives of every party, in due proportion to their number in the House, are elected to the Committees. By their work the Committees have established great reputation in the minds of the public, Members and the Government, and they are looked upon with awe by the spending authorities who constantly feel that the powerful searchlight of the Committees would be directed on their actions and that they will be accountable for all their actions involving financial implications. I shall now deal briefly with their functions, powers and duties, their methods of working and action taken on their reports. These two Committees are, as I told you, modelled on the corresponding Committees of the House of Commons though we have departed in certain respects from the procedure obtaining in the United Kingdom.

Estimates Committee

The Estimates Committee is empowered to examine such of the estimates as may seem fit to it. The Committee makes a selection of the estimates which it would like to examine in a particular year. The Committee is prohibited from going into questions of policy behind the estimates. Now and then a question arises as to what is meant by the term 'policy' and what are the matters which the Committee should not normally examine under that heading.

It has been held in the U.K. and in India also that questions of policy mean policies which have been approved by Parliament by law or by resolutions. The term 'policy' is a comprehensive term which may also include executive policy, that is, policy determined by the executive in pursuance of directions given by Parliament. For the purposes of the rules governing the functions of the Estimates Committee, the Speaker has made it clear by a Direction that the term 'policy' means policy approved by Parliament and it does not include executive policy. In the latter case the Committee has full right to examine any policies laid down by the executive in the discharge of its functions and the Committee makes criticisms of executive policies. In regard to policies approved by Parliament the Committee normally does not go behind the policy but, if in the course of their examination the Committee find that it is not leading to the desired results and there is waste of expenditure and resources, the Committee may draw attention to such wastes and advocate the adoption of alternative policies. Therefore, so far as executive policies are concerned, there are no limitations on the powers of the Committee, but, so far as policy approved by Parliament is concerned, the Committee can only comment if there is strong justification that wastes have occurred and inefficiency has resulted in following that policy. It is not correct to say that the powers of our Committee are wider than that in the U.K., though, in the matter of actual examination of the estimates, our Committee may be exercising slightly more powers than its counterpart in the U.K. Unlike in India where all the functions and powers of the Estimates Committee are laid down in the Rules of Procedure and Conduct of Business in Lok Sabha and the Directions issued by the Speaker from time to time, in the

U.K. the Committee's functions and powers are mostly based on conventions. There is still no Standing Order defining the functions of the Committee in the U.K. The only reference to the functions of the Estimates Committee is found in the motion for the appointment of the Committee from year to year. The motion is an old one and is repeated from year to year. It is, in the nature of things, brief and, therefore, no detailed exposition of the functions of the Committee can be embodied in the motion. During the years the Committee has developed its own conventions and all these conventions have steadily widened its powers as the Committee has found from experience that unless it possesses such powers, it will be ineffective. The formal terms of reference of the Committee are no guide to the uninitiated and if one really wants to know precisely the powers and functions of the Estimates Committee in the United Kingdom, he must study the Reports of the Committee from time to time and deduce from these Reports the actual powers enjoyed by the Committee. Text-book writers have from time to time attempted to define the functions and powers of the Estimates Committee, but since these books have been written at different times, they contain the position that obtained when any particular book was written. The Committee has constantly evolved its powers and, therefore, the books become out of date sooner than one can imagine. However, 'Government by Committees' by K. C. Wheare describes in detail the modern procedure of the Estimates Committee and its functions and powers as they are enjoyed by the Committee at the present moment. Perhaps, this book may also go out of date in due course, unless it is kept up to date.

The Estimates Committee makes a very detailed examination of the estimates. Of course, such examination is confined to a few Ministries or projects a year. The examination is so thorough, so intensive and so exhaustive that it is impossible for the Committee to go through all the estimates in a year. The Committee does not confine itself to mere estimates but goes into the question of organization, the adequacy of personnel, the requisite standards of those personnel and the procedures, systems of recruitment, technical efficiency and in fact all matters which are intimately connected with the estimates. The reports of the Committee are very valuable documents. They are concisely written and contain a number of useful recommendations based on carefully analysed and verified data. Every effort is made to make the reports factually correct. For this purpose, opportunity is given to the Ministries concerned to verify the facts before the reports are actually presented to Lok Sabha.

The material on which the reports of the Committee are based is supplied by the departmental witnesses who give evidence before the Committee. They are high officers of the Government who answer questions of the Committee both in writing and orally. The material that is supplied to the Committee is colossal in volume and every effort is made by the Ministries concerned to assist the Committee in arriving at correct conclusions.

The Committee forms a number of Study Committees and examines the material thoroughly. The Study Committees also visit outstation offices and projects and form a visual idea of the working of the organisation. Routine questionnaires are forwarded to the

Ministries in reply to which they give further material. All these materials form the background information of the Members and then they examine the officers orally. After such examination, further material in writing is called for. It is on the basis of all this information that the reports are written.

The powers of the Committee are that it can send for any person, paper or record. Therefore, the Committee sometimes calls non-official witnesses also and ascertains their expert opinion on any important matter. Any paper which the Committee wants is supplied to it. Of course the Committee does not ask for files or other papers which are not relevant to its enquiry. In exceptional cases, the Committee may be informed that a particular paper is secret or confidential and it is not in the public interest to disclose the contents. ~~Of course, if the Minister certifies that the disclosure of the document is prejudicial to the safety of the State, the Committee does not enquire further and the matter ends.~~ But in the case of a paper for which privilege is claimed on the ground of secrecy and the Committee does not agree, the matter may be referred to the Speaker for his guidance. So far, no such case has arisen, because, in the ultimate analysis, the Chairman of the Committee and the Minister have after discussion resolved the difficulty. In all such cases so far the Minister has made the papers available to the Chairman and the Chairman after looking into the papers has explained the position to the Committee. Where the Chairman after perusal of a particular paper has come to the conclusion that it is not of such a secret nature that it should be withheld from the Committee, the Minister has complied with the wishes of the Chairman and the paper has been made available to the Committee.)

No one except a Member of Lok Sabha can be a Member of the Committee and the Chairman of the Committee is appointed by the Speaker from amongst the Members of the Committee. The Committee consists of 30 Members. The quorum is ten.

The Committee works on non-party lines. Its decisions are unanimous. There is no system of writing minutes of dissent. Such is the non-party character of the Committee and its objective approach to the problems before it that very often members of the Congress Party have criticised Government's actions while the members of the Opposition Party have supported them on the facts as disclosed before the Committee.

It is true that the Committee has in some cases made recommendations of a far-reaching character, but, as I told you earlier, such recommendations were arrived at unanimously. The Government is not bound to accept all the recommendations of the Committee though they attach the greatest weight and importance to the report and the recommendations of the Committee. They examine carefully all the recommendations and there must be weighty reasons before they express their inability to implement a recommendation. Sometimes, it is also a question of time factor. Though a recommendation may not be immediately acceptable to the Government, in due course the Government may for various compelling reasons come to the same conclusion and implement the recommendation at a later stage. There are many examples of this nature. For instance, the Committee in its Ninth Report (First Lok Sabha) recommended that the Imperial Bank should be nationalised. The Government were not

favourably inclined to this recommendation at the time the report was made and yet we know that a little later Government did nationalise the Bank. Similarly, I can quote many examples and they are all available in the Reports of the Committee if one cares to read them patiently.

After a report is made by the Committee and Government have considered the recommendations carefully, they forward their views to the Committee. In a majority of cases Government accept the recommendations. In some cases Government give reasons why they are not in a position to accept the recommendations and if these reasons are adequate, the Committee normally accepts them and recommends that no further action need be taken on them. In some other cases, the Committee may not accept the reasons given by the Government for non-acceptance of a recommendation and the Committee may again reiterate its original recommendation. The report of the Committee on the views of the Government is submitted to Lok Sabha and it is allowed to rest there unless some Member of the House is keen on raising a discussion on a matter which has not been accepted by the Government and on which the Committee has adhered to its original recommendation. The reports as such are not discussed in the House, but they provide a good deal of raw material for Members to ask questions during question hour or to utilise it in their speeches during debates on financial and other matters. The reports have, therefore, an educative value.

Public Accounts Committee

The functions of the Public Accounts Committee are to examine the accounts showing the appropriations of the sums

granted by the House for the expenditure of the Government of India, the annual finance accounts of the Government of India and such other accounts laid before the House as the Committee may think fit. In scrutinising the appropriation accounts and the audit report thereon, the Committee examines to see that the monies shown in the accounts as having been disbursed were legally available for, and applicable to, the service or purpose to which they have been applied or charged and that the expenditure conforms to the authority which governs it and that every re-appropriation has been made in accordance with the provision made by the competent authority. One of the important functions of the Committee is to see that no money has been spent on any service during the financial year in excess of the amount granted by the House for that purpose. The Committee examines with reference to the facts of each case, the circumstances leading to such an excess expenditure and makes such recommendations as the Committee may deem fit.

The Public Accounts Committee is a Committee of Lok Sabha with which some Members of Rajya Sabha are also associated. The Committee consists of 15 Members of Lok Sabha who are elected by the House from amongst themselves according to the principle of proportional representation by means of the single transferable vote. After the election of the Committee the Lok Sabha every year passes a resolution requesting the Rajya Sabha to nominate 7 Members to associate with the Public Accounts Committee in its work. The Rajya Sabha concurring in the resolution nominates the Members for a term of one year.

In the U.K., the Public Accounts Committee consists of the Members of

the House of Commons only and the House of Lords has nothing to do with it. In India, although Lok Sabha has full and final powers in monetary and financial matters, the association of Members of Rajya Sabha has been agreed to by the Lok Sabha on the ground that the appropriation accounts and the audit reports are also required under the Constitution to be laid before Rajya Sabha and, therefore, when a question arose whether the Rajya Sabha should have a separate Committee to examine the same accounts and audit reports, it was decided by mutual consultation by the two Houses that the best way to resolve the matter was to allow certain number of members of the Rajya Sabha to associate with the members of the Public Accounts Committee by means of a resolution initiated by Lok Sabha to be concurred in by Rajya Sabha.

The Public Accounts Committee is assisted by the Comptroller and Auditor-General in its deliberations. He is present at the meetings of the Committee. The Committee is a powerful instrument in the hands of the House because it is through this Committee that the accountability of Government to Parliament in the matter of expenditure is ensured. The Committee acts as a deterrent.

The Public Accounts Committee appoints Working Groups to study particular parts of Appropriation Accounts and the Audit Reports thereon. These Working Groups also visit out-stations and perform, more or less, the same functions as the Study Committees of the Estimates Committee. Where the matter is to be examined in detail the Public Accounts Committee may appoint a sub-committee to go into

the matter. In that case the sub-committee is formally appointed with a Chairman of its own, and is given specific terms of reference. The sub-committee studies the subject and takes evidence, if necessary, and makes a formal report to the whole Committee. The whole Committee then examines the report of the sub-committee and adopts it either *in toto* or with modifications. Thereafter it becomes the report of the whole Committee. With regard to the powers of the Public Accounts Committee and action taken to implement their recommendations and other allied matters, the position is the same as in regard to the Estimates Committee, which I have described to you earlier.

I shall now be pleased to answer any questions.

Production of Files

Question: Does the discretion lie with the Ministry to show the files?

Ans: If the Committee wants to see a file, the Secretary of the Ministry normally shows it to the Chairman and the Chairman may, after perusal, decide whether it should be shown to the Committee. If he does not think it necessary, he will explain the position to the Committee. If the Secretary of the Ministry feels that the file asked for cannot be shown because its disclosure will be prejudicial to the safety of the State, he will submit the matter to his Minister and if he also agrees with the opinion of the Secretary, then the Minister will forward a certificate to that effect to the Committee and the Committee is bound by that certificate. If the Secretary of the Ministry feels that the file is of a secret and confidential nature, he may, after discussing with his Minister, show the

file to the Chairman with the request that the file is only for his perusal and its contents should not be divulged to the Committee. The Chairman, if he agrees with the views of the Ministry, will explain the position to the Committee and the Committee may drop the matter; but if the Chairman does not agree with the views of the Ministry the Minister may submit the matter to the Speaker for his guidance. So far no such case has arisen where the Minister has found it necessary to refer the matter to the Speaker.

A Member: It was decided by the Conference of Chairmen of Public Accounts Committees that unless the security of the State is involved, all papers should be shown to the Committee.

Ans: The Committee has the power to send for persons, papers or records subject to the condition that the Government may decline to produce a document on the ground that its disclosure will be prejudicial to the safety or interest of the State, but in practice the Committee does not ask for files unless it feels that without it the Committee cannot come to correct conclusions. At the Centre during the last few years very few cases have arisen where the Committee has found it necessary to call for files. All these matters rest on convention and the Committee and Government work in co-operation.

A Member: The Chairman of the Committee in our (Madras) State is the Leader of the Opposition. When he asks for a file containing noting by the Minister (the Minister may have recorded decision against the advice), we do not show it to him. The view now taken is that if noting is not shown the Committee cannot function.

Ans.: We receive similar references from State Governments and State Legislatures. Our view is that the file should not be demanded as a matter of course. File should be called for in exceptional cases only as I have explained earlier. In the U.K., the Leader of the Opposition is the Chairman of the Public Accounts Committee but that Committee does not normally ask for files. They may do so in exceptional cases. The normal procedure for our Committees is that they ask for memoranda from the Ministries. They also send questionnaires to them, to which the Ministries give written replies. Departmental officers also appear before the Committees to give evidence. All this information constitutes sufficient material for the Committee to come to conclusions, and the Committee does not normally go behind the memoranda or written or oral replies unless it feels suspicious and has a strong *prima facie* reason to believe that the material supplied to it is not in conformity with the original documents and, therefore, the Committee's work would be rendered ineffective if the original papers were not produced. Such cases should be very rare indeed because the officers who appear before the Committee or supply material to the Committee are high officials of the rank of Secretary or Joint Secretary of the Ministry and are responsible officials.

Question: Does it mean that the convention is that the Committee does not ask for files?

Ans.: I have not said that files should not be asked for whenever it is relevant to the work of the Committee. What I meant was that such requests should be kept to the absolute minimum and confined to such cases where the Committee cannot complete their work without consulting the original

papers. The main idea behind keeping such requests to the minimum is that Parliament or its Committees should not get mixed up with the executive *i.e.* Parliament and its Committees may criticise the Government on the facts supplied to them; they should not probe into the facts and establish for themselves whether the facts as given by the Government are corroborated by the records in their possession. That is not the function of either Parliament or its Committees. In that way there will be no line of demarcation between the executive and Parliament and in the process Parliament and its Committees may lose their character and the real purpose of parliamentary democracy may be defeated. Parliament and its Committees should never get involved with the executive at any stage. They should always reserve the right to criticise after decisions have been taken, and they should never create a situation where they have to share responsibility with the executive. That should be scrupulously avoided. Parliament and its Committees should come in only when something grave has happened and Government has said something which is patently wrong and it becomes necessary for the Committee to go into the facts. Our experience at the Centre is that Government and its officers are anxious to give all the facts which are necessary for the Committee to come to its conclusions and the Committee on their part have refrained from probing into the matters to establish the *bona fide* of the Government or its officers.

Question: But then at the Centre the Chairman is a member of the ruling Party and therefore is in a position to follow the procedure which you have described?

Ans.: Chairman of the Committee acts impartially. It is not a question

whether he is a member of the Ruling Party or of the Opposition. One of the members of the Opposition had been in the past a Chairman of the Committee on Subordinate Legislation, which is as powerful in the field of delegated legislation as the Committee on Estimates and Public Accounts are in the field of finance. It would be incorrect to say that Government did not supply all the information to that Committee. Government give facts and materials irrespective of who the Chairman of the Committee is. At any time a member from the Opposition may become Chairman of the Public Accounts Committee or Estimates Committee. Therefore it will not be right to say that Government will make discrimination at that time. Government, in fact, do not bother who the Chairman of the Committee is or in fact who the Members of the Committee are. They supply all the information, and give facts asked for by the Committee. Healthy conventions have to be built.

Question: Does it mean that files will not be supplied even if the Committee feel that something is patently wrong and the officers are not giving correct facts?

Ans.: As I told you, in such cases the Committee will be justified in asking for papers. Some years ago a case happened in our Public Accounts Committee. The Secretary of a Ministry stated before the Committee that a particular decision had been arrived at after the Minister and the Cabinet had approved the proposals. Now the Members of the Committee had some doubt on that matter and some of them had some inside information that that was not a fact. The Committee therefore insisted that the original papers should be shown to the Committee. The Gov-

ernment complied with the request and the files were shown.

The Committee could have followed another course also. They could have written in the report that they had doubts in regard to the facts disclosed before them and that they would suggest that the Prime Minister should call for the papers and examine whether the statement made by the witnesses before the Committee was correct or not. That could be an alternative method if the Committee did not wish to call for the original papers themselves.

A Member: Then it is a case for the Criminal Courts.

Ans.: It is not so easy as that. It is not that the officers were deliberately telling a lie. As you know officers change and when a matter comes up before the Committee after many years, the officers giving evidence may not have had all the background and may not be aware of all the facts and, therefore, their statements may not be completely in accordance with the facts. One has to examine all the circumstances of the case and then come to conclusions.

A Member: After six months one can hardly say what the Secretary or the Chief Minister wrote on the particular file. If the Secretary is expected to make a statement before the Committee he must refresh his memory.

Ans.: That is right. Even so, allowance must be made for human failings.

A Member: There might be a convention that if the Committee has a doubt they may ask the Secretary to look up the matter and come up again.

Ans.: That is always done. The Committee does ask the witness to clarify their doubts and in that process the witness asks for time to examine the papers again and to present his views later on either in writing or orally, but a case may arise where a departmental witness may persist that his statement of facts is true and the Committee may also persist that it has its doubts. In such a case the matter can either be clarified on looking into the original papers or by making a report as I told you before.

A Member: If he refreshes his memory he may change his opinion.

Another Member: There must be a finality at certain stage. The departmental Secretary may refresh his memory and after that he may say that these are the facts but we must stop at some stage.

Ans.: The Committee does not say that it does not believe in the departmental witness. It merely gives a factual account of what has happened and leaves the matter to be further examined by Government. The departmental witness can make a submission to the Committee that after looking into the papers he has some new facts or revised facts to be placed before the Committee. The Committee is always willing to hear the departmental witness and to accept the revised facts until it makes the final report. So far as the Estimates Committee is concerned, even after the draft report has been prepared the department concerned has an opportunity to correct the facts at that stage. As I told you earlier, the reports of the Estimates Committee are sent to the Department concerned for factual verification and even at that stage if the Department has to give some more facts or revised facts to the Committee,

the Committee will always reconsider the position. In the case of Public Accounts Committee, however, the draft report is seen by the Comptroller and Auditor-General and it is the practice that all facts in that report are checked by the Audit Department. If they are in doubt about any particular matter, they can always get the facts from the Ministry or the Department concerned before placing them before the Public Accounts Committee for incorporation in their report.

All these conventions and practices that have grown at the Centre are discussed in detail at the conferences of the Chairmen of Estimates Committees and Public Accounts Committees. The States do follow the same procedure as it obtains at the Centre because it has been evolved out of experience and has stood the test of time. The States, of course, are not bound by the conventions and practices at the Centre and they adopt them if they are convinced that they are good in their own circumstances. In addition to these conferences, we have got the Speakers' Conference annually and there are mutual visits from the State Committees to the Central Committee and *vice versa*; visits of the State Officials who are dealing with these Committees to the Centre for study and discussion and all these various methods help to evolve a common procedure.

Factual Verification of Reports

Question: Are the draft reports of the Estimates and Public Accounts Committees sent to the Ministries?

Ans.: The draft reports of the Estimates Committee are sent to the Ministries concerned for factual verification. In the case of Public Accounts

Committee the reports are not sent to the Ministries because the Comptroller and Auditor-General goes into the report in detail and corrects factual inaccuracies, if any. In the House of Commons the draft Reports of the Committees are not sent to the Ministries for factual verification. We wanted to avoid unnecessary conflict between the departments and the Committees on the correctness of facts so that attention may be concentrated on the implementation of recommendations.

Scope of Discussion on Appropriation Bill

Question: After all the Demands have been passed and the Appropriation Bill introduced, is there discussion on the Appropriation Bill?

Ans.: Theoretically the House is at liberty to discuss that Bill as any other Bill. The convention, however, is that the Speaker allows discussion on such matters only as are not covered by the discussion on the Demands. A member who wishes to have a discussion on the Appropriation Bill gives a list of points in advance. The Speaker examines whether any of these points have been discussed. If some points have not been discussed already, he allows the discussion which is confined to those points only.

A Member: There is restriction of time also and nobody can exceed that time.

Ans.: That is true. The whole timetable is laid down in advance and all the financial business is to be completed within that time. At the appointed hour, therefore, the discussion is brought to an end by the Speaker by putting the question to the vote of the House.

Cut Motions

A Member: In States there are any number of cut motions.

Ans.: There are, as I told you, a large number of cut motions given notice of in our House also. A number of them are also moved. Sometimes these cut motions are helpful to the Minister because he knows in advance what points are agitating the minds of Members and he comes prepared with the answers so that he can take effective part in the discussion.

A Member: There should be some procedure by which cut motions could be selected, as the Speaker cannot obviously allow all the cut motions.

Another Member: Cut motions should be very specific so that the Minister is prepared beforehand.

Ans.: Cut motions are always specific and they give the point in precise terms which the member wishes to raise. The selection of cut motions cannot be made unless the Opposition co-operate and select the points on which they want to have discussion. Where there is one party in Opposition, such an arrangement is possible and should be done but where there are a number of Opposition parties and groups, each disagreeing with the policy of the other, it is difficult for them to come to common arrangements. Each Group or Party makes the selection of its own and in the result a number of cut motions are moved. The Minister, however, ought to know which cut motions are important and are likely to be raised. In the House of Commons, Ministers do not ask the Departments to prepare elaborate notes and briefs on the points likely to be

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raised in discussion. When the discussion proceeds, the Minister jots down a few points on which he wants to have further information, because normally the Minister has most of the information in his possession. He then asks his Private Secretary, who is sitting in the Official Gallery, to contact the Officers concerned and get the information over the telephone. The Private Secretary is quite efficient. He gets the information quickly on telephone and passes it on to the Minister. Here the position is different, as a number of senior officials sit in the Official Gallery and they pass on chits to the Ministers and keep them informed of the points raised in the House and the material for answer on those points. This procedure is wasteful of the time of the senior officials and in due course will have to be changed.

Sanction for Expenditure

Question: Before passing the Appropriation Bill can Government issue sanctions in advance so that the subordinate authorities are in readiness to implement the schemes as soon as the Bill has been passed?

Ans.: Government can issue sanctions in advance within the estimates proposed by them but no one can operate on those sanctions until the Appropriation Bill has been passed, because money cannot be withdrawn from the Consolidated Fund before the passage of the Appropriation Bill. There should be no objection from constitutional point of view because after the demands have been voted by the House, they automatically find a place in the Appropriation Bill and Parliament has no power thereafter to vary the amounts or modify them in any respect. Therefore, Government

can issue instructions based on the amounts voted by the House on demands. The only restriction is that no one can draw the money until the Appropriation Bill has been passed.

Inclusion of Charged Expenditure in Appropriation Bill

Question: Why do we show the charged expenditure in the Appropriation Bill? Is it necessary to do so?

Ans.: Unless the Appropriation Bill is passed by Parliament, even the charged expenditure cannot be drawn from the Consolidated Fund.

Reappropriation

Question: How is re-appropriation done?

Ans.: No re-appropriation can be done between the Grants. Lok Sabha does not concern itself with re-appropriations within the Grants. That, properly speaking, is the function of the President. The Finance Ministry on behalf of the President has laid down certain rules of re-appropriation and delegated powers to the various Ministries in this respect.

Excess Expenditure

A Member: I think in one Legislature the Appropriation Bill was not assented to by Government before 31st March and the Government incurred the expenditure.

Ans.: That becomes excess expenditure because the Parliamentary sanction to cover the expenditure is not there. In that case the matter will have to be placed before the Public Accounts Committee and the House will act on their advice.

(Concluded)

Some Observations on the Nature and Scope of the "Further Demands" in the Maharashtra Legislative Assembly

position is in England in respect of Supplementary Demands. The following passages from May's *Parliamentary Practice* (16th Edn.) at pages 715—18 are relevant for our purpose :—

A Supplementary estimate may be presented either (1) for a further grant to an existing service, in addition to the sum already demanded for the current financial year, or (2) for a grant caused by a fresh occasion for expenditure that has arisen since the presentation of the sessional estimates, such as expenditure on behalf of a service newly imposed upon the executive Government by statute, or to meet the cost created by an unexpected emergency.

Supplementary estimates due to the insufficiency of the original estimates are usually presented in February or March, are voted in Committee of Supply on allotted days before 31st March (a supplementary guillotine ensuring that they are voted *in toto* by that date); and ways and means to cover them are provided by the Consolidated Fund Bill which receives the Royal assent shortly before the end of the financial year. They should, if possible, be presented before the vote on account and the main estimates for the following year are published, as they enter into the figures of expenditure for the current year, which are shown in both those estimates for the purpose of comparison with the figures of expenditure for the coming year.

Supplementary estimates, which are due to decisions of policy involving fresh expenditure taken since the presentation of the main estimates, are presented usually in July, voted on allotted days or under the main (July or August) supply "guillotine", and financed by issues authorised by the

Appropriation Act. They may also be presented after the passage of the Appropriation Act—in the autumn or towards the end of the financial year—and are then financed by means of Consolidated Fund Bills, and appropriated in the following financial year.

It is an unusual procedure to obtain a supplementary vote before the main estimates, to which it is attached, is voted. Normally, the two are taken together as a single vote, including the supplementary.

From what has been stated above, it will be seen that the following propositions are firmly established :

(1) That the Supplementary Estimates, whether in India under Art. 205 of the Constitution or in England, are brought forward for the same purposes;

(2) That Supplementary Estimates should not be brought before the main estimates are voted. (There is also a ruling to this effect given by the Speaker of the Maharashtra Legislative Assembly—*vide* Ruling No. 13^r of the Selection of the Decisions from the Chair for June 1957 to October 1958);

(3) That, in England, Supplementary Demands are brought both before and after the Budget is passed. Those which are brought before the Budget is passed, are treated as an addition to the main Budget and a single vote is taken for both the estimates¹.

¹In this ruling the Speaker actually held such Supplementary Estimates to be in order under Art. 205 (drawing attention to May for the procedure in U. K.), but at the same time also added that he would certainly like himself to see and also like the Government to examine whether such an unusual procedure could not be avoided in future within the framework of the existing law.—Editor.

The following instance will explain the position obtaining in the House of Commons :—

On the 16th February, 1960, Estimates for the Civil and Revenue Departments for the year ending on the 31st day of March, 1961, were presented. The Estimates were referred to the Committee of Supply on the same day.

On the 5th July, 1960, Estimates of further sums required to be voted for the Service of the year ending on the 31st day of March, 1961, for Civil Departments were presented. The Estimates were referred to the Committee of Supply on the same day.

On the 21st July, 1960, Resolutions of the Committee of Supply regarding the Civil Estimates and Supplementary Estimates were reported to, and agreed to by, the House.

On the 21st July, 1960, the Consolidated Fund (Appropriation) Bill was presented.

On the 26th July, 1960, the Consolidated Fund (Appropriation) Bill was passed.—Editor.

Basic Similarity of Practice in U.K. and Maharashtra

Now Rule 229 of the Maharashtra Assembly Rules seems to provide for the kind of supplementary estimates which are brought in England in July before the Budget is passed. In England, it appears that both the estimates brought before and after the passage of the Appropriation Act are termed by the same common expression "Supplementary Estimates" whereas, under the Rules in the Maharashtra Legislative Assembly and certain other State Legislatures, different expressions have been used—that is to say, the Supplementary Estimates are called "Further Demands" if they are brought before the Budget is passed; and they are simply called "Supplementary Demands" if they are brought after the Budget is passed. The only other difference is that in England a single vote is taken for both the main estimates and the further estimates, to emphasise that the latter is really an addition to the main estimates before they are passed; whereas in Maharashtra, Madras and Orissa, they are separately passed as provided under the rules in question. But, the fact that these 'further demands' are really in the nature of an addition to the main estimates, before they are passed, is emphasised in these rules also by the provision that they must be moved before

the last of the days allotted for the main demands which is almost on the same lines as taking a single vote for both the estimates as in England.

It will thus be seen that the provision is amply borne out both by the constitutional provisions as well as the established parliamentary practice and procedure in this regard in England.

History of Rule 229

We may here look into the history of Rule 229. This rule appears to have been first framed after the Government of India Act, 1935 came into force. Section 81^b of the Act provided generally that if in respect of any financial year further expenditure became necessary over and above the expenditure theretofore authorised for that year, a supplementary estimate could be presented. The section did not specifically refer to the contingency for further allocation on account of 'new services'. Rule 229 would seem to have been made to cover cases where such expenditure happened to relate to 'new services'. This new rule enabled presentation of further estimates in the nature of additional provision to the main budget estimates, before the latter were passed by the House. The rule was justified by reference to Section 78^c which provided for the presentation of the main estimates, the

^aSection 81 of the Government of India Act, 1935 read as follows :

81. *Supplementary statement of expenditure.*—If in respect of any financial year further expenditure from the revenues of the Province becomes necessary over and above the expenditure theretofore authorised for that year, the Governor shall cause to be laid before the Chamber or Chambers a supplementary statement showing the estimated amount of that expenditure, and the provisions of the preceding sections shall have effect in relation to that statement and that expenditure as they have effect in relation to the annual financial statement, and the expenditure mentioned therein.

^bSection 78(1) of the Government of India Act, 1935 read as follows :

78(1) The Governor shall in respect of every financial year cause to be laid before the Chamber or Chambers of the Legislature a statement of the estimated receipts and expenditure of the Province for that year, in this Part of this Act referred to as the 'annual financial statement'.

Some Observations on the Nature and Scope of the "Further Demands" in the Maharashtra Legislative Assembly

argument being that if the main estimates could be presented under Section 78, additions could also be made there to before those estimates were passed.

It will thus be seen that the provision regarding 'further demands' made under rule 229 is fully supported by the constitutional provisions under Articles 202⁷ and 205 of the Constitution. Since these demands are covered by the express language of Article 205 (and, as already shown, further supported by the established parliamentary practice in England) there can be no difficulty in securing authorisation by the Legislature of any monies withdrawn from the Contingency Fund and expended on any new services or other purposes embraced by these demands⁸.

Usefulness of the Rule

It may now be considered whether this new category of demands serves any useful purpose. On the eve of the general elections, the State Legislatures are usually called upon to pass a vote

on account, on a budget which is only a budget for standing charges and committed expenditure. When the elections are over and new Assemblies come into being, we are at times confronted with the anomalous position of having to further consider the budget presented to the dissolved Assembly and also supplementary demands at the same time, exhibiting new expenditure which is so natural for the new Government that has assumed power. In such an eventuality the device of further demands as contemplated under rule 229 of the Maharashtra Legislative Assembly Rules comes in handy and Government is enabled to get all its finances without committing any technical budgetary impropriety that may be implied in the moving of supplementary demands before the main estimates to which they are related have been voted—a practice described as unusual by May and ruled by the Speaker of Maharashtra Legislative Assembly to be one to be discouraged and avoided by Government.

⁷Art. 202(1), which closely follows the language of Sec. 78(1) of the 1935 Act, states that the Governor shall cause to be laid before the State Legislature, in respect of every financial year, a statement of the estimated receipts and expenditure of the State for that year.

⁸Under Art. 267(2) the Legislature of a State may by law establish a Contingency Fund, to be placed at the disposal of Governor of that State, and advances may be made by the Governor out of such Fund to meet unforeseen expenditure, pending authorisation of such expenditure by the Legislature under Art. 205 or 206 of the Constitution.—Editor.

Regional Committee in the Andhra Pradesh Legislature

By

K. V. JOGA REDDY

Special Officer

Andhra Pradesh Regional Committee

[*Regional Committees, which are analogous to the Scottish Standing Committee of the British House of Commons and are constituted by Presidential order under Article 371 of the Constitution, are a special feature of the Andhra Pradesh and Punjab Legislative Assemblies. This article gives a factual resume of the salient features of the Regional Committee for the Telangana region functioning in the Andhra Pradesh Legislative Assembly.—Editor.*]

General

The Andhra Pradesh Regional Committee was constituted by the Andhra Pradesh Regional Committee Order, 1958* made by the President in exercise of the powers conferred by clause (1) of Article 371 of the Constitution of India. The Order came into force on February 1, 1958. The constitution of this Committee was meant as one of the safeguards for the Telangana region

of the erstwhile Hyderabad State at the time of its integration with the former Andhra State to form the enlarged State of Andhra Pradesh.

The Regional Committee deals with the following matters:

(i) Local self-government, that is to say, the constitution and powers of municipal corporations, improvement trusts, district boards and other local authorities for the purpose of local self-government or village administration.

(ii) Public health and sanitation; local hospitals and dispensaries.

(iii) Primary and secondary education.

(iv) Regulation of admissions to the educational institutions in the Telangana region.

(v) Prohibition of the consumption, except for medical purposes, of intoxicating liquors and of drugs which are injurious to health.

(vi) Sale of agricultural land.

(vii) Cottage and small-scale industries.

(viii) Agriculture, co-operative societies, markets and fairs.

*S.R.O. 443-A, dated February 1, 1958, published in Gazette of India Extraordinary, Pt. II, Section 3, p. 390.

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(ix) Development and economic planning within the framework of the general development plans and policies formulated by the State Legislature.

Unless revised by agreement earlier, the arrangement is to be reviewed after ten years.

All the members from the Telangana region, except the Chief Minister and the Speaker of the Legislative Assembly, are members of the Regional Committee, and the strength of the Committee is 105. Every Minister can take part in the proceedings of the Committee but cannot vote at its meetings unless he is a member of the Committee. Members of the Legislative Council from Telangana region are not members of the Regional Committee.

The Andhra Pradesh Regional Committee Order contains special rules concerning the Regional Committee and its business which by virtue of certain provisions in the Order are incorporated in the Andhra Pradesh Legislative Assembly Rules and the Government Business Rules. These special rules cannot be affected by amendments to the Assembly Rules or the Government Business Rules. The rules of procedure regarding debate and admissibility etc. of amendments in the Regional Committee are the same as those of the Assembly in these respects.

The Committee functions under the Chairman of the Regional Committee who is elected by the members of the Committee from among themselves.

Functions

The Regional Committee has two main functions:

- (1) to consider the Bills affecting the Telangana region which

are not Money Bills and which contain mainly provisions dealing with scheduled matters, whenever referred to the Committee by the Assembly, and present Reports thereon to the Assembly; and

- (ii) to consider and pass resolutions recommending to Government any legislative or executive action affecting the Telangana region in respect of any of the scheduled matters, provided that such legislative or executive action does not involve any financial commitment other than expenditure of a routine and incidental character.

If any question arises whether a Bill is a regional Bill or not, the question shall be referred by the Speaker to the Governor whose decision is final. Normally, the Assembly will pass a Bill as reported by the Regional Committee. In case of difference of opinion, the Bill may be referred back to the Committee for reconsideration. If the Assembly rejects the Bill, the Speaker will refer the matter to the Governor whose decision will be final. Similarly, with regard to the recommendations of the Regional Committee, the Council of Ministers will normally give effect to them but in case of disagreement, the matter will be referred to the Governor whose decision will be binding on the Cabinet.

Sub-Committees

There are three standing Sub-Committees to deal with the different sche-

duled matters under the purview of the Regional Committee:

- (1) *Sub-Committee on Local Administration and Public Health* to deal with—
 - (a) Local Self-Government, that is to say, the constitution and powers of municipal corporations, improvement trusts, district boards and other local authorities for the purpose of local self-government or village administration;
 - (b) Public health and sanitation; local hospitals and dispensaries; and
 - (c) Prohibition of the consumption, except for medical purposes, of intoxicating liquors and of drugs which are injurious to health.
- (2) *Sub-Committee on Education* to deal with—
 - (a) Primary and secondary education; and
 - (b) Regulation of admissions to the educational institutions in the Telangana region; and
- (3) *Sub-Committee on Development* to deal with—
 - (a) Sale of agricultural land;
 - (b) Cottage and small-scale industries;
 - (c) Agriculture, co-operative societies, markets and fairs; and

- (d) Development and economic planning within the framework of the general development plans and policies formulated by the State Legislature.

The strength of each Sub-Committee is nine with provision to co-opt four members who have no power of voting at the meetings. The quorum for the meeting is four. Whenever the Sub-Committees consider the Bills referred to them by the Regional Committee, the Minister in-charge becomes the *ex-officio* member of that Committee. These Sub-Committees have to be reconstituted once in every financial year.

Ad-hoc Committees

Besides the standing Sub-Committees, *ad-hoc* Committees can also be constituted whenever necessary. Such Committees were constituted to frame the bye-laws to regulate the procedure and conduct of business in the Regional Committee and to frame rules of admission to the various educational institutions.

The above apart, two *ad-hoc* Sub-Committees were recently constituted, one to examine the question whether the Regional Committee can probe into Service matters, and another to examine the 'White Paper' issued by the Government of Andhra Pradesh on the development of Telangana.

Regional Committee—Its Work

Since its inception the Regional Committee in the Andhra Pradesh Legislative Assembly has held twenty meetings. Sixteen Bills were referred to the Com-

Regional Committee in the Andhra Pradesh Legislature

mittee during this period, of which the Committee has considered so far eleven and reported on ten. Five Bills still await consideration by the Committee.

In all, the Regional Committee has made fifty reports on various matters. On thirteen of them action has been taken by Government and on twenty-one others Government have taken action partially. Sixteen reports are under the consideration of Government.

Thirteen resolutions (two of them sponsored by Government) were passed by the Regional Committee, of which five were accepted by Government; on three others partial action has been taken by them; and yet three others are under consideration. With the remaining two Government have not been able to agree.

Publicity in Press

The sittings of the Regional Committee are in private in accordance with the President's order and the Press has no access to its proceedings. The reports of the Committee are also deemed confidential until they have been placed on the Table of the Legislative Assembly and copies made available to all the Members of the House.

Although the Regional Committee functions in the same manner as the Assembly, its position is that of a Committee of the House. Its various decisions are, therefore, only recommendatory in character, not carrying the same compelling weight as the decisions of the Assembly.

Place of the Expert in a Democracy

In a democracy there are two stages of decision-making before the proper job of the expert begins. First, there is the primary function of policy-making the choice between directions, the function of the people. Second, there is the delineation of policy by the legislators and the heads of the Government—in accordance with the "mandate" thus entrusted to them. Third, there is the implementation of policy. At this third stage the expert finds his place. It is here, and here alone, that he belongs. He is the technician or the craftsman in the art of government.

—R. M. MACIVER. *The Ramparts We Guard.*

Joint Sitting of the Houses of Parliament on the Dowry Prohibition Bill*

Article 108 of the Constitution of India provides that when a Bill, other than a Money Bill,† has been passed by one House and transmitted to the other House and thereafter (a) rejected by the other House, or (b) the Houses have finally disagreed as to the amendments to be made therein, or (c) more than six months have elapsed from the date of its reception by the other House without its being passed, the President may convene a joint sitting of the two Houses for the purpose of deliberating and voting on the Bill. If at the joint sitting the Bill is passed by a majority of the total number of members of both Houses present and voting, the Bill shall be deemed to have been passed by both the Houses.

An occasion for such a joint sitting arose for the first time in connection with the Dowry Prohibition Bill, 1959, when the two Houses of Parliament could not agree as to the amendments to be made in the Bill.

History of the Bill

The Dowry Prohibition Bill, which sought to prohibit the giving or taking of dowry, was introduced in Lok Sabha on April 24, 1959. The Bill was referred by Lok Sabha to a Joint Committee of the Houses,‡ which presented its report to Lok Sabha on November 19, 1959.§ The Bill, as reported by the Joint Committee was considered and passed by Lok Sabha on December 9, and transmitted to Rajya Sabha for its concurrence. Rajya Sabha, at its sitting on December 16, passed the Bill with certain amendments and returned it to Lok Sabha.¶ Lok Sabha did not agree to these amendments made by Rajya Sabha when it considered them on February 11 & 23, 1960, and returned the Bill to Rajya Sabha on February 25, after making a few further formal amendments therein.

While agreeing to the formal amendments made by Lok Sabha, after a discussion lasting several days, Rajya

* Prepared by the Legislative Branch and Table Office of the Lok Sabha Secretariat.

† The special provisions governing the procedure with respect to Money Bills (*vide* Art. 109) preclude any occasion for a joint sitting in respect of such Bills. A Money Bill—which can be introduced only in Lok Sabha—when passed and transmitted to Rajya Sabha has to be considered and returned by that House within fourteen days, failing which, at the expiration of that period, the Bill shall be deemed to have been passed by both Houses in the form in which it had been passed by Lok Sabha. Further, Rajya Sabha does not enjoy the power of making amendment in a Money Bill in respect of which it may only recommend amendments which may be either accepted or rejected by Lok Sabha, and the Bill is deemed to have been passed by both Houses in the form in which it was passed or agreed to by Lok Sabha. The situations in which a joint sitting is envisaged by Art. 108, can, therefore, never arise in the case of a Money Bill. Proviso to clause (1) of Art. 108 also clarifies this position.

‡ By a motion adopted by Lok Sabha on August 6, and concurred in by Rajya Sabha on September 10, 1959.

§ Copy laid on the Table of Rajya Sabha on November 23, 1959.

¶ Laid on the Table of Lok Sabha on February 8, 1960.

Joint Sitting on the Dowry Prohibition Bill

Sabha insisted on its own amendments made on December 16, 1959 to which Lok Sabha had not agreed. With a message to that effect on December 9, 1960 Rajya Sabha returned the Bill to Lok Sabha where the message was reported and the Bill laid on the Table by Secretary on December 13, 1960. This marked the stage of final disagreement of the Houses on the Bill in terms of Rule 102 of the Rules of Procedure of Lok Sabha.

Convening of Joint Sitting

In his Address to both Houses of Parliament, on February 14, 1961, the President referred to the prospect of summoning a joint sitting of both Houses for the consideration of the Dowry Prohibition Bill. Subsequently, on April 18, 1961, he sent a message* to Lok Sabha and Rajya Sabha, when both were in session, notifying his intention to summon them to meet in a joint sitting for the purpose of deliberating and voting on the Bill. The message was conveyed to Lok Sabha and Rajya Sabha by their respective Presiding Officers on April 19, 1961.†

Simultaneously the Minister of Parliamentary Affairs informed the Speaker that the Prime Minister had suggested May 6, 1961 as the date for the joint sitting. The Speaker agreed with the suggestion and thereupon, orders of the President summoning the joint sitting on that date were obtained by the Sec-

retary to Lok Sabha and summons to members of both Houses issued by him accordingly.‡

Venue, Time of Sitting, and Seating and Other Arrangements

The Central Hall in Parliament House was the venue of the joint sitting. The Sitting was scheduled to commence at 11 A.M. every day and proceed without any lunch break till the business for the day was concluded. The joint sitting lasted for two days i.e. May 6 and 9, 1961, and concluded at 5.50 P.M. on the second day after the Bill, as amended, had been passed.

Since it was too large an assembly for members to conveniently speak and be heard from their places, members spoke from two rostrums specially provided for the purpose, one on either side of the Table, below the Speaker's dais in the Central Hall.

Seats were reserved in the Hall only for the Cabinet Ministers, Deputy Speaker of Lok Sabha and Deputy Chairman of Rajya Sabha, a few senior members of the Congress Party and the Leaders of the various Opposition Groups. Otherwise, there was no individual allotment of seats and members sat as they liked, the members of the Congress Party occupying sectors 1 to 6 and those belonging to Opposition Groups, sectors 7 and 8 in the Hall. Special Division Nos. were, however, allotted to all the members, and a spe-

*The message was in the following terms :

"WHEREAS after the Dowry Prohibition Bill, 1959, has been passed by the Lok Sabha and transmitted to the Rajya Sabha, the Rajya Sabha and the Lok Sabha have finally disagreed as to the amendments to be made in the said Bill;

"NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 108 of the Constitution, I, Rajendra Prasad, hereby notify my intention to summon the Rajya Sabha and Lok Sabha to meet in a joint sitting for the purpose of deliberating and voting on that Bill."

† Art. 108, it may be noted, contemplates two stages: the President first notifying his intention of summoning a joint sitting, and then his summoning the Houses.

‡ Cf. Rule 3 of the Houses of Parliament (Joint Sittings and Communications) Rules, made by the President under Art. 118(3) of the Constitution.

cial combined Division List prepared, for use in connection with Divisions at the joint sitting.

Presiding Officers and Secretary

In accordance with the provisions of Article 118(4) of the Constitution, the Speaker presided at the joint sitting, and under the special Rules governing joint sittings, the procedure of Lok Sabha applied to the joint sitting with such modifications and variations as the Speaker considered necessary.* During the absence of the Speaker, the Deputy Speaker, and in the absence of both of them, the Deputy Chairman of Rajya Sabha, presided.† The Secretary of Lok Sabha acted as the Secretary of the Joint Sitting,‡ and the Lok Sabha Secretariat provided the Secretariat for the occasion.

Laying of Bill on the Table

The business of the joint sitting commenced on May 6 with the laying on the Table by Secretary of an authenticated copy of the Dowry Prohibition Bill, 1959, as passed by Lok Sabha and Rajya Sabha with the amendments agreed to by both the Houses.

Scope of Matters at Joint Sitting

Before the business could be proceeded with further, the Speaker was called upon to dispose of a notice of an adjournment motion tabled that day. The Speaker disallowed the adjournment motion, pointing out that the joint sitting had been convened for a specific purpose and the scope of the matters that could be discussed was limited under Art. 108 of the Constitution and,

therefore, no adjournment motion or other motion unrelated to the business subject matter before the joint sitting could be raised on that occasion.§

Amendments to Bill

The scope of amendments to the Bill that could be moved at the joint sitting was similarly restricted by the provisions of Art. 108 to (i) amendments which were rendered necessary by the delay in the passage of the Bill; and (ii) amendments which were relevant to the matters with respect to which the Houses had not agreed.

The disagreement between the two Houses was over clauses 2 and 4 of the Bill and related to the following amendments insisted on by Rajya Sabha:

(i) insertion of the words 'either directly or indirectly' in clause 2 which widened the scope of the expression "dowry" so as to include any presents given even indirectly.

(ii) deletion of the first Explanation to clause 2 which declared that any presents made in the form of cash, ornaments, clothes, or other articles, unless given as consideration for the marriage, shall not be deemed to be dowry.

(iii) deletion of clause 4 which prescribed the penalty for demanding dowry.

Two amendments necessitated by the delay in the passage of the Bill were tabled by Government. Besides these, amendments were also tabled by members seeking—

(i) to add, omit, substitute particular portions of clauses 2 and 4,

(ii) to omit clause 4,

(iii) to amend clauses other than clauses 2 and 4, and

(iv) circulation of the Bill or clauses 2 and 4 of the Bill for the purpose of eliciting opinion thereon.

**Ibid.*, rule 7.

†*Ibid.*, rule 5.

‡*Ibid.*, rule 2(f).

§See J. S. Prager, col. 11.

It was held by the Speaker that all amendments, except those falling in category (i) above, were inadmissible. Even in the case of amendments falling in category (i), the scope of amendments to clause 2 was restricted to the question of insertion of the expression "either directly or indirectly" and of the deletion of Explanation I—i.e. to matters on which there was disagreement between the Houses. Any amendment to clause 4, including substitution by a new text, was held admissible.

Consideration and passing of Bill

The motion for consideration of the Bill was moved by the Minister of Law, Shri Asoke K. Sen, on May 6 in the following terms:

"That the Bill to prohibit the giving or taking of dowry as passed by Lok Sabha and Rajya Sabha with the amendments agreed to by both the Houses be taken into consideration for the purpose of deliberating on matters with respect to which the Houses have not agreed."

A combined discussion on the motion for consideration and the clauses was allowed by the Speaker in view of the large number of members who wanted to participate in the discussion. Discussion on the motion and the clauses concluded at 4.25 P.M. on May 9, after which the motion for consideration was put to vote and adopted. Thereafter, clauses of the Bill and amendments thereto were taken up.

Clauses 2 and 4, over which there was disagreement between the Houses, were taken up first. In clause 2, the insertion of the words "either directly or indirectly" suggested by Rajya Sabha, which widened the scope of the expression 'dowry', was accepted by the joint sitting* and the clause as amended adopted. In the case of clause 4, which dealt with penalty for the offence of demand-

ing dowry, the substitute clause proposed by Government was accepted. The new clause included a proviso which rendered the previous sanction of the concerned State Government necessary before the Courts could take cognisance of the offence.

Thereafter, clauses 3, and 5 to 10 were put to vote and adopted. With certain formal amendments, necessitated by the passage of time, Clause 1 and the Enacting Formula, were then adopted. The Long Title of the Bill was as usual adopted in the end. Except in the case of one amendment to clause 2 in respect of which a regular Division took place, all other matters were decided by voice vote.

The Minister of Law then moved that the Bill, as amended, be passed. The motion was adopted and the Bill, as amended, was passed at 5.50 P.M. on May 9, 1961.

The Speaker then declared the joint sitting concluded, there being no provision in the Constitution for prorogation of a joint sitting.

Assent to Bill

The Bill, as passed by the Houses of Parliament, received the assent of the President on May 20, 1961 and the corresponding Act was published as Act No. 28 of 1961 in the Gazette of India Extraordinary, Part II, Section 1, dated May 22, 1961. Thus was placed on the Statute Book a piece of social legislation of considerable significance which also made legislative history by calling for the use, for the first time, of the somewhat rare machinery of a joint sitting in the Indian Parliament.

The Act came into force on July 1, 1961.

* Deletion of Explanation I suggested by Rajya Sabha was, however, not accepted.

Petition to Lok Sabha and the Committee on Petitions*

PETITIONS

Every citizen of India or a foreigner residing in India can submit a petition to Parliament. The Rules of Procedure of Lok Sabha specify the matters on which petitions may be presented to the Lok Sabha. Petitions may be presented¹, with the consent of the Speaker, on—

(i) a Bill or any matter connected with the business pending before the House; or

(ii) any matter of general public interest provided that the public interest is not one—

(a) which falls within the cognizance of a court of law having jurisdiction in any part of India or a court of enquiry or a statutory tribunal or authority or a quasi-judicial body, or a commission;

(b) which should ordinarily be raised in a State Legislature;

(c) which can be raised on a substantive motion or resolution; or

(d) for which remedy is available under the law including rules, regulations, bye-laws made by the Central Government or an authority to whom power to make such rules, regulations, etc. is delegated.

A petition must, therefore, relate to a matter of public interest involving a question of principle or affecting a large section of the community. Petitions ventilating individual grievances cannot be presented².

Every petition is to be countersigned by a member of Lok Sabha who presents it to the House³. If a petition received in the Lok Sabha Secretariat falls within the scope of admissible petitions but is defective in form, language etc. specified under the rules⁴, it is suitably edited to conform to the rules before presentation. Every petition, after presentation to the House, stands referred to the Committee on Petitions⁵.

REPRESENTATIONS

In addition to petitions, a large number of representations, letters etc. are addressed to Lok Sabha, the Speaker, the Chairman of Committee on Petitions, and the Secretary to the Lok Sabha. As such representations ventilate individual grievances they are not admissible for presentation to the House as petitions. Every representation is however

* Prepared by Committee Branch II, Lok Sabha Secretariat.

¹Rule 160 of the Rules of Procedure of Lok Sabha (5th Ed.).

²Petitions ventilating individual grievances if received are treated as representations. They are not presented to the House. They are however considered by the Committee under Dir. 95.

³Cf. Rule 164. The principle behind this rule is that a member must take responsibility for the contents of the petition and the general public interest aspect of it.

⁴See Rules 161 to 163 and 165.

⁵Rule 169.

Petitions to Lok Sabha and the Committee on Petitions

examined by the Committee on Petitions⁶ subject to the exception referred to below.

Representations of the following character are not considered by the Committee:—

(i) Representations ventilating service grievances of Government employees, statutory bodies, corporations etc.⁷

(ii) those seeking employment⁸.

(iii) those requesting for monetary assistance.⁹

(iv) those which ventilate grievances on matters under the control of the State Governments¹⁰.

(v) Representations on sub-judice matters.

(vi) Anonymous representations.

(vii) Representations of a frivolous nature.

Representations in respect of a pending Bill or admitted resolution are not considered by the Committee. Summaries of such representations are prepared by the Secretariat and circulated to all the members of the Lok Sabha.

COMMITTEE ON PETITIONS

The Committee on Petitions is one of the important Committees of Lok Sabha. It is the oldest of the parliamentary committees of the House.¹¹ As the time of Lok Sabha is mostly taken up for legislative measures, the task of looking into public grievances is looked after by the Committee on Petitions. The Committee provides an effective

link between the general public and the Government, and is a forum through which the quantum of public opinion on any matter is reflected to the Members of the House.

PROCEDURE IN COMMITTEE WITH RESPECT TO PETITIONS AND REPRESENTATIONS

Petitions.—The Committee on Petitions examines every petition referred to it but as regards a petition on a Bill or other matter pending before the House, it does not as a rule make recommendations on the subject-matter of the petition. After satisfying itself that the petition complies with the rules it directs that the petition might be circulated *in extenso* or in summary form (if of excessive length) to all the members of Lok Sabha before the Bill or the connected pending business comes up for discussion in the House.

It is in the case of a petition on a matter of general public interest that the Committee examines the contents of the petition in detail. In the first instance it may call for facts of the case from the concerned Ministry of the Government of India. Where it feels necessary it may call for further clarification from the Ministry or the petitioner or may examine as witnesses, the petitioner or the member who presented the petition or representatives of the Ministry or any other person concerned.

The Committee reports to the House from time to time with its

⁶Dir. 95.

⁷As the petitioner will have proper avenues under the rules relating to service conditions of the employees such representations are forwarded to the Ministry, Deptt. or office concerned for direct disposal.

⁸Petitioners are ordinarily advised to register themselves at the Employment Exchanges concerned.

⁹They are forwarded to the Ministry of Home Affairs for disposal.

¹⁰Such letters are forwarded to the Secretary of the State Legislature concerned and petitioner advised to correspond with him direct.

¹¹The first Committee on Petitions in the Central Legislature in India was constituted on February 20, 1924.

recommendations on the petitions considered by it. The report gives the subject-matter of the petitions, the facts submitted by the Ministry and the Committee's recommendations.

The recommendations of the Committee may take any of the following forms:—

(i) No action is necessary on the petition as the Government's reply meets adequately the petitioner's points or the suggestions are not feasible etc; or

(ii) the petitioner's suggestions, in the form modified by or acceptable to the Committee, ought to be implemented; or

(iii) the petitioner's suggestions ought to be implemented; or

(iv) remedial measures might be taken by Government either in a concrete form applicable to the cases under review or to prevent recurrence of such cases in future.

Representations.— Representations ventilating individual grievances etc. are examined by the Committee after being classified by the Secretariat into categories 'A' and 'B'. Representations relating to important matters requiring the Committee's intervention are placed in category 'A', while those dealing with trivial or personal matters are put in category 'B'.

In respect of representations in category 'A' the Committee gives one of the following directions:—

(a) Where it feels that there is a *prima facie* genuine grievance, it directs in the first instance that facts might be obtained from the Ministry concerned. After considering the reply of the Ministry, or getting further clarification from the Ministry or the petitioner, the Committee may, where considered necessary, draw the attention of the Ministry to the facts of the case stating arguments for a particular course of action being adopted by them.

(b) Where it feels that though the grievance is genuine it is not of much

consequence, it directs that the representation in original be forwarded to the Ministry concerned for disposal after due consideration.

In the case of representations falling in category 'B', the Committee may direct that it might be forwarded to the Ministry for disposal. Where the grievances, in the opinion of the Committee, are trivial or purely personal and do not require their intervention, it directs that it might be filed. The Committee does not usually make any formal recommendation in regard to representations in its report.

PETITIONS COMMITTEE IN THE SECOND LOK SABHA

The Committee on Petitions of Second Lok Sabha was constituted on June 5, 1957. It consists of 15 members with Shri Upendranath Barman, M.P. as Chairman. The Committee was reconstituted thrice thereafter but the same Chairman continued to hold office during the entire period.

The Committee has held so far 56 sittings, considered 47 petitions and presented 13 reports to the House. In addition the Committee has considered 1810 representations.

Some Important Recommendations

The Committee on Petitions has many substantial contributions to its credit. Some of the suggestions which were recommended by the Committee and were implemented by Government are given below:—

(i) Petition No. 2 suggested grant of rail concession at single fare for double journeys performed by students appearing at competitive examinations conducted by the Ministry of Education for award of merit scholarships in public

Petitions to Lok Sabha and the Committee on Petitions

schools. The Committee recommended¹² that the rail concessions suggested might be granted to child students appearing at the above-mentioned examinations, whose parents had an income below Rs. 100 p.m. This recommendation was implemented¹³ by the Ministry of Railways by the issue of a circular letter dated the March 14, 1959, to the General Managers of all the Indian Railways.

(ii) Petition No. 3 suggested grant of facilities for reservation of seats and berths and for prevention of unauthorised sale of III class accommodation on Mail and Express Trains. The Committee in its First Report recommended¹⁴ that the attention of the Ministry of Railways might be drawn to the necessity for strict enforcement of the suggested measures to prevent unauthorised sale of III class seats and berths on trains. The suggestion was implemented¹⁵ by the Ministry of Railways by the issue of necessary instructions to the General Managers of all the Indian Railways.

(iii) Petition No. 11 suggested introduction of the system of nomination (on the analogy of sections 38 and 39 of the Insurance Act) in the case of Post Office Savings Accounts and ten-year loan bonds issued by the State/Central Governments so that the nominee of a depositor/holder of the bond could be paid in the event of death of the depositor or holder.

The Committee took up the matter with the Director-General, Posts and Telegraphs and the Ministry of Finance and noted¹⁶ that as a result three Acts viz. the Public Debt (Amendment) Act, 1959, the Government Savings Banks (Amendment) Act, 1959 and the Government Savings Certificates Act, 1959 had been enacted to make the necessary provision.

(iv) Petition No. 33 referred to an accident in which a passenger train and a lorry were involved at a level-crossing due to the negligence of a gateman. On a reference to the concerned Ministry, the Committee was informed that the Government proposed to inter-lock the Gates at the specified level-crossing with signals. The Committee recommended¹⁷ that similar adequate steps should be taken by the Ministry of Railways on all level-crossings to prevent recurrence of such accidents in future. The Committee noted subsequently (vide their Eighth Report)¹⁸ that an extract of the recommendation had been forwarded by the Ministry to the General Managers of all Indian Railways to ensure that gatemen at all level-crossings were fully conversant with the rules for working them properly.

(v) In its Eighth Report,¹⁹ after considering Petition No. 34 suggesting certain amendments to the Indian Arms Rules, 1951 for implementing three of the recommendations made by the Committee during the first Lok Sabha, the Committee recommended²⁰ that rules 40 and 46 of the Arms Rules might be amended. The Ministry, while agreeing to implement the recommendation, have since intimated that the draft rules have been almost finalised in consultation with the State Governments. The matter is being pursued with the Ministry.

(vi) In its Twelfth Report,²¹ after considering Petition No. 40 suggesting amendment of the Factories Act, 1948 for simplifying the procedure and for consolidation of the charges against the management to save expenses and time, the Committee recommended that it was desirable to evolve a uniform procedure in consultation with the State Governments

¹²1R (CP-2LS), para 4.

¹³3R (CP-2LS), App. VII.

¹⁴1R (CP-2LS) para 6.

¹⁵3R (CP-2LS), App. VIII.

¹⁶6R (CP-2LS), para. 3; and 7R (CP-2LS) para 7.

¹⁷7R (CP-2LS), para 5.

¹⁸Para 6.

¹⁹Para 5.

²⁰The recommendations were :—

- (i) Rule 40 of the Indian Arms Rules, 1951 should be amended so that where an arms licensee applies for renewal of his licence well in advance of the expiry thereof, his weapon might not be taken away from him unless the old licence is cancelled, and
- (ii) Rule 46 should be amended so that all fees in respect of arms licences might be payable in cash or by money order or by postal order as suggested in the petition.

²¹Para 5.

for consolidation of charges framed under the various provisions of the Act. If necessary, the Act might also be suitably amended. The recommendation is being pursued with the Ministry of Labour and Employment.

Apart from the above, some of the recommendations of the Committee during the First Lok Sabha were also pursued with the Government by the Committee during Second Lok Sabha and these were implemented by Government. The following are some of the more important cases:—

(i) In its Twelfth Report (First Lok Sabha) the Committee had recommended²³ implementation of suggestions for punctual running of trains, electrification of railway stations, replacement of coal and oil engines by electric pump sets, specific rules for reservation of seats and berths for passengers, entraining at intermediate stations etc. (Implemented by the Ministry of Railways—*vide* First Report,²³ Second Lok Sabha).

(ii) In its Tenth Report (First Lok Sabha) the Committee had recommended²⁴ the grant of facility to the public for submission of petitions to the Lok Sabha by book post and book packet rates instead of at ordinary rates (Implemented²⁵ by the D.G.P. & T. *vide* notification published in the Gazette of India, Part II, Sec III dated February 8, 1958; also *vide* Third Report,²⁵ Second Lok Sabha).

(iii) In its Sixth Report (First Lok Sabha) the Committee had recommend-

ed²⁶ that an arms licence ought to be renewable on receipt of renewal fee through a Money Order or by depositing the renewal fee at the sub-treasury according to the choice of the licensee. (Implemented by the Ministry of Home Affairs—*vide* Third Fifth and Sixth Reports,²⁷ Second Lok Sabha).

The Committee does not normally report to the House on representations considered by it unless there is any matter of special interest which the Committee thinks ought to be brought to the notice of the House. For instance, in its Tenth Report, the Committee reported to the House on certain cases of corruption in the North Eastern Railway in connection with the Rationalisation Scheme which came to its notice while considering certain representations. The Committee later noted that the staff responsible for the default had been punished on its taking up the matter with the Ministry of Railways. The Committee also, recommended that the attention of the Railway Administrations might also be drawn to the need for strict supervision and observance of the rules or directions issued by the Ministry of Railways. The recommendation was implemented by the Ministry (*vide* Eleventh Report of the Committee).

²³Para 3.

²⁴Appendix XI.

²⁵Para 3.

²⁶3R (CP-2LS), App. VI.

²⁷Para 3.

²⁸3R (CP-2LS), App. V ; 5R (CP-2LS) para 13; and 6R (CP-2LS) reply

Estimates Committee of Lok Sabha

A REVIEW OF REPORTS PRESENTED BY THE COMMITTEE DURING 1950—57—(2)*

[This is the second instalment of a review of the Reports of the Estimates Committee during the period 1950—57, which is in six parts: (i) Economy and Efficiency; (ii) Financial Matters; (iii) Staff; (iv) Stores; (v) Certain Important Matters including Policy; and (vi) Miscellaneous. The first instalment, which dealt with "Economy", was published in the last issue of the Journal.—Editor.]

B. EFFICIENCY

During their examination of various Government Offices and Government Undertakings the Committee have had occasions to point out the need for increasing efficiency. They have often suggested specific measures for toning up the efficiency of Government work. The more important of these will be referred to below, indicating, wherever possible, the action taken by Government on these suggestions.

Reorganisation of Ministries and Departments

While dealing with the reorganisation of the Secretariat and Departments of the Government of India in their Second Report, the Committee observed¹ that there was considerable overlapping in

the work of the Ministries. Allied subjects were being dealt with at various places with the result that there was no coordination of work and unified control over the same kind of subjects and the policies relating thereto. The Committee felt that there was an urgent need for amalgamating certain Ministries and Departments, and Branches of various Ministries and Departments. The Committee observed as follows:—

The Committee feel strongly that urgent and effective action should be taken to re-organise the work of the Secretariat on better and more methodical lines. The Committee understand that the Reorganisation Wing of the Ministry of Home Affairs have already taken up this work, but it is essential that the work is expedited and decisions taken soon. It is also necessary that decisions should be taken at a higher level so that they are carried out without any delay.

Government² accepted the principle underlying the recommendation, and several Ministries and Departments were re-grouped and reconstituted. Certain Ministries were amalgamated, and some others were split up and subjects re-allocated from one Ministry to another. For example, the Ministry of Commerce and the Ministry of Industry and Supply were amalgamated and some of the subjects transferred to other Ministries. The Ministry of Works, Production and Supply was reconstituted into

*Prepared by the Estimates Committee Branch of the Lok Sabha Secretariat.

¹2R (EC-1LS) para 2, p. 1.

²36R (EC-1LS) pp. 3-4 and 43-45.

(1) Ministry of Works, Housing and Supply ("Housing" being transferred from the Ministry of Health) and (2) Ministry of Production. A new Ministry of Iron and Steel was set up with certain subjects transferred from the Ministries of Production, and Commerce and Industry. Government further informed the Committee that the Special Reorganisation Unit of the Ministries of Finance and Home Affairs were also examining the question of rationalisation and reorganisation of the internal lay-out of posts in each Ministry, that this Unit had examined several Ministries and that the recommendation made by the Unit had been accepted and implemented to a very great extent.

Work load of staff and circulation of summary of decisions in the Secretariat

The Committee also recommended^a that the work load of each person in government offices should be laid down and steps should be taken to provide appropriate punishments in the case of defaulters. The Committee further recommended that—

In each Ministry or Department there should be a system of circulating weekly or fortnightly a summary of the decisions that have been arrived at in the Ministry for information of all the other Ministries and Departments of the Government of India so that each one in the Secretariat is aware of what is happening in the other parts.

Government in their reply^d stated that a critical examination was being held to formulate the minimum amount of work which individuals of various grades

should reasonably be expected to carry out in order to achieve the object of economy subject to efficiency. In regard to the suggestion for circulating important decisions, Government stated^b that—

- (a) decisions of a general nature were circulated to all ministries;
- (b) decisions of a secret nature were circulated to those concerned;
- (c) decisions of interest only to one Ministry were not circulated to other Ministries.

Registration of dak in Ministries

The Committee pointed out the defective procedure in the Secretariat in the matter of registration of incoming *dak*. The Committee wrote^c:—

Each receipt is registered not only once or twice but three or four times during its travel from Branch to Branch within a Ministry. The same receipt is therefore counted several times and when the totals are made up the receipts become inflated and it is on this inflated number of receipts that the staff is sanctioned by the Ministry of Finance for the various Ministries. There should be a proper system of registering 'dak' only once in a Ministry and it should be registered either Centrally or Branchwise and the system of having receipts counted several times should be avoided by laying down proper rules in the matter. A rule should also be laid down that all the incoming 'dak' of a Ministry is disposed of by the officer concerned on the day of receipt. If he expects some delay in disposing of it finally he may inform the party concerned of the approximate time by which that party could expect a reply. For this purpose, standard forms may be devised so that no extra work is involved.

^a2R (EC-1LS) para 20, p. 11.

^b36R (EC-1LS) p. 12.

^cIbid, pp. 27-28.

^d2R (EC-1LS) para 23, p. 12.

Government in their reply⁷ assured the Committee that the strength of Assistants for a section was fixed only with reference to receipts pertaining to that section and not on the basis of the Central Registry figures. The Registers of the Central Registry merely contained brief particulars e.g., number and date of the letter, from whom received and the section to which it is sent. The section diary kept fuller details, e.g., the subject-matter, the Assistant to whom it is marked, the file to which it relates etc. These details were considered necessary to give a complete record of movement and disposal of receipts and to effect a careful check on delays.

Committee to examine complaints

While dealing with the Import and Export Control Organisations under the Ministry of Commerce in their Third Report, the Committee remarked⁸ about the inadequacy of the present arrangements in regard to the disposal of complaints made by the public against the working and administration of the import and export trade controls. The Committee felt that a proper method should be adopted so as to infuse confidence in the minds of the public and rid the department of charges of nepotism and corruption. They made the following recommendation in this regard:—

We recommend that immediate steps should be taken to set up a Committee consisting of a person not below the rank of a District Judge and two other non-officials, which should receive all complaints relating to grant of import licences. It is not our intention that this Committee should act as a judicial body in a judicial manner but the inclusion of a

District Judge has been suggested for the purpose of infusing confidence in the public mind that there is a person on the Committee who does not belong to the Ministry and has a judicial temperament.

Since⁹ the Estimates Committee reported, considerable improvement was effected in the working of the Import and Export Control Organisation. The procedure for dealing with complaints within the Chief Controller's Organisation had also been tightened up and improved. A Complaints Branch was also set up in the Ministry. Complaints received were personally scrutinised by the Secretary or Joint Secretary and most of them by the Minister or Deputy Minister. In view of this Government felt that it was not necessary to appoint any special tribunal to examine complaints when especially the existing arrangements had been working quite satisfactorily. The Committee accepted this view of Government.

Operational efficiency on Railways

In their Reports on the Railways the Committee made several recommendations in regard to increasing the operational efficiency on the Railways. They stressed¹⁰ the importance of this matter, in the Seventeenth Report in the following words:—

The present equipment and facilities at the disposal of the railways are totally inadequate to cope up with the heavy demand of traffic. Adequate steps will have to be taken to increase and improve the available equipment and facilities. It has, however, to be recognised that the increase of equipment and facilities is necessarily a very costly and a slow process. It is, therefore, all the more necessary that the existing equipment and facilities are utilised to the best advantage. In view of the general shortage of

⁷36R(BC-1LS) pp. 12-13.

⁸3R (BC-1LS), paras 23 & 41, pp. 10-11 & 18.

⁹37R(BC-1LS), pp. 28-29.

¹⁰17R(BC-1LS) para 72, pp. 22-23.

rail equipment and facilities, the question of operating efficiency with which the Railways are run becomes one of paramount importance. To give a very simple illustration, if there is sufficient reserve of locomotives and if on any day 5 trains are run with 10 wagons short each, a sixth train can be run out with another locomotive; but if there is a shortage of locomotives, then those 50 wagons which could have been run on the five trains by efficient operation are not despatched at all on that day and the rail transport of 50 wagons over that section becomes a permanent loss to the country. In other words any loss of transport that may occur due to inefficient operation cannot be made good. The Committee, therefore, attach very great importance to the question of operating efficiency at the present critical stage of our national development.

Some of the specific recommendations made by the Committee to improve operational efficiency may be summarised as follows:—

(i) Suitable measures should be taken to improve the performance of wagon miles per wagon day. The target of 50 for the Broad Gauge and 40 for the Metro Gauge may be fixed to start with.¹¹

(ii) A steady drive to improve the net ton miles per wagon day specially on the Metro Gauge is necessary so as to ensure the maximum possible use of wagons.¹²

(iii) In view of the shortage of locomotives, it is necessary that maximum use is made of them by giving better loads to trains.¹³

(iv) Railway Ministry should immediately investigate the reasons for low mileage obtained from the engines both on the Broad Gauge and Metro Gauge and take prompt measures to see that the mileage obtained out of the Broad Gauge and Metro Gauge engines for various services improves.¹⁴

(v) Speeds of goods trains should be improved by providing additional facil-

ties, wherever necessary, and by increased supervision and better co-ordination.¹⁵

(vi) There is considerable scope for improvement in the wagon turn-round which is a composite index depending upon a large number of factors, such as the average detention in yards, average speeds of trains, time for loading and unloading etc. No efforts should be spared to bring about this improvement.¹⁶

(vii) In view of the serious shortage of rolling stock, the Railways cannot afford the luxury of keeping a large number of locomotives, carriages and wagons under or awaiting repairs in their workshops, running sheds and sick lines. The drive in effecting improvements in this direction should be intensified and the Railway Ministry should lay down the figures of best performance obtained on any Railway as an immediate target to be obtained by all Railways.¹⁷

(viii) A detailed investigation should be undertaken by each of the Railway Administrations regarding the causes of heavy detentions in the marshalling yards and remedial measures taken in the shape of (a) providing additional yard facilities, (b) providing additional shunting facilities, (c) strengthening of the yard staff and (d) improving the line capacity in the adjoining sections as considered necessary. Average detentions of wagons in excess of 24 hours in any marshalling yard should be ruled out as an axiom of good operation, and if such excessive delays occur, they should be investigated at the highest level.¹⁸

(ix) As improvement in the railway equipment and facilities is bound to be a slow process, the Indian Railways must mobilise themselves on a war-footing with a view to ensuring that maximum use is made of the rolling stock and other equipments that are available so as to achieve better results. Every wagon on the railway should be considered as a gold mine to be utilised unremittingly day and night and all the measures should be expeditiously taken with a view to improve utilisation of rolling stock.¹⁹

¹¹*Ibid.*, para 74, p. 23.

¹²*Ibid.*, para 75, p. 24.

¹³*Ibid.*, para 76, p. 24.

¹⁴*Ibid.*, paras 79—81, pp. 25-26.

¹⁵*Ibid.*, paras 83—85, pp. 27-28.

¹⁶*Ibid.*, para 88, p. 29.

¹⁷*Ibid.*, para 89, p. 29.

¹⁸*Ibid.*, para 97, p. 33.

¹⁹*Ibid.*, para 116, p. 39.

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(x) The²⁰ practice of running goods trains on fixed time tables should be progressively extended on the railways.

(xi) There²¹ is considerable scope for formation of block loads for long destinations, especially in the case of coal traffic.

(xii) The practice²² of night loading introduced at a number of important goods sheds should be extended in consultation with the local representatives of trade, and multiple shifts of working should be introduced at important goods sheds and transshipment points with the object of expediting the release of wagons.

Government took action on all these recommendations and adopted various measures for their implementation in all the Railways. Government stated²³ that a steady drive was being made for greater utilisation of wagons. Every endeavour was being made to obtain better loads to trains and considerable improvement had already been achieved in this regard. As regards improvement of mileage obtained from engines, Government informed²⁴ that due to various reasons, the maximum possible usage of the engines would not be possible, but nevertheless the matter was under constant review. Commenting²⁵ upon this reply, the Committee wrote as follows:—

The Committee realise the difficulties in the way of maximum utilisation referred to above, but in view of the constant review mentioned it was expected that at least there would not be any deterioration. From the Annual Report 1956-57, it appears that there has been a slight deterioration in engine performance, both on B.G. and M.G. The Com-

mittee would like to stress here the necessity of getting better engine mileage, if necessary, by resorting to greater degree of pooling of engines.

Government also stated²⁶ that various measures continued to be taken for intensive utilisation of wagons and to improve the wagon turn-round position. As regards²⁷ improvement in the position regarding rolling stock under repairs, Government stated that the drive had been intensified on the railways. The targets fixed by the Railway Board were expected to be achieved shortly. Regarding extension of the practice of night loading, Government stated²⁸ that the recommendation had been accepted and had been forwarded to the Railway Administrations for implementation.

Coordination between Railways

In their Nineteenth Report on general administration of the Indian Railways, the Committee recommended²⁹ that meetings of the Railway Board, should be held at regular intervals with the General Managers of all Railways with a view to ensuring better co-ordination. They added further—

The Committee also recommend that the Chairman and Members of the Railway Board should undertake frequent tours to enable them to study important problems on the spot and also give the benefit of their advice to the General Managers and Heads of Departments. These tours will also enable them to keep in contact with the representatives of trade and industry and the general public and appreciate their difficulties.

²⁰Ibid., para 123, p. 42.

²¹Ibid., para 126, pp. 42-43.

²²Ibid., para 128, p. 43.

²³6R(BC-2LS) pp. 21-22.

²⁴Ibid., pp. 81-84.

²⁵Ibid., pp. 1-2.

²⁶Ibid., pp. 25-29.

²⁷Ibid., pp. 29-30.

²⁸Ibid., p. 45.

²⁹19R(BC-1LS), para 43, pp. 28-29.

The Ministry of Railways³⁰ accepted these recommendations. It was decided that the Board will have two regular meetings every year with the General Managers. The Board was strengthened by the appointment of five additional members with effect from June 26, 1956. Since then, the Members had been able to undertake greater number of tours, study important problems on the spot, and meet representatives of trade and industry.

Piece work bonus system in Railway Workshops

In their Twenty-first Report the Committee recommended³¹ that the system of piece work/bonus system should be introduced in Railway Workshops as an incentive to increase production. The Committee suggested that "norms" of work should be fixed on the standard of reasonable efficiency of an average worker and not on the existing low efficiency. However, the scheme to be evolved should be such as would not result in material losses to the employees. Additional bonuses to be given should depend on the extra work performed and additional production achieved over the standards fixed. The Committee also recommended that the co-operation of the National Federation of Indian Railwaymen should also be sought in regard to this matter with a view to completing the scheme as early as possible. The Committee reiterated this recommendation in their Twenty-fourth Report³² dealing with staff matters on the Railways and their Thirty-second

Report³³ relating to the Chittaranjan Locomotive Works.

Government in their reply³⁴ stated that a piece work scheme had been introduced in the Chittaranjan Locomotive Works from December, 1954. The results of this incentive scheme had been encouraging and it was proposed to introduce similar schemes in most of the repair shops on the various Railways early.

Efficiency in Railway Workshops

In their Twenty-first Report the Committee commented³⁵ on the management of railway workshops and observed that the efficiency of the staff in the workshops was at a low ebb. There were several reasons for this, including depletion of trained personnel due to Partition, an increase of work due to arrears of replacement of rolling stock etc. The Committee suggested that a special drive should be initiated to improve the efficiency of the workshops and increase their output. It was necessary to increase the speed with which rolling stock was repaired or periodically overhauled and the standard of repairs and periodical overhaul should be improved. If the standard of maintenance and of periodical overhaul in running sheds and workshops was high there could be a greater pooling of locomotives which would result in an increase of mileage given by them.

Government in their reply³⁶ stated that the Ministry of Railways had made special efforts to reduce the time taken for

³⁰18R (EC-2LS) pp. 8-10.

³¹21R (EC-1LS) para 129, pp. 39-40.

³²24R (EC-1LS) para 92, p. 33.

³³22R (EC-1LS) para 53, p. 12.

³⁴27R (EC-2LS) pp. 93-95.

³⁵21R (EC-1LS) para 117, p. 35.

³⁶27R (EC-2LS), pp. 41-42

repair of rolling stock. In regard to improvement in the standard of repairs, special inspectors under the direct control of the Chief Mechanical Engineers had been placed on duty in each Locomotive and Carriage and Wagon Workshop to carry out final inspection of the rolling stock turned out from the shops after repairs.

Staff inefficiency

Pointing out the causes which led to inefficiency of the staff, the Committee in their Twenty-fourth Report on staff matters of the Ministry of Railways, observed²⁷ that efficiency of a worker depended on a number of factors—

- (a) selection of the right man for the right type of job;
- (b) scientific training for the execution of a job;
- (c) incentive in the form of bonus, profit-sharing, reward or rank, and recognition and appreciation to make a person work wholeheartedly and with interest;
- (d) suitable working conditions leading to methodical study of work, planning, scheduling, arranging implements properly, reducing unnecessary movements etc.;
- (e) psychological approach to the worker with a view to enlisting his energy, interest and goodwill.

The views of many officials and non-officials who appeared before the Committee in connection with the examination of the Ministry of Railways seemed to suggest that the efficiency of the staff on the Indian Railways was on the decline. The various recommendations²⁸ made by the Committee in their Twenty-fourth Report to improve the efficiency of the staff in the Railways.

(i) The scheme of cash rewards under the Staff Suggestions Scheme should be made more popular amongst the staff. For staff in the lower categories incentives like promotion, increase in salary, stipends to children for study in India or abroad may yield better results.

(ii) Cases of exceptional and outstanding work should receive special recognition by the grant of honoraria, letters of appreciation and medals.

(iii) Good work and sense of public duty among the highly conscientious officers should be suitably recognised.

(iv) There is necessity of a proper psychological approach so that even the humblest railwayman feels that his work is important and develops interest in the work he is doing.

(v) Members of the Railway Board, General Managers, Heads of Departments and other executive officers should tour frequently, exercise close supervision and not hesitate to rectify mistakes noticed.

(vi) The co-operation of Employees' Unions should be enlisted to popularise the Plan and arouse the enthusiasm of the staff for its proper implementation.

(vii) To overcome shortage of trained personnel, extension of service to experienced staff or re-employment of retired men might be considered.

(viii) There should be no wastage of manpower and every man should give a full day's useful work. A proper machinery for job analysis should be set up on each Railway.

²⁷24R(BC-1LS) para 88, p. 32.

²⁸*Ibid.*, paras 97-112, pp. 34 to 39.

(ix) A suitable scheme should be evolved for the award of an Efficiency Shield annually to an individual Railway Administration.

The Ministry of Railways accepted³⁹ these recommendations and issued various orders to implement them. Government stated that in recognition of meritorious⁴⁰ service the General Managers of Railways had powers to sanction cash awards, upto Rs. 1,000 in each case, for valuable suggestions or for exemplary action. Instructions had also been issued to General Managers of Railways to recognise and give cash awards for service of a commendable character among railwaymen as an incentive to them.

As regards⁴¹ the award of an Efficiency Shield, Government stated that operating conditions differed from Railway to Railway and as such yardsticks of measurement of achievement were difficult to obtain. Comparisons were therefore difficult for purposes of a competition. They, however, added that competitions would be held Division-wise in a Railway and a shield awarded to the best Division, and that after gaining some experience, inter-Railway competition might be held.

Adequate booking facilities at Railway Stations

In their Twenty-fifth Report the Committee dealt⁴² with the provisions of adequate booking facilities at railway stations. They observed that inadequate booking facilities at stations often resulted in heavy overcrowding at the booking windows at train timings and consequent delays in the issue of tickets.

This caused discontentment amongst the public and also increased causes of corruption. The Committee wrote as follows regarding this matter: —

The Committee recommend that there should be a periodical review of the booking facilities available at various stations including the period laid down for opening the booking windows before the arrival of the train. The number of booking windows should be increased wherever necessary or the period of keeping the existing booking windows open should be increased depending upon the volume of traffic handled. The feasibility of co-relating the volume of traffic with the number of booking windows and the duration of keeping them open, and laying down some definite criteria for the purpose should be examined by the Railway Ministry. A definite programme of introducing self-printing machines for the heavy booking stations should be chalked out and followed during the Second Five Year Plan.

Government accepted⁴³ this recommendation which was forwarded to all Railway Administrations for implementation. The Commercial Committee of the I.R.C.A. examined in detail the question of correlating the volume of traffic with booking windows and came to the conclusion that it was not possible to evolve any rigid yardstick for assessing the need for opening separate windows for different classes of passengers. The necessity for this should continue to be determined as at present by actual observations at different stations, keeping in view the desirability of avoiding inconvenience to upper class passengers resulting from congestion at the booking counters. As regards self-printing machines, these had to be imported and in view of the prevailing shortage of foreign exchange and the

³⁹29R (EC-2LS) pp. 18—23, 53—55 & 81—82.

⁴⁰*Ibid.*, pp. 19—21.

⁴¹*Ibid.*, pp. 53—55.

⁴²25R (EC-1LS) para. 36, p. 14.

⁴³30R (EC-2LS) pp. 43—46.

need to minimise expenditure, Government decided to postpone this matter till the foreign exchange position improved.

Enquiry counters at Railway Stations

In the same Report the Committee also referred⁴⁴ to the arrangement for dealing with enquiries from the public at railway stations. They suggested that the arrangement of having separate telephonic and verbal enquiry counters as in the Western Railway should be extended to all other Railways. The Committee also recommended that suitable steps should be taken to keep the enquiry offices posted upto date to enable them to furnish correct information to the public.

Better facilities for luggage of Railway passengers

The Committee also dealt⁴⁵ with the provision of better facilities for luggage of passengers. They wrote as follows:—

The Committee recommend that facilities for the weightment of luggage should be increased at all the stations and that it should be ensured that the luggage booked by a passenger is invariably carried by the same train by which he travels. This will definitely encourage a passenger to book his luggage in the brake-vans rather than to carry it with him in the compartments much to the inconvenience of fellow-passengers including himself. Introduction of the vestibuled trains will, no doubt, facilitate this.

Government accepted⁴⁶ these recommendations and forwarded them to all Railway Administrations for implementation.

Footboard travelling and ticketless travelling

In the Twenty-fifth Report the Committee dealt with the problems⁴⁷ of footboard travelling and ticketless travelling. The Committee wrote as follows regarding these matters:—

The Committee notice that footboard travellers are liable to prosecution under section 118(2) of the Indian Railways Act, 1890, but very little action seems to have been taken by the Railways in this respect. The Committee recommended that in addition to the concentrated drives with the help of Railway Magistrates, Police and checking staff, the Railways should provide shuttle trains for short distance travellers, wherever feasible. This will also relieve pressure on the long distance trains. Provision of diesel trains and rail-car should also be given serious consideration.

The Committee feel that, whereas overcrowding is a contributory factor to ticketless travelling, the latter also leads to overcrowding and as such, the Committee recommend that Railways should take effective steps to check ticketless travelling in trains and continue the experiment of having a ticket checker-cum-conductor for every two or three bogies on important trains, who could, in addition to checking the tickets of passengers, look to their convenience. If the experiment proves successful it should be progressively extended to other trains as well.

Government in their reply⁴⁸ stated that shuttle trains for short distance traffic were already being introduced, wherever found justified and within the available resources of line capacity and coaching stock, and that the comparative economics of operation, maintenance and utility of diesel railcars *vis-à-vis* shuttle trains hauled by steam locomotives were under study.

⁴⁴25R (EC-1LS) para 47-48, p. 17.

⁴⁵*Ibid.*, para 66, p. 24.

⁴⁶30R (EC-2LS), pp. 62-63

⁴⁷25R (EC-1 LS) para 70-71, pp. 25-26.

⁴⁸30R (EC-2LS) pp. 18-19.

As regards the recommendation relating to checking of ticketless travellers, Government stated⁴⁹ that the experiment suggested by the Committee was being tried.

Handling parcels and goods at Railway Stations

In their Twenty-sixth Report the Committee dealt⁵⁰ with the question of efficiency in handling of parcels and goods at stations. They wrote as follows:—

The Committee suggest that the Railways should consider the desirability of introducing mechanised handling devices at big stations for carrying parcels and goods between platforms and parcel and goods godowns. Such devices need not replace human labour, but should make their task easier and simpler leading to more efficient handling of consignments.

Government accepted⁵¹ this recommendation and stated that an experiment with mechanically propelled trucks was being made at selected stations on the Railways in the first instance.

Efficiency of performance of wagon stock and locomotives

In their Thirtieth Report on the Railways the Committee dealt with the fall in efficiency of the wagon stock and locomotive utilisation. The Committee calculated⁵² that, in the broad gauge, "had efficiency been maintained in 1953-54 and 1954-55 at the best performance of the previous years, the traffic moved in those years could have

been moved with 13,120 and 7670 wagons less". As the capital cost per B.G. Wagon is about Rs. 14,000, capital assets of the value of 18 and 10½ crores may be considered to have been unutilised. At 4% interest this would correspond to about 72 lakhs and 42 lakhs additional revenue expenditure in 1953-54 and 1954-55 respectively. The Committee stated further—

The earning capacity of a B.G. wagon is about Rs. 20/- per day. Accordingly the extent to which earnings could have been increased by more efficient working could be placed at about Rs. 9½ crores during 1953-54 and Rs. 5½ crores during 1954-55 on the B.G.

Similarly, the Committee calculated⁵³ that on the M.G. the extent to which earnings could have been increased by more efficient working could be placed at about Rs. 2.60 crores in each of the years 1953-54 and 1954-55.

The Committee also dealt⁵⁴ with the efficiency of performance of locomotives and calculated that "on an average there has been a deterioration of about 10 to 15% or about 12% (or 1/8th) of efficiency in 1953-54 and 1954-55 compared to the position in 1938-39" Taking the average cost of B.G. locomotives at about Rs. 5 lakhs, they pointed out that this represented capital assets of the value of Rs. 32.5 crores not being utilised. At 4% interest, this meant a loss of Rs. 1.3 crores annually to the Railways. Similarly⁵⁵, on the M.G. the loss due to decrease in efficiency would be Rs. 84 lakhs and Rs. 76 lakhs for these two years.

⁴⁹*Ibid.*, page 19.

⁵⁰26R (BC-1 LS) para 60, p. 21.

⁵¹32 (FC-2 LS) p. 17.

⁵²30 (EC-1 LS) paras 59-63, pp. 30-31.

⁵³*Ibid.*, paras 64-69, p. 31-32.

⁵⁴*Ibid.*, paras 85-86, pp. 46-47.

⁵⁵*Ibid.*, paras 94-95, pp. 47-48.

The "Commerce"⁵⁶ commenting on these observations of the Committee wrote—

Perhaps, the Committee itself would not claim great sanctity for those figures nor place all blame for lack of efficient utilisation at the doors of the railway administration. But these calculations indicate a healthy and commendable way of looking at the Railways' problems. They serve to bring out the national waste implied in the non-utilisation of the optimum capacity of wagons and locomotives. And in so far as such non-utilisation could be avoided, it is the duty of the authorities to prevent it through proper and effective use of the available equipment.

Government in their reply⁵⁷ stated

Continuous efforts have been made to get over the drawbacks of the past, which were inherited as a result of the War, and sustained attention has been paid to improve operational efficiency. Results in 1955-56 and during the current year testify that the steps taken have proved effective.

Productivity tests for Works charged to capital on the Railways

In their Thirty-first Report on matters relating to Finance and Accounts on the Railways, the Committee referred⁵⁸ to the need for having productivity tests for Works charged to capital. The departmental rules provided for such tests but ever since the outbreak of the war, the application of the rules had been held in abeyance and since then no work had been subjected to such a test. The purpose of the test was to see that the Works which had been undertaken on the expectation that they would yield a certain amount of return on the capital invested did in fact give such a return. Regarding this the Committee remarked as follows:—

The Committee fail to understand why the rule could not have been revived at

least in 1950. They have been assured that instructions will now be issued for undertaking the Productivity Test. They would, however, suggest that the application of these Tests should not be confined only to items that come up now in the ordinary course, but should also apply to Works which would have come for scrutiny after 1950 if the rules had not been held in abeyance.

Government accepted⁵⁹ this recommendation and the Railway Board issued necessary instructions to all the Railways in this regard.

Assessment of comparative efficiency of operations on the Railways

In the same Report the Committee referred⁶⁰ to the need for assessing the cost of each separate activity on the Railways in order to assess the comparative efficiency of operations. They wrote as follows regarding this matter—

In any competitive industry or commercial organisation, it is very necessary to know, as fairly accurately as possible, the cost incurred on each separate activity of the organisation and the returns accruing from it. This is required not merely for the purpose of price-fixing but also for assessing the comparative efficiency of operations The Railways in certain countries have developed a system of accounting and analysis which enables them to ascertain with a fair measure of accuracy the costs of the various services separately. They are, for example, able to ascertain the separate costs of individual marshalling yards and handling depôts etc. With the aid of this knowledge the foreign Railways are able to work out a flexible structure of rates and charges. Thereby they are in a position to assess the relative value to themselves of the various services rendered, and to levy that charge on them which gives a fair return. Services which become too heavy a burden requiring excessive subsidies can then be curtailed or even done away with. The foreign Railways are, therefore, well armed to

⁵⁶"Commerce" dated 30-6-56.

⁵⁷50R (BC-2 LS) pp. 15-17.

⁵⁸31R (BC-1LS) para 35, p. 9

⁵⁹51R (EL-2LS) p. 7.

⁶⁰31R (BC-1LS) paras 58-62, pp. 16-17.

maintain an efficient service, eliminate uneconomic working as far as possible, and meet competition from whatever source it comes to the best of their ability As far as competition is concerned, the Indian Railways are at present in a very advantageous position. There has been so little development of other modes of transport in the country that the Railways face practically no competition. Consequently, their statistical and accounting techniques have not only not kept pace with modern developments, but even the need for doing so is not generally recognised. The application of such techniques in actual working takes considerable time—in America it took years—and a time is bound to come when faced with competition from other modes of transport, the Railways will be handicapped in their operation and management for want of such techniques. Even now they could be of great help to the Railways in determining to what extent the frequent alteration in fares and rates are reasonably apportioned.....Railways ought, therefore, to set about even now reorganising the techniques of their accounting and to adopt the modern refinements to the extent suitable to their conditions of working.

Government in their reply⁶¹ stated that the recommendation had been accepted in principle. Government also stated that an officer of the Railway Board had been entrusted with the task of examining what refinements should be carried out in the accounting techniques.

Joint Production Committees in the C.L.W. and I.C.F.

While dealing with the Chittaranjan Locomotive Works and the Integral Coach Factory, Perambur the Committee in their Thirty-second Report recommended that steps should be taken to improve the efficiency of the two

factories. One of the⁶² recommendations was as follows:—

The Committee recommend that Joint Production Committee consisting of representatives of the management and the workers should be formed in both the Chittaranjan Locomotive Works and the Integral Coach Factory, which should meet at stated intervals and discuss ways and means of improving the quality and quantum of production. The minutes of the meeting of the Production Committees of the two factories should be circulated to each other and should also be seen by the Railway Board, so that useful suggestions emanating from the meetings can be implemented in other Railway Workshop. If the results of the experiment are encouraging, the question of extending the scheme to other Railway Workshops may be considered with advantage.

Government in their reply⁶³ stated that in the Chittaranjan Locomotive Works, to start with, a Production Committee had been formed in the heavy machine shop. On the basis of the results of this experiment, further steps would be taken in introducing such committees in other shops. In the Integral Coach Factory, Government stated that the processes of production were still under development and the men were also not fully experienced. Government were of the view that such Committees could be introduced after full production had been established.

Examination of C.L.W. and I.C.F. by a team of experts

The Committee also recommended⁶⁴ that, as a regular measure, a team of experts drawn from leading manufacturing establishments from within the country as well as from abroad should be asked to go into the working of the

⁶¹51R (EC-2LS) p. 12.

⁶²32R (BC-1LS) para 115, p. 29.

⁶³74R (BC-2LS) pp. 36-38.

⁶⁴32R (BC-1LS) para 116, pp. 29-30.

Chittaranjan Locomotive Works and the Integral Coach Factory as also other major Railway Workshops, every quinquennium. Such an impartial study into the working of the important projects will result in useful suggestions to improve the working, both from the point of view of efficiency and economy.

Government in their reply⁶⁵ stated that the recommendation had been accepted in principle but felt that such an examination should be called for only when a necessity arose. Government stated that the recommendation of the Committee had been taken note of and would be implemented when suitable opportunity offered itself.

Improvements in the Integral coach factory

The Committee in the same Report also recommended⁶⁶ that the following special features which the Chittaranjan Locomotive Works had should be introduced in the Integral Coach Factory also:—

- (i) Production Control;
- (ii) Proper system of inspection, independent of production wing;
- (iii) Scientific system of costing;
- (iv) Incentive Bonus Scheme;
- (v) Comprehensive Training Scheme; and
- (vi) A well laid-out township with modern amenities, to meet local requirements.

Government stated⁶⁷ that some of these items had already been introduced in the I.C.F. and it was proposed to introduce the others in due course.

Competitions to step up progress of Community projects

While dealing with community development in their Thirty-eighth Report, the Committee⁶⁸ made certain suggestions to step up the rate of progress in the project areas. They recommended competitions to increase efficiency. They also suggested that suitable criteria should be evolved to adjudge the overall progress made by the various villages under the same Village Level Worker and an annual prize given to the village adjudged to be the best. The same principle may be applied to different village Level Workers under the same Block Development Officer and the Village Level Worker whose performance is adjudged to be the best might be suitably rewarded by issue of a certificate of merit, cash prize or even a promotion. This principle may be extended to the various Blocks in the same State and also between States.

The Committee wrote⁶⁹ further as follows:—

The results of these various competitions should be suitably publicized to serve as an impetus to the Competitors. The idea is to expand the sphere of activity, interest and enthusiasm as widely as possible. In this connection, the Committee can do no better than to reproduce the following pertinent observations of the Prime Minister, Shri Jawaharlal Nehru—

I think, nothing has happened in any country in the world during the

⁶⁵74R (BC-2LS) pp. 54-55.

⁶⁶32R (BC-1LS) para 117, p. 30.

⁶⁷74R (BC-2LS) pp. 38-41.

⁶⁸32R (BC-1LS) para 163, pp. 63-64.

⁶⁹74R para 164, p. 64.

last few years so big in content and so revolutionary in design as the Community Projects in India. They are changing the face of rural India. In the course of the next five or six years they will cover every village in India. It is a tremendous adventure and we shall only succeed if we consider it our common adventure. Not a few but we must all work together for it. Men, women, and if I may say so boys and girls and children, all of us have to take our share.'

Government formulated⁷⁰ a scheme of Prize Competition among the V.L.Ws and circulated it to all State Governments. The scheme visualised the award of 1 prize at the national level (1 Motor cycle); 15 prizes at State level (1 motorized bicycle each); and 330 prizes at district level (1 ordinary cycle each). Cash prizes were to be awarded to the best villages were as follows: I Prize at national Level—Rs. 5000/-; 15 prizes at State level—Rs. 1000/-; 330 prizes at District level—Rs. 250 each.

Government stated⁷¹ that the scheme had already been publicised and that the results of the competitions would also be published.

Adequate Workshops for lighthouses

In their Forty-seventh Report on Lighthouses, the Committee dealt⁷² with the necessity of adequate provision of Workshops for the manufacture, repair and maintenance of various kinds of lighthouse equipment and spare parts. There were two workshops, one at Madras and the other at Bombay. A small workshop had also been set up at Jamnagar to cater to the requirements of the Saurashtra-Kutch District.

The Committee suggested that there should be a Workshop in each of the four districts so as to make each district self-sufficient in regard to the manufacture and maintenance of equipment. Government accepted⁷³ this recommendation and stated that it had been decided to set up a workshop in the Calcutta District also.

Coordination and planning in handling of Import traffic at Ports

While dealing with the question of administration of Ports in their Forty-eighth Report the Committee observed⁷⁴ that a greater degree of coordination and planning was necessary to make arrangements for receiving imported traffic. Government's reply⁷⁵ in regard to this matter was as follows:—

The arrangements for coordination and planning for receiving imported traffic at the Ports have been improved. At the Government level, the planning is done by an inter-Ministerial Committee known as the Central Transport Coordination Committee which collects advance information from Government departments about their major import programme for each half year. The Committee decides the allocation of the traffic to different Ports after taking into consideration all relevant factors. The Port authorities have also evolved an elaborate system of advance local consultations and conferences by which they are now enabled to berth import ships and handle import cargo without delay. Some of the consultations are held daily while others are held weekly or fortnightly. Local representatives of Government departments concerned with imports are in constant touch with the Port Traffic Departments. The private trade interests are also in close touch with the authorities. The present arrangements are working satisfactorily.

⁷⁰63R (EC-2LS) pp. 19-20.

⁷¹Ibid. p. 20.

⁷²47R (EC-1LS) para 10, p. 4.

⁷³41R (EC-2LS) p. 2.

⁷⁴48R (EC-1LS) para 35, p. 19.

⁷⁵47R (EC-2LS) p. 5.

Congestion at Calcutta Port

In the same Report the Committee recommended⁷⁶ the following measures to remove the congestion in the Calcutta Port:—

(i) Simplification of customs formalities for quick removal of goods;

(ii) Customs authorities should work in regular shifts where labour is engaged to work in shifts;

(iii) Free time allowed to consignees for removal of goods from sheds should be reduced, and heavy penal rates provided, for quick clearance of cargo. If this does not solve the problem then the goods should be removed to outside dumps at the importer's cost;

(iv) Steel cargoes should be adequately marked and imported in full loads as far as possible.

They also stressed the need for greater coordination between different departments of the Central Government on the one hand and the Central and State Governments on the other to solve the problem of periodical congestions.

Government in their reply⁷⁷ stated that—

(i) As regards the simplification of customs formalities for quick removal of goods, the Ministry of Finance (Revenue Division) have stated that the present customs procedure had recently been examined by a committee and their recommendations were then under examination.

(ii) Double shift system had been introduced at Bombay, Calcutta and Madras Customs Houses from July 1957.

(iii) As regards the free time allowed for removal of goods, the position in Calcutta Port had been tightened.

(iv) The Calcutta Port Commissioners have stipulated that the consignments of steel should be bundled properly and adequately marked. The suggestion that steel cargo should be imported in full loads as far as possible had been brought to the notice of the Department of Iron and Steel.

The Committee suggested⁷⁸ that the measures recommended for the Calcutta Port might be adopted by the Bombay Port also.

Rationalisation of traffic in Ports

The Committee also referred⁷⁹ to the need to rationalise the traffic in Ports to meet the increasing demands. They wrote as follows:—

The Committee are not quite so sure that the anticipated increased facilities at Indian Ports will be adequate to meet fully the requirements of increased import and export traffic during the Second Plan. The state of chronic congestion at important ports and the holdings to ships that have occurred during the last few years are a pointer in this connection. The Committee, therefore recommend that from now on measure should be adopted to rationalise the traffic and utilise the facilities of all the intermediate ports to the maximum extent. Dispersal of export and import traffic through the various ports all along the coast line would be an effective way of relieving pressure on the three major ports viz., Calcutta, Bombay, and Madras. If this is to be done, then prompt action to increase further the facilities of the intermediate ports should be initiated at an early date.

They reiterated⁸⁰ this recommendation in the sixty seventh Report dealing with the action taken by Government on the Forty-eighth Report and wrote as follows:—

The Committee feel that apart from the question of adequacy or otherwise of the

⁷⁶48R (BC-1LS) para 101, p. 34.

⁷⁷67R (BC-2LS) p. 53.

⁷⁸48R (BC-1LS) para 125, p. 43.

⁷⁹76d para 229, p. 77.

⁸⁰67R (BC-2LS) pp. 2-3.

port facilities, Government would do well to take steps to rationalise the movement of traffic at various ports in such a way as to enable better development of intermediate and minor ports so that there might be no congestion at any port due to crisis. They would suggest that to start with, the movement of ores might be regulated.

Efficiency in the office of the CGDP

In their Fifty-fourth Report on Ordnance Factories the Committee were critical¹¹ of the inefficient working of the Office of the Controller General of Defence Production.

The Committee made the following observations in this connection:—

The Committee have heard certain complaints that in important and pressing policy matters relating to Defence Production in general and production in Ordnance Factories and design and development activities in particular, decisions and directions are rarely given with any reasonable measure of promptness, and sometimes even long periods elapse before they are given. They feel that the tardy manner in which some of the important recommendations of the Baldev Singh Committee are being examined, e.g. preparing of plans for mobilisation of resources in an emergency, the question of decentralisation of authority to secure businesslike and efficient working of Ordnance Factories etc., is to a certain extent a measure of the complaints mentioned above. The Committee are aware that the post of Controller General, Defence Production has been in existence for only one year and that it might not have been possible for him to do away altogether with the inertia, indecision and complacency among the authorities concerned. They hope, however, that it would be possible for him, assisted as he is by 15 Gazetted Officers and 73 other staff, to pursue vigorously his activities for ensuring co-ordination among different authorities for which his post was created and for keeping the defence production at the optimum level by cutting down red tape and paper work so as to keep the country fully prepared for all emergencies. It should also be his constant endeavour to streamline and rationalise the organisation for Defence Production in general and of the Ordnance Factories in particular. At the same time to a considerable extent the measure of his suc-

cess is also the success of the activities of the Defence Production Board, Defence Production Advisory Committee, the Research Committee and Defence Production and Supply Committee of which he is an important member and the executive authority.

Government in their reply¹² stated as follows:—

The remarks of the Committee are noted. It may however be mentioned that as various plans and proposals have to be considered thoroughly from a number of aspects such as financial, administrative etc. by the various authorities concerned, the delay caused is thus not always avoidable. The CGDP Organisation is still in the process of development and necessary changes are being effected in order that this organisation may effectively and speedily achieve its objective viz. self-sufficiency in the matter of defence stores.

Inspection of Ordnance Factories

In the same Report the Committee observed¹³ that there was no system of regular annual inspections—technical and administrative—of the Ordnance Factories by the Director General of Ordnance Factories or his Deputies, though normally all factories got inspected once a year, and in some cases even more than once, according to the requirements of each case. The Committee felt that a regular system of inspection should be evolved with a view to increase efficiency. The Committee observed in this connection as follows:—

The Committee feel that these casual inspections should be replaced by regular inspections for the purpose of carrying out a detailed examination of the various production activities and staff problems of the Factories, of the extent of implementation of the various instructions of the Director General of Ordnance Factories etc., with particular reference to the detection by an on-the-spot study of uneconomical and wasteful methods of production, employment of excessive staff

¹¹44R (EC-1LS) para 32-33, pp. 15-16.

¹²117R (EC-2LS) pp. 3-4.

¹³44R (EC-1LS) para 43, page 20.

etc. In the Committee's view such a system of regular inspections, if conducted by a central technical team headed by an officer of sufficient seniority could help to improve the general tone of administration and to bring about economy in production.

Government in their reply⁴⁴ stated that the question of setting up of a central inspection team, as suggested, for regular inspection of Ordnance factories was under consideration.

Fall in productivity in Ordnance Factories

In their Fifty-fifth Report on Ordnance Factories the Committee⁴⁵ observed that expenditure on pay and allowances of staff had been rising continuously since 1951-52 even though the value of production had decreased. The total expenditure on pay and allowances had increased by over Rs. 1.19 crores in 1954-55 and Rs. 1.12 crores in 1955-56, as compared with the figures for 1951-52, while the value of production had actually gone down by Rs. 1.61 crores and Rs. 4.35 crores respectively. The Committee made the following observations regarding this matter:—

Even after making allowance for the continued employment of surplus and idle labour in the Ordnance Factories which accounted for the payment of Rs. 23.96 lakhs in 1954-55 and Rs. 73.77 lakhs in 1955-56, the fact still remains that while the value of production registered a sharp fall, the total expenditure on pay and allowances and on industrial staff continued to rise. While it is true that no absolute and quantitative comparison of the production is possible with these figures since the value of production represents only the cost of production, it is sufficiently clear that the increasing proportion of expenditure on pay and allowances to the total value of production indicates that the productivity of labour and staff is on the decline. The Committee cannot but consider this unsatisfactory and

recommend that every possible step should be taken to improve the output and productivity of staff and labour in all the categories viz., gazetted, non-gazetted, supervisory, non-industrial, clerical, industrial etc.

The Committee recommended⁴⁶ that in order to increase productivity in the Ordnance Factories, the prize bonus scheme at present in vogue should be given wide publicity, that labour should be associated with works and production Committee and that more congenial surroundings and atmosphere of work should be created. They also recommended that the incidence of absenteeism should be reduced by providing incentives like high attendance rewards to workers. They also suggested that labour officers should make it a point to visit the absent workers at their houses, wherever possible, so as to find out the cause of absence and to explore ways and means of helping the workers to desist from remaining absent.

Government however⁴⁷ felt that the figures of value of output as related to expenditure on staff and labour were not truly and completely indicative of a fall in the productivity of labour. Government stated as follows in this connection:—

Ordnance Factories have to maintain certain staff and labour for meeting emergency requirements. During slack periods of production, although the value of production would come down the expenditure on account of such staff would remain constant and this would give an erroneous impression of lower productivity. Between 1952-53 and 1955-56 although the output of service stores fell, there was a significant addition to the activities of the Ordnance Factories inasmuch as entirely new factories or other activities besides the production of a number of new items, were undertaken.

⁴⁴117R (EC-2LS) p. 49.

⁴⁵4R (EC-1LS) para 33, pp. 15-16.

⁴⁶54 para 40-41, pp. 20-21.

⁴⁷42R (EC-2LS) pp. 12-13.

Various financial commitment in the way of allowances were incurred which significantly affected the ratio of expenditure to the value of outturn.

Government also intimated⁸⁸ that the prize bonus scheme had been widely publicised and that the other suggestions made by the Committee had also, by and large, been implemented. As regards absenteeism⁸⁹, Government stated as follows:—

The high absenteeism in Ordnance factories is due to the fact that majority of the labour employed are agriculturists and, therefore, take maximum period off during the harvesting and sowing seasons. The suggestion of high attendance awards had been pursued, though not by monetary rewards, but without any effective results. The suggestion of the Committee that labour officers should visit the absent workers will be implemented to the extent practicable.

Rationalisation of supervisory posts

In the same Report the Committee commented⁹⁰ upon the hierarchy of supervisory posts in Ordnance Factories and observed that this was not always conducive to efficiency or productivity of labour. They wrote as follows:—

It is of interest to note that the Baldev Singh Committee had pointed out that there was considerable scope for rationalisation of intermediate supervisory grades in the Ordnance Factories. The Committee understand that certain recommendations for reducing the number of grades have been made by the Director General Ordnance Factories and that they are under consideration. They recommend that this question as also the desirability or otherwise of introducing a Class II Gazetted service in the Ordnance Factories for some existing categories, e.g., the Foremen so as to serve as an incentive for promotion may be examined and decisions taken and implemented at an early date.

Government in their reply⁹¹ stated that action had already been taken to reorganise and rationalise the existing supervisory grades.

Simplification of financial and other procedures in regard to road construction

While examining the estimates relating to national highways and roads under the Ministry of Transport, the Committee observed in their Fifty-Ninth⁹² Report that the unspent balances on March 31, 1956 in the allocation to State Governments from the Central Road Fund amounted to Rs. 966.31 lakhs. The Director of the Central Road Research Institute, Delhi had explained to the Committee that the main bottleneck was the year to year financing. The construction of a road had to go through the time-consuming process of design, estimating, financial sanction at every stage, calling of public tenders, arrangement of machinery etc. The Committee wrote as follows on this matter:—

The Committee recommend that the question of simplifying the financial and other procedures should be thrashed out in a conference of Chief Engineers and necessary action taken to rectify the existing defects so that the States do not find any difficulty in carrying out the allotted work in time. In the existing circumstances, when there is a great need for the construction of roads in the country, any failure to utilise the funds earmarked and to achieve the physical targets laid down should normally be regarded as a reflection on the efficiency of the Chief Engineer concerned.

These⁹³ recommendations were discussed at the Chief Engineers' Confer-

⁸⁸Ibid p. 14.

⁸⁹Ibid pp. 33-34.

⁹⁰55R (HC-1LS) para 42, p. 22.

⁹¹42R (HC-2LS) pp. 13-14.

⁹²59R (HC-1LS) paras 96-97, p. 28.

⁹³66R (HC-2LS) pp. 63-64.

ence held in May 1957. A sub-Committee was appointed to study the problems and make a report. The recommendations of this sub-Committee were discussed at the Chief Engineers' meeting in January 1959, but there were differences of opinion. It was agreed at this meeting that the Ministry of Transport would frame suitable recommendations which would be circulated later to the Chief Engineers. At the time the "Action Taken Report" was presented not much progress had been made in this connection. Commenting on this the Committee wrote—

The recommendation of the Committee for eradicating the defects in the existing financial procedure, which was the main reason for the slow progress of construction of roads, and evolving a simplified procedure for sanction of funds and staff was made in March 1957. But no definite progress seems to have been made in this regard even after a lapse of two years. The Committee, therefore, recommend that the simplification of the financial procedure should be expedited.

Regulation and control of Motor Transport

Dealing with the problems of motor transport in their Sixtieth Report, the Committee observed⁶⁴ that while a certain amount of regulation and control was necessary to ensure safe, reliable and efficient service, care should be taken to see that such regulation and control did not become so excessive as to hamper the growth of the industry itself. The Committee further observed as follows:—

The Committee hope that the Inter-State Transport Commission contemplated in the Motor Vehicles (Amendment) Act, 1956 will not act as a restrictive force,

but as a wise counsel for the proper and well co-ordinated growth of motor transport, to supplement effectively the transport requirements of the country.

Efficiency in Military Dairy Farms

In their Sixty-Fourth Report on Military Dairy Farms the Committee observed⁶⁵ that on account of higher rates charged by the farms for their milk, officers and other ranks preferred to buy milk from other sources. Thus the facilities available were not made use of even by those who are normally expected to derive benefit from them. The Committee commented as follows regarding this matter:

The Committee feel that this is an unfortunate situation and steps should be taken to remedy it. They note that it is now intended to sell milk at slightly cheaper rates to officers and other ranks, charging higher rate to others. While this may be a temporary expedient, a permanent solution should be found only on the basis of increased all-round efficiency and consequent lowering of costs. It is also necessary to convince customers that in buying the dairy product of the Military Dairy Farms, they get full worth for their money, much more than they get when they buy from other sources.

Government in their reply⁶⁶ stated that action had been taken to reduce considerably the rates of milk sold by the Farms and these rates had been so fixed as to vary with the seasons of the year. The Committee were also informed that after reduction of prices more officers and other ranks were purchasing milk from the farms.

Replacement of inefficient plant and machinery in Ordnance Factories

Dealing with the Stores, Plant and Machinery, and Production in Ordnance Factories, the Committee in their Sixty-eighth Report, turned to the problem of

⁶⁰R (EC-1LS) paras 37-38, p. 14.

⁶⁴R (EC-1LS) para 17, p. 7.

⁶⁵R (EC-2LS) p. 18.

replacement of the old and inefficient plant and machinery in the factories⁹⁷. In this connection, they wrote as follows:—

The Committee understand that an expenditure of about Rs. 40 crores approximately on new projects as well as replacement-cum-modernisation of plant and machinery in Ordnance Factories is envisaged during the period of the Second Five Year Plan. They hope that every effort will be made to expend this amount..... so as to replace the entire over-age as well as inefficient machinery and at the same time modernise it.

Government in their⁹⁸ reply stated that it had been accepted that a significant part of the plant and machinery in Ordnance factories required replacement and that a Five Year Programme for replacement of plant and machinery had already been drawn up. The actual provision for plant and machinery in line with this Plan would be dovetailed with the foreign exchange available from time

to time and actual expenditure on replacement and renewal would be worked out on the basis of priority within the availability of foreign exchange. They assured that everything possible would be done to find ways and means to replace and modernise the old and obsolete equipment according to the Plan.

Replacement of outmoded equipment in the Defence Services

In the same Report the Committee also emphasised⁹⁹ that in the Defence Services the aim of gradual replacement of outmoded equipment within the limitations of available resources should be constantly kept in view, with a view to achieving the maximum operational efficiency. Government¹⁰⁰ stated in their reply that the remarks of the Committee had been brought to the notice of the Services for necessary action.

(To be continued)

⁹⁷64R (EC-1LS) para 54, p. 15.

⁹⁸56R (EC-2LS) pp. 32-33.

⁹⁹68R (EC-1LS) para 94, p. 28.

¹⁰⁰56R (EC-2LS) p. 10.

The Blitz Case*

BACKGROUND OF THE CASE

On April 20, 1961, Shri Khush-waq Rai, a Member, raised a question of privilege in Lok Sabha concerning a despatch published in the *Blitz*, a weekly newsmagazine of Bombay, in its issue of April 15, 1961¹. The despatch which related to a speech made by Shri J. B. Kripalani in Lok Sabha on April 11, carried a photograph of the Member with the caption "Kripaloony" underneath and read as follows:

THE KRIPALOONY IMPEACHMENT

BAD, BLACK, BALD LIES

From A. Raghavan: BLITZ's Delhi Bureau

NEW DELHI: In its content, tenor and style, Acharya Kripalani's performance during the defence debate on Tuesday could be the envy of any American Senator who has not yet overcome his McArthurian Moorings. He made it easy for the Prime Minister and the Defence Minister to demolish an impotent impeachment of our Defence built upon bad, bald and black lies and uttered in the hysteric manner of a violent epileptic.

In the lousiest and cheapest speech ever made since he was elected to Parliament by the courtesy of the Congress and Mr. Nehru, he demanded the head of the Defence Minister on a charger and made an impotent appeal to the Congressmen opposite to turn him out of the Government

as the British Tories turned out Joseph Chamberlain.

By making a cocktail of plain hearsay, ancient Defence irregularities not even remotely connected with the tenure of the present Defence Minister and violence of speech, the senile Acharya overshot himself so much so that even his usual backers in the Congress ranks were heard saying in the lobbies that his was a self-defeating performance.

After Mr. Nehru and Mr. Menon tore his indictment into shreds, the whole House, with the exception of a few rabid PSP and Swatantra supporters, shouted him down like some bazar-buffoon.

REFERENCE TO COMMITTEE OF PRIVILEGES

After a brief debate, on the motion of another Member (Shri Nath Pai), which was agreed to by the House, the matter stood referred to the Committee of Privileges for consideration and report by April 30, 1961.

PROCEEDINGS IN COMMITTEE

When the Committee of Privileges met, they decided that in the first instance both Shri R. K. Karanjia, Editor, and Shri A. Raghavan, New Delhi Correspondent of the *Blitz*, be given an opportunity to state what they desired to say in the matter and to personally appear

*Prepared by Committee Branch—1, Lok Sabha Secretariat.

¹ L.S. Deb., 20-4-61, cc. 12659-70.

before the Committee, if they so wished, on April 26. When informed accordingly, Shri R. K. Karanjia and Shri Raghavan wrote back to the Committee requesting for six weeks' extension of time to submit their replies. Shri Karanjia requested extension on the ground that he was ill at that moment and further the matter being of considerable importance he required time for preparing his reply. Shri Raghavan stated in his letter that the Editor had taken full responsibility for the news-report in question and that if still the Committee considered him a party in the issue, he should be allowed six weeks' time for the submission of his reply.

PRELIMINARY REPORT OF THE COMMITTEE

On April 28, the Committee made a preliminary report (Twelfth Report) to the House to the effect that:

- (i) in the circumstances stated by Shri Karanjia, the Committee had decided to grant him the extension of time as requested;
- (ii) the Committee, however, felt that they could not accede to the request of Shri Raghavan for a similar extension inasmuch as his case stood on a different footing in that he was already in New Delhi working as a correspondent accredited to the Press Gallery of Lok Sabha and, therefore, he was being asked to appear before the Committee on May 5, or send his final written reply by that date;
- (iii) in view of the above, an extension of time up to the first week of the following session be granted to the Committee for the presentation of their report; and

- (iv) in the event of re-constitution of the Committee before the presentation of their final report, the matter might be considered by the re-constituted Committee.

On May 1, the Chairman of the Committee of Privileges (Sardar Hukam Singh) moved and the House agreed with the report of the Committee.

After the report was adopted, the Speaker announced that he did not propose to reconstitute the Committee and would allow the existing Committee to proceed and dispose of the matter.

FURTHER PROCEEDINGS IN COMMITTEE

Both Shri Karanjia and Shri Raghavan made their submissions to the Committee in writing, the former by a closely argued statement of 93 paragraphs (reproduced as Appendix III in the final Report of the Committee). Besides these replies, the Committee also heard Dr. Ram Subhag Singh, M.P., who desired to place his views before the Committee on the question of privilege under consideration.

FINAL REPORT OF COMMITTEE

After considering the matter in all its aspects the Committee presented their report (Thirteenth Report) to the House on August 11, 1961. The main points raised before the Committee and the findings of the Committee thereon are given below.

Privileges of Parliament not subject to Fundamental Rights

The Committee rejected the contention of Shri Karanjia that Article 105 (3) of the Constitution, which equated

The Blitz Case

the powers, privileges and immunities of Parliament with those of the House of Commons, U.K., was subject to Article 19(1) (a) which guaranteed to all citizens the fundamental right to "freedom of speech and expression". The Committee held that the provisions of Articles 105(3) and 194(3) were constitutional laws and not ordinary laws made by Parliament or State Legislatures and were, therefore, as supreme as the provisions of Part III of the Constitution relating to Fundamental Rights. Further, the provisions of Article 19(1) (a) were general and must, therefore, yield to those of Article 105(3) and 194(3) which were special.

Scope of Freedom of Press

The Committee observed that the freedom of the Press as such was not specifically provided for in the Constitution, but that it was implicit in the freedom of speech and expression conferred on a citizen under Article 19(1) (a). The Committee emphasized that being only a right flowing from the freedom of speech and expression, the freedom of the Press did not stand on a higher footing than the freedom of speech and expression enjoyed by an ordinary citizen. "Actually, a newspaper writer should be more cautious than a private citizen as his criticisms are widely publicised".

Comments in vulgar or abusive language are unfair

The Committee observed that nobody would deny the Press, or as a matter of that, any citizen, the right of fair comment. But if the comments contained personal attacks on individual members of Parliament on account of their conduct in Parliament or if the language of the comment was vulgar or abusive, they

could not be deemed to come within the bounds of fair comment or justifiable criticism. Nor could fair comment be stretched to include irresponsible sensationalism.

Reflections on House or its Members constitute Breach of Privilege

The Committee stated that speeches and writings reflecting on the character and proceedings of the House or upon any one of its members, for or relating to his speeches or conduct in the House, constituted a breach of privilege and contempt of the House on the principle that such acts tended to obstruct the House and its members in the performance of their functions and duties by diminishing the respect due to them and by bringing them into odium, contempt and ridicule.

CONCLUSIONS OF THE COMMITTEE

In the light of their observations given above, the Committee came to the conclusion that the impugned despatch read as a whole, including its heading and the photograph of Shri J. B. Kripalani, M.P., with the caption "Kripaloony" underneath, in its tenor and content, libelled Shri Kripalani and cast reflections on him on account of his speech and conduct in the House. The language of the despatch was such that it brought Shri Kripalani into odium, contempt and ridicule by referring to him in a contemptuous and insulting manner and by using foul epithets in respect of him. The Committee, therefore, expressed the view that the impugned despatch constituted a breach of privilege and contempt of the House and that both Shri R. K. Karanjia, the Editor, and Shri A. Raghavan, the New Delhi Correspondent of the *Blitz*, under whose name the

libellous despatch had appeared, were guilty of committing a gross breach of privilege and contempt of the House.

RECOMMENDATIONS OF THE
COMMITTEE

Having reached the conclusion that both Shri R. K. Karanjia and Shri A. Raghavan were guilty of a gross breach of privilege and contempt of the House, the Committee next turned to the question as to what course of action they should recommend to the House. The Committee felt that the final responsibility for the publication of the impugned despatch rested with Shri Karanjia and, therefore, his offence was graver and that the offence had been further aggravated by the type of explanation he had chosen to submit to the Committee. The Committee accordingly recommended that Shri Karanjia should be summoned to the bar of the House and reprimanded.

As regards Shri Raghavan, the Committee felt that the ends of justice would be adequately met by awarding him a somewhat milder punishment and accordingly they recommended that the Lok Sabha Press Gallery Card and the Central Hall Pass issued to him be cancelled and be not issued again till he had tendered to the House a full and adequate apology.

PROCEEDING IN THE HOUSE

Motion for consideration of Report

On August 18, 1961, Sardar Hukam Singh moved and the House agreed:

"That the Thirteenth Report of the Committee of Privileges presented to the House on the 11th August, 1961, be taken into consideration."

Further Opportunity for Editor—Chairman's Motion

Sardar Hukam Singh then moved²:

"That Shri R. K. Karanjia, Editor, *Blitz*, Bombay, do attend this House on a day and time, within a week of the adoption of this motion, to be fixed by the Speaker."

Sardar Hukam Singh added that his desire in moving this motion was to afford an opportunity to Shri Karanjia to appear before the House and make his submissions, if any, that he might desire to make to the House. Some other members had also tabled motions for agreeing or disagreeing with the Report of the Committee. After some debate, further consideration of the motion was postponed till the next day.

On the next day, Sardar Hukam Singh requested for leave to withdraw the motion moved by him on the previous day. He said that he wished to withdraw the motion as there were differing views in the House on the motion. He also added that he had desired that the House give Shri Karanjia an opportunity to appear before the House as he thought that after the presentation of the Committee's Report to the House, Shri Karanjia might have changed his mind and might express his regret to tender an apology to the House. But, Sardar Hukam Singh added, from the manner in which the case had been reported and displayed in the latest issue of the *Blitz*, he felt that no useful purpose would be served by giving Shri Karanjia an opportunity to appear before the House. As some members objected to the leave being granted to withdraw the motion, the motion was put to vote and negatived.

² L.S. Deb., 18-8-1961, cc. 3044-07.

The Blitz Case

Motion agreeing with the Report and Amendments thereto

Dr. Ram Subhag Singh then moved³:

"That this House agrees with the Thirteenth Report of the Committee of Privileges presented to the House on the 11th August, 1961.

Shri K. T. K. Tangamani moved a motion disagreeing with the recommendations of the Committee and Shri Braj Raj Singh moved a motion disagreeing with the recommendation of the Committee in regard to the New Delhi Correspondent of the *Blitz*. After some debate, the motion moved by Dr. Ram Subhag Singh was adopted and the motions moved by Sarvashri Tangamani and Braj Raj Singh were, consequently, declared by the Speaker as barred. The Speaker also announced⁴:

"I will now take the necessary steps to summon Shri R. K. Karanjia to the

Bar of the House to carry out the sentence pronounced upon him by the House. I will also cancel the Lok Sabha Press Gallery Card and the Central Hall Pass issued to Shri A. Raghavan, and the same will not be issued to him again till he tenders to the House a full and adequate apology."

SUMMONS TO THE EDITOR

On August 21, the Speaker informed⁵ the House:

"...in pursuance of the decision of the House on the 19th August, 1961, I have issued a summons⁶ to Shri R. K. Karanjia, Editor, *Blitz*, Bombay, to appear in person to receive the reprimand at the Bar of the Lok Sabha on Tuesday, the 29th August, 1961 at 12.15 hours. I have also cancelled the Lok Sabha Press Gallery Card and the Central Hall Pass issued to Shri A. Raghavan, the New Delhi Correspondent of *Blitz*."

³ L.S. Deb., 19-8-1961, cc. 3335-80.

⁴ *Ibid.*, c. 3380.

⁵ L.S. Deb., 21-8-1961, c. 3786.

⁶ The summons issued to Shri R. K. Karanjia read as follows:

LOK SABHA

SEAL

SUMMONS TO RECEIVE REPRIMAND

WHEREAS the Committee of Privileges of Lok Sabha, in their Thirteenth Report presented to the Lok Sabha on the 11th August, 1961, in the matter of a despatch published in the *Blitz*, dated the 15th April, 1961, were of opinion that both Shri R. K. Karanjia, the Editor and Shri A. Raghavan, the New Delhi Correspondent of the *Blitz*, were guilty of committing a gross breach of privilege and contempt of the House;

AND WHEREAS the Committee in their said Report recommended that Shri R. K. Karanjia "should be summoned to the Bar of the House and reprimanded";

AND WHEREAS the Lok Sabha has on the 19th August, 1961, adopted the following motion:

"That this House agrees with the Thirteenth Report of the Committee of Privileges presented to the House on the 11th August, 1961";

NOW, therefore, in pursuance of the decision of the House, you, Shri R. K. Karanjia are hereby summoned to appear in person to receive the reprimand at the Bar of Lok Sabha in the Parliament House, New Delhi, on Tuesday, the 29th August, 1961, at 12.15 hours.

Herein fail not.

Given under my hand and seal at New Delhi, this 21st day of August, 1961.

Seal of
Lok Sabha

Sd/- M. Ananthasayanam Ayyangar,
Speaker, Lok Sabha.

New Delhi, dated the 21st August, 1961.

Editor's Request for time for Appearance

On August 24, 1961, the Speaker read⁷ out to the House the following telegram received from Shri R. K. Karanjia:

Received summons. Request fortnight's extension for reasons stated in letter already sent. Respects.

On the next day, the Speaker read out⁸ to the House the contents of a letter dated August 23, 1961, received by him from Shri Karanjia. In the letter, Shri Karanjia had stated that he had been advised that, irrespective of the personal consequences to him, he should make an application to the Supreme Court for reconsideration of the judgment given by the Supreme Court in the *Searchlight* case; that he was accordingly filing an application with a view to getting a proper decision from the highest tribunal of the land on questions of principles which affected the citizens as well as the House equally; and that in the circumstances he prayed that the date for his appearance in Lok Sabha should be extended by a fortnight.

EDITOR FILES WRIT PETITION

Sardar Hukam Singh informed the House that news had been received that Sarvashri Karanjia and Raghavan had since filed a writ petition in the Supreme Court and that it would be taken up for preliminary hearing on August 28, 1961. He added that there should be some arrangement to represent the case in the Supreme Court on behalf of the House and on behalf of

the Speaker, since the Speaker, the Secretary and an Under Secretary had been made parties to the writ petition. He then moved and the House agreed:

That the Attorney General be instructed to arrange for appearance and representation on behalf of the Speaker, Secretary and Under Secretary of Lok Sabha in the matter of the writ petition filed by Shri R. K. Karanjia and Shri A. Raghavan in the Supreme Court against the decisions made by this House on the 19th August, 1961 on the 13th Report of the Committee of Privileges presented to this House on the 11th August, 1961.

The House decided to consider the request of Shri Karanjia for extension of time on the 28th August, 1961.

Writ Petition Dismissed

The writ petition⁹ of Sarvashri Karanjia and Raghavan, filed under Article 32 of the Constitution, came up for preliminary hearing before the Constitution Bench¹⁰ of the Supreme Court, consisting of seven Judges, on the 28th August, 1961. In the writ petition, the petitioners had prayed for reconsideration of the earlier decision of the Supreme Court in the *Searchlight* case¹¹. The Supreme Court, after hearing Shri N. C. Chatterjee, the Advocate for the petitioners, and the Attorney General (Shri M. C. Setalvad) for the respondents, dismissed the petition.

Extension of Time Refused

The House considered the request of Shri Karanjia for extension of time in the afternoon of the 28th August, and

⁷ L. S. Deb., 24-8-1961, cc. 4693-94.

⁸ L. S. Deb., 25-8-1961, c. 5049

⁹ Writ Petition No. 221 of 1961.

¹⁰ The Constitution Bench consisted of Justices S. K. Das, J. L. Kapur, A. K. Sarkar, K. Subba Rao, M. Hidayatullah, N. Rajagopal Ayyangar and J. R. Mudholkar.

¹¹ A. I. R. 1959 S. C. 395.

decided not to grant him the extension, in view of the fact that the ground on which he had asked for extension of time no longer existed.

High Court of Parliament

On August 29, 1961, at 12.13 hours, the Speaker made the following observations:

The House is, of course, well aware that the moment we take up this matter we will, in a sense, be functioning as the High Court of Parliament. This will be a solemn occasion, and we do not deliberate then. It emphasises the authority and sovereignty of Parliament. I need hardly emphasise that when Shri Karanjia is being reprimanded, there should be pin-drop silence, so that the dignity and authority of this House is maintained and the significance of the reprimand and the solemnity of it is emphasised.

EDITOR APPEARS AT THE BAR

Immediately thereafter, at 12.15 hours, the Speaker asked the Watch and Ward Officer if Shri Karanjia was in attendance. The Watch and Ward Officer replied in the affirmative. The Speaker then directed the Watch and Ward Officer to bring him in. Shri Karanjia was then brought to the Bar of the House by the Watch and Ward Officer, where Shri Karanjia bowed to the Speaker.

THE REPRIMAND

The Speaker then (seated in his Chair) reprimanded¹⁹ Shri Karanjia as follows:

"R. K. Karanjia, the House has adjudged you guilty of committing a gross breach of privilege and contempt of the House for publishing in the issue dated the 15th April, 1961 of the *Blitz*, of which you are the editor, a libellous despatch under the heading 'The Kripaleony Impeachment'. That despatch in its tenor and content libelled an honourable member of this House and cast reflections on him on account of his speech and conduct in the House and referred to him in a contemptuous and insulting manner. As editor, you had a high responsibility to exercise utmost caution and discretion in commenting on the speech and conduct of an honourable member of Parliament in his capacity as such member, yet you published words calculated to bring him into odium, contempt and ridicule. This offence of yours was further aggravated by the type of explanation you chose to submit to the Committee of Privileges.

In the name of the House, I accordingly reprimand you for committing a gross breach of privilege and contempt of the House.

I now direct you to withdraw."

Shri Karanjia then bowed to the Speaker, and withdrew as directed.

¹⁹L.S. Deb., 29-8-1961, c. 5902.

Some Parliamentary Activities

PROCEDURAL MATTERS

Lok Sabha

Adjournment motion to discuss grievances of individual officers: Inadmissible

On March 9, 1961, in connection with the notice of an adjournment motion to discuss the resignation of an Army officer, the Speaker observed:

I would like to state to the Hon. House and to the members that individual cases of promotion or non-promotion of officers are not brought up here. That will lead to endless controversy. Going into the details of the administration will practically induce indiscipline amongst them. It has not been the policy of the House to allow cases of individual complaints to be brought up here.*

Rulings from the Chair: Speaker no appellate authority in respect of rulings given in his absence

On April 11, 1961, in the course of the discussion on the Demands for Grants relating to the Ministry of Defence, a Member on a point of order enquired whether Members speaking on a cut motion concerning the policy of the Government in the matter of promotions in the Army were entitled to refer to individual officers by name. The Deputy Speaker, who was then in the Chair, observed:

...My advice, after hearing all the Members, would be that names should not be mentioned.

On the next day the same Member raised the point again and requested the Speaker to give his ruling thereon. The Speaker then observed:

I want to make it clear that the hon. Deputy Speaker or whoever sits in the Chair, is as much the Speaker for the time being as the Speaker himself. I want to establish proper conventions. I am not sitting as an appellate authority over what happens in my absence.†

Amendments to a Bill: Putting to the Vote of the House several amendments together

On February 20, 1961, during the clause-by-clause consideration of the Two-Member Constituencies (Abolition) Bill, after the discussion had concluded on clause 3, the Deputy Speaker enquired whether he could put all the six amendments to the clause to the vote of the House together. On a member so desiring, his amendment was put to vote separately and was negatived. The Deputy Speaker then announced that he would be putting to the vote of the House all the remaining five amendments together, and, there being no dissentient voice, all these amendments were accordingly put to vote together and were negatived.

A member thereupon on a point of order submitted that the procedure fol-

*L.S. Deb., March 9, 1961, cc. 3247-48.

†LS Deb., 11.4.1961, cc. 10559 and 12.4.1961, cc. 10807-09

Some Parliamentary Activities

lowed was not quite correct inasmuch as the amendments varied from one another and it was not possible for a Member to vote in favour of some and vote against others as he liked. The Deputy Speaker observed that when the Chair suggested that all the other amendments would be put together to the vote of the House, the Member should have pointed out that he would like to have certain amendments or even each one of them put separately; and that it was in the absence of such a request from any Member, that all the amendments were put to the vote of the House together.*

* * * *

Supplementary Demands for Grants: Discussion to be confined to purposes of the Demand

On February 24, 1961, while speaking on Supplementary Demand No. 56 relating to Manipur, a Member sought to discuss the food situation in the country. The Speaker observed that he would not allow the Member to speak on the subject as there was no provision for food in the Demand. When the Member explained that item (c) of the notes under that Demand referred to extensive damage to crops in certain hill areas of Manipur and as such he was entitled to refer to the food situation, the Speaker further observed:

It only says that the crops there have got extensively damaged and 'in order to provide relief and alternative means of employment to the affected persons, it has been decided to construct a sixty mile jeepable road from Nungba to Thanlen.' Let the Member say anything about this road... He cannot talk about the general food situation in India. He is not entitled to do so on the Supplementary Demands.†

* * * *

Bihar Council: Right of a Minister to refuse to answer a Question

On April 11, 1961, when supplementaries to a Question‡ were being asked in the Bihar Legislative Council, a point arose whether Government could refuse to place on the Table a report on the ground that it was still under their consideration. In that connection the Chairman observed that Government might even refuse to answer a particular Question and in that case they could not be forced to reply. Thereupon a Member drew attention to Article 194 of the Constitution (which equated the powers and privileges of the Members of the State Legislatures in India with those of the Members of the British House of Commons at the time of the commencement of the Constitution) and contended that it was the constitutional right of the Members of the House to put Questions and it was a constitutional obligation on the Government to give replies to them except where they could not do so in the public interest. The Chairman thereupon promised to examine the point raised with reference to the practice in the British House of Commons and on a subsequent day ruled as follows:

The matter has since been examined, and I find that what I had said on the 11th April as also on previous occasions, was supported by the practice obtaining in the House of Commons. Reference may be made to Parliamentary Debates, of the House of Commons, Vol. 549 page 190, where it will be seen that during Question Time Mr. Allam raised a point of order that he had addressed a question to the Minister but he had not replied or made any attempt to reply. On this the Speaker observed thus:—

"I have no control over that. A Minister is not bound to reply."

*L.S. Deb., 20.2.1961, cc. 856—860.

†L.S. Deb., 24.2.1961, cc. 1861—62.

‡S.Q. No. 311.

This was in February, 1956. Again in Volume 551 of the Parliamentary Debates, page 680, we find that during Question Time the Speaker ruled *inter alia* as follows:—

"The Minister is entitled to refuse to answer a question if he so desires, and I have no power in the matter whatsoever."

Earlier, as we find in Parliamentary Debates for 1931-32, Vol. 266, pages 266-267, the same point had arisen in the House of Commons. The following extract from the Parliamentary Debates is relevant:—

"Mr. LAWSON: On a point of Order, Mr. Speaker, I want to remind you that a plain question has been put on the Order paper, and it has been repeated directly to the Right Honourable Gentleman. Are we not entitled to answer?"

MR. SPEAKER: I do not know that any point of order arises. Ministers can answer questions as they think fit.

Mr. ANEURIN BEVAN: Is the Minister entitled to withhold information from the House?

MR. SPEAKER: It is not for me to dictate the Ministers how they are to answer questions.

Mr. BEVAN: The point of Order which has been raised is not that any attempt is being made to dictate the Ministers how they should answer questions, but is it within the competence of Ministers and the Orders of the House definitely to withhold information requested by the House?

MR. SPEAKER: I really do not see much distinction between whether Ministers are dictated to as to the way in which they are to answer questions or whether they are allowed to withhold information."

I have also come across instances in which some supplementary questions were asked but no reply was given.

So, that is the position as regards the point raised.... At the same time, it is desirable, as observed by the President of

the Central Assembly in 1936, that an Honourable Member of the Government refusing to answer a particular question should indicate the ground on which he refuses. This will satisfy the members that Government are not trying to evade to answer or withholding some information from the House arbitrarily.

* * * *

Rajasthan Legislative Assembly: Power of Secretary to amend notices and withhold circulation of motions etc. for which due notice has not been given

On March 29, 1961 ruling of the Speaker was sought on the following two points in the Rajasthan Legislative Assembly:

- (i) Whether notices of motions, questions etc. can be amended by the Secretary on behalf of the Speaker?
- (ii) Whether the Secretary can withhold notices of motions, in respect of which due notice has not been given, from being included in the list of business of the day?

The Speaker ruled as follows:

Amending of Notices

On the first point my decision is in the affirmative. By virtue of well established convention and practice of this House the Secretary has authority to amend notices of cut-motions, questions etc. on behalf of the Speaker and that no point of order relating to an amendment made in exercise of such authority could be raised on the floor of the House. I may state for the information of the Hon'ble members that the same is the convention and practice prevalent in the Lok Sabha and that the Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly are based on the Rules of Procedure and Conduct of Business in the Lok Sabha.

Some Parliamentary Activities

Withholding of Motions etc.

For a decision on the second point rules 28, 254 and 266 of the Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly have to be read together. Rule 266 provides that notice of an amendment to a motion shall be given one day before the day on which the motion is to be considered, unless the Speaker allows the amendment to be moved without such notice. It may be pointed out that cut-motions are amendments to the motions of demands for grants. This rule, therefore, also applies to all cut-motions.

Sub-rule (1) of rule 254 lays down that notice should be left at the Notice Office which shall remain open for this purpose between the hours notified from time to time. The hours so notified in pursuance of this sub-rule for the current session of the Assembly are from 10.30 A.M. to 3.00 P.M. Sub-rule (2) states that all notices received after the hours notified under sub-rule (1) shall be treated as given on the next open day.

Sub-rule (1) of rule 28 empowers the Secretary to prepare a list of business for the day. Sub-rule (2) of this rule states that no business not included in the list of business for the day shall be transacted at any sitting without the permission of the Speaker. Sub-rule (3) of this rule lays down that, save as otherwise provided in these rules, no business requiring notice shall be set for a day earlier than the day after that on which the period of the notice necessary for that class of business expires.

It would thus appear that by virtue of the provisions of sub-rule (2) of rule 254 a notice of motion received after 3.00 P.M. shall be treated as given on the next open day. It being so, such notices of motions cannot be included in the list of business of the day as a result of the explicit provisions of sub-rule (2) of rule 28. It, therefore, follows that the Secretary is competent to withhold the inclusion of any notice received after

3.00 P.M. in the list of business of the day for want of due notice.

In this connection it may be pointed out that the provisions contained in rule 148 are not inconsistent with the provisions contained in rules 254 (2) and 28 (3). Mere exclusion of a notice of a motion from the list of business of the day by the Secretary in exercise of his authority under rule 28 (3) does not debar a member from seeking permission of the Speaker to move any motion on the floor of the House. Rule 28 (3) provides that the business not included in the list of business of the day can be transacted with the permission of the Speaker. Rule 148 impliedly allows any member to move a cut-motion, even if notice of such cut-motion has not been given one day previous to the day on which the demand is to be considered and any member may, however, object to the moving of the cut-motion. Such objection shall prevail, unless the Speaker allows the cut-motion. Similarly, under rule 266 the Speaker may allow a member to move an amendment without such notice.

In all these three cases the enabling provisions are for transacting of business not included in the list of business [vide rule 28 (2)] or for moving of a cut motion without due notice (vide rule 148), or for moving amendments without due notice (vide rule 266). But it is to be noted that each of these provisions can only be availed of in the House by seeking permission from the Chair. None envisages the inclusion of such notices in the list of business or their circulation to the members. The provisions of rule 148 or rule 266 neither override nor are derogatory from the provisions of rule 28 (3) and rule 254.

In these circumstances, my decision on the second point is also in the affirmative.

* * * *

COMMITTEES AT WORK

Lok Sabha Public Accounts Committee— Simplification of Form of Appropriation Accounts.

The question of revising the form of the Appropriation Accounts of the Central Government had been engaging the attention of the Comptroller & Auditor General for some time. These Accounts had grown unduly voluminous and complicated over the last 10 years owing to the enormous growth in the activities of Government leading not only to a phenomenal increase in the quantum of expenditure but also to a variety of account heads unknown before. The C. & A. G., therefore, circulated early this year a note for the consideration of the Public Accounts Committee stressing the need for simplification of the Appropriation Accounts so as to present them in a handy and intelligible form. In order to achieve this, the C. & A. G. suggested preparation of these Accounts by Group Heads, instead of showing all the details thereof by primary units of appropriation. Even with this change, it was stated that the Appropriation Registers would be maintained as heretofore, expenditure would continue to be booked under primary units of appropriation, and audit also conducted on that basis. Irregularities of reappropriation etc. would, therefore, be reported as usual in the Audit Reports. It was assured that in the result the proposed simplification in the form of the Appropriation Accounts would not interfere in any way with the financial control exercised by Parliament through the Public Accounts Committee, but on the other hand would enable Members to comprehend better the mass of information supplied through the Budget papers.

These proposals, which had been agreed to by the Ministry of Finance earlier, were approved by the Public Accounts Committee when they considered the matter at their sitting on April 24, 1961.* For the sake of uniformity, the C. & A. G. has suggested compilation of accounts on the same pattern by the Ministries of Railways and Defence also, who are maintaining their own accounts and compile their respective Appropriation Accounts themselves separately.

The proposed changes are expected to take effect from the Appropriation Accounts for the year 1960-61.

* * * *

Lok Sabha: Public Accounts Committee— Examination of Representatives of Private Companies

On the basis of the information placed before them, the Public Accounts Committee 1959-60 had criticised the Government for letting off the Indian Co-operative Union (a voluntary organisation set up in 1948) without attaching any financial responsibility for the loss incurred in connection with the running of a Technical Institute at Faridabad†. The Union represented in writing to the Minister of Rehabilitation that a wrong impression about its performance at Faridabad had been created by the Ministry, thereby leading to the criticism of the Union by the Committee. A copy of the representation was received also by the Chairman, Public Accounts Committee, who thereupon called for comments of the Ministry of Rehabilitation and of Audit, and after considering them decided that the representatives of the Ministry and of the Union should be examined by the Committee before

*37R (PAC—2LS) pp. 13-14.

†25R (PAC—2LS) paras 58-60.

arriving at a final decision in the matter. The representatives of the Ministry and of the Union accordingly appeared before the Committee on March 21, 1961. This was the first occasion when evidence of representatives of a private body was taken by the Public Accounts Committee.

On the basis of the evidence given before them the Committee reviewed their earlier comments and presented another Report to the House on May 5, 1961*.

* * * * *

REFERENCES ON PARLIAMEN- TARY PRACTICE

Oral Questions not asked by Members.

Q. What is the procedure in Lok Sabha with regard to questions appearing in the List of Questions for Oral Answer which are not asked by the Members concerned?

Ans. If on being called a Member states that he does not intend to ask his question, the question is treated as withdrawn.

When a Member is called and being present does not rise to ask his question, or is absent, the question is treated as unstarred and its answer is printed in the Debates.

When a Member is present and does not rise to ask his question on being called and his presence is taken cognizance of by other Members, his question is treated as withdrawn and answer thereto is not printed.

* * * * *

*37R (PAC—2LS).

Calling Attention Notices

Q. (a) What is the usual interval between the date of receipt of a calling attention notice and the date on which the Minister makes a statement in reply thereto?

(b) Whether a calling attention notice given far in advance of the commencement of a session is entertained?

(c) What is the procedure in the House in regard to a calling attention notice?

Ans. (a) There is no prescribed interval as such between the date of receipt of a calling attention notice and the date of the statement. The statement is made in the House soon after a notice is admitted. Where a notice is admitted for the same day on which it is received in view of the importance of the matter raised, the statement may be made on that very day immediately after the Question Hour.

(b) The procedure of calling attention notices under Rule 197 of the Rules of Procedure of Lok Sabha is meant to enable Members to raise important matters at short notice. Notices under this Rule given more than 10 days prior to the commencement of the session are, therefore, held inadmissible and disallowed on the ground that there is enough time for the Member to elicit the desired information by tabling a Question on the subject in the normal course.

(c) The calling attention notice is taken up after Questions and before the list of business is entered upon. On being called by the Speaker, the Member in

whose name the notice has been put down in the list of business rises and calls the attention of the Minister concerned to the matter on which information is desired by him and the Minister makes a statement.

Normally not more than five minutes is taken by the Minister in making his statement. In case the statement is long and covers more than a page, only a synopsis of the statement is read out in the House by the Minister and the complete statement is laid on the Table of the House.

* * * *

Salary and Allowances of acting Speaker

Q. Is the Deputy Speaker entitled to the salary and other perquisites attached

to the Speaker's office, when the office of the Speaker is vacant and the duties pertaining thereto are performed by the Deputy Speaker under Article 95 (1)?*

Ans. Article 95 (1) of the Constitution makes only the necessary provision for enabling the business of the House to be carried on during the period of vacancy in the office of the Speaker pending the appointment of the Speaker in accordance with Article 93† of the Constitution. The Deputy Speaker performs the duties of the office of Speaker, which is vacant, by virtue of the provisions of Art. 95 (1) of the Constitution. Emoluments as Speaker can be drawn by a person only when he has been chosen to that office by the House under Art. 93 *ibid.*

*Analogous provision for States is Article 180 (1).

†Analogous provision for States is Art. 178.

Decisions from the Chair

Adjournment Motions

Alleged failure of Government to comply with the provisions of the Constitution in respect of a particular Bill cannot form the subject matter of an adjournment motion.

[L.S. Deb. 2-12-1960, cc. 3582-93]

Appropriation by Ordinance

An Ordinance for the appropriation of any moneys from out of the Consolidated Fund is invalid if the relative Demands for Grants have not been placed before, and considered and assented to, by the concerned Legislature.

[L.S. Deb. 4-3-1961, cc. 2929-33]

Bills

A Member who does not wish to introduce his Bill cannot be compelled to do so.

[L.S. Deb. 24-3-1961, cc. 7138-39]

Business of the House

Except with the unanimous consent of the House, no fresh item of business may

be taken up after the expiry of the time fixed for a day's sitting.

[L.S. Deb. 13-3-1961, cc. 4632—36]

Personal Explanation

Personal explanation is not permissible on a matter not arising from or connected with the business of the House.

[615 H.C. Deb. 16-12-1959, c. 1450]

President's Recommendation

Recommendation of the President under Art. 117 of the Constitution for the consideration of a Bill would be necessary—

- (i) even if the Bill would, if enacted, involve expenditure only indirectly; and
- (ii) even in the case of a Continuance Bill if the provisions of this Article are attracted, even though such recommendation may not have been obtained when the original Bill was passed.

[L.S. Deb. 1-12-1960, cc. 3406 and 3418—20]

Constitutional Matters

The Constitution (Tenth Amendment) Act, 1961

On June 12, 1961, the Varishta Panchayat of Free Dadra and Nagar Haveli adopted a formal Resolution affirming the request of the people of these areas for their integration with the Indian Union, a request which they had been repeatedly making ever since they overthrew the Portuguese authority and declared themselves independent in 1954. In deference to the desire and request of the people of these areas, the Government of India decided to incorporate these territories into the Indian Union with effect from August 11, 1961. With a view to specifying these areas expressly as the Union Territory of Dadra and Nagar Haveli, by necessary amendment of the First Schedule to the Constitution, the Constitution (Tenth Amendment) Bill was brought forward by Government. In the Bill provision was also made to amend clause (1) of Article 240 of the Constitution so as to include therein the Union Territory of Dadra and Nagar Haveli in order to enable the President to make regulations for the peace, progress and good government of the territory. The Bill, as passed by the Houses of Parliament, received

the assent of the President on August 16, 1961. The text of the enactment is reproduced below:

Be it enacted by Parliament in the Twelfth Year of the Republic of India as follows:—

Short title and commencement. 1. (1) This Act may be called the Constitution (Tenth Amendment) Act, 1961.

(2) It shall be deemed to have come into force on the 11th day of August, 1961.

Amendment of the First Schedule to the Constitution. 2. In the First Schedule to the Constitution, under the heading "THE UNION TERRITORIES", after entry 6, the following entry shall be inserted, namely:—

"7. Dadra and Nagar Haveli. The territory which immediately before the eleventh day of August, 1961 was comprised in Free Dadra and Nagar Haveli."

Amendment of article 240. 3. In article 240 of the Constitution, in clause (1), after entry (b), the following entry shall be inserted, namely:—

"(c) Dadra and Nagar Haveli".

The Dadra and Nagar Haveli Act, 1961 making provisions relating to the representation of the territory in Parliament, for the administration of the territory, and for matters connected therewith, was also enacted.

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APPENDIX I

Statements showing the activities of the House of Parliament, State Legislatures in India during the period 1st January to 30th June, 1961

Name of the Session during the House/Legislature	Legislation			Questions			Committees			Point of Interest			
	2	3	4	5	6	7	8	9	10		11	12	13
1													
1st Session : Thirteenth Session— From 14th Feb. to 5th May, 1961 (61 sittings)		26		11433	2041	2036	4716	438	22	Business Advisory Committee	15		
										Committee on Absence of Members from the Sittings of the House	15		
										Committee on Estimates	30		
										Committee on Government Assurances	15		
										Committee on Petitions	15		
										Committee on Private Members' Bills and Resolutions	15		

Appendices

Committee on Privileges	15
Committee on Public Accounts	22
Committee on Subordinate Legislation	15
General Purposes Committee	20
House Committee	12
Rules Committee	15
Joint Committee on Offices of Profit	15
Joint Committee on Salaries and Allowances of Members of Parliament	15
Select Committee on Income-tax Bill, 1961.	
Select Committee on Indian Railways (Amendment) Bill, 1961.	

Rajya Sabha	27	..	1914	817	709	756*	49	7	Business Advisory Committee	10
									Committee on Privileges	10
									Committee on Rules	14
									House Committee	7

Rajya Sabha . Three Sessions:—
 (i) 32nd Session—
 From 14th Feb. to 16th March, 1961
 (24 sittings)
 (ii) 33rd Session—
 From 27th March to 30th March, 1961
 (4 sittings)

* Includes 247 Starred Questions submitted as Unstarred Questions.

Appendices

Madras Legislative Assembly	24	..	1526	1057	792	792	74	40	Business Advisory Committee	11
One Session: Commenced on 19th January and had not concluded by 30-6-61. (38 Sittings)									Committee on Estimates	21
									Committee on Government Assurances	7
									Committee on Public Accounts	21
									Committee on Subordinate Legislation	13
									House Committee	16
									Privileges Committee	16
Madras Legislative Council	24	..	293	246	..	..	27	21	Business Advisory Committee	9
One Session: From 19th Jan. to 2nd April, 1961. (27 Sittings)									Committee on Government Assurances	5
									Committee of Privileges	10
									House Committee	9
Members Legislative Assembly	13		1637	956	76	63	212	56	Assembly Rules Committee	11
One Session: From 2nd Feb. to 12th April, 1961. (46 Sittings)									Business Advisory Committee	10
									Committee on Absence of Members from the Sittings of the House.	11
									Committee on Government Assurances	11
									Committee on Petitions	7

	1	2	3	4	5	6	7	8	9	10	11	12	13
Committee on Private Members' Bills and Resolutions												13	
Estimates Committee												19	
Library Committee												15	
Privileges Committee												9	
Public Accounts Committee												19	
Joint Committee for framing Rules and Orders under the Bombay Legislature Members' Salaries and Allowances Act, 1956												15	
Joint Committee to suggest Parliamentary terms in Marathi												9	
Subordinate Legislation Committee of Assembly and Council												15	
Joint Committee on L.A. Bill No. 1 of 1961—The Maharashtra Agricultural Lands (Ceiling on Holdings) Bill, 1961												25	
Joint Committee on L.A. Bill No. LXIX of 1960—The Maharashtra Medical Practitioners Bill, 1960												21	

Appendices

Committee on Subordinate Legislation	10	
Estimates Committee	15	
House Committee	5	
Public Accounts Committee	10	
Rules Committee	10	
Select Committee on the Rajasthan Kamin Bhoom Abolition Bill, 1961	25	
Select Committee on the Rajasthan Money Lenders Bill, 1961	25	
Select Committee on the Rajasthan Government Cards Fair Bill, 1961	25	
Business Advisory Committee	11	
Committee on Government Assurances	11	
Committee on Petitions	11	
Committee of Privileges	11	
House Committee	11	
Rules Revision Committee	11	

Upper Pradesh Legislative Council
 One Session : 19
 From 6th Feb. to
 19th May, 1961.
 (51 Sittings)

APPENDIX II

*List of Bills passed by the two Houses of Parliament and assented to by the President during the period
1st January, 1961 to 30th June, 1961*

Sl. No.	Name of the Bill	Date of assent by the President
1	The Two-Member Constituencies (Abolition) Bill, 1961	9-3-61
2	The Appropriation Bill, 1961	16-3-61
3	The Orissa Appropriation Bill, 1961	20-3-61
4	The U. P. Sugarcane Cess (Validation) Bill, 1961	21-3-61
5	The Appropriation (Railways) Bill, 1961	23-3-61
6	The Appropriation (Railway) No. 2 Bill, 1961	23-3-61
7	The Banking Companies (Amendment) Bill, 1961	24-3-61
8	The Railway Passenger Fares (Repeal) Bill, 1961	24-3-61
9	The Appropriation (Vote on Account) Bill, 1961	24-3-61
10	The Orissa Appropriation (Vote on Account) Bill, 1961	30-3-61
11	The Insurance (Amendment) Bill, 1961	1-4-61
12	The Appropriation (No. 2) Bill, 1961	28-4-61
13	The Orissa State Legislature (Delegation of Powers) Bill, 1961	29-4-61
14	The Finance Bill, 1961	29-4-61
15	The Telegraph Laws (Amendment) Bill, 1961	2-5-61
16	The Industrial Employment (Standing Orders) Amendment Bill, 1961	2-5-61
17	The Essential Commodities (Amendment) Bill, 1961	10-5-61
18	The Orissa Appropriation (No. 2) Bill, 1961	11-5-61
19	The Medicinal and Toilet Preparations (Excise (Duties) Amendment) Bill, 1961	14-5-61
20	The Appropriation (No. 3) Bill, 1961	14-5-61
21	The Delhi Shops and Establishments (Amendment) Bill, 1961	14-5-61
22	The Appropriation (Railways) No. 3 Bill, 1961	15-5-61
23	The Criminal Law Amendment Bill, 1961	17-5-61
24	The Coal Mines (Conservation and Safety) (Amendment) Bill, 1961	17-5-61
25	The Advocate Bill, 1961	19-5-61

APPENDIX III

List of Bills passed by the State Legislatures during the period 1st January to 30th June, 1961

Administration

Bihar

1. The Bihar Registration of Carts Bill, 1956.
2. The Bihar Boretal Bill, 1960.

Gujarat

1. The Bombay Village Panchayats (Gujarat Amendment and Validation) Bill, 1961.
2. The Ahmedabad City Courts Bill, 1961.
3. The Bombay Provincial Municipal Corporations (Gujarat Amendment) Bill, 1961.
4. The Bombay District Municipal (Saurashtra Area) and Bombay Municipal Boroughs (Saurashtra and Kutch Areas) (Gujarat Amendment) Bill, 1961.
5. The Bombay District Municipal and Municipal Boroughs Acts (Gujarat Amendment) Bill, 1961.

Jammu and Kashmir

1. A Bill further to amend the Jammu and Kashmir Houses & Shops Rent Control Act, Sarvat, 2009.

Kerala

1. The Kerala Municipal Laws (Amendment) Bill, 1961.
2. The Kerala Borestal Schools Bill, 1960.
3. The Kerala Buildings (Lease and Rent Control) Amendment Bill, 1961.
4. The Calicut City Municipal Bill, 1960.
5. The Kerala Cattle Trespass Bill, 1960.
6. The Vallamma Thampuram Kolvilakam Estate and the Palace Fund (Partition) Bill, 1960.

Madhya Pradesh

1. The Madhya Pradesh Municipalities Bill, 1960.
2. The Madhya Pradesh Panchayats Bill, 1960.
3. The Madhya Pradesh Panchayat Laws (Amending and Validating) Bill, 1960.
4. The Madhya Pradesh Accommodation Control (Amendment) Bill, 1961.
5. The Madhya Pradesh Regulation of Uses of Land (Amendment) Bill, 1961.

Madras

1. The Madras (Added Territory) Extension of Laws Bill, 1961.
2. The Madras Village Courts (Amendment) Bill, 1961.

Mysore

1. The Mysore Rent Control Laws (Continuance) Bill, 1961.
2. The Mysore Municipal Laws (Amendment) Bill, 1961.
3. The Mysore Police (Amendment) Bill, 1961.
4. The Mysore Village Offices Bill, 1961.

Rajasthan

1. The Rajasthan Panchayat (Amendment) Bill, 1961.

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2. The Pali Municipality Administrator Appointment (Validation) Bill, 1961.
3. The Rajasthan Premises (Control of Rent and Eviction) Amendment Bill, 1961.
4. The Rajasthan Panchayat Samitis and Zila Parishads (Amendment) Bill, 1961.
5. The Jaipur Matmi Rules (Validation) Bill, 1961.

Uttar Pradesh

1. The Uttar Pradesh Kshettra Samitis and Zila Parishads Bill, 1960.
2. The Uttar Pradesh Antarim Zila Parishad (Sanshodhan) Bill, 1961.
3. The Uttar Pradesh Panchayat Raj (Sanshodhan) Bill, 1961.

Commerce and Industry

Andhra Pradesh

1. The Andhra Pradesh Essential Articles Control and Requisitioning (Temporary Powers) (Amendment) Bill, 1961.

Jammu and Kashmir

1. A Bill to provide for the enforcement of standard weights and measures and for matters connected therewith.

Madhya Pradesh

1. The Madhya Pradesh State Aid to Industries (Amendment) Bill, 1961.

Madras

1. The Madras State Aid to Industries (Amendment) Bill, 1961.

Punjab

1. The Societies Registration (Punjab Amendment) Bill, 1961.

Uttar Pradesh

1. The Uttar Pradesh Control of Supplies (Temporary Powers) (Sanshodhan) Bill, 1961.
2. The Uttar Pradesh Cooperative Societies Bill, 1960.

Education

Andhra Pradesh

1. The Andhra Pradesh Primary Education Bill, 1961.

Bihar

1. The Bihar State Universities (Patna, University of Bihar, Bhagalpur and Ranchi) Amendment Bill, 1961.

Gujarat

1. The Gujarat University (Amendment) Bill, 1961.

Jammu and Kashmir

1. A Bill to provide for delivery of books to Public Libraries.

Madhya Pradesh

1. The Madhya Pradesh University of Saugar (Amendment) Bill, 1961.

Mysore

1. The Mysore University (Amendment) Bill, 1961.

Appendices

2. The Mysore Compulsory Primary Education Bill, 1961.

Rajasthan

1. The Rajasthan Secondary Education (Amendment) Bill, 1961.
2. The Rajasthan Social Education Board Bill, 1958.

Uttar Pradesh

1. The Uttar Pradesh University Bill, 1961.

Finance

Assam

1. The Assam Taxation (on goods carried by road or on Inland Waterways) Bill, 1961.
2. The Assam Appropriation (No. 1) Bill 1961.
3. The Assam Appropriation (No. 2) Bill 1961.
4. The Assam Appropriation (No. 3) Bill 1961.
5. The Assam Financial Bill, 1961.
6. The Assam Taxation Laws Validation Bill, 1961.
7. The Assam Sales Tax (Amendment) Bill 1961.
8. The Assam Finance (Sales Tax) (Amendment) Bill, 1961.
9. The Assam (Sales of Petroleum and Petroleum Products, including Motor Spirit and Lubricants) Taxation (Amendment) Bill, 1961.

Andhra Pradesh

1. The Madras Entertainments Tax (Andhra Pradesh Amendment) Bill, 1961.
2. The Andhra Pradesh (Telengana Area) Jagirs (Commutation) Regulation (Amendment) Bill, 1961.
3. The Andhra Pradesh Contingency Fund (Amendment) Bill, 1961.
4. The Andhra Pradesh Appropriation Bill, 1961.
5. The Andhra Pradesh Appropriation (No. 2), Bill, 1961.

Bihar

1. The Bihar Appropriation Bill, 1961.
2. The Bihar Appropriation (No. 2) Bill, 1961.
3. The Bihar Appropriation (Excess Expenditure 1950-51, 1951-52, 1952-53 and 1953-54) Bill, 1961.

Gujarat

1. The Gujarat (Supplementary) Appropriation Bill, 1961.
2. The Bombay Electricity Duty (Gujarat Amendment) Bill, 1961.
3. The Bombay Entertainments Duty (Gujarat Amendment) Bill, 1961.
4. The Gujarat Increase of Stamp Duties Bill, 1961.
5. The Bombay Motor Vehicles (Taxation of Passengers) (Gujarat Amendment) Bill, 1961.
6. The Bombay Finance (Gujarat Amendment) Bill, 1961.
7. The Bombay Sales Tax (Gujarat Amendment) Bill, 1961.
8. The Gujarat Appropriation Bill, 1961.

Jammu and Kashmir

1. A Bill further to amend the Jammu and Kashmir Octroi Act, Samvat 1958.
2. A Bill further to amend the Jammu and Kashmir Excise Act, Samvat, 1958.
3. A Bill further to amend the Jammu and Kashmir General Sales Tax Act, Samvat, 2004.
4. A Bill further to amend the Jammu and Kashmir land revenue, Act, 1956.

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5. A Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the Jammu and Kashmir State for the Services of the Financial Year 1960-61.
6. A Bill further to amend the Jammu and Kashmir Excise Act, Samvat, 1958.
7. A Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of Jammu and Kashmir State for the Services of the Financial Year 1961-62.

Kerala

1. The Kerala Appropriation (No. 1) Bill, 1961.
2. The Agricultural Income-tax (Amendment) Bill, 1961.
3. The General Sales Tax (Amendment) Bill, 1961.
4. The Agricultural Income Tax (Second Amendment) Bill, 1961.
5. The Kerala Land Tax Bill, 1961.
6. The Kerala Appropriation (No. 2) Bill, 1961.
7. The Kerala Additional Tax on Lands Bill, 1961.
8. The Kerala Buildings Tax Bill, 1961.
9. The Kerala Local Authorities Entertainments Tax Bill, 1960.
10. The Kerala Appropriation (No. 3) Bill, 1961.
11. The Kerala Appropriation (No. 4) Bill, 1961.
12. The Kerala Appropriation (No. 5) Bill, 1961.

Madhya Pradesh

1. The Madhya Pradesh Excise (Amendment) Bill, 1960.
2. The Indian Stamp (Madhya Pradesh Second Amendment) Bill, 1960.
3. The Madhya Pradesh Entertainments Duty (Amendment) Bill, 1961.
4. The Madhya Pradesh Appropriation Bill, 1961.
5. The Madhya Pradesh Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill, 1961.
6. The Madhya Pradesh General Sales Tax (Amendment) Bill, 1961.
7. The Madhya Pradesh Appropriation (No. 2) Bill, 1961.
8. The Madhya Pradesh Appropriation (No. 3) Bill, 1961.

Madras

1. The Madras General Sales Tax (Amendment) Bill, 1961.
2. The Travancore-Cochin Agricultural Income-tax (Madras Amendment) Bill 1961.
3. The Madras Entertainments Tax (Amendment) Bill, 1961.
4. The Madras General Sales Tax (Second Amendment) Bill, 1961.
5. The Madras Agricultural Income-Tax (Extension to Added Territory) Bill, 1961.
6. The Madras Agricultural Income-tax (Amendment) Bill, 1961.
7. The Madras Appropriation Bill, 1961.
8. The Madras Appropriation (No. 2) Bill, 1961.
9. The Madras Appropriation (No. 3) Bill, 1961.
10. The Madras Appropriation (No. 4) Bill, 1961.
11. The Indian Stamp (Madras Amendment) Bill, 1961.

Maharashtra

1. The Maharashtra (Supplementary) Appropriation Bill, 1961.
2. The Bombay Sales Tax (Amendment) Bill, 1961.
3. The Maharashtra Appropriation Bill, 1961.

Mysore

1. The Mysore Appropriation Bill, 1961.

Appendices

2. The Mysore Appropriation (Vote on Account) Bill, 1961.
3. The Mysore Appropriation (No. 2) Bill, 1961.
4. The Mysore Sales-Tax (Amendment) Bill, 1961.
5. The Mysore Sales-Tax (Second Amendment) Bill, 1961.
6. The Mysore Land Revenue (Surcharge) Bill, 1961.
7. The Mysore Irrigation (Levy of Betterment Contribution and Water Rate Amendment) Bill, 1960.

Rajasthan

1. The Rajasthan Appropriation (No. 1) Bill, 1961.
2. The Rajasthan Municipal Tax (Validating) Bill, 1961.
3. The Rajasthan Appropriation (No. 2) Bill, 1961.
4. The Rajasthan Finance Bill, 1961.
5. The Rajasthan Motor Vehicles Taxation (Amendment) Bill, 1961.
6. The Rajasthan Agricultural Income-tax (Amendment) Bill, 1961.
7. The Rajasthan Court Fees and Suits Valuation Bill, 1960.

Uttar Pradesh

1. The Uttar Pradesh Appropriation (Second Supplementary, 1960-61) Bill, 1961.
2. The Uttar Pradesh Sales Tax (Amendment) Bill, 1960.
3. The Uttar Pradesh Sugarcane (Purchase Tax) Bill, 1961.
4. The Uttar Pradesh Appropriation (Vote on Account) Bill, 1961.
5. The Uttar Pradesh Appropriation Bill, 1961.

Health

Bihar

1. The Anatomy Bill, 1958.

Jammu and Kashmir

1. A Bill to amend the Jammu and Kashmir Pharmacy Act, 2011.

Maharashtra

1. The Maharashtra Medical Practitioners Bill, 1961.

Labour and Employment

Andhra Pradesh

1. The Minimum Wages (Andhra Pradesh Amendment) Bill, 1961.

Gujarat

1. The Payment of Wages (Gujarat Provision for Uniform Application and Amendment) Bill, 1961.
2. The Minimum Wages (Gujarat Amendment) Bill, 1961.
3. The Bombay Industrial Relations (Gujarat Extension and Amendment) Bill, 1961.

Jammu and Kashmir

1. A Bill further to amend the Payment of Wages Act, 1956.
2. A Bill further to amend the Jammu and Kashmir Trade Unions Act, Samsat, 2006.
3. A Bill further to amend the Jammu and Kashmir Industrial Disputes Act, Samsat, 2006.
4. A Bill to provide for the institution of Provident Funds for employees in factories and other establishments.

Kerala]

1. The Industrial Disputes (Kerala Amendment) Bill, 1961.

Madhya Pradesh

1. The Madhya Pradesh Industrial Employment (Standing Orders) Bill, 1961.
2. The Minimum Wages (Madhya Pradesh Amendment and Validation) Bill, 1961.

Maharashtra

1. The Bombay Shops and Establishments (Extension and Amendment) Bill, 1960.

Rajasthan

1. The Rajasthan Relief Undertakings (Special Provision) Bill, 1961.

Land and Agriculture

Andhra Pradesh

1. The Andhra Pradesh (Andhra Area) Tenancy (Amendment) Bill, 1961.

Bihar

1. The Bihar Tenancy Laws (Amendment) Bill, 1961.
2. The Bihar Tenancy (Amendment) Bill, 1961.

Gujarat

1. The Gujarat Agricultural Lands Ceiling Bill, 1960.
2. The Bombay Merged Territories (Anakadia Tenure Abolition) (Gujarat Amendment) Bill, 1961.
3. The Saurashtra Estate Acquisition (Gujarat Amendment) Bill, 1961.

Kerala

1. The Kerala Live Stock Improvement Bill, 1960.
2. The Kerala Land Improvement & Agricultural Loans Bill, 1960.

Madhya Pradesh

1. The Madhya Pradesh Ceiling on Agricultural Holdings (Amendment) Bill, 1960.
2. The Madhya Pradesh Jagir and Land Records Management (Validation) Bill, 1961.
3. The Madhya Pradesh Land Revenue Code (Amendment) Bill, 1961.
4. The Madhya Pradesh Agricultural Cattle Preservation (Amendment) Bill, 1961.

Madras

1. The Madras Estates Land (Reduction of Rent) Bill, 1961.
2. The Madras Inams (Assessment) Amendment Bill, 1961.
3. The Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1961.
4. The Land Acquisition (Madras Amendment) Bill, 1961.

Maharashtra

1. The Maharashtra Agricultural Lands (Ceilings on Holdings) Bill, 1961.
2. The Madhya Pradesh Land Revenue Code (Amendment) Bill, 1961.
3. The Hyderabad (Abolition of Cash Grants) (Amendment) Bill, 1960.

Rajasthan

1. The Rajasthan Tenancy (Amendment) Bill, 1961.
2. The Rajasthan Land Revenue (Amendment) Bill, 1961.
3. The Rajasthan Government Grants Bill, 1961.
4. The Rajasthan Agricultural Produce Markets Bill, 1960.

Appendices

Mysore

1. The Mysore Tenancy Laws (Amendment) Bill, 1961.

Legal and Constitutional

Gujarat

1. The Bhavnagar Mercantile Disputes Settlement Rules (Repealing and Consequential Provisions) Bill, 1960.
2. The Press and Registration of Books (Extension of Bombay Amendments) Bill, 1961.
3. The Dangs (Validation of Civil and Criminal Jurisdiction) Bill, 1961.

Maharashtra

1. The Code of Criminal Procedure (Maharashtra Amendment) Bill, 1961.

Jammu and Kashmir

1. A Bill further to amend the Jammu and Kashmir Preventive Detention Act, Samvat, 2011.
2. A Bill further to amend the Constitution of Jammu and Kashmir.
3. A Bill further to amend the Code of Civil Procedure Samvat, 1977.

Madhya Pradesh

1. The Madhya Pradesh Civil Courts (Amendment) Bill, 1961.

Punjab

1. The Punjab Laws (Amendment) Bill, 1961.
2. The Indian Registration (Punjab Amendment) Bill, 1961.

Uttar Pradesh

1. The Court Fees (Uttar Pradesh Sanshodan) Bill, 1961.

Parliamentary Affairs

Jammu and Kashmir

1. A Bill further to amend the Jammu and Kashmir Representation of the People Act, 1957.
2. A Bill to amend the Salaries & Allowances of the Members of the Jammu and Kashmir State Legislature Act, 1960.

Kerala

1. The Payment of Salaries and Allowances (Amendment) Bill, 1961.

Uttar Pradesh

1. The Uttar Pradesh Rajya Vidhan Mandal Ke Adhikari, Mantri, Up-mantri—Tatha Sabha Secha (Vetan Tatha Bharat Aur Prakasna Up-bandh) Bill, 1961.

Religion

Madras

1. The Madras Waqf (Supplementary) Bill, 1961.
2. The Madras Hindu Religious and Charitable Endowments Bill, 1961.

Social

Assam

1. The Assam Opium Prohibition (Amendment) Bill, 1961.
2. The Assam Ganja and Bhang Prohibition (Amendment) Bill, 1961.

Journal of Parliamentary Information

Gujarat

1. The Bombay Rents, Hotel and Lodging House Rates Control Acts (Amendment) Bill, 1961.
2. The Bombay Animal Preservation (Gujarat Extension and Amendment) Bill, 1961.

Jammu and Kashmir

1. A Bill to amend the Juvenile Smoking Act, Samvat, 1986.

Madhya Pradesh

1. The Madhya Pradesh Dramatic Performances Bill, 1960.
2. The Madhya Pradesh Prohibition (Amendment) Bill, 1960.

Madras

1. The Madras Chit Funds Bill, 1960.
2. The Madras State Housing Board Bill, 1961.
3. The Madras Cinemas (Regulation) Amendment Bill, 1961.
4. The Evacuee Interest (Separation) Madras Supplementary Bill, 1961.

Maharashtra

1. The Bombay Cinemas (Regulation) (Amendment) Bill, 1961.
2. The Bombay Smoke-nuisances (Provision Extension and Amendment) Bill, 1961.
3. The Bombay Rents, Hotel and Lodging House Rates Control (Amendment) Bill, 1961.

Mysore

1. The Mysore Evacuee Interest Separation Supplementary Bill, 1961.

Rajasthan

1. The Rajasthan Evacuee Interests (Separation) Second Supplementary Bill, 1961.
2. The Marwar Marriage Fund Administration Bill, 1961.
3. The Rajasthan Bhoodan Yagna (Amending and Extending) Bill, 1961.

Uttar Pradesh

1. The Uttar Pradesh Evacuee Interest (Separation) Supplementary Bill, 1961.

Transport and Communications

Assam

1. The Assam Requisition and Control of Vehicles (Amendment) Bill, 1961.

Gujarat

1. The Inland Steam Vessels (Gujarat Amendment) Bill, 1961.

Maharashtra

1. The Bombay Motor Vehicles (Taxation of Passengers) Bill, 1961.

Jammu and Kashmir

1. A Bill to amend the Jammu and Kashmir Motor Vehicles Act, Samvat, 1998.

Madhya Pradesh

1. The Motor Vehicles (Madhya Pradesh Amendment) Bill, 1961.

Mysore

1. The Mysore Motor Vehicles (Taxation and Passengers and Goods) Bill, 1959.

Uttar Pradesh

1. The Uttar Pradesh Sales of Motor Spirit Taxation (Amendment) Bill, 1960.

Rajasthan

1. The Motor Vehicles (Rajasthan Amendment) Bill, 1961.

APPENDIX IV

Statistical Analysis of Bills passed by State Legislatures in India during the period 1st January to 30th June, 1961

Name of State	Admin- istration	Com- merce & Industry	Educa- tion	Finance	Health	Labour & Fam- ily welfare	Land & Agri- culture	Legal & Con- stitutional Affairs	Parti- men- tary Affairs	Social	Religion	Trans- port & Commu- nica- tions	Total
Assam	9	..	..	..	..	..	2	..	1	13
Andhra Pradesh	..	1	1	5	..	1	1	..	..	..	..	..	9
Bihar	1	3	1	..	2	..	..	..	..	..	9
Gujarat	1	8	..	3	3	3	..	2	..	1	26
Jammu & Kashmir	..	1	1	7	1	4	..	3	2	1	..	1	22
Kerala	12	..	1	2	..	1	..	..	..	23
Madhya Pradesh	..	1	..	11	..	..	4	..	..	4	2	..	24
Madhya Pradesh	..	5	1	8	..	2	4	1	..	2	..	1	25
Maharashtra	3	1	1	3	1	..	3	..	1	13
Mysore	..	4	..	2	7	..	1	..	..	1	..	1	16
Orissa
Punjab	1	..	..	..	..	2	..	..	..	..	3
Rajasthan	..	5	..	2	7	..	4	..	1	3	..	1	24
Uttar Pradesh	..	3	2	1	5	..	..	1	..	1	..	1	14
All States	..	33	7	10	85	3	13	24	11	4	19	2	220

APPENDIX V

Ordinances issued during the period 1st January to 30th June, 1961 by the Central/State Governments

Serial No.	Subject	Date of Proclamation	Date on which laid before the House	Date of Cessation
1	The U. P. Sugarcane Cess (Validation) Ordinance, 1961	31-1-61	14-2-61	
2	The Banking Companies (Amendment) Ordinance, 1961.	4-2-61	14-2-61	