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EDITORIAL NOTE

The Secretariats of the two Houses of the Parliament of India were reorganised on a functional basis with effect from December 1, 1974, in pursuance of the recommendations of the parliamentary committee appointed to suggest revised pay scales for the officers and staff in the light of the Report of the Third Pay Commission. This issue opens with an article which indicates briefly the historical back-ground to the creation of independent secretariats for the two Houses of Parliament, the broad principles which guided the parliamentary committee in recommending suitable pay scales and other conditions of service for the parliamentary staff. The emphasis in the article, however, is on the more salient features of the new re-organisational pattern.

One of the exclusive responsibilities entrusted to the Speaker under the Constitution in bicameral parliaments is his power to certify Money Bills before they are transmitted to the Upper House. Dr. J. N. Singh Yadav, a teacher of political science, has delved deep into this interesting theme and tried to analyse in his article this important aspect of the Speaker's role.

Last year we began publishing in this Journal a series of analytical studies on the socio-economic background of Members of Parliament and State legislators in India. The studies already published covered the period 1952-72. Continuing the series, in this issue we are publishing a study covering the period 1972-74. These studies obviously could not have been undertaken without the active and close co-operation that we received in ample measures from the Secretariats of the State Legislatures and the Union Territories concerned.

Biennial elections to the Rajya Sabha, valedictory meetings of the three Financial Committees and the inauguration of the Bureau of Parliamentary Studies and Training, have been some of the more significant events during the last quarter. We had also to bid farewell to a dear colleague, Shri B. N. Banerjee, who retired from the office of the Secretary-General of Rajya Sabha on April 1 this year, after nearly two decades of a memorable association with that House.

Shri Banerjee has happily been nominated by the President as a Member of Rajya Sabha in recognition of his services to Parliament and we welcome him in his new capacity. Shri Banerjee has been succeeded to the office of the Secretary-General by Shri S. S. Bhalerao, the erstwhile Additional Secretary in the Rajya Sabha Secretariat. We wish him all success in his new office.

In February this year, the President of the Indian National Congress had appointed a Committee headed by Sardar Swaran Singh to study and suggest reforms to the Constitution of India so as to remove any bottlenecks in the path of the country's speedier progress towards a new socio-economic order. The Committee have, in their report, maintained that there need be no change in the existing parliamentary system of Government but they have formulated some concrete proposals for amendments to the Constitution. These proposals have since been agreed to by the All-India Congress Committee with a couple of modifications. We reproduce in this issue the full text of the recommendations of the Swaran Singh Committee along with the text of the relevant resolution adopted by the A.I.C.C.

Dr. Sankar Ghose, former Minister of Finance in the State of West Bengal, has been appointed as the Minister of Planning at the Centre. He succeeds Shri I. K. Gujral who has proceeded to Moscow as India's Ambassador in U.S.S.R. Another recent addition to the Union Cabinet has been that of Syed Mir Qasim, former Chief Minister of Jammu & Kashmir State. He has been designated as Minister without Portfolio.

In so far as the States are concerned, there have been some ministerial changes in Assam and Maharashtra and a major reshuffle in Rajasthan. Gujarat came under President's rule on March 12, following the fall of the Janata Front Ministry. President's rule, already in force in Nagaland and Pondicherry has been extended by six months and one year, respectively. In Haryana and Orissa, vacancies occurred in the gubernatorial offices due to the death of Governor B. N. Chakravarty in the case of the former and the resignation of Governor Akbar Ali Khan in the case of the latter. In both these States, the Chief Justices of the respective High Courts took over temporarily as Governors.

Punjab, which had abolished the Upper House a few years ago, has again proposed the creation of the Legislative Council. A resolution adopted by the Assembly urges the Parliament to create a Legislative Council for the State.

The Kerala Assembly, whose life has been extended by a period of six months, has elected a new Speaker, Shri T. S. John, we welcome him to the high office.

As regards developments abroad, the reported boycott of the official opening of Parliament of Australia by the Opposition in protest against the dismissal of the Labour Government in 1975 is rather unprecedented. Japan witnessed an interesting situation following a pronouncement by the Supreme Court that the country's electoral system was unconstitutional insofar as it had failed to provide equal representation or to give equal weight to each vote. The Court has also declared as unconstitutional the 1972 election to the Lower House from 'Chiba Prefecture.'

Ministerial changes and reorganisations of Governments have been reported from several countries including Burma, Egypt, Gabon, Greece, Haiti, Ivory Coast, Malaysia, Mexico, Niger, Oman, Pakistan, Paraguay, Peru, Sudan, Swaziland, Thailand, Trinidad and Tobago and the United Kingdom. In Malaysia, Datuk Hussain Onn has taken over as the new Prime Minister in succession to Tun Abdul Razak and Sultan Tuanku Yahya Petra has become the new Yang Di-Pertuan Agong (King). In Thailand, Mr. Seni Pramoj took over as the new Prime Minister following the General Elections in the country. Elections were also held to the Polish *Sejm*. Following the resignation of Mr. Harold Wilson in the United Kingdom, Mr. James Callaghan became the new Labour Prime Minister at the head of a new Cabinet.

Some important constitutional changes concerning the succession of the head of the State and the ceiling on the number of political parties in the country are in the offing in Senegal.

Some of these and other related events have been as usual, covered in the feature on 'Constitutional and Parliamentary Developments.'

While all the regular features continue as before, from this issue we are adding a new Section *viz.* 'Documents of Constitutional and Parliamentary Interest' in the Journal. It is proposed to include under this head important documents concerning matters like amendments to constitutions, election results, more significant pieces of legislation etc. which may be deemed to be of wider constitutional and parliamentary interest. We hope the readers would welcome the new feature.

S. L. SHAKDHER

PARLIAMENTARY STAFF IN INDIA

FUNCTIONAL REORGANISATION OF THE SECRETARIATS OF THE TWO HOUSES OF PARLIAMENT AND REVISION OF PAY SCALES OF THEIR STAFF

S. L. SHAKDHER

Creation of Independent Secretariat: The idea of a separate Secretariat for the Legislature of India, independent of the Executive Government, was mooted as early as January 1926, when the Conference of Presiding Officers of Legislative Bodies in India adopted a resolution to that effect. This was followed by a resolution moved in the then Central Legislative Assembly by Pandit Motilal Nehru on September 22, 1928, seeking the constitution of a separate Assembly Department. This resolution was adopted unanimously. On January 10, 1929, a separate self-contained department known as the 'Legislative Assembly Department' was created in the portfolio of the Governor-General with the President (Speaker) of the Legislative Assembly as its *de facto* Head.

The recruitment and conditions of service of the employees of the Legislative Assembly Department were governed by separate Rules, called the 'Legislative Assembly Department (Conditions of Service) Rules, 1929'. The officers and staff of the Legislative Assembly Department thereafter began to be appointed in accordance with these Rules and the position and authority of the Speaker in the matter of their recruitment and conditions of service came to be recognised.

The name of the Department continued to remain the same until January 26, 1950, when with the coming into force of the Constitution of India and the creation of a Provisional Parliament, it was changed to 'Parliament Secretariat'. With the creation of two

separate Houses, the House of the People and the Council of States in 1952 under the new Constitution, the Secretariat of the House of the People continued to be called the Parliament Secretariat, while a new Secretariat, called the 'Council of States Secretariat' was set up for the Council of States. Their names were changed respectively to 'Lok Sabha Secretariat' and 'Rajya Sabha Secretariat' in 1954, in keeping with the Hindi nomenclatures of the Houses.

Constitutional and Other Provisions: Article 98(1) of the Constitution of India provides for separate staff for each House of Parliament and also allows the creation of posts common to both the Houses. Clause 2 of this article authorises Parliament to make laws regulating the recruitment and conditions of service of the secretarial staff of the two Houses, while clause 3 provides that until such laws are made by Parliament, the President may, after consultation with the respective Presiding Officers, make rules regulating their recruitment and conditions of service.

No legislation has been passed by Parliament so far under article 98(2) of the Constitution. However, in October 1955, in pursuance of article 98(3), the Lok Sabha Secretariat (Recruitment and Conditions of Service) Rules, 1955 were framed and promulgated by the President in consultation with the Speaker. Similar Rules in respect of the Rajya Sabha Secretariat were framed and promulgated in 1957 in consultation with the Chairman¹. These Rules, framed as they are under the constitutional provisions, have the force of law, and have been found by experience to be flexible enough and adequate to meet the needs of varying circumstances from time to time.

The two Secretariats thus function as independent entities under the ultimate guidance and control of the Chairman/Speaker, as the case may be. The orders issued by the Government of India to its Ministries and Departments in regard to conditions of service of their staff do not, therefore, automatically apply to the officers and staff of the Lok Sabha and Rajya Sabha Secretariats. All these Government orders are examined and if it is decided to extend the provisions thereof *in toto* to the officers and staff of the two Secretariats, adaptation orders are issued in the form of Recruitment and Conditions of Service Orders without consulting the Government. Where, however, modification or alteration etc. in a financial order

¹Until these Rules came into force, the staff of the two Secretariats continued to be governed by the Legislative Assembly Department (Conditions of Service) Rules, 1929, as amended and adapted from time to time.

is considered necessary, the adaptation order is issued after consultation with the Ministry of Finance.

In accordance with these provisions, the pay scales attached to the various posts in the two Secretariats were hitherto determined as follows :

- (i) In respect of posts whose nature of work was identical with that of any post in the headquarters organisation of the Central Secretariat of the Government of India, the same scales of pay as for the post in the Central Secretariat were given;
- (ii) In respect of other posts, the pay scales of different posts with similar nature of duties in the Ministries/Departments of the Government were taken into account and after comparing the qualifications prescribed, methods of recruitment etc. the same scales of pay as were applicable to corresponding posts in the Ministries/Departments were given to the posts in the two Secretariats.

Adaptation of Pay Commissions' Recommendations: During the last three decades, the pay scales and other conditions of service of the employees of the Government of India were subjected to review by three Pay Commissions appointed by the Government. The First Pay Commission appointed in 1946 made its Report in 1947, while the Second and Third Pay Commissions appointed in 1957 and 1970 gave their Reports in 1959 and 1973 respectively.

In view of the independent nature of the two Secretariats, the question of review of the pay scales of the Parliamentary staff was kept outside the purview of the three Pay Commissions. However, on the basis of the recommendations made by the First and Second Pay Commissions, the pay scales of the parliamentary staff were also suitably revised under orders issued by the Speaker/Chairman after consulting the Ministry of Finance.

Appointment of Parliamentary Committee: When the Third Pay Commission submitted its Report in 1973, a different procedure was adopted and the Speaker of the Lok Sabha and the Chairman of the Rajya Sabha, in consultation with each other, appointed a Committee of Parliament in August 1973 to advise them "on the changes that are considered desirable in the structure of pay and allowances, leave and pensionary benefits to the officers and all categories of staff of the Rajya Sabha and Lok Sabha Secretariats in the context of the decisions of the Government on the recommendations of the Third Pay Commission."

The Committee consisted of the following:

Chairman

Shri R. K. Sinha, M.P.²;

Chairman, Estimates Committee.

Members

Shri Jyotirmoy Bosu, M.P.,

Chairman, Public Accounts Committee.

Shri Y. B. Chavan,

Minister of Finance.

Shri K. Raghuramaiah,

Minister of Parliamentary Affairs.

Shri Mahavir Tyagi, M.P. (Rajya Sabha)

Shri Manubai Shah, M.P. (Rajya Sabha)³

Shri B. N. Banerjee, Secretary-General, Rajya Sabha.

Shri S. L. Shakti, Secretary-General, Lok Sabha.

Between August 1973 and September 1974, the Committee held 26 sittings, out of which 13 were devoted to hearing the representatives of the various categories of staff of the two Secretariats. Copies of memoranda submitted by the different categories of officers and staff were also circulated to the members of the Committee. Besides, they had comparative statements giving the existing position in the pay scales, allowances etc. of the Parliamentary staff in the Commonwealth countries of U.K., Australia and Canada, as well as an Official Memorandum prepared by the Secretaries-General of the Lok Sabha and Rajya Sabha on the subject. The Committee presented their Report to the Speaker, Lok Sabha and the Chairman, Rajya Sabha, on the 20th September 1974.

²Appointed as Chairman with effect from Jan. 23, 1974 vice Shri K. N. Tewari died.

³Appointed as a Member vice Shri Jaisukh Lal Hathi, retired from the membership of Rajya Sabha with effect from April 2, 1974.

Guiding Principles: The Secretariats of Parliament are dynamic, developing institutions requiring constant attention to keep pace with the growing and changing needs of the parliamentarians. The nature of the responsibilities of their officers and staff requires a high degree of quality and promptness, while ensuring at the same time economy, efficiency and specialisation coupled with mobility and diversification of experience. The officers and staff of the two Houses, serving the Members of Parliament as they do, have to be persons of high calibre, impeccable integrity, requisite qualifications and training. They have to use all their competence, tact and experience in discharging their onerous responsibilities.

The entire structure of the two Secretariats has to be functional, keeping the hierarchy and levels of supervision to the minimum and organising the work, wherever possible, on a more or less desk-officer system so that the work units in the Secretariats are small and compact and geared to quick and quality out-turn of work without diffusion of responsibilities.

In their deliberations, the Committee took into consideration the independent character of the two Secretariats and the specialised nature of their functions and responsibilities. The Committee accordingly recommended that while the quantum of work was a valid consideration for determining the numerical strength of staff required, the pay scales and other terms and conditions of service should be determined having regard to the nature and importance of the work, duties, responsibilities and strain involved and the academic and other qualifications, attainments and experience prescribed for appointments to the posts.

They felt that the principle of parity between the terms and conditions of service of the officers and staff of the two Secretariats with equivalent posts carrying somewhat similar duties and responsibilities in the Government of India should be maintained. They did not, however, consider it necessary to equate the terms and conditions in the two Secretariats with any one particular Ministry or Department of the Government as they recognised that the officers and staff in the two Secretariats had to deal with and handle work of a varying nature and in all subject fields dealt with by the different Ministries and Departments. In some cases where the Committee could not find any equivalent posts on the Government side, they arrived at their own conclusions in regard to appropriate terms and conditions of service on the basis of job requirements etc.

Functional Reorganisation of Secretariats: On the basis of the scheme embodied in the joint memorandum of the two Secretaries-General and keeping the above considerations in view, the Committee recommended a rational reorganisation of the two Secretariats on a pattern which would be functional, efficient and economical. The Secretariats were to be reorganised into the following services:—

- (1) *The Legislative Service* (dealing with the work connected with the business of the House and including Parliamentary Notice Office, Legislative Branch, Table Office, Questions Branch and the Branches dealing with Legislative Committees, Committee on the Welfare of Scheduled Castes and Tribes, and Conferences).
- (2) *The Financial Committees Service** (Servicing the three Financial Committees (*viz.*, Public Accounts Committee, Estimates Committee and Public Undertakings Committee and including the Railway Convention Committee).
- (3) *The Executive and Administrative Service* (including Administration, Works and General, Budget & Payment, Pay & Accounts, Members' Salaries and Allowances, and Members' Services, and Staff Car Drivers).
- (4) *The Library, Reference, Research, Documentation and Information Service* [Consisting of (a) Research and Information Wing and the Press & Public Relations Wing; and (b) Parliament Library Wing—(including the Press Clipping, Documentation and Spot Reference Units)].
- (5) *The Verbatim Reporting, Personal Secretaries and Stenographic Service.*
- (6) *The Parliamentary Interpreters Service.*
- (7) *The Printing, Publications, Stationery, Sales, Stores, Distribution and Archives Service* [covering (a) Printing, rotaprinting, and bindery works, (b) Stationery and Stores, Record-keeping and archives, (c) Sales and (d) Receipt and Distribution].
- (8) *The Editorial and Translation Service* (translation of Debates, reports and Parliamentary Papers, editing of debates and writing the synopsis of Debates).

*The Financial Committees Service was to be constituted only in the Lok Sabha Secretariat, as there were no Financial Committees in the Rajya Sabha.

- (9) *Watch and Ward, Door-keeper and Sanitation Service.*
- (10) *Clerks, Typists, Record Sorters and Daftries Service.*
- (11) *The Messenger Service.*

Re-designation of Posts: The Committee recommended the re-designation of the posts of Joint Secretaries as Additional Secretaries. Designations of other posts attached to the various Services, were suitably modified in keeping with the functional reorganisation. Thus, in place of the existing designations of Deputy Secretary, Under Secretary and Section Officer, which were more or less indicative of a hierarchical order as in the Government Secretariat, the Committee suggested new designations indicative of the functions of the officers concerned and identifying them with the Services to which they belong. For instance, the designation of officers in the Legislative Service were suggested as the Chief Examiner of Bills, Motions and Resolutions, Chief Examiner of Questions, and Chief Legislative Committee Officer (roughly equivalent to the erstwhile Deputy Secretaries). Then came posts like Senior Table Officer, Senior Examiner of Bills, Senior Examiner of Motions & Resolutions, Senior Examiner of Questions, Senior Legislative Committee Officers and Senior Conference Officer (equivalent to the erstwhile Under Secretaries), followed by Officers in charge of specific Branches, like the Table Officer, Examiner of Bills, Examiner of Motions and Resolutions, Lobby Officer, Examiner of Questions, Notice Officer, Conference Officer, Protocol Officer and Legislative Committee Officer (equivalent to the erstwhile Section Officers). For the Financial Committees Service, the designations suggested were: Chief Financial Committee Officers, Senior Financial Committee Officers, Financial Committee Officers, and Financial Committee Assistants. Likewise, for the Executive and Administrative Service, the Committee suggested re-designation of the posts of Deputy Secretary and Under Secretary as Chief Personnel & Executive Officer and Senior Personnel and Executive Officer respectively, and those of Section Officers as Executive Officers and Personnel Officers.

With regard to the existing 'Library, Research and Information Service' the Committee noted that it "caters to the Library, Research and Information needs of both the Houses" and recommended a Director at the head of the Service, assisted by two Deputy Directors, one looking after the Research and Information side and the other after the Library, Reference and Documentation side. Other posts suggested for this service included those of Senior Research Officers, Research Officers and Research Assistants on the Research and In-

formation side and Senior Reference Officers, Reference Officers, Librarians, Reference Assistants and Senior and Junior Library Assistants on the Library, Reference and Documentation side.

Similar rationalization and new functional designations were suggested for all other Services as well. According to the Committee's scheme of reorganization each of the Services was to be so structured, that the officers and staff working in a particular Service "have adequate and equitable avenues of promotion within their own Service upto the level of the senior posts indicated therein".

The Committee also recommended that as a general rule, direct recruitment in the Secretariats should be resorted to in all cases where the persons within the Secretariats are not found suitable either on ground of required qualifications and ability for the specific job or record of work and conduct. Further, all promotions should be by selection on merit irrespective of seniority in service.

Revision of Pay Scales: Along with the functional redesignation of the posts, the Committee also recommended a revision of the pay scales for all the posts, taking into consideration the nature and importance of the work, duties, responsibilities and strain involved, the academic and other qualifications besides attainments and experience required for each post.⁵ They further suggested that the reorganised set-up with the new designations and pay scales might be introduced from a date which the Chairman/Speaker might decide and until then, the existing designations would continue and any revision of salary scales that had been granted by the Government of India to its employees on the basis of the Third Pay Commission's recommendations would be applicable to the staff of the Secretariats.

Other Benefits: As regards other matters such as dearness, compensatory, travelling, overtime and educational allowances, leave entitlement and leave travel concessions, hours of work and holidays, death-cum-retirement benefits, medical and educational facilities, staff amenities etc., the Committee recommended that the orders issued by the Government of India from time to time should be made applicable to the officers and staff of both the Secretariats. A few special concessions were, however, suggested by the Committee for the Parliamentary staff. For instance, the low-paid

⁵For details of new designations and salary-scales, please see Annexure.

employees of the two Secretariats might be granted slightly higher rates of daily allowance than those prescribed in Government rules, if they had to incur expenditure exceeding the admissible limit during their tours with Parliamentary Committees. In case of premature retirement of staff from jobs with in-built health hazards, the question of adding a few extra years of service for calculating pension and gratuity might be given sympathetic consideration. Further, for the staff who have to put in long hours of sustained work during sessions of Parliament or sittings of Parliamentary Committees or Conferences and who could not therefore occasionally avail of the lunch/dinner hour, and/or have to leave the office late in the evening a scheme might be framed by the Secretaries-General in consultation with the Ministry of Finance for the grant of suitable honoraria.

Procedure for Joint Recruitment: A Standing Board of the Secretaries-General has also been suggested by the Committee under the reorganised scheme to evolve rules, procedures, pattern and common norms of work-load for the various categories of staff in the two Secretariats from time to time. In addition, the Committee have proposed that there should be joint recruitment to common categories of posts in both the Secretariats for which direct recruitment was provided and that this might be done by holding combined recruitment tests, interviews, and drawing up of panels, on the basis of which appointments could be offered in any of the two Secretariats. The competent authority for assessing the numbers in the various cadres of posts, services etc. and the revision of scales of pay and allowances in the Secretariats should be the Board of the Secretaries-General who might, after consultation with the Ministry of Finance, make suitable recommendation to the Chairman/Speaker, as the case might be, from time to time.

All the recommendations of the Committee were accepted by the Chairman, Rajya Sabha and the Speaker, Lok Sabha without any modification and the two Secretariats were reorganised on the line suggested by the Committee with effect from 1st December, 1974.

ANNEXURE

Statement showing revised scales of pay recommended by the Pay Committee and adopted for application to various posts in the Lok Sabha and Rajya Sabha Secretariats from the date of introduction of the Reorganisation Scheme of the Secretariats.

Sl. No.	Designation of Post (Under the Reorganisation Scheme)	Revised Scale	Remarks
1	2	3	4

Additional Secretaries	Rs. 2,500—125/2—3,000
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(1) THE LEGISLATIVE SERVICE

Chief Examiner of Bills, Motions and Resolutions/Chief Examiner of Questions/Chief Legislative Committee Officer.	Rs. 1500—60—1800—100—2000 (One post in each of the Secretariats may be in the higher scale of Rs. 2000—125/2—2250).
Senior Table Officer/Senior Examiner of Bills/Senior Examiner of Motions and Resolutions/Senior Examiner of Questions/Senior Legislative Committee Officer/Senior Conference Officer.	1200—50—1600
Examiner of Bills/Examiner of Motions and Resolutions/Lobby Officer /Table Officer/ Examiner of Questions/Notice Officer/ Conference Officer/Protocol Officer / Legislative Committee Officer.	650—30—740—35—810—EB—35—880—40—1000—EB—40—1200
4 Table Assistant/Lobby Assistant/Legislative Assistant/Questions Assistant/Notice Assistant/Legislative Committee Assistant/Conference Assistant/Protocol Assistant.	550—25—750—EB—30—900

(2) THE FINANCIAL COMMITTEES SERVICE

1 Chief Financial Committee Officer	Rs. 1500—60—1800—100—2000 (One of the posts may be in the higher scale of Rs. 2000—125/2—2250.)	Officers appointed to this post on deputation transfer from Indian Audit & Accounts and other Central Class I Services will get their grade pay plus a S.P. of Rs. 300 P.M. subject to the same conditions as may be
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1	2	3	4
			applicable to officers of All India/ Central Services when they are appointed to the post of Deputy Secretary in the Central Secretariat.
	5		
2 Senior Financial Committee Officer	1100—50—1600 (Officers appointed to this post from the grade of Under Secretary will get a scale of Rs. 1200—1600 as personal to them.)		Officers appointed to this post on deputation/transfer from Indian Audit & Accounts and other Central Class I Services will get their grade pay plus a S.P. of Rs. 200 P.M. subject to the same conditions as may be applicable to officers of All India/ Central Services when they are appointed to the post of Under Secretary in the Central Secretariat.
3 Financial Committee Officer	700—40—900—EB—40—1100—50—1300.		
4 Financial Committee Assistant	550—25—750—EB—30—900		
(3) THE EXECUTIVE AND ADMINISTRATIVE SERVICE			
1 Chief Personnel Officer/Chief Executive Officer.	1500—60—1800—100—2000		
2 Senior Personnel Officer/Senior Executive Officer	1200—50—1600		
3 Pay & Accounts Officer*	1200—50—1600		*Officers appointed to this post from the I.A. & A.S. will get their grade pay.
4 Personnel Officer/Executive Officer	650—30—740—35—810—EB—35—880—40—1000—EB—40—1200		
5 Executive Assistant Personnel Assistant.	550—25—750—EB—30—900		

1	2	3	4
6.	Artist Assistant	550—25—750—EB— 30—900	
7.	Assistant	425—15—500—EB— 15—560—20—700— EB—25—800	
8.	Cashier (Rajya Sabha/Lok Sabha Secretariat)	} The Scale of pay for the post of U.D.C. or Assistant as the case may be plus a S.P. of Rs. 10 to Rs. 50 p.m. depending upon the amount of cash disbursement as per Pay Commission's recommendation.	
9.	Cashier (Pay & Accounts Office)		
10.	Chauffeur/Staff Car Driver	260—6—290—EB—6— 326—8—366—EB— 8—390—10—400	
11.	Despatch Rider	260—6—326—EB— 8—350	
12.	Scooter Driver	260—6—326—EB— 8—350	
13.	Painter (Skilled)	225—5—260—6—290— EB—6—308	

(4) THE LIBRARY, RESEARCH AND INFORMATION SERVICE

1.	Director	1800—100—2000— 125/2—2250
2.	Deputy Director (Research)	1500—60—1800
3.	Deputy Director (Library)	1500—60—1800
4.	Senior Research Officer	1100—50—1600
5.	Senior Reference Officer	1100—50—1600
6.	Research Officer	700—40—900—EB— 40—1100—50—1300
7.	Reference Officer	700—40—900—EB— 40—1100—50—1300
8.	Librarian	700—40—900—EB— 40—1100—50— 1300

1	2	3	4
9.	Research Assistant	550—25—750—EB— 30—900	
10.	Reference Assistant	550—25—750—EB— 30—900	
11.	Senior Library Assistant	425—15—500—EB— 15—560—20—700	
12.	Junior Library Assistant	380—12—440—EB— 15—560—EB— 20—640	
13.	Library Attendant (Senior)	260—6—326—EB— 8—350	
14.	Library Attendant (Junior)	210—4—226—EB— 4—250—EB—5— 290	

(5) THE VERBATIM REPORTING, PERSONAL SECRETARIES AND STENOGRAPHIC SERVICE

(A) Reporting Posts

1. Chief Reporter 1500—60—1800
2. Senior Parliamentary Reporter 1100—50—1600
3. Parliamentary Reporter 700—40—900—EB—
40—1100—50—1300
plus S. P. Rs. 200/-
P. M.
4. Committee Reporter 775—35—880—40—1000—
EB—40—1200 plus
S.P. Rs. 100/- P.M.

(B) Personal Secretaries and Stenographic Staff

1. P. S. to Chairman/Speaker 1500—60—1800
2. Additional Private Secretary to
Chairman 1200—50—1600
3. A.P.S. to Chairman/Speaker 1100—50—1500

NOTE: The Post of Assistant Private Secretary to Chairman shall remain unfilled so long as the post of Additional Private Secretary is filled.

1	2	3	4
4	P.S. to Deputy Chairman/Deputy Speaker	1100—50—1500	The Officers who have been holding these posts since 1-1-73 shall be allowed the scale of Rs. 1100—1600 as personal to them.
5	Private Secretaries to Chairmen of three Financial Committees	1100—50—1500	Note: If the person appointed in a scale of Rs. 775—1200 or lower, he will get his grade pay plus a special pay of Rs. 220 p.m. provided that pay plus S.P. does not exceed Rs. 1100.
6	P.S. to Secretary-General	1100—50—1500	
7	1st P.A. to Chairman/ Speaker	775—35—880—40— 1000—EB—40— 1200	} Note: 25% of the total number of posts in the scale of Rs. 775—1200 may be in the non-functional selection grade of Rs. 900—1400.
8	P.A. to Deputy Chairman/ Deputy Speaker	775—35—880—40— 1000—EB—40— 1200	
9	P.A. to Chairman, Parliamentary Committee (other than Financial Committees)	775—35—880—40— 1000—EB—40— 1200	
10	Senior Personal Assistant	650—30—740—35— 880—EB—40—1040	} S.P. of Rs. 50/- p.m. to be given to one officer in either of these grades who is entrusted with confidential establishment work in addition to his normal duties and responsibilities.
11	Stenographer	425—15—500—EB— 15—560—20—700— EB—25—800	
12	Junior Stenographer	330—10—380—EB— 12—500—EB—15— 560	
(6) THE PARLIAMENTARY INTERPRETERS SERVICE			
1	Chief Parliamentary Interpreter	1500—60—1800	} Officers who have been holding these posts since 1-1-73 shall be allowed the scale of Rs. 1100—50—1600 as personal to them.
2	Senior Parliamentary Interpreter	1100—50—1500	
3	Parliamentary Interpreter	700—40—900—EB— 40—100—50—1300	

1	2	3	4
(7) PRINTING PUBLICATIONS, STATIONERY, SALES, STORES, DISTRIBUTION AND ARCHIVES SERVICE			
1	Controller of Printing Publications, Stationery, Sales, Stores, Distribution and Archives.	1500—60—1800— 100—2000	
2	Assistant Controller of Printing Publications, Stationery, Sales, Stores, Distribution and Archives	1200—50—1600	
3	Manager of Printing	650—30—740—35— 810—EB—35—880— 40—1000—EB—40— 1200	
4	Sales Officer	650—30—740—35— 810—EB—35—880— 40—1000—EB—40— 1200	
5	Stores Officer	650—30—740—35— 810—EB—35—880— 40—1000—EB—40— 1200	
6	Distribution Officer	650—30—740—35— 810—EB—35—880— 40—1000—EB—40— 1200	
7	Senior Printing Assistant	550—25—750—EB— 30—900	
8	Printing Assistant	425—15—500—EB— 15—560—20—700— EB—25—800	
9	Sales Assistant	425—15—500—EB— 15—560—20—700— EB—25—800	
10	Stores Assistant	425—15—500—EB— 15—560—20—700— EB—25—800	
11	Distribution Assistant	425—15—500—EB— 15—560—20—700— EB—25—800	
12	Records & Archives Assistant	425—15—500—EB— 15—560—20—700— EB—25—800	
13	Supervisor (Bindery)	425—15—560—EB— 20—640	

1	2	3	4
14	Varityper Operator	425—15—500—EB— 15—560—20—700	
15	Proof Reader	425—15—530—EB— 15—560—20—600	
16	Copy-Holder	260—8—300—EB— 8—340—10—380— EB—10—430	
17	Senior Lithographic Operator	425—15—530—EB— 15—560—20—600	
18	Junior Lithographic Operator	380—12—500—EB— 15—560	
19	Compositor	330—8—370—10— 400—EB—10—480	
20	Printer	330—8—370—10— 400—EB—10—480	
21	I. B. M. Operator	330—10—380—EB— 12—500—EB—15— 560	
22	Xerox Operator	330—8—370—10— 400—EB—10—480	
23	Senior Adrema Operator (L.S.S.)	260—6—290—EB—6— 326—8—366—EB— 8—390—10—400— + S.P.of.Rs. 20. P. M.	
24	Junior Adrema Operator (R.S.S.)	260—6—326—EB— 8—350	
25	Gestetner Operator	260—6—326—EB— 8—350	
26	Binder Grade I	330—8—370—10— 400—EB—10—480	
27	Binder Grade II	260—6—326—EB— 8—350	
28	Warehouseman	210—4—226—EB— 4—250—EB—5— 290	

1	2	3	4
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(8) THE EDITORIAL AND TRANSLATION SERVICE

1. Editor-in-Chief .	. 1500—60—1800		
2. Senior Editor	. 1100—50—1500		Officers who have been holding the posts of Chief Editor since 1-1-73—shall be allowed the scale of Rs. 1100—50—1600—as personal to them.
3. Editor	. 700—40—900—EB— 40—1100—50—1300		
4. Assistant Editor	. 650—30—740—35— 810—EB—35—880 —40—1000—EB— 40—1200		
5. Translator*	. 550—20—650—25— 800		

(9) THE WATCH AND WARD, DOOR-KEEPERS AND SANITATION SERVICE

(i) Watch and Ward and Door Keeping Wing.

1. Watch & Ward Officer.	. Senior Scale of I.P.S. plus special pay of Rs. 300 (For an I. P. S. Officer)		
2. Deputy Watch & Ward Officer	. 900—40—1100—EB —50—1400		
3. Assistant Watch & Ward Officer .	650—30—740—35— 810—EB—35—880 —40—1000—EB— 40—1200		
4. Marshal	. 650—30—740—35— 810—EB—35—880 —40—1000—B.B. —40—1200		
5. Senior Watch & Ward Assistant (Grade I)	550—20—650—25— 800		
6. Senior Watch & Ward Assistant (Grade II)	425—15—500—EB— 15—560—20—700		

*If an Assistant Editor/Translator is put mainly on synopsis writing duties, he may be paid S.P. of Rs. 50 P.M. in addition to his grade pay for the period he is employed on such duties.

1	2	3	4
7. Junior Watch & Ward Assistant .	330—10—380—EB— 12—500—EB—15 —560		
8. Personal Attendant to the Chairman/ Speaker	260—6—326—EB— —8—350		
9. (i) Door-Keeper (Grade I)	320—6—326—8— 390—10—400		
(ii) Door-Keeper (Grade II)	210—4—226—EB— 4—250—EB—5— 290		
(iii) Door-Keeper (Grade III)	200—3—206—4— 234—EB—4—250		
(ii) Sanitation Wing :			
1. Sanitary Jamadar	200—3—206—4— 234—EB—4—250		
2. Farrash	196—3—220—EB—3 —232		
3. Sweeper	196—3—220—EB— 3—232		
(10) THE CLERKS, TYPISTS, RECORD SORTERS AND DAFTRIES SERVICE			
1. U.D.C.	330—10—380—EB —12—500—EB— —15—560		
2. L.D.C./Typist*	260—6—290—EB— 6—326—8—366— EB—8—390—10— 400.		
3. Record Sorter	210—4—250—EB— 5—270		
4. Daftry	200—3—206—4—234 —EB—4—250		
(11) THE MESSENGERS SERVICES			
1. Chamber Attendant	210—4—226—EB—4— 250—EB—5—290		
2. Jamadar	200—3—206—4—234— EB—4—250		
3. Messenger	196—3—220—EB— —3—232		

*L.D.C.s passing Typewriting test at prescribed speed either at the time of recruitment or afterwards may be given advance increments as per Government orders relating to L.D.C.s in Central Secretariat Clerical Service.

THE SPEAKER AND THE MONEY BILLS

J. N. SINGH YADVA*

A number of duties have been assigned to the Speaker under the Constitution. Important among these are the responsibilities enjoined upon him under article 110.¹ It empowers the Speaker to certify the money bills before they are transmitted to the Rajya Sabha for consideration and then to the President for assent. The Rajya Sabha enjoys limited powers in regard to money bills.² It has no right to amend or reject a money bill, but can only recommend certain changes,³ which are not obligatory for the Lok Sabha to accept. If the Rajya Sabha fails to return a money bill to the Lok Sabha within fourteen days of its receipt, the bill is deemed to have been passed by both Houses, at the expiration of that period. Consequently, the object of certification of money bills by the Speaker is to draw the pointed attention of the Rajya Sabha, as well as that of the President to the fact that the bill under consideration is a money bill and hence their powers, as provided in the Constitution, are limited in this regard.

Definition of Money Bills

Money bills have defined in a very comprehensive manner by the Constitution. But it is not easy to decide whether or not a financial measure conforms to the statutory definition of a money bill. To cite an example, the formalities to be observed for introducing a

*Dr. Yadav teaches Political Science at the Government College, Gurgaon, (Haryana).

¹The corresponding article in the case of States is 199.

²See Articles 109 and 117, and Articles 198 and 207.

³Ibid.

money bill and a financial bill are the same. Both can be introduced only in the Lok Sabha, but whereas the financial bills can be rejected or amended by the Rajya Sabha, no such step can be taken in the case of money bills. Therefore, it is an important function of the Speaker to differentiate between these two kinds of bills.

The restriction imposed upon the powers of the Rajya Sabha by clauses (1) to (5) of article 109 is, however, controlled by the provisions of article 110 which defines what a 'money bill' is. Though clause (3) of article 110 gives to the Speaker the final authority to decide whether a bill is a money bill or not, the Speaker's power is obviously controlled by the provisions of clause (1) of articles 110 and 117. Since a bill under clause (1) of article 117 must deal with any of the matters specified in article 110(1), there is a marked difference between the scope of the two provisions. If the bill deals exclusively with such matters and contains no provisions relating to any other matter, it is a money bill within the meaning of clause (1) of article 110 and the procedure provided in article 109, 113(3) and 117(1) must be followed. The expenditure charged on the Consolidate Fund of India under clause (3) of articles 112 and 202, and any legislation in respect of any such expenditure is also a money bill within the meaning of articles 110(1) (e) and 199(1) (e).

If, however, the bill contains provisions relating to different matters of which some fall within any of the sub-clauses of clause (1) of article 110, but does not consist solely of those matters, it is nevertheless a "financial bill" within the meaning of clauses (1) and (2) of article 117 and not a money bill. For example, a bill which contains a taxation clause but does not deal solely with taxation, is not a Money Bill. Similarly, if a bill contains, *inter alia*, a proposal or proposals involving expenditure from the Consolidated Fund of India, for instance, by providing for the appointment of officers or other authorities or for the establishment of an institution, it is a "Financial Bill" but does not fall in the category of a Money Bill.

According to May, a Money Bill in its widest sense, means "a bill the main purpose of which is either to impose a charge upon public funds or to impose a charge upon the people, i.e. a tax. It will be seen that the statutory use and the ordinary parliamentary use of the expression overlap rather than coincide. A parliamentary money bill may be certified by the Speaker as a 'Money Bill' if its provisions deal only with the imposition of charges. But it will not

be certified as such if it contains provisions dealing with any other matter except 'subordinate matters incidental' to such charges."⁴

Examples of such bills introduced and passed in the Indian Parliament, are: the State Bank of India Bill, 1955; the All India Khadi and Village Industries Commission Bill; the Foreign Exchange Regulation (Amendment) Bill, 1957; the Delhi Municipal Corporation Bill, 1957; the Reserve Bank of India (Amendment) Bill, 1959; the Forward Contracts (Regulation) Amendment Bill, 1960; etc.

The use of the word 'only' is of particular significance in this regard. This denotes that a bill shall be deemed to be a Money Bill if it contains any of the matters contained in sub-clauses (a) to (g) of clause (1) of article 110 or 199 "without any other extraneous provisions". This is to safeguard the Upper House against an abuse of this provision by the Lower House, by treating ordinary bills as Money Bills,—adding to them some financial clause.⁵

But sub-clause (g) of clause (1) of article 110 modifies the effect of the word 'only' in clause (1). It means that the inclusion of any other matter would not make a Bill other than a Money Bill if such other matter is 'incidental to any of the matters enumerated in any of the sub-clauses (a) to (f)'. This is in consonance with the general doctrine of ancillary powers'. Thus the 'imposition' of a tax cannot be affected unless the mode of assessment is also provided in the law. Hence a Bill for imposition of a tax would remain a Money Bill even though it contains clauses prescribing the mode of or machinery for assessment of the tax.⁶

Certificate is Final

In 1953, a controversy arose in the Rajya Sabha over the categorization as a Money Bill of the Indian Tax Income (Amendment) Bill, 1952. It was contended that the certificate of the Speaker cannot be final in the first instance until challenged and decided by the Speaker in that light. It was argued by one Member that "under

⁴Erskine May's *Treatise on the Law, Privileges, Proceedings and Usage of Parliament*, 18th (1971) Ed. London, Butterworth & Co. (hereinafter referred to as May), pp. 790-91.

⁵See Basu, D. D., *Commentary on the Constitution of India*, Fifth Ed. (Revised). Vol. II. Calcutta, S. C. Sarkar, 1965, pp. 679-80; Also see Shukla V. N., *Commentaries on the Constitution of India*. Lucknow 1970, pp. 255-56.

⁶Basu, *op. cit.*, pp. 689-81.

article 110(4) the Speaker passes an executive order and under article 110(3) he passes a judicial order after full consideration.... Under article 110(4) the Speaker will have to certify that the particular bill is a money bill. When it comes before this House and if a question arises whether the bill is a money bill or not, the decision of the Speaker is final.”⁷

If this view is accepted, then it means that clause (3) of article 110 or 199 is applicable and can be evoked only when there is a dispute about the category of the bill and not otherwise. It appears from this argument that insertion of clause (3) in the article empowers the Upper House to raise the objection against the certification of the money bill by the Speaker.⁸ The fact that it has been certified by the Speaker does not debar the Upper House from raising a question of that sort. This contention is supported by the insertion of the word ‘final’ in clause (3) of articles 110 and 119, because ‘final’ does not mean the decision or conclusion taken or arrived at in the first stage. It means that there may perhaps have been a stage before, when some decision or some sort of a conclusion was arrived at, and when a point was raised aiming at reversing or affirming that decision, a later decision was given, which decision alone shall be ‘final’.⁹

Similar views were also expressed by Shri M. C. Chagla when he said that clause (3) of article 199 only concerned “a situation when there is a dispute with the Upper House and then alone the Speaker is required to give his decision, which is final, otherwise a money bill remains a money bill so long as it falls within the definition as given in clause (1) of article 199.”¹⁰ Had it not been so, there was no necessity of clause (3). There is nothing in the Constitution which prevents the Upper House from referring any bill to the Speaker for his decision.

According to another view the certificate of the Speaker is his final decision. If any controversy is raised, it is enough to point out the certificate of the Speaker. The Rajya Sabha, then has no right to refer the bill back to the Speaker for his decision and has to

⁷*Parliamentary Debates*, (Council of States), 29-4-1963, cc. 4403—07.

⁸*Ibid.*, c. 4410.

⁹*Ibid.*, c. 4423.

¹⁰*Satya Pal Dang and Others V. State of Punjab. The Indian Law Reports* (Punjab and Haryana Series) (hereinafter referred to as ILR), Part II, 1968, p. 105.

accept the verdict in the first instance. This, in fact, is the proper interpretation of it. It means that the question regarding the category of the bill has finally been decided with the certification of the Speaker and cannot be questioned thereafter. It would have perhaps been proper if the sequence of clauses (3) and (4) were reversed by the framers of the Constitution.

The Speaker can decide whether a bill is a Money Bill or not even before it has been introduced or passed by the Lok Sabha. For instance, a controversy may arise in the Rajya Sabha *ab initio* of the introduction of a bill. In that case, clause (3) is invoked and the decision of the Speaker is sought. Then the decision of the Speaker is final under clause (3). To cite an example, a bill seeking to amend the Indian Income Tax Act, 1922 was given notice of by a member of Rajya Sabha. There was a controversy over the nature of the Bill. The Chairman of the Rajya Sabha, on April, 5, 1956, referred the question to the Speaker for his decision as to whether the bill was a money bill. Mr. Speaker Ayyangar held that it was so. The Chairman, Rajya Sabha was informed accordingly and the bill was not introduced in the Rajya Sabha.¹¹ It means that any disputed matter regarding the category of a bill is referred to the Speaker for his decision. This is not a proper cause. The Speaker should certify a bill as money bill only after it has been passed by the Lok Sabha.

In the House of Commons, the Speaker does not consider the question of certifying a bill until it has reached the form in which it leaves the House of Commons. He has declined to give his opinion whether the acceptance of a proposed amendment would prevent a bill from being certified as a money bill.¹² When the Speaker has certified a bill to be a 'money bill', this is recorded in the Journal of the House of the Commons by a note attached to the title of the bill. Such certificate is conclusive for all purposes.¹³

Certification of a Bill during Vacancy

A question often raised is whether the Speaker alone is competent to certify a Money Bill or a person presiding at the time of passing

¹¹ M. N. Kaul and S. L. Shakhder, *Practice & Procedure of Parliament*, Second Edition. Delhi, Metropolitan Book Co. 1972, p. 456.

¹² H. C Deb., 1912-13. Vol. 41, c. 2687

¹³ The Parliament Act, 1911, Section 3.

a Money Bill can also do so. According to one view, the certificate regarding a Money Bill can be endorsed only by the Speaker so long as the office of the Speaker is not vacant. For example, the Voluntary Surrender of Salaries (Exemption from Taxation) Amendment Bill, 1955, was passed by Lok Sabha on February 18, 1956. The Speaker of Lok Sabha was away from Delhi at that time. The Bill was to be certified as a Money Bill. Although the Deputy Speaker was available, the Bill was transmitted to Rajya Sabha without a certificate that it was a Money Bill, as the office of the Speaker was not vacant,¹⁴ and the Speaker was not available at that time. On another occasion, in West Bengal, a plane was chartered to obtain the signatures of the Speaker on a bill passed by the Assembly. The Speaker was staying somewhere in a mofussil town at that time. It was said that as the Deputy Speaker had no power to deal with such cases when he was acting as Speaker during the absence of the Speaker from any sitting of the Assembly, he could not sign the bill, even when he was 'acting' as Speaker during his absence.¹⁵ These precedents prove that the Deputy Speaker cannot certify money bills in situations when the office of the Speaker is not vacant, even though the Speaker may be out of town or unable to attend to his duties due to illness etc.

In case there is a vacancy in the office of the Speaker due to death, removal or resignation, then the Deputy Speaker, who 'performs' the duties of the Speaker under clause (1) of article 95 can certify the money bills. For instance, the Deputy Speaker of the Lok Sabha certified the Appropriation Bill 1956, as a money bill. He also endorsed copies of a bill, the University Grants Commission Bill, 1956, and submitted it to the President for assent.¹⁶ At that time, the office of the Speaker was vacant due to the death of Speaker Mavalankar.

This raises some pertinent questions, as to who would certify a money bill in case the Speaker is seriously ill and unable to attend the House or is away in a foreign country, or refuses to certify. There are two views on this point. According to one view, any member of the panel of chairmen, including Deputy Speaker or any other member authorised by the House, can certify a money bill. A

¹⁴ Kaul & Shakhder, *op. cit.*, p. 455.

¹⁵ Rao, B. Shiva, *Framing of India's Constitution*, Delhi 1968. Vol. IV, p. 103.

¹⁶ Kaul & Shakhder, *op. cit.*, p. 455.

money bill was certified as such in a State Legislature by a member of the panel of chairmen who had been 'acting as Speaker' at that time. The Act was later challenged in a court of law on the plea that there was no certificate granted by the Speaker as required by the Constitution under article 199(4), and, therefore, the law passed by the State legislature was not valid.¹⁷ Relying upon the Supreme Court decision in *Vishweshwar Rao V. State of Madhya Pradesh*,¹⁸ the High Court rejected the above contention and took the view that the omission was merely an irregularity of procedure, which cannot be called in question before a court of law in view of article 212(1). The High Court accordingly held that the certificate granted by the Presiding Officer, acting as Speaker, was a valid certificate under article 199(4).

In the important case of *Satya Pal Dang and Others Vs. Punjab State*, even though the Supreme Court upheld the validity of the action taken by the Deputy Speaker of the Punjab Assembly in certifying a money bill in view of the Speaker suddenly adjourning the House and leaving the chamber, it did not question the Constitutional provision vesting the power of certification in the Speaker. It only said that the provision was 'directory' and not 'imperative'. To quote Chief Justice Hidayatullah¹⁹: "If the Constitution saw the necessity of providing a Deputy Speaker to act as the Speaker during the latter's absence or to perform the duties of the office of the Speaker when it is vacant, it stands to reason that the Constitution could never have reposed a power of mere certification absolutely in the Speaker and the Speaker alone... It is reasonable to think that the Speaker in his then mood might have declined to certify and an *impasse* may arise... The inconvenience to the State and the public at large avoided by holding the provision to be directory and not imperative".

The implications of the Supreme Court judgment in the case cited above were discussed by a Committee of Presiding Officers, under the Chairmanship of Shri Raghavji Leuva, the then Speaker of the Gujarat Legislative Assembly. The Committee came to the conclusions that—(a) under the Constitution, delegation of Speaker's power to certify a Money Bill is not contemplated; (b) it is the

¹⁷ *Patna zilla Truck Owners Association V. State of Bihar*, AIR 1963 Patna 16.

¹⁸ *Vishweshwar Rao V. State of Madhya Pradesh*, 1952 SCR 1020 (1049)

¹⁹ *Satya Pal Dang and others V. Punjab State*, AIR 1969, SC 903 (916).

Speaker's personal discretion to certify a Bill as a money bill or not; and (c) the Supreme Court judgment is in respect of the circumstances of a particular case only and has no general application.^{19A}

According to Paul Mason, an expert on Parliamentary Procedure, "where a presiding officer is required to sign a bill or ordinance to authenticate its passage, the act of signing is simply ministerial and not an exercise of legislative discretion. Therefore *mandamus* will lie to compel its performance. To hold otherwise would give the Presiding Officer, in effect, a veto upon the acts of the legislative body."²⁰ He further explains that 'wherever the Presiding Officer attempts to thwart the purpose of his office, the power resides in the assembly to bypass him and proceed to act otherwise. This right is but a part of the power which assemblies exert in choosing temporary officers when the permanent officers are absent. It is not their absence which justifies the exercise of the power, but the fact they are not performing duties necessary to the proper fulfilment of the functions of the assembly. Inability or refusal to perform those duties has the same effect as actions in suspending the ordinary functions of the meeting and equally warrants the selection of the temporary chairman.'²¹ Therefore, it would be in order for the House to direct the Deputy Speaker, and if he is not present, 'any other member' who presided over the proceedings of the House in the absence of the Speaker and the Deputy Speaker, to sign the Money Bills. In Britain, the Deputy Speaker has, in fact, on a couple of occasions endorsed Bills as money bills during the absence of the Speaker.²² The Deputy Speaker there acted under statutory provisions *vide s. 1* of the Deputy Speaker Act, 1855 (18 & 19 vict. c. 84). So this act of signing the Bills is directory and not mandatory.

Final Authority

If this contention is accepted, it raises many questions. For instance, (i) if on one day more persons than one were in the Chair in the Assembly when such a bill was discussed, who would certify

^{19A} Leuva Committee Report, para 8; quoted in Kaul & Shakhder, *op. cit.*, p. 456, f.n. (a).

²⁰ Paul, Mason, *Mason's Manual of Legislative Procedure*, New York, 1953, Section 575 (3), p. 413.

²¹ *Ibid.*, Section 576, p. 414.

²² See *Commons' Journal* (1914), p. 453, (1947-48), p. 68; See also Kaul & Shakhder, *op. cit.*, p. 456, p. 146; referred to in May, *op. cit.*, p. 789. f. n. (i).

it as money bill? (ii) If a question is raised in the course of the debate whether the bill under consideration is a money bill or not, and it is decided by the presiding officer that it is a money bill, who will certify it at the end when the presiding officer is not the Speaker? (iii) What would happen if the Speaker refuses to certify in such a situation? If it is accepted that any of the persons who prescribed may certify the bill it would mean bypassing the authority of the Speaker and a violation of the Constitution. On the other hand, if a presiding officer gives a decision that a particular bill is a money bill, it would be an embarrassing situation for the Speaker to say subsequently that the former's decision was not correct.

It is a well established practice in the British and Indian Parliaments that all important and controversial matters are reserved by the Deputy Speaker or members of the Panel of Chairmen for the Speaker to decide. Similar views were expressed by Chief Justice Mehar Singh in the Punjab Appropriation Act case. To quote his own words:

In the first place, clause (3) of article 199 does not require that such a decision be given immediately in the House itself. The Deputy Speaker can as conveniently refer a question like this to Mr. Speaker for decision. Then Mr. Speaker, when giving such a decision or certifying a bill as money bill, need not necessarily do it in the Assembly Hall when the Assembly is sitting, for he may well do it in his own chamber and after the sitting of the Assembly is over.²³

The arguments advanced by Shri M. C. Chagla appear to be convincing in this regard. His contention is that the powers and duties of the holder of an office could be performed by another in his absence, had it specifically been provided in the Constitution, as in the case of President. But with regard to the Speaker limited power is given to the Deputy Speaker or other person presiding over the Assembly and no other duty is given to such person. . . . So the Deputy Speaker has no power, authority or jurisdiction to certify the money bills.²⁴

In fact, the Court interpreted the provisions of article 180 in relation to a particular case. It did not make any distinction between clause (1) and clause (2) of the article. The difference

²³ ILR 1968, op. cit., p. 110.

²⁴ *Ibid.*, pp. 111-112.

between 'acting' and 'performing' was that in the former case he is doing duties nominally that are shared with others, while the latter implies doing duties independently. According to D. D. Basu:

The difference between 'performing the duties of' and 'acting' as Speaker is that when a person acts as the Speaker at a particular sitting or sittings under clause (2), he exercises all the functions and powers of a Speaker so far as the procedure and conduct of business within the House in respect of such sitting or sittings is concerned. But when a person performs the duties of the office of the Speaker under clause (1), he exercises not only the powers of control over the proceedings of the House but also the administrative and ancillary function of the Speaker as the head of the Secretariat.²⁵

This distinction was also accepted by the Constituent Assembly. There was a proposal before the Drafting Committee that the Deputy Speaker be given the power to discharge the functions of the Speaker during his absence on account of his illness or otherwise. The reason advanced for this was put in these words:

When the Deputy Speaker acts as a Speaker during the absence of the Speaker from any sitting of the Assembly, his functions as 'Speaker' end as soon as he leaves the Chair in the House, though he may be required to act as Speaker from day to day for several days continuously on account of the continued absence of the Speaker from the sittings of the Assembly. As such he is debarred from functioning as Speaker in dealing with cases that may come up before the House for his decision when he is not occupying the Chair in the sitting of the Assembly.²⁶

But the Drafting Committee did not accept the proposal. It was of the view that "necessary provision conferring power on the Deputy Speaker to discharge the functions of the Speaker during his absence on account of illness or otherwise may be included in the Rules of Procedure of the House to avoid any difficulty.... Where, however, a duty is imposed on the Speaker himself by the provisions of the Constitution, the Deputy Speaker will not be entitled to perform such duty except in the contingencies provided for in article 78 or 159 (Draft Constitution). Thus, the certificate of the Speaker referred to in clause (4) of article 90 or in clause (4) of article 174 (Draft Constitution) will have to be signed by the Speaker and not by the Deputy Speaker. The number of such

²⁵ Basu, *op. cit.*, p. 545.

²⁶ Shiva Rao, *op. cit.*, pp. 102-03.

provisions in the Constitution where the Speaker has been specifically mentioned is small. There is, therefore, hardly any necessity to make any change in the existing provisions.”²⁷

Delegation of Powers with regard to Money Bills:

Can the Speaker delegate his constitutional powers to the Deputy Speaker or to any person to perform any act? Obviously, the Constitution is silent on this point. The Rules of Procedure and Conduct of Business in Lok Sabha do not provide any express provision. However, according to Rule 389: “All matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may, from time to time, direct.” This has been described as the ‘Residuary Powers’ of the Speaker and it may be taken that he may delegate some of his powers or functions. On the other hand, Rule 12 of the Punjab Legislative Assembly provides: “The Speaker may, by order in writing, delegate to the Deputy Speaker all or any of his powers under the Constitution or under these Rules and may revoke any such delegation from time to time”. It means the Speaker can delegate his powers to the Deputy Speaker only and may revoke them whenever he likes. Justice Mehar Singh, the then Chief Justice of Punjab and Haryana High Court observed:

It appears that so far as the constitutional powers of Mr. Speaker are concerned, unless the Constitution itself empowers delegation, this rule cannot give power to Mr. Speaker to delegate his constitutional function, and to this extent it must be taken to be *ultra vires*.²⁸

Therefore, the power under articles 110 and 199(4) cannot be assumed by the Deputy Speaker or any other person presiding by virtue of clause (2) of articles 95 and 180. This is only reinforced by the fact that the power given under Articles 110 and 199(4) is discretionary and exclusively belonging to the Speaker as is amply borne out by clause (3) of articles 110 and 199.

Consultation before Certification

It is obligatory on the part of the Speaker of the House of Commons to consult two members of the panel of Chairmen who are appointed for the purpose at the beginning of each session by

²⁷ *Ibid.*, pp. 103-04.

²⁸ *ILR.*, *op. cit.*, pp. 110-111.

the Committee of Selection.²⁹ But the Speaker in India is not bound by any such obligation. It is discretionary for him to consult any body or authority or to take the decision himself. It was however, revealed by Jawaharlal Nehru, the then Prime Minister, during the debate in the Lok Sabha,³⁰ that the Speaker had himself decided to ask for the opinion of the Law Ministry in every case that had arisen since the commencement of the Constitution in 1950, before he recorded his decision. In fact, it is a practice in Lok Sabha, as well as in the Legislative Assemblies, that the Speaker consults the Law Ministry over such points. It would perhaps be more desirable if he consults the Deputy Speaker and some members of the panel of Chairmen before certifying a bill as a money bill.

Form of Certificate

When a Bill is held by the Speaker to be a Money Bill, he endorses a certificate thereon signed by him³¹ to the effect that it is a Money Bill, before it is sent to the Rajya Sabha³² (or to the Legislative Council in the case of States having an upper chamber) and the President (or the Governor),³³ as the case may be. But non-Money Bills when passed by Lok Sabha and transmitted to the Rajya Sabha for concurrence are not certified by the Speaker but by the Secretary-General of the Lok Sabha.³⁴ The Secretary-General may also authenticate a Bill on behalf of the Speaker in the absence of the latter and in case of urgency, before it is presented to the President.³⁵

²⁹ May, *op. cit.*, p. 789.

³⁰ *Parl. Deb.*, *op. cit.*, 29-4-1953, c. 5883.

³¹ Articles 110(3), 199(3).

³² Article 110(4) and Rule 96(2).

"I hereby certify that this Bill is a Money Bill within the meaning of Article 110 of the Constitution of India.

Dated the

Speaker".

³³ When a Money Bill passed by both the Houses of Parliament is presented to the President for assent, the following certificate of the Speaker is endorsed on the assented copies of the Bill:

"The above bill has been passed by the Houses of Parliament.

I hereby certify that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India.

Dated the

Speaker".

³⁴ Rule 96(2) reads:

"The Bill has been passed by the Houses of the People on the...19 .

Dated the.....19 .

Secretary-General".

See also Rule 137(2).

³⁵ Rules 121(2), 128(1) and 154.

The Secretary-General may also certify the Bills which originate in the Rajya Sabha and are passed by the Lok Sabha with or without amendments.³⁶ But before a Bill which originated in the Lok Sabha, is presented to the President, the Bill as passed by the Parliament is signed in duplicate by the Speaker.³⁷ In the absence of the Speaker from New Delhi, the Secretary-General may, in case of urgency, authenticate the Bill on behalf of the Speaker.³⁸ One fails to understand why the Deputy Speaker or any other member of the Panel of Chairmen has not been given this authority by the rules and why this act has got to be performed by the Secretary-General of the House, even though the Deputy Speaker or Members of the Panel of Chairmen, are available.

In case of a Money Bill relating to a State under the President's rule, the certificate is given by the Speaker on the Message copy of the Bill for transmission to Rajya Sabha.³⁹

Importance of the Speaker's Certificate

The framers of the Indian Constitution copied this provision from the British Parliament Act of 1911 wherein a distinction was made between Money Bills and other public Bills. The certification of a Money Bill by the Speaker of the House of Commons obviously limits the powers of the Upper House. Consequently, the legislative sovereignty was transferred to the Commons, subject only to the Royal Assent⁴⁰. Not only that, the decision of the Speaker on a question, whether a particular Bill is a Money Bill or not, "may be of great political importance to the Government of the day." A Money Bill can be presented for the Royal Assent within one month after it has been sent up to the House of Lords, whereas if the

³⁶ Rules 120 and 121.

³⁷ Rule 128(1).

³⁸ Rule 128(1) (Proviso).

³⁹Kaul and Shukdher, *op. cit.*, f.n. at p. 454.

"I hereby certify that this Bill is a Money Bill.

Dated the

Speaker."

The following certificate is endorsed by the Speaker on the copies of a Bill to be presented to the President for assent in the above mentioned case:

"The above Bill has been passed by the Houses of Parliament.

I hereby certify that this Bill is a Money Bill.

Dated the

Speaker".

⁴⁰ See Anson, William R., *The Law and Customs of the Constitution*, Oxford, 1922, Vol. I, p. 157.

Speaker holds that it is not a Money Bill, the Lords might delay it for two years from the date of its second reading in the House of Commons.⁴¹ Similarly, the Rajya Sabha can amend or reject a Financial Bill whereas in the case of Money Bill its powers are limited. The Speaker, therefore, is not merely called upon to assert, as heretofore, the privileges of the Lok Sabha but is required to interpret an Act which delimits the powers of the Rajya Sabha. His interpretation, if unfavourable to the contention of the Ministry, might upset the very scheme of legislation for the session.

Thus, the Speaker's certificate in the case of money bills is of immense constitutional importance which should be signified with great sagacity, discernment and adjudication. In fact, the act of certification of money bills is a manifestation of the power and will of the Lok Sabha. It would, however, be beyond imagination to think that any reasonable Speaker would ever like to interpret clause 3 of article 110 or 199 giving him any arbitrary powers in this regard.

⁴¹ *Ibid.*, p. 158.

SOCIO-ECONOMIC BACKGROUND OF LEGISLATORS IN INDIA*

[A new feature containing an analysis of the socio-economic background of Legislators in India, belonging to Parliament and the State Legislatures, giving their age, educational background and occupation, was started in this Journal last year. The earlier features, published in January—March, 1975 and April—June, 1975 issues of the Journal, covered the period 1952—1972. The present study which is in three Parts, is based on the data obtained from published sources and the Secretariats of concerned State Legislatures and Union Territories and covers the period, 1972—74.

—EDITOR].

I

MEMBERS OF RAJYA SABHA AND STATE LEGISLATIVE COUNCILS (1972—74)

This part of the study takes into its purview the Rajya Sabha and all the Legislative Councils of States constituted during 1972.

Age.—The minimum age laid down for the membership of Rajya Sabha or of a State Legislative Council is thirty years. There is no upper age limit. Table 1.1. in respect of age groups shows the percentage distribution of members in eleven different groups with a span of five years each, beginning from 30—35 and ending at 81—85.

*Contributed by Research and Information Division of LARRDI Service, Lok Sabha Secretariat.

TABLE 1.1
 Percentage Distribution of Members by the Age Groups (1972)

	30—35	36—40	41—45	46—50	51—55	56—60	61—65	66—70	71—75	76—80	81—85
I. Rajya Sabha	2.9	5.0	12.0	23.7	12.8	16.8	10.5	8.5	2.9	1.7	1.2
II. All Legislative Councils	2.0	10.5	17.1	19.2	17.0	13.3	11.8	5.4	2.0	0.4	0.7
1. Ardhra Pradesh	1.1	19.3	14.8	12.2	19.3	13.6	12.5	3.4	2.3		1.1
2. Bihar Legislative Council	4.2	5.2	26.0	17.7	10.4	13.6	12.5	4.2	3.1	1.0	2.0
3. Jammu & Kashmir Legislative Council	6.5	12.8	19.3	29.1	3.2	6.5	9.7	6.5	3.2	3.2	
4. Karnataka Legislative Council		15.2	10.2	15.2	23.7	15.3	11.9	8.5			
5. Maharashtra Legislative Council	1.6	3.1	15.9	31.9	19.1	14.0	12.8	1.6	..		
6. Tamil Nadu Legislative Council . . . . .	..	13.3	20.0	15.0	20.0	10.0	11.6	8.3	1.7	..	
7. Uttar Pradesh Legislative Council	1.6	4.9	16.1	21.0	19.3	16.1	9.9	8.0	3.2	..	

It would be seen from Table 1.1 that only a few members entered the Councils below the age of 35 years or above the age of 70 years. In almost every legislature, the age distribution has attained convexity in the middle of the life span. 65.3 per cent of M.Ps. and 66.6 per cent of the total number of M.L.Cs. were between the age groups of 41—60 years. Viewed State-wise, the Legislative Council of Maharashtra topped in this particular age-range with as high as 80.9 per cent of membership followed by Uttar Pradesh with 72.5 per cent, Bihar 67.7 per cent, Tamil Nadu 65 per cent, Karnataka 64.4 per cent, Andhra Pradesh 60.2 per cent and Jammu and Kashmir 58.1 per cent. The average percentage of all the Legislative Councils representing the youngest age group (30—35) works out to only 2.0 per cent, which favourably compares with Rajya Sabha having an average of 2.9 per cent. While the Councils of Karnataka and Tamil Nadu failed to return any member in this age-group, the Legislative Councils of Jammu and Kashmir and Uttar Pradesh had the distinction of returning more members in this age group when compared to Rajya Sabha.

As for the oldest group of 81—85, it will be observed that the average percentage for this age group in respect of all State Legislative Councils taken together comes to 0.7 per cent, which is slightly more than half of that relating to the membership of Rajya Sabha (1.2 per cent). Further, there is no representation of the age-group of 76—85 in five out of seven Legislative Councils. It will be interesting to note that Andhra Pradesh Legislative Council had equal representation in both the “youngest” and the “oldest” groups (1.1 per cent). Similarly, Jammu and Kashmir had equal representation in the youngest age group (30—35) and middle-aged group (56—60).

From a further analysis of Table 1.1, it would appear that the most popular five-year range is that of 46 to 50 years as this age group constituted the largest chunk of representatives both in Rajya Sabha (23.7 per cent) and all the Councils taken together (19.2 per cent). But among the different States this age group dominated only in three Legislative Councils, *viz.*, Jammu and Kashmir, Maharashtra and Uttar Pradesh. The age group of 51—55 years dominated in Andhra Pradesh, Karnataka and Tamil Nadu.

The other distinguishable features which merit attention are: (a) Legislative Council of Andhra Pradesh had equal percentage of membership in the age groups of 36—40 and 51—55; (b) Tamil Nadu had equal percentage of membership in the age groups of 41—45

and 51—55; and (c) Members in the age group of 41—45 were in majority in Bihar Council.

TABLE 1.2
Average Age of Members, 1972

S. No.	Legislature	Average age (in years)
I.	Rajya Sabha	53.3
II.	All Legislative Councils	51.8
1	Andhra Pradesh L.C.	51.1
2	Bihar L.C.	52.0
3	Jammu & Kashmir L.C.	50.0
4	Karnataka L.C.	50.0
5	Maharashtra L.C.	56.0
6	Tamil Nadu L.C.	51.5
7	Uttar Pradesh L.C.	52.0

Table 1.2 above shows the average age of Members, compared to members of Rajya Sabha, those elected to the Legislative Councils had slightly higher percentage of younger members. The average age of the members of Rajya Sabha was 53.3 as against average of 51.8 worked out in respect of members of all Legislative Councils in the States. Barring the Legislative Council of Maharashtra which had given the highest (56.0), the average in the rest of the Councils is almost the same with slight variations here and there.

TABLE 1.3
Comparative figures of Average Age of Members 1952—1972 and 1972—74

Age Group	Rajya Sabha		All Legislative Councils	
	1952—70	1972	1952—70	1972
I	2	3	4	5
30—35	3.8	2.9	3.3	2.0
36—40	7.2	5.0	9.6	10.5
41—45	13.6	12.0	17.1	17.1
46—50	15.6	23.7	17.4	19.2
51—55	17.4	12.8	17.1	17.0
56—60	13.9	16.8	15.9	13.3
61—65	13.3	10.5	10.6	11.8

1	2	3	4	5
66—70	9.1	8.5	5.6	5.4
71—75	4.2	2.9	2.4	2.0
76—80	1.3	1.7	0.8	0.4
81—85	0.6	1.2	0.2	0.7

Table 1.3 gives a comparative picture of the average age of members of both the Rajya Sabha and Legislative Councils for the periods 1952—72 and 1972—74. It will be noticed that while the heavy concentration of members in the Rajya Sabha had shifted from the age group of 51—55 to 46—50, in case of Legislative Councils the same group, i.e., 46—50 continued to dominate as before.

TABLE 1.4

Percentage educational background of Members, (1972—74)

Sl. No.	Legislature	Under Matriculates	Matriculates/Hr. Sec. or Intermediate	Graduates	Post Graduates	Doctoral degree or other high academic qualification holders
I.	Rajya Sabha	7.9	22.4	45.4	19.9	4.5
II.	All Legislative Councils	20.2	26.3	29.1	19.9	4.5
1	Andhra Pradesh Legislative Council	13.6	39.8	34.1	11.4	1.1
2	Bihar Legislative Council	15.6	26.0	29.2	17.7	11.4
3	Jammu & Kashmir Legislative Council	20.0	28.0	16.0	36.0	..
4	Karnataka Legislative Council	21.3	18.0	45.9	14.8	..
5	Maharashtra Legislative Council	21.2	22.8	21.2	28.8	6.0
6	Tamil Nadu Legislative Council	40.0	31.9	16.4	12.7	..
7	Uttar Pradesh Legislative Council	10.8	2.7	43.2	35.2	8.1

Education.—Table 1.4 indicates the educational level of the members under five categories.

The Table shows that in general M.Ps. had higher level of education as compared to M.L.Cs. This is clear from the fact that while in Rajya Sabha one out of every 13 members fell in the category of "Under Matriculates", the State Councils taken together claimed one out of every five in this category. Category-wise graduates have dominated both in the Central and State Councils. 45.4 per cent of the M.Ps. and 29.1 per cent of the M.L.Cs. were graduates. Matriculates who secured the second place were more in proportion in Legislative Councils (26.3 per cent) than in the Rajya Sabha (22.4

per cent). The other unique feature of educational background of members is that post-Graduates and Legislators with Doctoral and other high academic qualifications had even representation both in Rajya Sabha and State Councils.

State-wise, graduates occupied the position of dominance in three State Legislative Councils¹, post-graduates in two Councils², while Matriculates and under-Matriculates in one Council each³.

A glance at the Educational Table 1.4 further reveals that a substantial number of legislators in India had attained the level of graduation or more than graduation. Such members formed 69.8 per cent of the total strength in Rajya Sabha and 53.5 per cent in the Legislative Councils. Among the States, Uttar Pradesh had the distinction of having the highest percentage (86.5 per cent) of members belonging to the category of "Graduates and above". In four of the remaining six Legislative Councils also, the legislators whose educational level was graduation and above constituted 50 per cent or more of the total membership⁴. However, in the other two⁵ Councils, this category has less than 50 per cent representation.

TABLE 1.5

Comparative figures of Percentage of Educational Background of Members 1952—70 and 1972—74

	Rajya Sabha		Legislative Councils	
	1952—72	1972—74	1952—72	1972—74
1. Under-Matriculates	4.3	7.9	17.1	20.2
2. Matriculates/Hr. Sec. or Intermediates	22.2	22.4	17.6	26.3
3. Graduates	44.8	45.4	31.6	29.1
4. Post-Graduates	22.8	19.9	29.0	19.9
5. Doctoral degree or other high academic qualification holders	5.9	4.5	4.7	4.5

¹ The Legislative Councils of Bihar (29.2 per cent); Karnataka (45.9 per cent) and Uttar Pradesh (43.2 per cent).

² Jammu and Kashmir (36 per cent) and Maharashtra (28.8 per cent).

³ Tamil Nadu Legislative Council (40 per cent—Under-Matriculates) and Andhra Pradesh (39.8 per cent—Matriculates).

⁴ Legislative Council of Bihar (58.3 per cent); Jammu and Kashmir (52 per cent); Karnataka (60.7 per cent); and Maharashtra (56 per cent).

⁵ Andhra Pradesh (56.6 per cent) and Tamil Nadu (28.11 per cent).

Table 1.5 above contains the comparative data in regard to the educational background of members of Rajya Sabha and Legislative Councils for the periods 1952—72 and 1972—74. It will be noticed therefrom that there had been no perceptible change in the educational pattern in the Rajya Sabha during these periods except that the category 'Under Matriculates' had increased from 4.3 per cent to 7.9 per cent. In the case of Legislative Councils also there was some rise in this category (17.1 per cent to 20.2 per cent). The category of "matriculates" registered an increase of about 9 per cent during these periods in the Legislative Councils, while the category of "post-graduates" dropped down from 29.0 per cent to 19.9 per cent.

TABLE 1.6

Prior Occupation of Members

	Culti- vators & Land holders	Politi- cal & Social Workers	Lawyers	Traders & In- dustri- alists	Teach- ers & Edu- cationists	Jour- nalists & Writers	Other Occu- pations*
	1	2	3	4	5	6	7
I. Rajya Sabha	15.7	27.7	18.6	13.2	8.7	9.1	7.00
II. All Legislative Councils	25.3	29.9	14.8	8.1	13.3	3.3	5.4
Andhra Pradesh Legis- lative Council	40.9	23.9	12.5	4.6	15.9		2.2
Bihar Legislative Council	11.4	46.9	16.7	5.2	12.5	2.1	5.2
Jammu & Kashmir Legislative Council	9.4	47.0	12.5	3.1	3.1	3.1	21.4
Karnataka Legislative Council	32.2	23.7	20.3	10.2	10.2	3.4	
Maharashtra Legislative Council	20.3	14.0	17.2	20.3	18.7	4.7	4.8
Tamil Nadu Legislative Council	22.2	34.9	6.4	11.1	12.7	6.3	6.4
Uttar Pradesh Legislative Council	36.0	18.0	14.0	2.00	16.0	6.0	8.0

*These include eight categories: (i) Civil Service (ii) Military Service (iii) Medical Practitioners (iv) Engineers and Technologists (v) Former Rulers (vi) Religious Missionaries (vii) Industrial Workers and (viii) Artists.

Occupation.—The Legislators have been drawn from one or the other of the categories listed in Table 1.6.⁶ Wherever a member was engaged in more than one occupation, the one that was predominant was taken into consideration.⁶

Analysis of Table 1.6 shows that as many as 93 per cent of the members of Rajya Sabha and 94.7 per cent of the M.L.C.s were drawn from the first six categories of occupation. It will be of interest to note that the same categories of occupations also dominated in the preceding Upper Houses (1952—72) in the Centre and the States with 90.6 per cent of the members of Rajya Sabha and 92.6 per cent of M.L.C.s.⁷ The remaining categories taken together accounted for only 7 per cent and 5.4 per cent of the strength of Rajya Sabha and Legislative Councils respectively. Thus these eight categories grouped under 'other occupations' had either none or insignificant representation both in the Rajya Sabha and the Councils, excepting the Council of Jammu and Kashmir where almost one out of every five members came from these categories.

It would further be observed from Table 1.6 that more than 25 per cent of members of Rajya Sabha and about 30 per cent of the Legislative Councils were full-time political and social workers. This category again constituted the highest percentage of total membership in both Rajya Sabha and the Councils taken together. State-wise, this category had the highest percentage (47 per cent) of members in Jammu and Kashmir closely followed by Bihar (46.9 per cent) and Tamil Nadu (34.9 per cent).

The cultivators and landholders had far more representation in the State Councils than in the Rajya Sabha. 25.5 per cent members of the Legislative Councils and 15.7 per cent members of Rajya Sabha had been depending upon land for their livelihood. In spite of the fact that India is predominantly an agricultural country, the cultivators and landholders were in a dominant position only in

⁶ For the sake of convenience categories of Civil Service, Military Service, Medical Practitioners, Engineers & Technologists, Former Rulers, Religious Missionaries, Industrial Workers and Artists have been clubbed together under 'Other Occupations'.

⁷ See JPI, Vol. XXI No. 1, Jan-March-1975, p. 30.

three⁸ out of seven Councils and in the Maharashtra they shared this distinction with the category of "Traders and Industrialists."⁹

In the remaining three Councils they formed lower percentages, the lowest (9.4 per cent) being in the Council of Jammu and Kashmir.

The percentage of lawyers was higher in Rajya Sabha than in the Legislative Councils. While the percentage of lawyers in Rajya Sabha was 18.6 per cent, the corresponding figures for all Legislative Councils put together was 14.8 per cent. Individually, while the Karnataka Council led in this category with 20.3 per cent, the Councils in other States were also not left far behind barring, however, Tamil Nadu where they accounted for only 6.4 per cent.

The other categories of occupation which had some significant representation in the Legislatures were 'Traders and Industrialists', 'Teachers and Educationists' and 'Journalists and Writers'. These categories constituted 13.2 per cent, 8.7 per cent and 9.1 per cent respectively of the members of Rajya Sabha as against 8.1 per cent, 13.3 per cent and 3.3 per cent of the total of member of the Legislative Councils. It is also worthy to note that "Teachers and Educationists" found better representation in the Councils than in the Rajya Sabha. Among the different State Legislative Councils, 'Traders and Industrialists' formed the highest percentage (20.3 per cent) in the Council of Maharashtra and the lowest (3.1 per cent) in that of Jammu and Kashmir. 'Teachers and Educationists' had the highest representation, with 18.7 per cent of the total membership, in the Council of Maharashtra when compared with representation of this category in other State Councils. Jammu and Kashmir Council, however, had the lowest percentages (3.1) of "Teachers and Educationists". Under the category of 'Journalists and Writers' Tamil Nadu had the highest representation (6.3 per cent), closely followed by Uttar Pradesh (6.0 per cent) whereas Andhra Pradesh had no member in the category of 'Journalists and Writers'.

Conclusion:

It will be observed that the Upper Houses have generally been dominated by middle-aged legislators, i.e., those who fell between the

⁸Andhra Pradesh 40.9 per cent; Karnataka 32.2 per cent Uttar Pradesh 36 per cent.

⁹In Maharashtra the categories of "Cultivators and Land holders" and "Traders and Industrialists" had equal representation of 20.3 per cent.

ages of 41 and 60 years. The most popular five-year range has been that of 46 to 50 years as this group constituted the largest chunk of representatives both in Rajya Sabha and Legislative Councils.

The members of the Rajya Sabha had higher level of education as compared to M.L.Cs. While 69.8 per cent of the members of Rajya Sabha had attained the level of graduation or more than graduation, the average under this category for Legislative Councils was 53.5 per cent only.

The majority of members were drawn from the first three occupations, viz., "cultivators and land holders", "political and social workers" and "lawyers", the respective percentages of Rajya Sabha and the State Councils taken together being 60 per cent and 70 per cent. Individually, the category of "political and social workers" held sway in Rajya Sabha as well as in the State Councils.

II

MEMBERS OF LOK SABHA AND STATE LEGISLATURES

This part attempts to analyse the background characteristics in respect of Members of the Lok Sabha and the Lower Houses of State Legislatures in India. Apart from Lok Sabha, 17 out of the twenty-two State Legislative Assemblies have been subjected to analysis for the purpose of this study.¹⁰ The study covers the period 1972—77 in respect of State Assemblies and 1971—77 in respect of the Lok Sabha.

The Fifth Lok Sabha constituted in 1971 had 521 members. Out of them, 268 entered the House for the first time, while 224 were sitting members. Of them 27 had the distinction of being members of the House since the first Lok Sabha. The remaining 29 members had remained members of Lok Sabha at one or the other time.

¹⁰ The Legislative Assemblies of Nagaland, Kerala and Uttar Pradesh were constituted prior to 1972 and have been covered in the earlier feature (published in *J.P.I.* Jan-March, 1975 issue). Information about Meghalaya Legislature was not available and Sikkim became a part of the Union only in May, 1975.

TABLE 2.1

Percentage distribution of Members by the Age-Groups

(Period 1972-77)

(In Percentage)

S. No.	Legislature	25-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	66-70	71-75	76-80	81-85
I.	Lok Sabha	3.1	5.5	12.3	15.0	19.6	18.6	11.3	6.9	4.9	1.7	0.4	0.2
II.	All State Legislative Assemblies (L. As.)	5.6	10.4	15.9	18.6	21.3	14.6	7.2	3.4	1.8	4	..	..
	1. Andhra Pradesh	3.5	6.0	17.1	22.1	20.0	17.1	10.0	1.8	1.8	.3		
	2. Assam	5.0	6.2	16.2	20.0	20.0	15.0	15.0		2.5			
	3. Bihar	9.3	16.7	8.7	16.1	26.1	10.7	4.7	6.7	0.6			
	4. Gujarat	4.2	8.4	13.8	23.4	19.8	14.4	7.2	7.2	1.2			
	5. Haryana	3.8	2.6	12.9	19.4	24.6	14.2	12.9	3.8	5.2			
	6. Himachal Pradesh	5.6	11.7	20.5	17.6	23.5	10.2	2.9	2.9	2.9	1.4	..	..

7. Jammu & Kashmir	7.0	4.2	23.9	21.1	25.3	14.0	4.2	..	..	..	..	..
8. Karnataka	0.5	2.9	19.1	20.3	23.8	13.3	11.0	5.2	2.3	1.1	..	..
9. Madhya Pradesh	5.6	10.6	13.4	18.7	20.9	13.4	6.0	5.6	4.2	0.7	0.3	..
10. Maharashtra	2.4	10.9	19.4	25.5	18.2	14.1	4.8	4.6	..	..	..	..
11. Manipur	8.3	21.6	18.3	..	20.0	16.6	10.0	3.3	1.6	..	..	..
12. Orissa	12.0	17.0	12.7	22.6	18.4	8.5	4.2	1.4	..	2.1	0.7	..
13. Punjab	3.0	2.0	8.0	17.1	28.2	23.2	7.0	6.0	4.0	1.0	..	..
14. Rajasthan	0.6	6.7	14.0	20.1	25.6	20.1	6.7	4.2	1.8	..	..	..
15. Tamil Nadu	1.7	12.8	23.5	23.9	16.6	12.3	5.5	2.5	0.8	..	..	..
16. Tripura	8.1	16.2	10.8	13.5	18.9	24.3	8.1	..	..	..	..	..
17. West Bengal	14.7	20.4	18.0	16.3	12.2	8.1	3.2	3.2	2.4	0.8	..	..

Age.—The minimum age laid down for the membership of Lok Sabha, or a State Assembly is twenty-five years. There is no upper age limit. The whole span of age from the youngest to the oldest is usually comprised well within 60 years from 25 to 85 with very few members near either limit.

Table 2.1 in respect of age groups shows the percentages of distribution in twelve different groups with a span of 5 years beginning with 25—30 years and ending at 81—85. A glance at the Table would reveal that majority of members fell in the twenty-year age-range of 36 to 55 years, the youth, and particularly, the elderly class representing only a small percentage of total membership. 65.3 per cent of members of Lok Sabha and 70 per cent of the M.L.A.s were between the ages of 36 and 55 years. Viewed State-wise, barring the State Assemblies of Manipur and West Bengal where the percentage of members in the twenty-year span 36—55, was 54.9, in all other State Assemblies, it was over 60. In the Jammu and Kashmir Legislative Assembly, it was as high as 84.3 per cent followed by Rajasthan Legislative Assembly with 79.8 per cent.

On the extremes, it would be observed that while the youngest age-group 25—30 accounted for 3.1 per cent of the total number of members of the Lok Sabha, the all-States average came to 5.6 per cent, which indicates that this group has comparatively larger representation in the State Assemblies than in the Lok Sabha. Among the States, the Legislative Assemblies of West Bengal, Orissa, Bihar, Manipur, Tripura and Jammu and Kashmir had a higher representation of youth in the age-group of 25—30 than all-States average of 5.6 per cent with West Bengal topping with 14.7 per cent followed by Orissa with 12.0 per cent. It will be interesting to note that representation of this group in the State Assemblies of Himachal Pradesh and Madhya Pradesh equalled the all-States average of 5.6 per cent.

A further analysis of Table 2.1 would reveal that the heaviest concentration of membership in any single age group with a span of five years was in the age-group of 46—50 both in Lok Sabha and all the State Legislative Assemblies taken together. 19.6 per cent of the members of Lok Sabha and 21.3 per cent of the members of all State Assemblies taken together fell in this age group. Among the States, the age group of 46—50 clearly dominated in the nine Legislative Assemblies, *viz.*, Bihar, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Madhya Pradesh, Manipur, Punjab and

Rajasthan.¹¹ In Assam this age-group shared the distinction with the age-group of 41—45. The average age-group of 41—45 held sway in four Legislative Assemblies, viz., Gujarat, Maharashtra, Orissa and Tamil Nadu.¹² West Bengal and Tripura Legislative Assemblies led in the age-groups of 31—35 and 51—55 respectively.¹³

TABLE 2.2
Average Age of Members, 1972—77

S. No.	Legislature	Average age (in years)
I.	Lok Sabha (1971-77)	49.2
II.	All Legislative Assemblies	44.7
1.	Andhra Pradesh	46.1
2.	Assam	46.1
3.	Bihar	44.0
4.	Gujarat	44.0
5.	Haryana	42.6
6.	Himachal Pradesh	44.8
7.	Jammu & Kashmir	43.6
8.	Karnataka	47.8
9.	Madhya Pradesh	46.2
10.	Maharashtra	44.5
11.	Manipur	42.3
12.	Orissa	42.4
13.	Punjab	49.2
14.	Rajasthan	47.2
15.	Tamil Nadu	44.0
16.	Tripura	44.1
17.	West Bengal	41.2

Table 2.2. above shows the average age of Members. Compared to the Members of Lok Sabha those elected to the Legislative Assemblies had higher percentage of younger members among them. The average age of members of Lok Sabha was 49.2 as against an average of 44.7 worked out in respect of Members of Legislative Assemblies in

¹¹ Bihar (26.1 per cent), Haryana (24.6 per cent), Himachal Pradesh (23.5 per cent), Jammu & Kashmir (25.3 per cent), Karnataka (23.8 per cent), Madhya Pradesh (29.9 per cent), Manipur (20.0 per cent), Punjab (28.2 per cent), Rajasthan (25.6 per cent).

¹² Gujarat (23.4 per cent), Maharashtra (25.5 per cent), Orissa (22.6 per cent) and Tamil Nadu (23.9 per cent).

¹³ West Bengal (20.4 per cent—31—35 age group) and Tripura (24.3—51—55 age group).

the States, whereas the Legislative Assemblies of Punjab and West Bengal have given the highest (49.2), which also equals the Lok Sabha, and the lowest (41.1) average ages respectively, the average in the rest of the Assemblies have clustered around the all-States average 44.7.

TABLE 2.3

*Educational Background of Members of the Legislatures of the States
(1972-77)*

S. No.	Legislative Assembly	Under-Matricul-ates	Matricula-tes/Higher Secondary or Interme-diate	Graduates	Post-Gra-duates (Inclu-ding tech-nical qua-lifications)	Doctoral Degree or other high academic quali-fication
I.	Lok Sabha . . .	23.1	16.0	34.6	24.7	1.5
II.	All Legislative Assemblies	23.1	26.5	27.0	10.4	1.6
1.	Andhra Pradesh . . .	26.4	38.9	31.0	3.5	..
2.	Assam	1.2	28.7	27.5	42.5	..
3.	Bihar	15.7	35.2	15.1	33.3	0.6
4.	Gujarat	44.0	14.0	36.5	3.6	1.8
5.	Haryana	17.3	33.3	38.2	9.8	1.2
6.	Himachal Pradesh . . .	16.1	39.7	14.7	8.0	1.4
7.	Jammu & Kashmir . . .	21.6	27.0	13.5	36.5	1.3
8.	Karnataka	13.4	26.2	52.5	7.8	..
9.	Madhya Pradesh . . .	25.5	24.8	10.2	36.1	3.1
10.	Maharashtra	15.3	27.4	38.0	12.5	6.6
11.	Manipur	36.6	20.0	31.6	10.0	1.6
12.	Orissa	29.0	29.0	34.0	4.9	2.8
13.	Punjab	21.2	36.3	19.1	20.2	3.0
14.	Rajasthan	27.5	12.5	40.1	19.7	..
15.	Tamil Nadu	38.8	28.6	23.0	8.5	0.8
16.	Tripura	32.1	27.0	32.0	8.1	24.2
17.	West Bengal	12.0	22.4	34.4	31.2	..

Education: Table 2.3. indicates the educational level of members.

It will be seen that on the whole members of the Lok Sabha had a higher level of education as compared to M.L.As. This would be borne out by the fact that as many as 60.8 per cent. of the Members of Lok Sabha had attained the level of graduation or more than graduation, while only 39 per cent. of the M.L.As. in the State Assemblies taken together had attained that academic level.

Category-wise, graduates dominated in both the Lok Sabha and the State Legislative Assemblies. 34.6 per cent. of the members of Lok Sabha and 27.0 per cent. of M.L.As. were graduates. Like graduates, post-graduates were not only more numerous among the members of the Lok Sabha (24.7 per cent.) than among the M.L.As. (10.4 per cent.), but they were in exceptionally high proportion *i.e.*, almost two-and-half times more than the latter. On the other hand, the Matriculates were more in proportion in the State Assemblies (26.5 per cent.) than in the Lok Sabha (16.0 per cent.). In the category of "Under-Matriculates", however, both the Lok Sabha and all the Legislative Assemblies taken together returned the same proportion of Members *i.e.*, 23.1 per cent. Legislators with doctoral and other higher academic qualifications almost figured equally in the Lok Sabha as well as in the State Assemblies, the respective percentages of representation being 1.5 and 1.6.

State-wise, graduates¹⁴ occupied the first position of dominance in six State Assemblies, matriculates¹⁵ and under-matriculates¹⁶ in four Assemblies each, while in the remaining three State Assemblies post-graduates¹⁷ outnumbered all the other categories.

On a further study of Table 2.3., it would be observed that among the States, the Assam Legislative Assembly had the highest percentage (70 per cent.) of members belonging to the categories of graduates and above followed by West Bengal (65.6 per cent.) and Karnataka (60.3 per cent.). The other State Assemblies which had more than 50 per cent of their members with educational level of graduation or beyond it were Jammu and Kashmir, Maharashtra, and Rajasthan. The other State Assemblies which also returned a substantial percentage of members under these categories were Bihar (49 per cent), Haryana (49.2 per cent.) and Madhya Pradesh (49.4 per cent.).

The representation of post-graduates and above was strong in the State Assemblies of Assam, Madhya Pradesh, Jammu and Kashmir and West Bengal in that order.¹⁸

While the Matriculates had the maximum representation (39.7 per cent.) in the Himachal Pradesh Legislative Assembly, the "Under-matriculates" constituted the highest percentage (44 per cent.) in the Gujarat Legislative Assembly.

¹⁴ Haryana, Karnataka, Maharashtra, Orissa, Rajasthan and West Bengal.

¹⁵ Andhra Pradesh, Bihar, Himachal Pradesh and Punjab.

¹⁶ Gujarat, Manipur, Tamil Nadu and Tripura.

¹⁷ Assam, Jammu and Kashmir and Madhya Pradesh.

¹⁸ Assam (42.5 per cent), Madhya Pradesh (39.2 per cent), Jammu and Kashmir (37.8 per cent) and West Bengal (31.2 per cent).

TABLE 2.4
Prior Occupation of Members (1972-77)

Sl.No.	Legislature	Cultivators & Land holders	Political & Social Workers	Lawyers	Traders & Indus- trialists	Teachers & Educa- tionists	Journalists & Writers	Civil Service
1	2	3	4	5	6	7	8	9
I.	Lok Sabha	33.2	19.0	20.5	6.8	7.1	6.3	2.6
II.	All State Legislative Assemblies	41.3	21.5	15.3	6.9	7.3	1.7	1.2
1.	Andhra Pradesh	61.8	14.3	11.4	5.7	1.4	0.4	1.1
2.	Assam	1.3	50.0	13.7		21.3	2.5	3.7
3.	Bihar	56.4	22.5			5.1		
4.	Gujarat	2.5	51.8	14.7	10.4	9.1	4.3	
5.	Haryana	57.0	14.0	17.7	10.1		1.2	
6.	Himachal Pradesh	40.3	6.0	20.9	10.4	3.0	3.0	7.4
7.	Jammu & Kashmir	2.7	63.5	8.2		6.7		12.2

8. Karnataka	34.1	32.4	26.3	4.5	1.1	1.1	1.1
9. Madhya Pradesh	56.7	17.7	15.2	5.7	1.6	1.6	1.6
10. Maharashtra	46.4	11.6	19.2	10.8	2.0	2.0	2.0
11. Manipur	38.3	38.3	1.7	3.3	31.7	31.7	5.0
12. Orissa	51.8	3.5	12.8	4.9	4.9	12.8	4.9
13. Punjab	45.7	29.1	8.7	8.7	1.9	1.9	1.9
14. Rajasthan	53.3	13.8	23.8	6.5	1.8	1.8	1.8
15. Tamil Nadu	47.7	9.8	15.8	12.8	5.6	4.3	4.3
16. Tripura	18.9	29.8	16.2	8.1	13.5	13.5	2.7
17. West Bengal	16.8	16.0	8.8	8.0	44.8	44.8	0.8

TABLE 2.4 (Contd.)

Sl. No.	Legislature	10	11	12	13	14	15	16
		Military Service	Medical Practitioners	Engineers & Technologists	Former Rulers	Religious Missionaries	Industrial workers	Artists
I	2	10	11	12	13	14	15	16
I.	Lok Sabha	0.8	1.7	1.2	0.4	0.4		
II.	All State Legislative Assemblies	0.1	2.7	0.2	0.4	0.2	0.5	0.1
	1. Andhra Pradesh . . . . .	..	3.9	..				
	2. Assam		7.5	..				
	3. Bihar . . . . .	..	1.3				0.6	
	4. Gujarat		3.0	1.2	3.0			
	5. Haryana . . . . .		..	..	..	..
	6. Himachal Pradesh	3.0	6.0	..	..	..	..	..

7. Jammu & Kashmir	..	..	..	..	6.7	
8. Karnataka	..	0.5	..	..
9. Madhya Pradesh	..	1.8	0.3	0.7		0.3
10. Maharashtra	..	4.4	..	..
11. Manipur	..	1.7	..	..	16.6	1.7
12. Orissa	..	2.9	0.7	0.7	0.7	
13. Punjab	..	3.9	1.0	1.0		
14. Rajasthan	..	..	0.6	..		
15. Tamil Nadu	..	3.0	0.9	..		0.4
16. Tripura	..	8.1	..	..
17. West Bengal	..	4.0	..	..	0.8	..

Occupation: As would be evident from Table 2.4 the members, by and large, represented one or the other of the fourteen categories of occupation detailed therein. Where a member was engaged in more than one occupation, the one that was more pre-dominant, has been taken into consideration.

A sizeable percentage *viz.*, 92.9 per cent of the members of Lok Sabha and 94.6 per cent of the MLAs were drawn from the first six categories of occupations. The Haryana Legislative Assembly had the distinction of returning cent per cent members from these categories. The remaining eight categories of the occupation put together accounted for only 7.1 per cent and 5.4 per cent of the strength of the Lok Sabha and State Assemblies respectively. Thus these eight categories had a nominal representation in the Lok Sabha as well as in the Legislative Assemblies with the exception of Manipur Legislative Assembly, where one-fourth of the members belonged to these eight categories.

It will be of interest to note that consistency has been maintained in the professional distribution as the first six categories of occupations had held positions of dominance in the preceding Lower Houses (1957—72) in the Centre and the States with 90.2 per cent members of Lok Sabha and 91.7 per cent of the MLAs.¹⁹

About 70 per cent of the people in India are dependent on land for their living. This is also reflected in the occupational table—Table 2.3—which reveals that ‘Cultivators and Land-holders’ had the highest representation in the Lok Sabha as well as in the State Assemblies taken together. While 33.2 per cent or one out of every three members in the Lok Sabha belonged to this category, the State Assemblies taken together too had no fewer than 41.3 per cent of the members as cultivators and land holders. Further State-wise, this category was in majority in eleven²⁰ out of the 17 State Assemblies under review with Andhra Pradesh, Haryana, Madhya Pradesh and

¹⁹ See JPI, *op. cit.* p. 40.

²⁰ Andhra Pradesh—61.8 per cent, Bihar—56.4 per cent, Haryana—57 per cent, Himachal Pradesh—40.3 per cent, Karnataka—34.1 per cent, Madhya Pradesh—56.7 per cent, Maharashtra—46.4 per cent, Orissa—51.8 per cent, Punjab—45.7 per cent, Rajasthan—53.3 per cent and Tamil Nadu—47.4 per cent.

Bihar occupying the first four places with 61.8 per cent, 57 per cent, 56.7 per cent and 56.4 per cent, respectively, of the total strength of those Assemblies. At the same time, it will be interesting to note that while Manipur Legislature did not return any member in this category, the proportion of representation to this category in the Legislative Assemblies of Assam, Gujarat and Jammu and Kashmir was also nominal.²¹

There was higher percentage of "lawyers" in the Lok Sabha than in the State Assemblies. While the "lawyers" constituted slightly more than one-fifth of the total membership of Lok Sabha, the corresponding figures for all the State Assemblies taken together was 15.3 per cent. Individually, however, the Legislative Assemblies of Himachal Pradesh, Karnataka and Rajasthan had higher percentage of "lawyers" than the Lok Sabha, the respective percentage of three Assemblies being 20.9, 26.3 and 23.8.

Close behind the "Lawyers" stood the "Political and Social Workers" which constituted 19 per cent of the members of the Lok Sabha. This category, however, found slightly better representation in the State Assemblies taken together with 21.5 per cent. Further State-wise, this category was not only in a dominant position in the State Assemblies of Assam, Gujarat, Jammu and Kashmir and Manipur, but it had 50 per cent or even more members in the first three of these State Assemblies.²²

The other categories which had some significant representation in the Lower Houses were "Traders and Industrialists", "Teachers and Educationists" and "Journalists and Writers". These categories constituted 6.8 per cent, 7.1 per cent and 6.3 per cent respectively of the total number of members of the Lok Sabha as against 6.9 per cent, 7.3 per cent and 1.7 per cent of the total members of Legislative Assemblies. Of the State Assemblies, Gujarat, Haryana, Himachal Pradesh and Maharashtra had more than 10 per cent of their respective total membership drawn from the category of "Traders and Industrialists". Tamil Nadu topped with 12.8 per cent. The business class has gone completely unrepresented in the Assam and Jammu and Kashmir Legislative Assemblies.

²¹ Assam—1.3 per cent, Gujarat—2.5 per cent and Jammu & Kashmir—2.7 per cent.

²² Assam (50.0 per cent), Gujarat (51.8 per cent) and Jammu and Kashmir (63.5 per cent).

The category of "Teachers and Educationists" attained the position of dominance in the West Bengal Legislative Assembly having returned as many as 44.8 per cent of the total membership. This category had also a substantial representation in the State Assemblies of Assam and Manipur, the respective percentages being 21.3 per cent and 31.7 per cent. Besides, the State Assemblies of Gujarat, Orissa and Tripura had higher percentage of "Teachers and Educationists" than the Lok Sabha and all-State average, the respective percentages being 9.1, 12.8 and 13.5. The State Assemblies of Haryana, Madhya Pradesh and Punjab had, however, not returned any member in this category.

There was higher representation of "Journalists and Writers" in the Lok Sabha than in the State Assemblies, the respective percentage being 6.3 and 1.7. Among the State Assemblies, the maximum representation of this category was in the Orissa Assembly (4.9 per cent), the second position being shared by the Gujarat and Tamil Nadu Assemblies.²³ There was no representation of this category in Bihar, Jammu and Kashmir, Manipur, Rajasthan and Tripura.

The members who had previously been in civil service had formed a slightly higher percentage (2.6 per cent) in the Lok Sabha than in the State Assemblies (1.2 per cent). Among the States, this category had the highest representation (12.2 per cent) in the Jammu and Kashmir Assembly. The other State Assemblies, which had some significant representation in this category were those of Himachal Pradesh (7.4 per cent), Manipur (5.0 per cent) and Orissa (4.9 per cent).

There was higher representation of "Medical Practitioners" in the State Assemblies taken together than in the Lok Sabha. While 2.7 per cent of the members of State Assemblies were drawn from this category the average percentage of Lok Sabha members was only 1.7. Among the States, the medical practitioners had the highest representation (8.1 per cent) in the Tripura Assembly, with Assam and Himachal Pradesh taking the second and third positions with 7.5 per cent and 6.0 per cent respectively.

The "Engineers and Technologists" had 1.2 per cent representation in Lok Sabha as compared to 0.2 per cent in the State Assem-

²³ Gujarat and Tamil Nadu 4.3 per cent.

blies taken together. Individually, however, the State Assembly of Manipur had higher percentage of "Engineers and Technologists" than the Lok Sabha and the Legislative Assemblies. The representation of this category was equal to that of Lok Sabha in the Gujarat Legislative Assembly.

The other categories of occupations *viz.*, "military service", "former rulers", "religious missionaries", "industrial workers" and "artists" had no representation or less than one per cent of representation in the Lok Sabha and the State Assemblies taken together. The members who had previously been in the military service had higher percentage of representation in the Lok Sabha than in the State Assemblies taken together, the respective figures being 0.8 per cent and 0.1 per cent. Among the States, this category had representation only in the Legislative Assemblies of Himachal Pradesh (3.0 per cent) and Tripura (2.7 per cent).

Former rulers had equal percentage of representation (0.4 per cent) in the Lok Sabha and the State Assemblies taken together. Among the States Assemblies the former rulers had maximum representation in Gujarat (3.0 per cent) with Punjab taking the second position (1.0 per cent), the third position being shared by Madhya Pradesh and Orissa.

There was higher percentage of representation of religious missionaries in the Lok Sabha than in the State Assemblies, the respective percentages being 0.4 and 0.2. Among the State Assemblies, the religious missionaries figured only in Jammu and Kashmir (6.7 per cent) and Punjab (1.0 per cent).

Industrial workers had representation only in the State Assemblies as a whole (0.5 per cent). In Manipur Legislative Assembly this category constituted almost one-sixth of the total membership. The other State Assemblies with some representation in this category were those of Bihar (0.6 per cent), Punjab (0.7 per cent) and West Bengal (0.8 per cent).

While "Artists" had no representation in the Lok Sabha, in the State Assemblies taken together this category accounted for only 0.1 per cent. Among the State Assemblies, the artists had the highest representation in Manipur followed by Tamil Nadu and Madhya Pradesh, the respective percentages being 1.7, 0.4 and 0.3.

Conclusion: The following conclusions emerge from this study. Both in the Lok Sabha and in the State Assemblies the majority of members fell in the twenty-year age range of 36 and 55 years. In a single age-group with a span of five years, the heaviest concentration was in the age-group of 46—50 years. Further, it has been found that compared to the members of Lok Sabha those elected in the Legislative Assemblies had higher percentage of young members among them.

On the whole, members of Lok Sabha had a higher level of education as compared to members of Legislative Assemblies. While 60.8 per cent of the members of Lok Sabha had attained the level of graduation or more than graduation, the average of Legislative Assemblies was only 49 per cent.

About 70 per cent of the people in India are dependent on land for their living. This is reflected in the occupational pattern of members in both Lok Sabha and the Legislative Assemblies. While 33.2 per cent or one out of every three members in the Lok Sabha belong to the category of cultivators and land-holders, the State Assemblies taken together too had no fewer than 41.3 per cent of the members in this category. The second and third places were claimed by lawyers and political and social workers in Lok Sabha. The position was however, different in the case of State Legislative Assemblies where these three categories *viz.*, 'cultivators and land-holders', 'political and social workers' and 'lawyers' between themselves constituted 72.7 per cent of the total number of members of Lok Sabha and more than 78.1 per cent of the total members of the State Assemblies. Further, these categories together with the categories of 'traders and industrialists', 'teachers and educationists' and 'journalists and writers' formed 92.9 per cent of the total members of the Lok Sabha and 94.6 per cent of members of the State Assemblies.

III

MEMBERS OF THE LEGISLATURES OF THE UNION TERRITORIES

Of the nine Union Territories, only (i) Goa, Daman and Diu (ii) Pondicherry, (iii) Mizoram and (iv) Arunachal Pradesh have Legislative Assemblies and (v) Delhi has a Metropolitan Council. This part of the study analyses the data in respect of only three of these

five Union Territories²⁴ viz., Goa, Daman and Diu, Delhi and Mizoram.

Age: The minimum age laid down for membership of the Legislative Assembly of a Union Territory, as for the members of a State Legislative Assembly, is twenty-five years. There is, however, no upper age limit. Table 3.1 indicates the percentage distribution of members in twelve different age slabs with a span of five years each, beginning with 25—30 and ending at 81—85.

It would be observed from Table 3.1 that the heaviest concentration of members in the Delhi Metropolitan Council and Mizoram Legislative Assembly was in the age-group of 31—45 and 36—40 years respectively. Goa, Daman and Diu had equal percentage of representation in the age groups of 41—45 and 46—50. While a majority of members of Delhi Metropolitan Council²⁵ and Goa, Daman and Diu²⁶ fell in the twenty-year range of 41 and 60 years, the younger element upto 40 years held sway in Mizoram Legislative Assembly.²⁷ It will be of interest to note that Delhi Metropolitan Council which did not have any member in the young age-group of 25—30 years during the period 1967—72²⁸ accounted for 6.8 per cent in the Metropolitan Council under review. The other notable feature is that the Mizoram Legislature had the unique distinction of having the same percentages of Members in the younger age-group 25—30 in the middle-age group 46—50 years and in the older age group 56—60 years. Table 3.1 would further reveal that barring the Delhi Metropolitan Council, which had a nominal representation (1.7 per cent) of members in the age group of 66—70 years, no other Legislature had a member in that age group. None of the three Union Territories had any representation under the age group 71—75 and above.

²⁴ The Legislative Assembly of Pondicherry was constituted prior to 1972 and has been covered in the earlier feature (published in April-June, 1975-issue of JPI). Legislative Assembly in Arunachal Pradesh came into being in 1975 only.

²⁵ Delhi Metropolitan Council—57.6 per cent.

²⁶ Goa, Daman and Diu—53.7 per cent.

²⁷ Mizoram—59.9 per cent.

²⁸ See JPI (April-June, 1975), p. 205.

TABLE 3.1
 Percentage distribution of Members of Legislatures of Union Territories by Age Groups
 (1972-77)

S. No.	Legislature	25—30	31—35	36—40	41—45	46—50	51—55	56—60	61—65	66—70	71—75	76—80	81—85
1.	Delhi Metropolitan Council	6.8	13.6	6.8	22.4	13.6	19.6	12.0	3.4	1.7			
2.	Goa, Daman and Diu	7.7	15.4	15.4	19.2	19.2	11.5	3.8	7.7				
3.	Mizoram	10.0	23.3	26.6	13.9	10.0	6.6	10.0					

TABLE 3.2

Average Age of Members (1972—77)

S. No.	Legislature	Average age (in years)
1.	Delhi Metropolitan Council	49.8
2.	Goa, Daman and Diu	43.6
3.	Mizoram	40.4

Table 3.2 shows the average age of members. Compared to the members of other Union Territories, members of the Mizoram Legislative Assembly had higher percentage of younger members.

TABLE 3.3

Educational Background of Members of the Legislatures of the Union Territories (1972—77)

S. No.	Legislature	(In percentage)				
		Under Matriculates	Matriculates/Higher Secondary or Intermediate Certificate holders	Graduates	Post-Graduates (including technical qualifications)	Doctoral Degree or other higher academic qualifications
1.	Delhi Metropolitan Council	11.7	27.4	31.3	25.5	4.0
2.	Goa, Daman & Diu	42.3	23.0	15.3	19.1	..
3.	Mizoram	24.2	24.2	45.4	6.0	..

Education: Table 3.3 indicates educational background of members of Legislature of Union Territories. A glance at the Table would show that graduates had heavier representation in the Delhi Metropolitan Council (31.3 per cent) and Mizoram Legislative Assembly (45.4 per cent). In the Goa, Daman and Diu Legislative Assembly, however under-matriculいたes were predominant with 42.3 per cent. Delhi Metropolitan Council alone had maintained the distinction of having members with doctoral degrees or other higher academic qualifications. The percentage, under this category, however, went down from 6.4 per cent in 1967—72²⁹ to 4 per cent in the Council under review. Besides, the Delhi Metropolitan Council had the highest percentage of graduates or persons with higher academic qualifications (60.8 per cent) followed by Mizoram (51.4 per cent). Under-Matriculいたes and matriculいたes together formed the majority in Goa, Daman and Diu Legislative Assembly.

Occupation: Like the members of Parliament and the Legislators of the State Assemblies/Councils, the members of the Union Territories had, by and large been drawn from one or the other of the fourteen categories of occupation as detailed in Table 3.4. Where a member was engaged in more than one occupation, the one that was predominant was taken into consideration.

A glance at Table 3.4 would reveal that the representation of the first five categories of occupations was predominant in the Delhi Metropolitan Council (91.7 per cent), followed by Goa, Daman and Diu Legislative Assembly (83.3 per cent) and Mizoram Legislative Assembly (72.6 per cent). Category-wise the "Traders and Industrialists" were in a strong position in Delhi Metropolitan Council. In Goa, Daman and Diu, this category shared the representation equally with the category of "Cultivators and Land-holders" (33.3 per cent). "Political and Social workers" held the first position in Mizoram Legislative Assembly (33.3 per cent). Among the remaining categories of occupations which had some significant representation were "Ex-civil servants" in the Mizoram Legislative Assembly (10 per cent) and "Medical Practitioners in Goa, Daman and Diu Legislative Assembly, where one out of every eight members represented this category. What strikes as a point of similarity in all the three Legislatures of the Union Territories is the fact that there was no representation in them of the categories: (i) : Engineers and Technologists", "Former Rulers", (iii) "Industrial Workers" and (iv) "Artists".

²⁹*Ibid.*

TABLE 3·4
Distribution of Members by prior occupation

S. No.	Legislature	Cultivators & Land holders	Political & Social Workers	Lawyers	Traders & Industria- lists	Teachers & Educa- tionists	Journalists & & Writers	Civil & Service
1	2	3	4	5	6	7	8	9
1.	Delhi Metropolitan Council	9·8	27·9	6·6	36·0	11·5	1·6	3·3
2.	Goa, Daman & Diu	33·3	..	12·5	33·3	4·2	4·2	..
3.	Mizoram	3·3	33·3	..	20·0	26·6	..	10·0

Sl. N ^o .	Legislature	Military Service	Medical Practitioners	Engineers & Technologists	Former Rulers	Religious Missionaries	Industrial Workers	Artists
1	2	10	11	12	13	14	15	16
1.	Delhi Metropolitan Council		3.3					
2.	Gol, Daman & Diu		12.5					
3.	Mizoram	3.3	..	..	..	3.3	..	..

Conclusion: From the statistical data about age, educational background and occupational pattern of members of the three Union Territories under review, it would be observed that while Mizoram Legislative Assembly had the distinction of returning the largest number of members in the younger age groups *i.e.*, upto 40 years, the Delhi Metropolitan Council retained the supremacy in the academic field. It had higher percentage of graduates or persons with higher academic qualifications (60.8 per cent).

In respect of all these Union Territories, the majority of Members were drawn from the first five categories *viz.*, 'Cultivators and Landholders', 'Political and Social Workers', 'Lawyers', 'Traders and Industrialists', and 'Teachers and Educationists'. Individually, the category of 'Traders and Industrialists' had majority of Members in Delhi Metropolitan Council, 'Cultivators and Landholders' and 'Traders and Industrialists' in Goa, Daman and Diu, and, 'Political and Social Workers' in Mizoram.

PARLIAMENTARY EVENTS AND ACTIVITIES

BIENNIAL ELECTIONS TO THE RAJYA SABHA*

In accordance with the provisions of article 83(1) of the Constitution of India, as nearly as possible, one-third of the members of the Rajya Sabha retire on the expiry of every second year. Accordingly, 76 members of the Rajya Sabha became due for retirement on the 2nd April, 1976, on the expiry of their term of office. A notification was issued by the Ministry of Law, Justice and Company Affairs on March 3, 1976 regarding Biennial Elections to the Rajya Sabha in the States of Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Uttar Pradesh and West Bengal and the Union Territory of Delhi, for electing 69 members. The programme for the Biennial Elections was completed during the month of March 1976 and 69 members were declared elected and four were nominated to the Rajya Sabha. The majority of the newly elected/nominated members made and subscribed the oath/affirmation on April 3, 1976 and took their seats in the Rajya Sabha.

Consequent on these Biennial Elections, the complexion of Rajya Sabha underwent a substantial change. The Congress Party, which had a strength of 146 before the elections, now has a strength of 163. The Congress (O) party now has 5 members as against 7 prior to the elections. Similarly, the Jana Sangh strength has been reduced from 12 to 8. The C.P.I. has now 11 members against 12 members previously. The C.P.I.(M) has now 3 members as against 5 prior to this election. The number of Independent members has, however,

*Based on material received from Research Unit, Rajya Sabha Secretariat.

increased from 15 to 17. With eight vacancies still to be filled in, the ruling Congress Party is the single largest party with two-third majority in the Rajya Sabha.

FAREWELL TO RETIRING MEMBERS

On April 1, 1976, the Chairman, Shri B. D. Jatti, thanking the Members for their cooperation in the smooth working of the House, said that those who were retiring were entering a wider sphere of activity. It was the duty of everyone, whether in Parliament or outside, to try and help in positive efforts. The need of the hour was to increase production which would bring about greater employment and better distribution, the Chairman added. According to him, the paramount need of the hour was to alleviate the hardships of the poorer sections and the middle classes of our society and strengthening of the country in an atmosphere of unity and discipline. He expressed the hope that the sense of discipline which the Members had acquired during their membership of the House, would be of advantage to them in their future programmes of national work.

The Leader of the House, Shri Kamalapati Tripathi, said that some Members of the House had to retire every two years as a constitutional obligation and a new set of people took their place. It was but natural that when those who retired were departing from the House after having worked for so many years, the heart of everyone in the House should be filled with sadness. Many of them had devoted a major part of their lives in the service of the motherland and some had distinguished themselves in art, literature, social work and other public service fields. Now they were going again to a wider field of activity. It was expected of them that they would work for the development and prosperity of the nation, and extend their co-operation to the House whenever it was needed.

Welcome to new Members

On April 3, 1976, the Chairman, extending a cordial welcome to all the new Members, said that to be elected to the Rajya Sabha was a rare distinction and a privilege to be cherished. Having become Members of the House, heavy responsibilities and duties had devolved on them to strengthen the cause of democracy. Every Member was a trustee of the nation and would have to prove, by his conduct, worthy of the faith and trust his constituents had reposed in him. The members of the House had a rich tradition and there was no

doubt that the new Members would endeavour to enhance its prestige. By dispassionate discussion in the House and with goodwill and willingness to understand each other's point of view, they would achieve the objectives better. The Chairman looked forward to receiving continued cooperation and assistance from all the Members in maintaining the dignity of the House and strengthening the parliamentary institutions.

CONFERENCES AND MEETINGS

Joint Valedictory Meeting of the Committees on Public Accounts and Public Undertakings

A joint valedictory meeting of the Committees on Public Accounts and Public Undertakings was held on April, 1976, in Parliament House. The Speaker, Lok Sabha, Shri B. R. Bhagat, presided.

The Speaker complimented the Chairmen and Members of the two Committees on their dedicated devotion to their work done in "the quiet and studious atmosphere of the Committee Rooms, away from the excitement of the Chamber" and observed that the quality, the number of reports and the wide ranging nature of the subjects covered "bear an eloquent testimony to the excellent work" done by these Committees under the able and distinguished Chairmanship of Prof. H. N. Mukerjee and Shri Nawal Kishore Sharma. In this connection, he made particular mention of the impact on Government of several important recommendations made by the PAC in their reports on Farakka and the Rajdhani Express and by the CPU on Steel industry, National Coal Development Corporation, Cement Corporation of India, the Hindustan Antibiotics and the Film Finance Corporation.

The Speaker added that it was perhaps in response to the specific recommendations made by the Public Accounts Committee in regard to the inadequate scrutiny, from the tax angle, of the remittances made abroad by foreign companies operating in India on account of "Head Office Expenses" that Government had now prescribed a ceiling upto which such expenses could be allowed as a deduction for the purpose of income-tax.

Referring to the work of the Committee on Public Undertakings, the Speaker observed that he shared the views of the Chairman of the Committee that the public sector which was set up under the

inspiring leadership of our first Prime Minister, Shri Jawaharlal Nehru, to serve the larger public interest of developing self-reliance in strategic areas of production and of gaining commanding heights in essential products, was coming up more and more to expectation. He added that the public sector was now well set "to make a substantial contribution towards accelerating the pace of development."

Earlier, the Chairmen of the two Committees, Professor H. N. Mukerjee and Shri Nawal Kishore Sharma, recalled some of the more significant points brought before Parliament in their reports during 1975-76 and gave a resume of their work.

The Chairman, Public Accounts Committee, stated that the Committee had tried to function not "just as a body entrusted with the dry-as-dust examination of cases involving losses to the exchequer and financial irregularities", but also to go beyond "the formality of expenditure to its wisdom, its social cost and the public purpose sought to be served thereby".

Reviewing the impact of the Committee's Reports, the Chairman enumerated the action taken by Government on some of the reports such as the ones on the Import of Hop Plants. Indian Agents' Commission, National and Grindlays Bank and highlighted some of the recommendations that had been accepted and implemented by Government.

The Chairman stated that the Members and he himself had experienced in the Committee the feeling that Parliament was "by no means a talking shop but a truly working body" which, if properly oriented, could serve our great people effectively.

The Chairman Committee on Public Undertakings, mentioned that the performance of the public undertakings during the last two to three years had shown "significant improvement" particularly after the declaration of National Emergency by the Prime Minister and that the production of public sector had gone up by about 31 per cent.

Referring to the horizontal study of "Foreign Collaboration in Public Undertakings" which the Committee had undertaken, the Chairman said that the Committee were formulating suggestions which would serve best the national interest of expediting on the one hand the absorption of new technology where required in public interest, and on the other hand minimising the outgo of foreign exchange and indefinite dependence on external agencies.

The Chairman further stated that the Committee's recommendations had been "well received" by Government and had created the desired impact. According to him, there could not be a better testimony of the impact of the Committee's recommendations than the fact that as many as 82 per cent of the recommendations had been accepted by Government during the Fifth Lok Sabha.

Both the Chairmen acknowledged the active interest taken in and the wide coverage given to the reports of their Committees by the press. They also acknowledged the "wise and considerate counsel" and the gracious courtesy and help given to them by the Speaker, Shri B. R. Bhagat and his predecessor, Dr. G. S. Dhillon, whenever they had occasion to turn to them for help and guidance.

The Speaker and the two Chairmen paid tributes to the Comptroller and Auditor General of India, Shri A. Baksi, and his officers and staff for their constant help and valuable support. They also spoke highly of the guidance provided by Shri S. L. Shakhder, Secretary-General, Lok Sabha, who, with his rich experience of parliamentary-work, was always ready to help the Committees with his ideas and suggestions. They also placed on record their appreciation of the assiduous and devoted service rendered by the Officers and staff of the Lok Sabha Secretariat in the discharge of the Committees' functions.

Estimates Committee, Valedictory Function

A Valedictory meeting of the Estimates Committee (1975-76) was held on April 28, 1976 with the Speaker of Lok Sabha, Shri B. R. Bhagat, in the Chair.

Addressing the meeting, the Speaker referred to the challenging task entrusted by Parliament to the Estimates Committee and observed how the Committee had, over the years, "built up a tradition of judging all issues on merits and evolving consensus to reflect their considered views". He expressed happiness over the fact that "not only have the recommendations of the Committee been unanimous, representing their collective wisdom, but the exchange of views between the Members of the Committee on the one hand and the representatives of the Government on the other has been free and frank."

The Speaker went on to say how greatly impressed he was by the foresight shown by the Committee in selecting subjects for examination and the fine work turned out by the outgoing Committee

under the Chairmanship of Shri R. K. Sinha. In this connection he made particular mention of subjects like Recruitment, Training and Orientation of All India Services, Deputation of Indian Experts and Officers abroad, Delegation of Financial Powers, Slum Clearance and Housing Schemes and All India Institute of Medical Schemes, which were all of topical interest and of national importance. He made a special mention about the lucid and reasoned presentation of facts in the Committee's Reports and hoped these 'would provide useful direction and guidance to the Executive'.

Earlier, welcoming the Speaker, the Chairman of the Committee, Shri Sinha, referred to the evolution of the Estimates Committee into a powerful instrument for enforcing parliamentary accountability, functioning as the eyes and ears of Parliament and pointing out organisational deficiencies, wastes and delays in various areas of administrative activity. "The role of the Committee in making administration respond with increasing sensitivity to the needs of the common people requires no emphasis", he added.

The Chairman then referred to the exciting and exacting nature of the Committee's work which had resulted "in invisible but concrete acquisitions like the habit of constructive thinking and objective analysis and a will to solve problems for the good of the common man."

Referring to the relations between the Committee and the officials of Government, the Chairman observed that "the high officers of government who have appeared before the Committee have gone back with greater regard for Parliamentary institutions and a desire to bring about the requisite improvements in the interest of service to the people."

The Chairman informed the meeting that the Committee had besides the main Reports, also finalised as many as 14 Action Taken Reports pertaining to various subjects *viz.* C.G.H.S.; Films, Cement, Banking, Electronics, Television, Coal, Transport Coordination, Development of Backward Areas, Directorate of Estates, Production of Foodgrains, Railway Electrification Projects and Iron and Steel. As many as 70 per cent of the Committee's recommendations had been accepted by Government.

The Chairman observed that 'throughout the deliberations of the Committee there has been full and frank discussion and unanimity in reaching conclusions on the basis of facts'. He also referred to

the wide coverage and attention given to the Committee by the Press and in Parliament "which bears testimony to the high esteem in which the informed public holds the Estimates Committee."

Both the Speaker and the Chairman of the Committee placed on record their appreciation of the hard work put in by the Conveners and Members of the Committee, and expressed happiness that "the Lok Sabha Secretariat officials headed by the distinguished and able Secretary-General, Shri S. L. Shaktiher, have been able to discharge their onerous responsibility to the satisfaction of the Committee."

Conference of Chairmen of Committees on Government Assurances

The first two-day Conference of Chairmen of the Committees on Government Assurances was inaugurated in New Delhi on March 19, 1976, by Shri B. R. Bhagat, Speaker, Lok Sabha. Shri B. K. Daschowdhary, M.P. Chairman of the Committee on Government Assurances of Lok Sabha, presided. The Chairmen of the Committees on Government Assurances of Rajya Sabha, Andhra Pradesh Legislative Council, Andhra Pradesh Legislative Assembly, Bihar Vidhan Parishad, Bihar Vidhan Sabha, Haryana Vidhan Sabha, Jammu & Kashmir Legislative Council, Jammu & Kashmir Legislative Assembly, Kerala Legislative Assembly, Karnataka Legislative Assembly, Maharashtra Legislative Council, Maharashtra Legislative Assembly, Orissa Legislative Assembly, Punjab Vidhan Sabha, Tamil Nadu Legislative Council, Uttar Pradesh Vidhan Parishad, West Bengal Legislative Assembly, Goa, Daman & Diu Legislative Assembly and Mizoram Legislative Assembly attended the Conference.

After the inaugural address of the Speaker, the Conference was addressed by Shri B. K. Daschowdhary and Shri Sham Lal Yadav, M.P., Chairman of the Committee on Government Assurances of Rajya Sabha. The Conference discussed several important points on the Agenda including the steps that should be taken to make the Committee on Government Assurances more effective and the course of action that should be adopted in case the Government does not honour or implement the assurances given on the floor of the House.

IPU Spring Meetings

The Spring Meetings of the Inter-Parliamentary Union were held in Mexico City (Mexico) from April 20 to 24, 1976. Dr. G. S. Dhillon, MP, Minister of Shipping and Transport and President of the Inter-

Parliamentary Council, presided over the meetings. The composition of the Indian Delegation to the above meetings was as under:—

Shri Om Mehta, M. P.
Minister of State,
Home and Parliamentary
Affairs

—*Leader of the
Delegation*

Shri B.K. Daschowdhary, M. P.

Shri Indrajit Gupta, M. P.,
and

Shri P. K. Patnaik,
Additional Secretary,
Lok Sabha

—*Secretary to the
Delegation*

The Indian delegates also attended the meetings of the Inter-Parliamentary Council held there.

The following subjects were discussed at the Study Committee meetings in Mexico City:—

1. The urgency of reducing tension in the world and of establishing international regulations on the trade in conventional weapons;
2. Parliament as an expression of the social structure of a society;
3. Study of the part the Union could play in preventing cruel, inhuman or degrading treatment or punishment; in particular, the possibility of setting up within the Union a procedure for examining and treating communications concerning human rights matters;
4. The setting up of a new international economic order; and
5. Co-operation in the fields of education, science and culture and further improvement of international relations.

Meetings of the Association of Secretaries-General of Parliaments

The meetings of the Association of Secretaries-General of Parliaments were also held in Mexico City from April 20 to 23, 1976. Shri S. L. Shakhder, Secretary-General, Lok Sabha and President of the Association of Secretaries-General of Parliaments, presided over the meetings of the Association.

Inauguration of the Bureau of Parliamentary Studies and Training

The Speaker of Lok Sabha, Shri B. R. Bhagat inaugurated on May 17 the Bureau of Parliamentary Studies & Training at a colourful and largely attended function in the Central Hall of Parliament. Several Ministers, senior Government officials, Members of both Houses of Parliament and other dignitaries were present.

Inaugurating the Bureau, Shri Bhagat said universally Parliaments have to measure themselves up to newer kinds of burdens and challenges. In societies like India which are engaged simultaneously in the twin tasks of development and social transformation and which seek to accomplish them within the framework of consensual politics, the parliamentary institution has to live up to and fulfil a new role expectation—as an agent of change and a harmonising mediator among the competing forces in the democratic policy. This predicated, said the Speaker, a new relationship of close nexus and understanding and mutual responsiveness between the Executive and the Parliament. This again meant, he pointed out, that all the participants in the democratic process—the policy makers, the legislators, the civil servants and other functionaries at various levels in the system—should imbibe the philosophy of the representative institution and orient their attitude to the needs and responsibilities and the tenor and temper of the democratic polity.

The Bureau, set up as a distinct division of the Lok Sabha Secretariat, is designed to meet a long-felt need for institutionalised opportunities for systematic training, orientation, and problem and practice-oriented studies in parliamentary institutions, processes and procedures. The programme of activities the Bureau has in view includes orientation programmes for new legislators; training and appreciation courses for IAS and IFS probationers and for senior and middle level Government officials; and in-service foundational training for new entrants, and specialisation courses for security staff, library personnel and others, in the legislative service at the centre and in the States. The Bureau would also be concerned with the training, exchange visits, deputation etc. abroad of legislative officials from India and of foreign personnel in India, in the parliamentary field.

Congratulating the Secretary-General of Lok Sabha, Shri Shakh-dher, for conceiving the idea of the Bureau and imaginatively drawing up the plan of studies and training, Shri Bhagat said he was convinced of the “immense pay-off potential” of the forthcoming train-

ing programmes and expressed the hope that "the Bureau would, in course of time, grow into a prestigious Centre of advanced study, research and training in the field of parliamentary science, with its links not only with the various State Legislatures in India but also with similar institutions and parliaments all the world over".

Earlier, welcoming the Bureau as a "very well conceived idea", the Deputy Speaker of Lok Sabha, Professor G. G. Swell, pointed out that officers and staff of Parliament had to deal with a "particularly distinctive breed of people—the Members of Parliament—representatives of people who, each one of them, carry a big load of responsibility and have a share of human failings and human idiosyncracies", and work in this kind of atmosphere naturally required "a special type of skill, a special type of temperament and that is where the question of orientation comes in".

In his vote of thanks, the Deputy Chairman of Rajya Sabha, Shri Godey Murahari, said that legislatures had "their own culture, philosophy, value-system and traditions, as well as their own language, peculiarities of personnel recruitment and distinctive goals" and the Bureau through its various training programmes and other activities would provide for "the necessary logistic support to the Legislatures in the country for their more effective functioning."

With the inauguration of the Bureau also commenced the first Intensive Training Course for Middle Level Officers of State Legislature Secretariats. Twenty middle level officers—of the rank of Under Secretary, Assistant Secretary and Section Officers—from State Legislatures all over the country are participating in this Course.

NEW SECRETARY-GENERAL OF RAJYA SABHA

Retirement of Shri Banerjee

Shri B. N. Banerjee, Secretary-General, Rajya Sabha, retired from service from the afternoon of April 1, 1976. He had been associated with the Rajya Sabha for about 20 years.

Born in 1916, and educated at the Scottish Church College, Calcutta University, Law College, Calcutta and London School of Economics, Shri Banerjee had joined the Bengal Judicial Service in 1942. After a meritorious record of service there, Shri Banerjee joined the Ministry of Law, Government of India as Assistant Solicitor. Thereafter, he served as Legal Adviser to the High Commissioner for India.

in London. In 1956, Shri Banerjee joined the Rajya Sabha Secretariat as Deputy Secretary and in 1960 became its Joint Secretary. He was appointed Secretary to the Rajya Sabha in October 1963. Consequent on the redesignation of the post of Secretary of Rajya Sabha as Secretary-General of the Rajya Sabha in 1973, Shri Banerjee assumed charge of that office in that year.

Announcing the retirement of Shri Banerjee in the Rajya Sabha on April 2, 1976, the Chairman, Shri B. D. Jatti, observed *inter alia* as follows:—

“Shri Banerjee worked as Secretary to this House for more than 12 years and his tenure was marked by considerable changes, both constitutional and procedural. He set a unique record of service to our House and helped in maintaining the highest traditions of parliamentary system. The Rules of Procedure went through several substantial changes during his term of office and he had made important contributions to the same. His relationship with all members of the House was very cordial and he was always available to them for giving whatever assistance or advice asked irrespective of their party affiliations.

He accompanied several Parliamentary Delegations abroad and attended many Presiding Officers' Conferences and Conferences of the Secretaries of various State Legislatures.

He also actively participated in the Twenty-first Commonwealth Parliamentary Conference held in New Delhi in November last year wherein India played the host.

With his vast experience and sound knowledge, he was of great help to me since I became the Chairman and he gave good advice on complicated procedural matters.

His relationship with officers and his subordinates was also very cordial and he was sympathetic to all members of the staff whenever they had any difficulty. By his dealings he endeared himself to all those who came in contact with him—Ministers, Members and Officers alike and he enjoyed the love and confidence of them all.

On behalf of the House, I pray for his sound health and long life.”

Tributes to the retired Secretary-General were paid by all sections of the Rajya Sabha. Describing Shri Banerjee as a “man of rare qualities and extreme modesty”, Shri Om Mehta, Minister of State in the Ministry of Home Affairs and Department of Parliamentary Affairs, observed as follows:—

“During the last twenty years he had grown into an institution in this House and Members, irrespective of their

party affiliations, always went to him for help and guidance in their parliamentary work. His advice was always correct and earned for him the respect and admiration of all Members including Ministers.”

While Shri Bhupesh Gupta (CPI) described him as a man of distinction who understood the problems of the House and who tried to help the members, Shri Salil Kumar Ganguli (CPI-M) observed that Shri Banerjee “was always very impartial and helpful to the Members.”

Shri O. P. Tyagi (JS) referred to the unassuming nature of Shri Banerjee and how he was always ready to help any Member irrespective of his party affiliation.

Shri T. N. Singh (Congress-O) said that Shri Banerjee’s “advice was available to both sides of the House freely and fairly for which he richly deserves our tribute and thanks.”

Shri Godey Murahari, Deputy Chairman of the Rajya Sabha, observed that “with all the experience he has had in this House and with the friendship that he was able to build up with most of the Members who came into this House, he had endeared himself to all of us.”

In appreciation of Shri Banerjee’s long, dedicated and distinguished record of service, he was nominated by the President of India as a Member of Rajya Sabha under article 80(1) (a) of the Constitution. Shri Banerjee took his seat in the House on April 3, 1976.

Appointment of Shri S. S. Bhalerao as the new Secretary-General

Consequent on the retirement of Shri B. N. Banerjee, Shri S. S. Bhalerao, Additional Secretary, Rajya Sabha Secretariat was appointed as Secretary-General of the Rajya Sabha with effect from the afternoon of April 1, 1976.

Educated at Ferguson College, Gokhale Institute of Politics & Economics and Law College, Poona, Shri Bhalerao started his career as lecturer in constitutional law and jurisprudence in Osmania University Law College, Hyderabad. Thereafter, he was appointed as ‘Assistant Secretary’ in the Hyderabad Legislative Assembly and joined the Rajya Sabha Secretariat as Deputy Secretary in November 1958. He was promoted as Joint Secretary in that Secretariat in December 1963 and Additional Secretary in December 1974. He is thus associated with the Rajya Sabha Secretariat for about 18 years.

While referring to the retirement of Shri B. N. Banerjee in the House on April 2, 1976, the Chairman of the Rajya Sabha made a reference to the appointment of Shri Bhalerao. He expressed the hope that Shri Bhalerao would maintain the parliamentary traditions and conventions laid down by his predecessor. The appointment was welcomed by all sections of the House. Shri Bhupesh Gupta said that the members had "great faith in and great love and affection for Shri Bhalerao". Shri Salil Kumar Ganguli described him as "a very capable and a nice gentleman". Shri O. P. Tyagi stated that Shri Bhalerao who had come in Shri Banerjee's place was an equally able man. Shri T. N. Singh said that he was impressed by Shri Bhalerao's "erudition and scholarship and his general behaviour towards the members of the House".

Welcoming Shri Bhalerao to his new job, Shri Godey Murahari, Deputy-Chairman of the Rajya Sabha, said that the new Secretary-General has already had a lot of experience of the House.

PRIVILEGE ISSUES

LOK SABHA

Alleged detention and release of a member and non-intimation thereof to the Speaker: On January 27, 1976, Kumari Maniben Patel, a member, sought to raise a question of privilege regarding her alleged detention and subsequent release by police on December 12, 1975 and non-intimation thereof to the Speaker.¹ While raising the question of privilege, Kumari Maniben Patel stated as follows:—

“On the 12th December, 1975, at 4 P.M., when I resorted to *Satyagraha* in Chandni Chowk, Delhi the Police arrested me and took me to Kashmere Gate Police Station. After being detained there for three hours, I was released and dropped at my House by the police itself. Information to this effect was neither published in any Bulletin of Lok Sabha nor was it convened to the House.

It appears that the Police authorities did not inform the hon. Speaker about my arrest and detention for three hours at the Police Station and release. Thus it amounts to breach of my privilege as an M.P., as well as of the House. I, therefore, suggest that this matter may be referred to the Committee of Privileges”.

Thereupon, the Speaker, Shri B. R. Bhagat, directed that the Home Minister might make necessary enquiries and bring up the matter before the House.

On February 5, 1976, the Minister of State in the Ministry of Home Affairs (Shri Om Mehta) made the following statement:—

“Sir, according to a report received from the Delhi Administration, Delhi Police had information about the intended

¹ L.S. Deb., 27-1-1976.

² L.S. Deb., 5-2-1976.

demonstration...by some persons at Chandni Chowk on 12th December, 1975. Appropriate arrangements were made for maintenance of law and order under the supervision of senior officers. Around 4.30 P.M., some persons came in different groups to that area and shouted slogans. The slogans raised by the demonstrators attracted notice by the general crowd in that area, and some tension started building up. The police thereupon arrested some demonstrators as a preventive measure. The tension continued. Kumari Maniben Patel, M.P., was also seen standing near the place of trouble. The police officers on the spot felt that if Kumari Maniben Patel was allowed to remain there, she might get caught up in the midst of the agitated crowd and some harm may be caused to her person. She was, therefore, taken to the Kashmere Gate Police Station in the police jeep, in the interests of her security... At the police station, she was given facilities for brief rest. After the crowd subsided and the area became normal, she was escorted in a police vehicle to her residence. Kumari Maniben Patel was not arrested by the police".

After a brief discussion, in which Kumari Maniben Patel and Sarvashri H. M. Patel and Dasaratha Deb questioned the Minister's version, the Speaker disallowed the question of privilege and ruled *inter alia* as follows:—

"If there is a doubt about the veracity of the fact then we cannot do anything. There must be a finality about it. When the statement is made (by the Minister), we cannot do anything. The Chair has no means to investigate. This is not a case for Privileges Committee... I think we should not go into this matter further because the Minister has denied that she has been arrested. Therefore, at this stage, I think, let us conclude this".

MAHARASHTRA LEGISLATIVE ASSEMBLY

Alleged misleading statement by a Minister in the House: On December 5, 1975, the Speaker informed⁴ the House that he had received notice of a question of privilege from a Member (Shri G. N. Banatwala) against the Minister for Education (Shrimati Prabha Rau) for allegedly misleading the House on November 29, 1975, while replying to his question regarding the Government Resolution sanctioning revision of pay scales of College teachers in the State.

In his notice, the Member contended that in reply to a question put by him during the discussion on the Maharashtra Universities

³ *Ibid.*

⁴ Maharashtra Legislative Assembly Debs., 5-12-1975.

(Second Amendment) Bill, 1975, the Hon. Minister for Education had stated that the Government Resolution sanctioning revision of pay scales of College teachers in the State had not been withdrawn by the Government and the situation stood as it was.

The aforesaid reply by the Hon. Minister, the Member maintained, was incorrect and misleading because an earlier report in the *Indian Express* dated 25-11-1975 had mentioned that the said Resolution had been withdrawn. Further, the report on the first page of the *Indian Express* dated 4-12-1975 stated that "the order issued by the Maharashtra Government ten days ago putting the whole issue of the U.G.C. pay scales to College teachers in cold-storage for the time being has been reversed".

The Member further raised the following points in his notice:

It was clear that the Government had withdrawn the Government Resolution on or about the 22nd November and the Hon. Minister's denial in the Assembly on the 29th November was totally incorrect and misleading. It is reported that the Government has now revoked the withdrawal of the Government Resolution and revived it.

The Hon. Minister has thus not only misled this House, but has also tried to cover up by later orders reviving the Government Resolution and has, thus, committed a very serious breach of privilege of this House on a matter of great importance.

On December 8, the Speaker informed the House that he had received the following explanation from the Minister for Education on the clarifications that he had sought from her on the points raised in the privilege notice:—

"The University teachers took the matter arising out of Government Resolution...dated 4-10-75 to the court and the court while admitting the petition, issued *ex parte ad interim* injunction restraining Government from implementing some paragraphs of the said Government Resolution.

An official copy of the petition and the injunction was received in the Department on 18-11-75. Immediately the Department started receiving queries from the Managements of Government/Non-Government Colleges as to the action to be taken by them. Before the full implications of the injunction issued by the court were studied and got clarified, in order to ensure that nobody does any thing which may even remotely constitute breach of the injunction, the concerned Desk Officer on his own wrote to the Director of Higher Education to inform the Principals of all Govern-

ment Colleges not to take any action on the Government Resolution until further instructions. The Director of Higher Education sent out a letter to the Principals of all Colleges on 22nd November, 1975...

It will be noticed from the wording of the letter that there is no mention about withdrawing the Government Resolution. All that the Officer seemed concerned about was that no action should be taken on the said Government Resolution until further instructions. After full implications of the order of injunction by the court were got clarified, it was felt that there is no need for keeping in operation the instructions contained in the Director of Higher Education's letter mentioned above, which was based on the letter of the Desk Officer. He was, therefore, told to instruct Colleges to treat his letter dated 22nd November as cancelled. Accordingly the Director of Higher Education wrote a letter to the Principals of all Colleges on 1st December, 1975.

From the above, it will be clear that the Government Resolution dated 4-10-75 was never withdrawn. All that was done was to issue instructions to the Principals of the Colleges not to take any action thereon until further instructions. The whole problem has come up because the Desk Officer acted on his own and in a hurry. He has been asked to be careful in future. Under these circumstances, the reply given by me on 29-11-75 was neither misleading nor divorced from the correct position obtaining on that day and therefore, no question of breach of privilege should arise".

After some discussion, the Speaker disallowed the question of privilege and ruled *inter alia* that the statement made by the Minister in the Assembly on November 29, "cannot, under the circumstances, be regarded as false and misleading and calculated to cover up any Government action. It was a statement in full accord with the facts. No breach of privilege is thus involved therein. No permission can therefore, be granted to refer the issue to the Privileges Committee".

PUNJAB VIDHAN SABHA

Improper reply by a Government Officer to a letter addressed by a member: On January 27, 1976, the Speaker, Dr. Kewal Krishna, informed the House that he had received notice of a question of privilege from Shri Raj Kumar, a member, in which he had stated that a letter addressed by him to a Senior Officer of the Punjab Education Board had not been properly replied to by the officer under his own signature.⁵ The Speaker also informed the House that he was writing in this connection to the Minister for Education to clarify the position.

⁵Ibid., 6-12-1976.

⁶ Punjab Vidhan Sabha Debs. dt. 27-1-76.

On February 6, 1976, the Speaker disallowed the question of privilege and ruled *inter alia* as follows⁷:—

“I have now received a reply from the Hon’ble Minister wherein he has stated that the matter is being investigated and the explanation of the employee at fault in the Punjab School Education Board has been called for and that on receipt of his explanation, strict disciplinary action will be taken. The Hon’ble Minister has in his letter also assured that such a lapse would not occur in future.

I may point out that hon’ble Members are the elected representatives of the people and it is the duty of the Government Offices|officials and those of the autonomous bodies and public undertakings to show them due courtesy. Communications received from them should not be treated lightly. I would, therefore, urge the Government to issue instructions so as to ensure that the letters received from Legislators are given due consideration and replied to promptly by the Officers to whom these are addressed. Wherever that is not possible, some other responsible Officer should reply to the letters of the Legislators.

In view of what has been stated above, I do not give my consent to the question of privilege being raised”.

HOUSE OF COMMONS (U.K.)

Alleged obstruction caused to the work of Parliament by certain public servants going on strike: On March 11, 1975 Mr. Cormack, a member, sought to raise⁸ a question of privilege regarding the action of certain public servants and those inciting them to obstruct the work of Parliament by going on a strike. Mr. Cormack also sought to move that the matter be referred to the Committee of Privileges.

On March 12, 1975, the Speaker disallowed the question of privilege and ruled *inter alia* as follows⁹:—

“I wish to make as clear as I can to the House my function, as I see it, in a matter such as this.

My duty is to decide whether in my judgment the facts alleged fall sufficiently clearly within an area in which a breach of privilege or a contempt of the House has been found by the House on a previous occasion to have been committed, or whether they fall sufficiently clearly within

⁷Ibid, 6-2-1976.

⁸ H.C. (U.K.) Debs (1974-75) Vol: 888, c: 284:

⁹Ibid cc. 535-36.

an area in which a possible breach of privilege or contempt should be considered, so that I should allow a motion relating to the complaint to have precedence.

As the House knows, I dislike the term 'prima facie case', because I think that that implies a judgement on the merits of the case.

If I decide in the negative, that is not necessarily the end of the matter. The House could come to a decision on the point on a motion moved subsequently after notice.

In the present instance I know of no precedence for the House having reached a decision upon, or indeed even having formally considered, a similar case.

There has also been of recent years a reluctance to extend the limits of contempt.

Accordingly, although important issues are involved affecting the efficiency and convenience of the House, which need careful consideration at some stage, and perhaps not only by the House, I have come to the conclusion that I should not allow a motion relating to the hon. Member's complaint to have precedence over the Orders of the Day".

After the Speaker's ruling, Mr. Cormack sought to move the adjournment of the House under Standing Order 9 to discuss the matter of complaint.¹⁰ Thereupon, the Speaker gave the following ruling:—

"I am afraid that that is a proposition with which I cannot put up. A ruling on privilege according to the usual practice comes last in the order of business taken after questions immediately preceding the Orders of the Day. An application under Standing Order No. 9 would have had to be made before-hand and cannot arise out of a privilege matter. The hon. Gentleman cannot move that motion now".

Alleged threat by a Trade Union to withdraw sponsorship from an MP who opposed Union's policies in Parliament: On June 26, 1975, Mr. George Cunningham, a Member, raised a question of privilege regarding the alleged threat contained in a resolution adopted by the Yorkshire Area Council of the National Union of Mine workers that the NUM would withdraw sponsorship from a Member of Parliament who opposed the Union's policies in the House." While raising the matter, Mr. Cunningham stated *inter alia* as follows:

....The resolution appears to contain these elements: first, that no Member of this House sponsored by the York-

¹⁰ *Ibid.*, cc. 536-37.

¹¹ H.C. (U.K.) Debs., 26-6-1975, cc: 677—79:

shire Area of the NUM shall vote or speak against union policy on any issue which affects the coal-mining industry; second that no such Member shall actively campaign or work against the union policy on any other major issue; and third, that if any such Member refuses to agree to these guidelines or violates them, the area council shall withdraw sponsorship from the Member of Parliament.

The resolution made 'it clear that the Yorkshire Area will no longer tolerate a situation where a miners' MP accepts the privilege of sponsorship and then demands the luxury of independence from union policies'.

Mr. Cunningham also referred to a Press statement by Mr. Arthur Scargill President of the Yorkshire Area Council of NUM, printed in the *Sun* of 26th June in which he was reported to have remarked that 'Miners are entitled by virtue of their sponsorship to tell their Members of Parliament which way to vote'.

While Mr. Cunningham did not insist that the question of sponsorship of MPs by trade unions, which had been investigated in 1947 and not condemned, be referred to the Committee of Privileges, he wanted the alleged breach of privilege committed by Mr. Arthur Scargill and the resolution of the Yorkshire Area Council to be investigated by the Committee.

The following day, the Speaker gave a ruling expressing his satisfaction that "the matter of the complaint is such that I should permit a motion relating to it to be given precedence over the orders of the Day¹²."

Thereupon, Mr. George Cunningham moved a motion that the matter of the complaint be referred to the Committee of Privileges, and the same was adopted by the House.¹³

The Committee of Privileges, after considering the explanation furnished by the General Secretary of the Yorkshire Area Council and a Memorandum submitted by the Clerk of the House, in their

¹² *Ibid.*, 27-6-1975, c. 885.

¹³ *Ibid.*

Second Report¹⁴ presented to the House on October 14, 1975, stated *inter alia* as follows:—

“(i) On 25th June, 1975, the Yorkshire Area Council of the National Union of Mine workers passed the following Resolution:—

‘That we can no longer tolerate the position where a ‘sponsored’ M.P. can oppose his Union’s policy on major issues.

Therefore, it is agreed that the following guidelines shall apply to M.P.s sponsored by the Yorkshire Area:

1. No Miners’ M.P. shall vote or speak against Union policy on any issue which affects the Coal Mining industry.
2. No Miners’ M.P. shall actively campaign or work against the Union policy on any other major issue.
3. If any Miners’ M.P. refuses to agree to the ‘guidelines or violates these guidelines, the Area Council shall withdraw sponsorship from that M.P.

We wish to make it clear that the Yorkshire Area will no longer tolerate a situation where a Miners’ M.P. accepts the ‘Privilege’ of sponsorship and then demands the ‘Luxury’ of independence from Union policy.’

On the same day, the President of the Area Council made a statement to the press which was based on the Resolution.”

On the same day, the President of the Area Council made a statement to the press which was based on the Resolution.

The Report mentions in detail the explanation given by the General Secretary of the Area Council on the circumstances leading to the adoption of the Resolution of 25th June which was actually a ‘watered down’ version of the original Resolutions submitted by the three Branches of the NUM’s Yorkshire Area.

In considering this explanation the Committee of Privileges concluded that “the Area Council may not have been aware of the distinction between the acceptable and the unacceptable exercise of a **sponsorship arrangement as it affects the freedom of Members in Parliament**”. The decisions of the House on this subject were outlined for the Committee in a Memorandum by the Clerk of the House.

¹⁴ H.C. (1974-5) No. 634.

The Committee had no doubt that "the Resolution of the Yorkshire Area Council constituted a serious contempt, which represented a continuing threat to Members' freedom of speech and action and which could not be allowed to remain in existence."

The Committee conveyed their above-mentioned findings to the President of the NUM, under whose authority the Area Councils acted and expressed confidence that "The National Executive Committee will share their concern that the law of Parliament should not be breached". The Committee further invited the Executive Committee "to take the necessary steps to repudiate the Resolution of the Yorkshire Area Council and to ensure that the Resolution is rendered ineffective. They ask to be informed of the action taken by the Executive Committee to achieve this."

On July 18, the President of the NUM replied to the Committee's letter in the following terms:—

'I would like to say that a great deal of publicity was given to the Yorkshire Area resolution, but no publicity was given to my remarks as National President of this organisation. I made a statement in the Press in my capacity as President of the N.U.M. that this Union would never seek to interfere with the freedom of speech or actions of any Members of Parliament. All that we ask is that when they are making up their minds on the various issues, they should take into account the expressed views of the Union who is responsible for their sponsorship.

In no way do we attempt to tie the hands of M.Ps. However, as I have said I will put the matter before the next meeting of the National Executive Committee if you wish to obtain a resolution on the subject for your committee. I will then correspond with you further.'

On September 18, the President sent the following further letter:—

'Further to my letter of the 23rd July, 1975, the National Executive Committee at its last meeting agreed to accede to your request to pass a resolution nullifying the decision of the Yorkshire Area Council, and endorsed the contents of my letter to you of the 18th July, 1975.'

In view of the fact that the Union had responded without hesitation to a request to nullify and repudiate the Resolution of the Yorkshire Area Council, the Committee considered that no further action need be taken by the House in this matter.

PROCEDURAL MATTERS

LOK SABHA

Resignation of Members: Speaker must be satisfied that it is voluntary and genuine:

On March 10, 1976, the Speaker received a letter dated March 8, 1976 from Shri Madhu Limaye, M.P., who was under detention resigning his seat in Lok Sabha with effect from March 18, 1976. In order to satisfy the Speaker that the resignation was voluntary and genuine, an enquiry to this effect was made from the Member through a letter dated March 11, 1976 from the Lok Sabha Secretariat. A reply from the Member dated March 17 clarifying that the resignation was wholly voluntary and genuine and not tendered under any duress, was received on March 20. The Speaker thereupon accepted the resignation on March 22, 1976 and made an announcement in the House on the same day that he had received a letter from Shri Madhu Limaye resigning his seat in Lok Sabha and that he had accepted the resignation with effect from March 22, 1976. The fact was thereafter published in Bulletin Part I of that day and a notification about the resignation was also issued in the Gazette Extraordinary of the same day. The Member was also informed through a letter of the acceptance of the resignation.¹

On March 15, 1976, another Member, Shri Sharad Yadav, who was also under detention, sent a letter (dated March 14, 1976) to the Speaker similarly resigning his seat in Lok Sabha with effect from March 18, 1976. The same procedure was adopted for seeking clarification from Shri Yadav that the resignation was voluntary, as was done in the case of Shri Limaye. Shri Yadav's reply dated March

¹ L.S. Deb., 22-3-76.

23 to the Lok Sabha Secretariat's letter dated March 18, clarifying that the resignation was wholly voluntary and genuine and not given under any duress, was received on March 25. The resignation was accepted by the Speaker on the following day and announced in the House on that day itself. The fact was also published in Bulletin Part I and notified in the Gazette Extraordinary of March 26. The Member concerned was also informed through a letter about the acceptance of his resignation.**

When the Speaker announced in the House about his having accepted the resignation of Shri Sharad Yadav, some Members had suggested that his letter of resignation or the grounds on which Shri Yadav had resigned, might be read out in the House. On this, the Speaker observed that, according to rules, only the fact of a resignation and its acceptance by Speaker had to be announced in the House and it was not necessary to read out the letter in the House. He further observed that it was sufficient to ensure that the Member had resigned voluntarily and without duress and there was no need to go into the reasons for resignation.

**Ibid., 26-3-76.

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS*

[February 1, 1976 to April 30, 1976]

INDIA

DEVELOPMENTS AT THE CENTRE

Cabinet Changes: The former Finance Ministry of West Bengal, Dr. Sankar Ghose was, on April 20, appointed Minister of State for Planning in the Union Cabinet.

Disqualification of Members: In its opinion to the President on January 22, the Election Commission of India held that if a Member of Parliament or of a State Legislature enters into a contract with the Government, "for the performance of any professional services undertaken by the appropriate Government", he will not be disqualified for continuing as a Member. The opinion was accepted by the President on February 26, and later published in the Government of India Gazette.

Constitutional Reforms: On February 26, the Congress President, Shri D. K. Borooah appointed a Committee under the Chairmanship of Shri Swaran Singh to study and suggest amendments to the Constitution. On April 3, the Committee expressed the general view that there need be no change in the parliamentary system of Government and formulated some tentative proposals for amendment of the Constitution.**

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

**The Committee submitted its final report on May 22, 1976. For text of the report see under "Documents of Constitutional and Parliamentary Interest", Post, p. 46.

Habeas Corpus during Emergency: The Supreme Court by a four to one majority judgment in a *habeas corpus* case on April 28, held that the petitions of detenus were not maintainable during the Emergency. It held that no detenu held under the Maintenance of Internal Security Act (MISA) could move a court and seek release so long as the enforcement of the fundamental rights remained suspended.

AROUND THE STATES

ASSAM

Resignation by Ministers: Several Ministers resigned from the Ministry during the period. Shri Harendranath Talukdar, Minister of Education, Student and Youth Welfare, and Shri Bishnu Prasad, Minister of State for Cooperation resigned on February 7. Shrimati Swarna Prabha, Minister of State for Social Welfare did so on February 18, while Shri Debendra Nath Barua, Minister of State for Agriculture followed suit on February 26. Their resignations were accepted by the Governor.

GUJARAT

Dissolution of party: Shri Chimanbhai Patel, founder-President of the Kisan Mazdoor Lok Paksha Party announced dissolution of the party on February 11, as well as snapping of its ties with the ruling Janata Front. He said that barring one or two individuals of his dissolved party, the KMLP as a whole was politically exploited by the Front to remain in power.

Defeat of Ministry and Promulgation of President's rule: On March 12, the Janata Front Ministry headed by the Congress (O) leader Shri Babubhai Patel was defeated in the Legislative Assembly during a snap vote on budget demands pertaining to the Civil Supplies Department. After its defeat the Ministry resigned from office and President's rule was promulgated in the State. The Assembly was to be kept under suspension for the present. In his report to the President, the Governor Shri K. K. Viswanathan had indicated that he would ask the leader of the majority party in the Assembly to form a new Government after the situation in the State was stabilised.

HARYANA

New Acting Governor: The Chief Justice of Punjab and Haryana High Court, Justice R. S. Narula was sworn in as Acting Governor

of Haryana, on March 27, following the death of Shri B. N. Chakravarty earlier due to heart attack.

JAMMU & KASHMIR

Amendment of the State Constitution: On February 19, the State Assembly approved two amendments to the State Constitution providing, firstly, that the Speaker or the Chairman would, before accepting a resignation submitted by a member, satisfy himself that it was genuine; and, secondly, that the action of the Governor regarding his satisfaction before promulgating ordinances, would be conclusive and not questionable in any Court.

KERALA

Election of Speaker: On February 17, Shri T. S. John of the Kerala Congress was elected Speaker of the Legislative Assembly defeating Shri John Manjooran of the KSP.

Extension of term of Assembly: The life of the Legislative Assembly was extended for a further period of six months by an Act of Parliament. The Rajya Sabha passed the Bill on March 25 and the Lok Sabha on March 29.

MAHARASHTRA

Cabinet reshuffle: In a major cabinet reshuffle on February 25, the Chief Minister Shri S. B. Chavan dropped three Ministers, added nine new faces to the Ministry and revived the three-tier system bringing the total strength of the Ministry to 31. Earlier, on February 4, Shri A. R. Antulay, Minister of Housing, Law and Judiciary and Public Works had resigned due to his appointment as a general secretary of the AICC.

NAGALAND

Extension of President's Rule: On March 9, the Rajya Sabha approved a statutory resolution for continuance of President's rule in the State for a further period of six months from March 26. The Lok Sabha approved the resolution on March 11, when the Home Minister, Shri Brahmananda Reddy told the House that the time was not yet ripe for holding elections in the State.

ORISSA

Resignation of Governor: On April 16, the President accepted the resignation of the Governor, Shri Akbar Ali Khan, and appointed

Mr. Justice Shiv Narayan Shankar, Chief Justice of the Orissa High Court to perform the functions of the Governor until alternative arrangements were made.

PUNJAB

Creation of Legislative Council: On March 29, the Legislative Assembly adopted a resolution by a two-thirds majority urging Parliament to enact the requisite legislation for creation of a Legislative Council in the State.

RAJASTHAN

Reshuffle of Portfolios: The Chief Minister, Shri Harideo Joshi on April 16, announced a major reshuffle of portfolios among the Ministers. The portfolios allotted to the Ministers were as follows:

Cabinet Ministers: Harideo Joshi, (Chief Minister), personnel G.A.D.A., political affairs, cabinet, home (including civil defence), public grievances and industries; Parasram Maderna (Revenue Minister), revenue and land reforms, colonisation, relief and rehabilitation, Devasthan and food and civil supplies; Chandanmal Baid (Finance Minister) finance, excise and taxation, state enterprises and medical and health (including family planning); Shiv Charan Mathur (Planning Minister) Planning; Hiralal Devpura (Irrigation Minister) irrigation, Rajasthan canal, power, co-operation and labour and employment; Khet Singh (Law Minister) law and justice, legislative affairs and economics and statistics; Mohan Changani (Agriculture Minister) agriculture, animal husbandry (including dairies) and education Ram Narain Chowdhari (Public Works Minister) P.W.D., public health, engineering, ground water board and transport.

Ministers of State: Mrs. Kamla, public relations, Ayurved (all independent charge) medical and health (including family planning) and Labour and Employment; Jujhar Singh, Mines, Toursim, Soldiers welfare (all independent charge), Finance, Planning, Economic and Statistics and Excise and Taxation; Mool Chand Meena, Khadi gramodyog, Forest (all independent charge) Revenue and land reforms, colonisation and Devasthan.

TAMIL NADU

Merger of parties: On February 15, the Congress and the Congress (O) of Tamil Nadu and Pondicherry formally merged into a unified Congress Party. Shri K. Rajaram Naidu was elected as the leader of the 10-member party in the State Legislative Council.

UNION TERRITORIES

PONDICHERRY

Extension of President's Rule: On March 26, the President, Shri Fakhruddin Ali Ahmed through a notification extended President's rule in the Union Territory by one year.

DEVELOPMENTS ABROAD

AUSTRALIA

Boycott by Opposition: The official opening of the Parliament after the general elections by the Governor-General, Sir Jhon Kerr was boycotted for the first time in the country's parliamentary history by the Opposition Labour Party in protest against the Governor-General's dismissal of the Labour Government in November, 1975.

JAPAN

The Electoral system: On April 14, the Supreme Court declared the electoral system in the country to be unconstitutional, because it failed to provide equal representation or to give equal weight to each vote. The Court ruled by eight to seven majority that the election to the Lower House in 1972 from the Chiba prefecture, near Tokyo, was unconstitutional owing to inequality in the distribution of voters. A group of voters from Chiba had contended that a representative from their heavily populated district represented 381,000 voters while a seat in a rural district in central Japan represented only 79,000 voters.

JORDAN

Recalling of old Parliament and dissolution of Lower House: King Hussain, who dissolved the lower House of Parliament in November 1974 and amended the Constitution to postpone elections for a year, decided on February 6, not to hold them at all and recalled the old House in session.

On February 7, however, he again dissolved the Lower House of Parliament after its holding only one session to approve an amendment to the Constitution empowering him to postpone elections indefinitely.

MALAYSIA

New Prime Minister: The Deputy Prime Minister, Datuk Hussain Onn was chosen on February 15, as the new Prime Minister in succession to Mr. Tun Abdul Razak. In his new cabinet, he retained all the members of the existing cabinet except the Minister of Agriculture, Mr. Encik Ghaffar bin Baba. Dr. Mahathir bin Mohamed was appointed Deputy Prime Minister, retaining the Education portfolio.

New King: Sultan Tuanku Yahya Petra was installed as the sixth elected Yang Di-Pertuan Agong (King) on February 28.

PAKISTAN

Cabinet re-shuffle: The Prime Minister, Mr. Zulfikar Ali Bhutto, on February 5, reshuffled his cabinet for the fourth time since he came to power in December 1971. In the re-shuffle, he appointed the Army Chief of Staff, Gen. Tikka Khan as Special Assistant for National Security, with full cabinet rank, retained all members of his last cabinet, brought in two new Ministers and two Ministers of State, raising the strength of the Ministry from 21 to 26, some 15 months before the General Elections were due.

POLAND

Parliamentary elections: The elections to the 460-seat *Sejm* were held on March 21. According to the results announced on the next day, 98.27 per cent of the 24,069,579 registered voters had taken part in the election. The distribution of seats, however, remained unchanged as follows: PUWP 255, UPP 177, DP 39, and Independents 49, including 12 members of the two Roman Catholic Groups.

SENEGAL

Ceiling on political parties: Under a constitutional amendment and a new law on political parties, approved by the Government on March 10, the maximum number of parties permitted in the country was fixed at three, with the proviso that each of these parties would have to profess and define clearly a distinct ideology.

Succession of head of State: A further constitutional amendment submitted to the National Assembly on March 11, and subsequently approved, laid down a new procedure for the succession of the head of State. Instead of the existing provision that in the event of the

resignation, death or permanent incapacitation of the head of State, the President of the National Assembly would take his place *ad interim* and be charged with holding a presidential election within two months, the amendment provided that in such an event the head of State would be automatically succeeded by the Prime Minister, who would hold office until the expiry of the current presidential term.

THAILAND

Mid-term General elections: The Democratic Party of Mr. Seni Pramoj emerged as the largest party after the mid-term elections held on April 3, winning 119 seats out of 279 seats in the House of Representatives. The Thai National Party won 56 seats and the Socialist Action Party of the Premier Mr. Kukrit Pramoj obtained only 45 seats. In the new House, there would be 19 parties compared to 22 in the old Assembly. The new cabinet with Mr. Seni Pramoj as Prime Minister was sworn in on April 22.

UNITED KINGDOM

Effectiveness of parliamentary institutions and processes: On February 2, the Leader of the House of Commons, Mr. Edward Short initiated a debate on the effectiveness of the House of Commons with the objective to establish a reviewing committee consisting of a minority of co-opted outsiders from the academic world, business and trade unions to examine the procedures and practices of the parliamentary institutions. During the debate most members agreed on the need for reform of parliamentary procedures and practices.

Vote of Confidence: On March 10, the Labour Government headed by Mr. Harold Wilson was defeated in the House of Commons over a division on the Conservative amendment to the Government motion on the Public Expenditure White Paper. The Government, however, refused to accept the decision and on the following day (March 11) the Labour Party Government headed by Mr. Harold Wilson won a vote of confidence in the House of Commons by a 17-vote majority. Soon after, on March 16, Mr. Harold Wilson announced his intended resignation as party leader and Prime Minister saying that he had held the office long enough. He, however, agreed to stay until a successor was elected by the Labour Party.

New Prime Minister: Mr. James Callaghan, the Foreign and Commonwealth Secretary, became the fourth Labour Prime Minister on April 5, by defeating his only rival, Mr. Michael Foot in the third

ballot. His election assumes constitutional significance as it ends the convention that it is the sovereign who chooses the Prime Minister. Mr. Callaghan announced his new cabinet on April 8, with Mr. Anthony Crossland as Foreign Secretary, and Mr. Michael Foot becoming the leader of the House of Common. He continued the reconstruction of his Government involving both cabinet and other Ministers till April 14.

WESTERN SAHARA

New Republic: After the Spanish presence in Western Sahara came to an end on February 26, a Saharan Arab Democratic Republic was proclaimed in the territory at midnight on February 27-28, by the Popular Front for the Liberation of Saguia el Hamara and Rio de Oro (Polisario). The Democratic Republic on March 5, announced that a Government had been established on the national soil "consisting of a Prime Minister, three Ministers and four permanent secretaries".

DOCUMENTS OF CONSTITUTIONAL & PARLIAMENTARY
INTEREST

**I. Report of the Committee Appointed by the Congress President
(Swaran Singh Committee) to suggest amendments to the Consti-
tution.**

(Submitted on May 22, 1976)

The tentative proposals formulated by the Committee for amendment of the Constitution were circulated to all the Congress Chief Ministers and Pradesh Congress Committee Presidents for ascertaining their views.

The Committee held discussions on the proposals with members of the Congress Party in Parliament on May 10, 11, 12 and 14, 1976.

The Committee invited the Bar Associations of the Supreme Court and all the High Courts to send their representatives for eliciting their views on the proposals. The Supreme Court Bar, the All-India Bar, the Bar Council of India, and the Bars and Bar Councils of several High Courts responded to the invitation. Their representatives met the Committee from May 17 to May 20, 1976, and there was a free and frank exchange of views on the different aspects and implications of the Committee's proposals: A few individuals, including Shri P. K. Tripathi, Member, Law Commission and Shri Ramrao Adik, Advocate General of Maharashtra and representatives of organisations interested in legal and constitutional studies also met the Committee.

The tentative proposals received wide notice in the press and in public forums and several newspapers editorially commented on them and some carried special articles. A large number of written memoranda and opinions have been received from individuals, professional bodies, etc.

The Committee has given earnest attention and careful thought to the several views expressed. The discussions with members of Parliament and the representatives of the Bar have been particularly rewarding. They have greatly assisted the Committee in clarifying its own thoughts and views and have influenced it to some extent in modifying some of its earlier tentative proposals. The Committee's recommendations set out below are made in this background.

In making these recommendations, the Committee has kept before it certain important objectives. Our Constitution has functioned without any serious impediment during the past 26 years and more. While this is so, difficulties have been thrown up from time to time in the interpretation of some of its provisions, more particularly where they concern the right of Parliament to be the most authentic and effective instrument to give expression and content to the sovereign will of the people. It is the scheme of the Constitution that the three main pillars of our parliamentary democracy, namely, the Legislature, the Executive and the Judiciary have to function harmoniously if we are to achieve our desired objectives of securing to all citizens justice, social, economic and political. Ours is a dynamic, moving and changing society, and the need to quicken the pace of socio-economic progress of our people has never been more urgent. Some of the amendments to the Constitution that we have proposed have been conceived in this spirit. The Committee would like to emphasise that the respect of the people for the three organs of our democracy and their confidence in these organs have to be sustained and strengthened. An attempt has been made to clarify and define, where possible, with greater precision their respective functions in the light of the experience gained, so that our democratic institutions may work smoothly in an atmosphere of complete understanding.

I. SYSTEM OF GOVERNMENT

The Parliamentary system is the best suited to our country, and it is unnecessary to abandon it in favour of the Presidential or any other system. In a vast country like India, with the kind of regional diversity as we have, the Parliamentary system preserves best the unity and integrity of the country and ensures greater responsiveness to the voice of the people.

II. THE PREAMBLE

The Committee is of the opinion that the concepts of Secularism and Socialism should be clearly spelt out in the Constitution. It is

accordingly recommended that the Preamble should be amended by substituting the expression "Sovereign, Democratic, Secular, Socialist Republic" for "Sovereign Democratic Republic". It is also proposed that the words "and integrity" should be inserted after the word "unity".

III. AMENDMENT OF THE CONSTITUTION

The constituent power of Parliament to amend the Constitution as provided in article 368 should not be open to question or challenge. The Constitution is the supreme law of the country and any amendment thereof is as much a fundamental law as is the rest of the Constitution. Though the language of article 368, as it stands at present, is clear and categoric, it is considered necessary that the matter should be placed beyond doubt. It is accordingly proposed that a new clause may be inserted in article 368 to the effect that any amendment of the Constitution, passed in accordance with the requirements specified in that article, shall not be called in question in any court on any ground.

IV. POWER OF JUDICIAL REVIEW

(i) *Constitutional Validity of laws*

Article 13 of the Constitution expressly prohibits the making of any law which may be inconsistent with or in derogation of any of the fundamental rights. Articles 32 and 226 confer power on the Supreme Court and the High Courts respectively for the enforcement of fundamental rights. The legislative power of the Union Parliament and the State Legislatures is contained primarily in articles 245 and 246.

The constitutional validity of a law may be challenged on the ground that the subject-matter of the legislation is not within the competence of the legislature which has passed the law or that the law, or some provision thereof, is repugnant to a provision of the Constitution. The validity of a law can also be challenged on the ground that it infringes one of the fundamental rights contained in the Constitution.

At present, the constitutional validity of a law, whether Central or State may be challenged in any High Court or in the Supreme Court. The Committee is of the opinion that the Constitution should be suitably amended so as to provide that the constitutional validity of a Central Law and any rule, regulation or bye-law made there-

under may be challenged only in the Supreme Court. The constitutional validity of any State law and any rule, regulation or bye-law made under that law may be challenged in the High Court having jurisdiction in the matter, with a right of appeal to the Supreme Court. Where in a case the constitutional validity both of a Central law and a State law is challenged, the questions of law involved may be decided only by the Supreme Court. The number of judges of the Supreme Court who are to sit for the purpose of deciding any case involving a question of constitutional validity of a law shall be not less than seven, and the decision of the Court declaring a law invalid, must have the support of not less than two-thirds of the number of judges constituting the bench. The number of judges of a High Court for the same purpose shall be not less than five, and the decision of the Court declaring a law invalid must be supported by not less than two-thirds of the number of judges constituting the bench. In a High Court where the total number of judges is less than five, the full court shall sit, and the decision as to invalidity of a law should have the support of the whole court.

The Committee would like to observe that normally it should be presumed that Parliament or a State Legislature will take due care to ensure that any law passed by it will be strictly in conformity with the provisions of the Constitution. It is for the Executive as well as for Parliament and State Legislatures to devise suitable agency in this regard.

(2) *Article 226:*

The words "for any other purpose" in article 226 have given very wide powers to the High Courts in the matter of writ jurisdiction. While the jurisdiction conferred on the Supreme Court is restricted to the enforcement of fundamental rights, the High Courts have been given power to issue directions, orders or writs not only for the enforcement of fundamental rights but also for *any other purpose*. The words "for any other purpose" have given the High Courts an extraordinary jurisdiction which the Supreme Court does not enjoy. Experience has shown that it has not been possible to define, or to ascertain with any degree of certainty, the precise limits of this extraordinary jurisdiction. It was, however, represented to the Committee very forcefully, that the existence of these words in article 226 had proved to be the real constitutional safeguard for a citizen against what was broadly described as "bureaucratic excesses". It is of interest to point out in this connection that in 1954 a special Sub-Committee appointed by the Congress Working Com-

mittee, presided over by Shri Jawaharlal Nehru, made the following recommendation, which the Working Committee accepted at its meeting held on May 22, 1954:

Right to issue directions, orders, or writs should be restricted to cases in which there has been substantial failure of justice or where public interest so requires. Delete "for any other purpose" from last sentence of article 226(1).

One of the suggestions put forward to the Committee was that if this power enjoyed by the High Courts at present in regard to citizens' complaints against administrative abuses or excesses is to be taken away, a Tribunal somewhat on the French model may be constituted to deal with such complaints and provide appropriate remedies. The Committee feels that while this suggestion has certain undoubted merits, it may not be possible to adopt it at this stage as we have not yet developed a system of administrative law.

The Committee has considered the matter at great length. Keeping in view the recommendations of the special Sub-Committee headed by Shri Jawaharlal Nehru, and having regard to the several points of view expressed, the Committee would recommend the amendment of article 226 in the following manner:

- (i) The words "and for any other purpose" may be deleted.
- (ii) The existing power of the High Courts to issue writs for the enforcement of fundamental rights will continue. A new clause may be inserted in article 226 to the effect that the power conferred by clause (1) of that article to issue directions, orders or writs to any Government, authority or person may also be exercised by any High Court in cases in which there has been a contravention of any provision of the Constitution other than any fundamental right enumerated in Part III, or the contravention of any provision of a statutory law where such contravention has resulted in substantial failure of justice. The exercise of this power should, however, be subject to the proviso that where an alternative remedy is available under the Constitution or any provision of a statutory law, no such direction, order or writ shall be issued.
- (iii) Another new clause may be added to provide that a court empowered to issue a writ under this article shall not issue any interim stay or injunction or any other such

interim order, unless prior notice of the proposal to move the court in that behalf is served on the respondent and copies of all documents in support of the plea for stay or injunction or any other such interim order are filed in the court and served on the opposite party and opportunity given to the respondent to be heard.

(3) Service matters:

Administrative Tribunals may be set up both at the State level and at the Centre to decide cases relating to service matters. These tribunals shall be constituted under a Central law.

(4) Industrial and Labour disputes:

Provision may be made for setting up an all-India Labour Appellate Tribunal to decide appeals from Labour Courts and Industrial Courts.

(5) Matters relating to Revenue, Land reforms, procurement and distribution of foodgrains and other essential commodities.

Disputes relating to the following matters shall be decided by Tribunals:

- (i) Any matter concerning the revenue or concerning any act ordered or done in the collection thereof.
- (ii) Any matter relating to land reforms, ceiling on urban property, and procurement and distribution of foodgrains and other essential commodities.

In regard to the matters specified in (3), (4) and (5) above, the writ jurisdiction of the Supreme Court under article 32 and of the High Courts under article 226 shall be excluded.

The relevant statutes governing these matters will also make specific provision excluding the jurisdiction of courts over such matters. The right to apply for special leave under Article 136 of the Constitution from the decision of any tribunal shall however remain.

In the matter of constituting tribunals referred to above, it should be ensured that they inspire confidence among all concerned, and

that the members are persons of high standing possessing special knowledge and experience in the respective fields. The tribunals should not be single-member tribunals. The objective should be that the matters going before these tribunals are decided fairly and expeditiously.

(6) *Election matters:*

No writ shall lie in relation to election matters.

(7) *Article 227:*

Reference to tribunals in Article 227 should be omitted.

V. DIRECTIVE PRINCIPLES

Article 31C provides that no law giving effect to the directive principles specified in clause (b) or clause (c) of Article 39 shall be deemed to be void on the ground that it contravenes Articles 14, 19 or 31. It is proposed that the scope of the present Article 31C should be widened so as to cover legislation for implementation of all or any of the directive principles enumerated in Part IV of the Constitution, and that such legislation should not be called in question on the ground of infringement of any of the fundamental rights contained in Part III. Provision should, however, be made that no such law shall effect the special safeguards or rights conferred on the minorities, or the Scheduled Castes, the Scheduled Tribes or other backward classes under the Constitution.

VI. DISQUALIFICATION FOR MEMBERSHIP

(1) Under Articles 71 and 329A of the Constitution, disputed elections in relation to the offices of President, Vice-President, Prime Minister and Speaker, are to be decided by an authority or body to be created by a law of Parliament. It is felt that the Constitution should provide for another body or authority to determine all questions of disqualification (including the period of such disqualification) of members, both of Parliament and of State Legislatures. This body or authority may consist of 9 members 3 each from the Rajya Sabha and Lok Sabha and 3 to be nominated by the President. At present, this power is exercised by the President/Governor after consulting the Election Commission and in accordance with the Commission's advice.

(2) Article 102(1) (a) [and Article 191(1) (a) in the case of members of State Legislatures] may be amended so as to provide that a person shall be disqualified for being chosen as, and for being, a member of either House of Parliament (or either House of a State Legislature) if he holds any office of profit under Government declared by Parliament (or by the State Legislature in respect of its member) by law to disqualify its holder for such membership. The existing position has led to a great deal of uncertainty.

VII. EMERGENCY

Article 352: This article may be amended so as to clarify that the President may, if he is satisfied, make a declaration of emergency restricted in scope to such part of the territory of India as may be specified in the Proclamation. Provision may also be made to enable the President to lift the emergency from any part of the territory of India where emergency has been proclaimed.

VIII. CENTRE-STATE CO-ORDINATION

(1) Agriculture and Education are subjects of prime importance to the country's rapid progress towards achieving desired socio-economic changes. The need to evolve all-India policies in relation to these two subjects cannot be over-emphasized. It is, therefore, suggested that Education and Agriculture should be placed in the Concurrent List. It may be clarified that the administration of these subjects will remain with the State Governments.

(2) The Centre's help is often sought when there is a grave situation of law and order in a State. If the Centre is to be able to render help effectively to the States in such situations, it should have the power to deploy police or other similar forces under its own superintendence and control in any State. Suitable provision may be made in the Constitution for this purpose. Generally, however, the Centre should consult the States, if possible, before exercising this power.

IX. GENERAL

(1) Some of the proposals made by the Committee will involve consequential amendments to other provisions of the Constitution. Similarly, proposals regarding the vesting of exclusive jurisdiction in regard to certain matters in Tribunals will involve amendment of the relevant statutes. Suitable provision will also have to be made regarding pending suits in courts.

(2) The Committee feels that certain other provisions of the Constitution may need amendment to meet some administrative or procedural requirements. There are also provisions in the Constitution which have become obsolete or redundant and may therefore be deleted. Separate proposals will be made in this behalf.

(3) In the course of the Committee's deliberations, the subject of judicial delays was brought up very prominently. The Committee would like that Government and the Judiciary should give serious and urgent attention to this and devise effective measures to remedy the situation. Protracted judicial processes may often result in denial of justice, apart from the heavy cost to the affected parties.

II. Text of Resolution on Amendment of the Constitution of India as adopted by the All India Congress Committee on May 29, 1976

Our Constitution as originally adopted was a balanced document embodying the traditions and aspirations of our people. The framers of our Constitution were however acutely aware that a Constitution to be a living document has to be more than a manifesto and provide the legal instruments for translating ideals into practice in a changing society. The Constitution had to provide solutions to problems inherited from the past, those inherent in the present and those likely to emerge in the future. They knew that things which were still and rigid were more apt to break down under pressure. This had been seen to happen to rigid Constitutions whenever they were confronted with unpremeditated events. Indeed flexibility and responsiveness were the essence of any living social organism. Our Constitution makers clearly foresaw that our Constitution was not only capable of acting as a catalyst for change but was also capable of being altered whenever necessary in order to give fuller expression to the democratic egalitarian aspirations of our people and the demands and needs of the times. Jawaharlal Nehru made it clear that when the world was in turmoil and was passing through a very swift period of transition "what we may do today may not be wholly applicable tomorrow". It was because of this that our Constitution itself provides for its amendment by Parliament after following a specified procedure.

Almost within a year of the passing of our Constitution it had to undergo certain changes to ensure that the policy of the Congress

to abolish Zamindaris was not thwarted. More challenges had to be faced. Land Reforms Legislations in the various States and other beneficial measures to bring about social and economic justice were in danger of being struck down. Moreover by reason of the wide powers given to our High Courts under Articles 226 and 227 of the Constitution many administrative orders even of a minor character were being interfered with.

In April, 1954, the Working Committee appointed a Sub-Committee headed by Jawaharlal Nehru "to study the question of changes" in the Constitution. The Sub-Committee submitted its Report and on the 22nd May the Working Committee decided amongst other matters the following:

"Article 226—Powers of High Courts.—Right to issue directions, orders or writs should be restricted to cases in which there has been substantial failure of justice or where public interest so requires. Delete "for any other purpose" from the last sentence of the Article 226 (1).

"Article 227—Powers of Superintendence of High Court over Tribunals.—Powers of superintendence over the tribunals by the High Courts should be curtailed".

Thereafter for 15 years various amendments of the Constitution were made by Parliament to meet specific difficulties resulting from various judicial pronouncements made from time to time. Although the Supreme Court had in two of its earlier well considered judgements categorically held that Parliament had the power to amend Fundamental Rights, it reversed its earlier judgements by a majority of six to five. Prior to the General Elections in 1971 serious difficulties were placed in the way of our progress by certain judgements of the Supreme Court, which struck down one after the other the Bank Nationalisation Act and the Presidential Order abolishing Privy Purses.

The Nation faced a serious crisis. These judgements had the effect of negating for ever any attempt by India's Parliament to pass any progressive and welfare measures. It was in this background that Prime Minister Indira Gandhi took her historic decision to dissolve the 4th Lok Sabha more than a year before its term was to expire. The Congress then approached the people on the basis of its Election Manifesto in which it categorically stated:

“(a) The Congress is firmly convinced that the challenges posed by the present critical situation can be met only by the proper and effective implementation of a social and economic programme through democratic processes. The Congress wishes to emphasise that the policies and programmes to which it stands pledged are in accordance with the principles laid down in the Constitution of India.

“(b) The Directive Principles of State Policy provide that the “State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political shall inform all the institutions of the national life” (Article 38).

“(c) The Directive Principles further declare that the State shall in particular direct its policies towards securing:

“i. That the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

“ii. That the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment”. [Article 39(b) & (c)]. And the Constitution specifically enjoins that the State should apply these principles in making laws (Article 37).

“(d) However, as a result of certain recent judicial pronouncements, it has become impossible to effectively implement some of the Directive Principles of our Constitution.

“(e) The nation’s progress cannot be halted. The spirit of democracy demands that the constitution should enable the fulfilment of the needs and urges of the people. Our Constitution has earlier been amended in the interest of economic development. *It will be our endeavour to seek such further constitutional remedies and amendments as are necessary to overcome the impediments in the path of social justice.*”

The results of the 1971 Elections are well known. Congress was returned with more than 2/3rds majority to enable the Congress to honour its pledges.

Soon after the constitution of the present Lok Sabha and the formation of her new government by Prime Minister Indira Gandhi

certain important amendments were made in fulfilment of our Election pledges. Some Fundamental Rights were amended and it was made clear that while amending the Constitution under Art. 368 Parliament was acting in exercise of its constituent power so that no authority and no court could challenge Parliament's absolute right to do so. Unfortunately in 1973 the Supreme Court by a majority judgement of 7 to 6 restricted Parliament's absolute authority to amend the Constitution and made it subject to what the majority in the Supreme Court described as the "basic structure" of the Constitution although such an expression or concept is not to be found anywhere in the Constitution. Supreme Court also did not point out what this basic structure was. An unwarranted limit has been sought to be imposed upon the supremacy and sovereignty of Parliament in the matter of bringing about Constitutional Amendments. This needs to be clarified and Parliament's supremacy clearly established.

The Congress at the Komagata Maru Nagar plenary session passed an unanimous Resolution categorically saying:

"If the misery of the poor and vulnerable sections of our society is to be alleviated, vast and far-reaching changes have to be effected in our socio-economic structure. Our Constitution is not a constraining force, nor just a static document; it has to be a dynamic instrument of change embodying the enduring values and aspiration of our people. It has to provide solution to problems inherited from the past, those inherent in the present and those likely to emerge in future. History records that rigid Constitutions, incapable of being altered to meet the aspirations of the people and the changing needs of the times invariably collapse under the strain of unforeseen events. Flexibility and responsiveness are the essence of any living social organism such as a Constitution. Form and letter must inevitably change in order to preserve the spirit. It is, therefore, of supreme importance that our Constitution must itself serve as an instrument of change and also be capable of being altered, whenever necessary, in order to give fuller expression to the democratic and egalitarian aspirations of our people. The founding fathers of our Constitution clearly accepted this concept and embodied it in the Constitution itself. Nothing can be sacrosanct which is not able to meet the challenges of changing times squarely. The Congress, therefore, urges that our Constitution be thoroughly re-examined in order to ascertain if the time has not come to make adequate alterations to it so that it may continue as a living document, effectively

responding to the current needs of the people and the demands of the present."

The President of the Congress thereafter appointed a Committee with Sardar Swaran Singh as Chairman to go into the question of amending our Constitution. This Committee met on several occasions and discussed the question with a large number of people both individually and on a representative basis. Chief Ministers, Pradesh Congress Presidents and Congress Members of Parliament have been consulted as well as a number of Bar Associations from all over India.

The Congress is wedded to a democratic way of life and this is embodied in our Constitution. The Parliamentary system ensures the unity and integrity of the country. The secular way of life adopted by our people and the socialist objective should be reflected in the Preamble and the addition of the word 'integrity' after 'unity' will be a constant reminder to the Nation to counter fissiparous tendencies.

It is necessary to clarify with greater precision the respective domains of Parliament and the Judiciary so that these organs along with the Executive may function smoothly and cooperatively in an atmosphere of understanding. A cloud having been cast on the supremacy of Parliament acting in its constituent capacity in the matter of amendment of the Constitution it has therefore to be specifically provided in our Constitution that any amendment of the Constitution in accordance with the procedure laid down in the Article 368 would be beyond challenge in any court of law.

Challenges to laws enacted by Parliament and State legislatures on the ground that they are not in accordance with the provisions of the Constitution will continue to be examined by courts of law. Provision is, however, made that this power will rest only in the Supreme Court in the matter of Central Acts whereas the validity of State legislation under the Constitution can also be challenged in the High Courts. In both cases a special majority in the Benches will be necessary to invalidate the enactments.

The Congress has already initiated action for implementing its socio-economic programme to bring about far-reaching changes for the benefit of the poor and under-privileged sections of our community. The Directive Principles should have overriding priority over other provisions of the Constitution. It is necessary to ensure that

legislation undertaken in this respect particularly in pursuance of the Directive Principles contained in our Constitution is not challenged in any court of law, by invoking any other provision of the Constitution.

High Courts at present have to deal with diverse matters many of which require specialised knowledge and expertise. The extraordinary writ jurisdiction of the High Courts has been invoked in matters relating to Services, Labour, Tax, Land Reforms and procurement and distribution of food and other essential commodities. Apart from delay, these matters are dealt with in the High Courts in a legalistic manner, to make sure that these cases are quickly disposed of, it is proposed that special and expert tribunals should be established and the High Court thus be relieved of a large volume of work in this respect. For the other cases the High Courts will continue to exercise their power of enforcing fundamental rights and dispensing justice where statutory law or constitutional provisions have been contravened. As the tribunals will be high powered, the High Courts will not have the right of review with regard to them. However, the power of the Supreme Court to grant special leave in all cases disposed of by the High Courts and tribunals is retained.

In the matter of division of function and responsibilities between the Centre and States, the main structure is being kept intact.

Keeping in view the demands of changing world, certain standards in the field of education on a national basis have to be evolved so that no State remains at a disadvantage with regard to employment and economic development. Education has to be a major instrument in achieving national integration. Hence, the recommendation that education should be in the concurrent list.

In view of the vast problems that we face in the sphere of agriculture, a coordinated and comprehensive approach at the national level is absolutely essential. No problem relating to agricultural development can be solved by States acting in isolation. Agricultural development has to conform to a national plan.

The entire administrative control regarding education will, however, be with the States.

Law and order continues to be a State subject but the changes which have been suggested are only for the purpose of enabling Central Government to assist the State Governments in a more effective manner.

The AICC commends the Report of the Committee for examination by Government of India with a view to undertake appropriate amendments for implementing the principles contained in the Report. The AICC notes with satisfaction that the Congress President has asked the Committee to examine some other provisions of the Constitution and the recommendations of the Committee in that regard may also be sent to Government for examination and appropriate action.

The AICC suggests that the Committee appointed by the Congress President to suggest amendments to the Constitution of India should also formulate some proposals for inclusion in the Constitution of certain Fundamental duties and obligations which every citizen owes to the nation, *inter alia*, to function in such a manner as to sustain and strengthen the integrity and unity of the nation; to act in accordance with the Constitution and the laws of the land to maintain discipline in every sphere; to honestly perform all public duties and to safeguard public property.

SESSIONAL REVIEWS

The Budget Session of Parliament commenced on March 8, 1976. This was the sixteenth session of the Fifth Lok Sabha and the 95th and 96th sessions of the Rajya Sabha. The Lok Sabha adjourned *sine die* on May 27, 1976 having in between adjourned for a break from April 15 to 25, 1976. Rajya Sabha which began its 95th session simultaneously with Lok Sabha on March 8, adjourned on April 3 and reassembled for its 96th session on May 10. It adjourned *sine die* on May 28, 1976. A resume of some of the important discussions and legislative business transacted by the two Houses during the session is given below:

I. LOK SABHA*

A. DISCUSSIONS

Railway Budget: The Railway Budget for 1976-77 was presented to Parliament by the Minister of Railways, Shri Kamalapati Tripathi on March 10, 1976. Initiating the discussion in Lok Sabha on March 12, Shri Samar Mukherjee, *inter alia*, regretted that the old attitude of the Railway administration had not changed towards the employees who participated in the Railway strike and urged upon the Government to pay attention to the grievances of the railwaymen.

Replying to the four-day discussion on March 18, the Minister of Railways said that in formulating the budget, he had been guided by three considerations, namely, service of the country, development of the backward areas and making railways financially viable. For ensuring workers' participation in the management, shop councils and joint councils had been set up in production units. A machinery

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

for hearing the grievances of the workers at least once a month was also being set up, he added. The Minister announced that to cope up with the increased demand for dieselization of railways, a factory had already been set up for manufacturing diesel locomotives. With a view to making the Railway Protection Force—a purely watch and ward organisation—effective in checking pilferage in railways it was being vested with challan and investigation powers.

Referring to the suggestion regarding connecting all the State Capitals with Delhi, he said that it would entail heavy investment. He, however, assured the House that the Government would try to do something in this regard.

The General Budget—General Discussion: The Finance Minister, Shri C. Subramaniam, presented the General Budget for 1976-77 to Lok Sabha on March 15, 1976.

Shri Indrajit Gupta initiated the discussion on the Budget on March 18. Among other things, he observed that by and large the budget was meant to mollify the rich classes in the country and, to some extent, to soften up the urban middle class. Further, the role of foreign aid in sustaining the budget had assumed dangerous proportions, which required to be looked into.

Replying to the three-day discussion on March 23, the Minister of Finance observed that the basic policy of the Government was the removal of poverty existing on an extensive scale in the rural sector. This, he added was possible only by improving the wealth-producing capacity in that sector. The Government, he said, was equally interested in the rapid development of the Industrial Sector, which comprised both public and private sectors.

Defending the package of incentives given to the private sector, he remarked that as a Finance Minister he could not throttle the private sector and try to have a growth only in the public sector. Justifying the continuance of the Compulsory Deposit Scheme for another year he said that it was meant to contain inflation.

As regards foreign aid, the Finance Minister admitted that the tempo of borrowing had gone up during the last few years. But the debt servicing charges today come to only about 18 per cent of the export earnings, which, he contended, were within a reasonable limit.

Concluding, the Finance Minister maintained that the present budget was not going to be inflationary. The way in which investments and resources were utilised during the year would largely determine whether the Budget proposals were inflationary or not. He expressed the hope and confidence that the country would have greater growth and greater prosperity and would set in motion a new dynamism in the economy.

Discussion on Demands for Grants: General Discussion on the Budget was followed by a discussion on the Demands for Grants of individual Ministries.

Home Affairs: Shri Om Mehta, Minister of State in the Ministry of Home Affairs, intervening in the discussion on the Demands for Grants of the Ministry of Home Affairs on March 31, informed the House that the Government was examining the question of taking service matters of its employees outside the jurisdiction of Courts and the setting up of Administrative Tribunals to deal with such matters. Shri K. Brahmananda Reddy, Minister of Home Affairs, replying to the debate on April 2, observed that the greatest achievement of the emergency was the containment of inflation. The other biggest gain, according to him, was that the atmosphere of diffidence, which was prevalent in the entire society in 1974 and early 1975, had yielded place to one of confidence.

External Affairs: In the course of his reply to the discussion on the Demands of his Ministry, the Minister of External Affairs, Shri Yeshwantrao Chavan on April 8, expressed the hope that Bangladesh would give up its unrealistic move to internationalise the Farakka issue and settle it in a spirit of cooperation. About relations with the United States and the Soviet Union, he said there was no question of bracketing them together because they were qualitatively different. The Soviet Union, he observed, had stood by India in difficult times and helped us in the economic and industrial progress.

Health and Family Planning: The Minister of Health and Family Planning, Dr. Karan Singh, replying to the demands for Grants in respect of his Ministry contended that the new population policy of the Government was not anti-children or anti-family. What the Government was striving for was to ensure that children have the necessary nutrition and the facilities to flower into healthy citizens.

Indo-Canadian Nuclear Cooperation: Making a statement on May 20, 1976, the Minister of External Affairs, Shri Yeshwantrao Chavan said that the Canadian Secretary of State for External Affairs had

informed him on May 18, 1976 that further nuclear cooperation with India was not possible. He recalled that Indo-Canadian discussions had been going on for two years to resolve differences on nuclear matters stemming from Canada's decision to suspend nuclear cooperation with India after May 18, 1974. During the discussions, he added, it was explained to the Canadian side at the highest level that in conducting a peaceful nuclear explosion, India had not violated any provisions of any agreement with Canada. This fact was subsequently recognised by the Canadian Government. Canada was also assured of India's desire to cooperate in achieving the common goal of general and complete disarmament including the nuclear disarmament. All that the Government had asked of Canada was that she should fulfil her contractual obligations under the existing cooperation agreement. It was regrettable that after long months of continuous dialogue, the Canadian Government had now decided to turn its back on the negotiated settlement and its contractual obligations. The Government of India, he said, was examining the various implications of the Canadian Government's announcement and would take appropriate steps after the review had been completed.

Indo-Sri Lanka pact on Maritime Boundary etc: On March 24, 1976, the Minister of External Affairs informed the House that two agreements had been signed between India and Sri Lanka. The first related to the Maritime Boundary between the two countries in the Gulf of Mannar and the Bay of Bengal and related matters. Consequent upon the signing of that Agreement, there was also an Exchange of Letters regarding the regulation of fishing by Sri Lanka's fishing vessels in the Wadge Bank. This Exchange of Letters also constituted another agreement between the two countries.

Shri Chavan also recalled that the maritime boundary between India and Sri Lanka in the Palk Bay had been settled by a similar Agreement in June, 1974. With the signing of the present Agreement, the maritime boundary between India and Sri Lanka stood settled along its entire length. The two countries would exercise full sovereignty and absolute jurisdiction on their side of the maritime boundary.

Relations with People's Republic of China: Shri Chavan informed the House on April 15, 1976 that in pursuance of India's policy to develop amicable relations with all countries, notably her neighbours, the representatives of the two governments in Delhi and Peking discussed the question of restoring the level of diplomatic representation in both countries to the Ambassadorial status. Shri K. R. Narayanan, proposed to be designated as Ambassador to China, would take up his assignment in about two months. He hoped that

the initiative for raising the diplomatic level by India in Peking would be followed by a similar move by the Government of the People's Republic of China.

Indo-Pakistan Accord: In a statement made to the House on May 18, the Minister of External Affairs informed that the joint statement issued after the last round of talks held during May 12 to 14, 1976 in Islamabad between India and Pakistan, embodied an agreement to restore all the severed links between the two countries. In respect of some of the items, further technical level contracts might be necessary to work out the detailed arrangements for resumption of links. It had subsequently been agreed that the entire package deal embodied in the Joint Statement would be put into effect more or less simultaneously between July 17 and 24, 1974.

Shri Chavan also placed the texts of the Joint Statements and the letters exchanged between the two Prime Ministers on the Table of the House.

Sharing of Ganga Waters with Bangladesh: Making a statement in response to a Calling Attention Notice by Shri Samar Mukherjee, Shri Chavan said on March 9 that in pursuance of the Agreement concluded on April 18, 1975 between the two countries on the operation of the Farakka Barrage, the Government of India had extended an invitation to the Bangladesh Government to hold talks for the utilisation of the Ganga waters at Farakka during the lean season. It would be in the interest of both India and Bangladesh to discuss and settle without any pre-conditions, and in a spirit of mutual understanding and constructive cooperation, the problem of the Ganga waters, he said.

President's Rule in Tamil Nadu and Gujarat: Two Statutory Resolutions relating to the proclamation of President's Rule in two States viz., Tamil Nadu and Gujarat under Article 356 of the Constitution were moved in the House on March 9 and 12, respectively, by the Minister of Home Affairs, Shri K. Brahmananda Reddy.

Referring to the Report of the Governor of Tamil Nadu, laid on the Table of the House on February 2, 1976, Shri Reddy said that the Governor had mentioned a series of acts of mal-administration, corruption and misuse of power on the part of the DMK Government. Replying to the two-day discussion on March 10, the Minister observed that the President's rule in the State had been imposed after reviewing the totality of the picture. He assured the House that it would be the endeavour of the Government to ensure a clear and efficient administration in the State and efforts would be made to

step up the tempo of development. After the Minister's reply, the Resolution was adopted.

Moving the Resolution regarding Gujarat, the Minister said that a situation had arisen in that State when the Government could not be carried on in accordance with the provisions of the Constitution. And in view of the Governor's report to this effect, the Central Government had no alternative but to impose the President's Rule in that State. The Resolution was adopted after a brief discussion and the Minister's reply thereto.

Price, Procurement and Distribution Policy of Rabi Marketing Season: The Minister of State in the Ministry of Agriculture and Irrigation, Shri Annasaheb P. Shinde, informed the House on March 25, 1976 that there would be no change in the procurement price of wheat in the coming rabi season. The Government had accepted the recommendations of the Agricultural Prices Commission and decided to maintain the procurement price at Rs. 105 a quintal. The issue price of wheat for public distribution system would be maintained at the present level of Rs. 125/- a quintal. The Government, he added, would continue its policy of maximising procurement for the purpose of building up buffer stock. The all-India target of wheat procurement had been fixed at 5.198 million tonnes. The incentive bonus scheme for supplies to the Central Pool would be continued and the bonus amount would be utilised to supply fertiliser and other inputs to farmers.

Oil prospects: On March 8, 1976, the Minister of Petroleum, Shri K. D. Malaviya, informed the House that oil and gas had been found in a 71-metre thick lime-stone section off the western coast near Bombay. Preliminary testing, he added, had indicated good production characteristics. In order to get a quick idea of the potential of the Bassein Structure as well as the prospects of the neighbouring area, a programme had been chalked out for commencing exploration and appraisal drilling. The new discovery, he added, would take the country one more step towards the goal of self-sufficiency in oil.

In another statement made on May 25, 1976, Shri K. D. Malaviya informed the House that commercial production of crude oil in Bombay High had commenced on May 21, 1976 i.e., in a period of about 27 months. It was considered to be a highly satisfactory rate of progress by international standard.

Multi-national Corporations: Initiating a discussion on a private Members' Resolution on multi-national Corporations on April 15, 1976, Professor H. N. Mukherjee said that such corporations numbering 540 as on March 31, 1974, were frustrating the national economy of

the country. It had been recognised on all hands that they were dangerous not only to the developing countries, but also to the developed countries. In short, they were the biggest single menace to independence and to the democratic forms of Government. In view of the terrific danger posed by them, Professor Mukherjee demanded that something serious should be done by the Government in the matter.

The Minister of Industry, Shri T. A. Pai, intervening in the discussion on April 30 denied that the Government was either encouraging or inviting the multi-nationals to come to India. On the other hand, he observed, the Government was conscious of the need to safeguard the country's interests against their activities and would not hesitate to blacklist them if there was a hostile subversion by any company. India, he added, strongly supported the efforts being made by the United Nations in evolving a code of conduct for the multi-nationals and UNIDO's efforts at evolving a system of transfer of technology to developing countries through it.

After Professor Mukherjee had replied to the discussion the Resolution was put to vote and negatived.

Code of Journalistic Ethics: The Minister of Information and Broadcasting, Shri Vidya Charan Shukla, on May 27, 1976, informed the House that the All-India Newspaper Editors' Conference had unanimously evolved and finalised a Code of Journalistic Ethics in order to maintain proper standards in the Indian Press and in Indian journalism. The Government, he added, was in agreement with it. The Central Committee of Editors had recommended that the Code should be accorded the sanctity of law. The need for legislation on the subject was under the consideration of the Government. A copy of the Code was also placed on the Table of the House.

Report of the Committee on the Status of Women in India: Moving a Motion on May 25, 1976 that "this House do consider the Report of the Committee on the Status of Women in India, laid on the Table of the House on February 18, 1975", the Minister of Education, Social Welfare and Culture, Prof. S. Nurul Hasan said that the Report was a comprehensive document containing extremely valuable recommendations on different aspects of the welfare of women, particularly the removal of discrimination against them. The Government, therefore, immediately constituted an inter-Ministerial group to examine the various recommendations. The National Committee adopted a "blue print of action" which made proposals for various legislative and administrative measures in regard to education, employment facilities for working women, care for the socially disadvantaged women, promotion of volun-

tary efforts in the field of women's welfare and the setting up of a machinery for implementation.

Replying to a two-day discussion on May 27, the Minister said that on the basis of the recommendations of the National Committee for the International Women's Year, a "National Committee on Women" would be set up under the Chairmanship of the Prime Minister herself, with representatives from all walks of life including the women Ministers of State Governments. He added that the State Chief Ministers were being requested that they should also constitute similar Committees in the States under their chairmanship.

Tributes to Pandit Jawaharlal Nehru: On May 27, 1976, the Speaker, Shri B. R. Bhagat, paid a tribute to the memory of Pandit Jawaharlal Nehru on the occasion of the 12th Anniversary of his death in the following words:

"The whole nation remembers the many glorious services of this great leader to our country. We in Lok Sabha recall with gratitude his love for Parliamentary Democracy. Among other things, he gave us a memorable preamble to our Constitution which has laid the firm foundation of an egalitarian society in which social and economic justice have primacy. As Prime Minister and Leader of the House for nearly two decades soon after our Independence, he guided us in the practice of the Parliamentary form of Government and zealously guarded the functioning and powers of this House in the governance of our country. . . . We pray that his spirit may strengthen our resolve to keep alive the many treasured traditions that he helped in building for us over the years."

B. LEGISLATIVE BUSINESS

Finance Bill, 1976: Moving the motion that the Finance Bill, 1976 be taken into consideration, the Finance Minister, Shri C. Subramaniam, on May 12, 1976, announced relief and reductions in indirect taxes and some changes in direct taxes. The principal changes in the sphere of indirect taxes included reduction in the rates of duty on fine and superfine fabrics manufactured in powerlooms, on superfine and fine handloom processed fabrics, printing and writing paper, tyres, tubes and batteries supplied as original equipment in agricultural tractors, roofing tiles and starch and reduction of import duty on copper and rolled grain oriented steel. In the sphere of direct taxes, the Finance Minister announced hundred per cent reduction in taxable income of donations made for the promotion of family planning. Additional facilities allow-

ance received by members of Parliament was made completely tax free. He also announced certain modifications in the scheme of taxation of royalties.

The Minister of State in charge of the Department of Revenue and Banking, Shri Pranab Kumar Mukherjee, participating in the discussion on May 14, 1976, ruled out any liberalisation of the present credit policy, which he termed as "selective credit policy". Defending the concessions extended to a particular industry, Shri Mukherjee observed that it was aimed at full utilisation of industrial capacity which had been created out of scarce capital.

Dealing with the demand for increasing institutional credit facilities in rural areas, the Minister said that by no stretch of imagination would it be possible to cover 600 thousand villages within a period of 10 to 20 years. It was essential to strengthen cooperative credit societies and where such societies did not exist, the State Governments had been requested to take care of the problem and to institute an alternative machinery through which assistance could be provided to rural people.

Replying to the discussion on May 17, Shri Subramaniam conceded that there existed some imbalance between the agricultural and industrial prices. He suggested that there was a need for Commodity Councils on the lines of the Agricultural Prices Commission in respect of essential goods consumed by rural population.

Reviewing the progress and achievements since the emergency, the Minister said that the Government had fully grasped the opportunities thrown up by the new situation. The nation, he added, had entered a new era of progress and social regeneration.

Constitution (Forty-Second) Amendment Bill: Moving the Motion for consideration of the Bill, introduced on May 21, 1976, the Minister of State in the Ministry of Law, Justice and Company Affairs, Dr. V. A. Seyid Muhammad said that clause 2 of the Bill proposed to substitute article 297 of the Constitution by a new article by including in it a new expression "exclusive economic zone of India". Sub-Clause (3) of the new article stated that the limits of the territorial waters, the continental shelf, the exclusive economic zone and other maritime zones of India would be such as might be specified, from time to time, by or under any act made by Parliament. Clause 3 of the Bill sought to include certain Central and State enactments in the Ninth Schedule to the Constitution.

Replying to the brief discussion which ensued, the Minister said that in recent international negotiations substantial consensus had

emerged with regard to having a 12-mile limit of territorial waters, a 200-mile exclusive zone and two hundred miles of wider continental shelf. The proposed amendment was only an enabling provision and it would enable Parliament to specify the limits by law.

Defending the inclusion of measures other than those relating to agrarian reforms in the Ninth Schedule, the Minister explained that the Motor Vehicles Act was covered to protect steps taken to nationalise road transport—a subject of public interest—which was in jeopardy as some writ petitions were pending in the Courts. He also held that Prevention of Publication of Objectionable Matter Act which wanted to put a reasonable control on the Press, was being included in the Ninth Schedule in the public interest.

Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Amendment Bill: On March 24-25, 1976, the House discussed together the Bill and the Statutory Resolution moved by Shri Dinen Bhattacharya seeing disapproval of the Ordinance promulgated by President on March 1, 1976. Piloting the Bill, the Deputy Minister in the Ministry of Finance, Shrimati Sushila Rohatgi said that according to the existing system, the Comptroller and Auditor-General was responsible not only for the audit of the accounts of the Union, but also for compiling and keeping the accounts of most Departments and services of the Government. With the increase in the volume and variety of Government business and the continual step-up of development outlays, the present conventional system in which the rules of audit and accounts-keeping were combined in a single organisation, had proved inadequate to the requirements of modern financial management. Based on the recommendations of the Group of Ministers on Administration, a decision was taken to instal a system of departmentalised accounting by separating accounts from audit as part of an overall scheme of reforms in Financial Administration. It was proposed to complete the separation of accounts from the audit in all Ministries and Departments of the Government of India during the year 1976-77 in three phases.

Replying to the discussion on March 25, 1976, the Minister of Finance Shri C. Subramaniam said that the original Act passed in 1971 provided that the President could by an order separate the accounts. Since the Government was making a departure in principle, it was thought better to bring it to the notice of Parliament.

Commending the Bill to the House, the Finance Minister said that the functions of the Government were not restricted to main-

tain law and order as in the past, but during the course of years, there was considerable expansion in the economic activities. Therefore, when it functioned as an economic development unit, it had to use all the methods of modern management system, management account system and management audit system for discharging its functions effectively and efficiently.

Rejecting the suggestion that the Bill be referred to a select committee, the Finance Minister observed that it was a very simple measure, the principle whereof had already been provided for in the Act of 1971, which had the sanction of the Joint Select Committee as also of the Parliament.

After the Minister's reply, the Bill was passed.

C. THE QUESTION HOUR

During this Session, 10,193 notices of questions (7,489 Starred, 2,670 Unstarred and 34 Short Notice) were received. Out of these, 816 Starred and 3977 Unstarred Questions were admitted. Out of 816 questions (including 15 admitted Starred Questions and printed in Lists but subsequently postponed or transferred to other Lists) admitted as Starred, 379 questions only were reached for oral answers in the House and replies to 422 Starred Questions were laid on the Table of the House as is done in the case of Unstarred Questions. Three Short Notice Questions were admitted. After the Lists of Questions were printed, 96 Unstarred Questions were deleted from the Lists on account of their being transferred from one Ministry to another.

Each of the Lists of Starred Questions contained 20 questions except those of 26th April, 1976, 30th April, 1976, 5th May, 1976, 6th May, 1976, 7th May, 1976 and 14th May, 1976 which contained 21 questions, that of 27th April, 1976 which contained 24 questions and that of 12th May, 1976 which contained 25 questions. The average number of questions orally answered on the Floor of the House on a single day when there was Question Hour was $9\frac{1}{2}$. The maximum number of questions answered was 12 on 9th March, 1976, 1st April, 1976, 8th April, 1976 and 11th May, 1976. The minimum number of questions answered orally was 7 on the 23rd March, 1976, 28th April, 1976 and 30th April, 1976. The average number of questions in Unstarred Lists came to 99 as against the prescribed limit of 200 questions. The maximum number of Unstarred Questions in a day's List was 154 on 30th April, 1976 and the minimum number was 66 on 26th March, 1976.

II. RAJYA SABHA

NINETY-FIFTH SESSION

A. Discussions

The Budget (Railways) 1976-77.—The Budget (Railways) for 1976-77, laid on the Table of the House on March 10, 1976, was taken up for discussion on March 17. Initiating the discussion, Shri Jagjit Singh Anand, *inter alia*, welcomed the increase in the productivity of the Railway by 33 per cent but observed that the Budget was lacking in perspective insofar as not a single new railway line had been proposed. The Budget of a developing country where development of the lines of communication was most important, would not be of the type of what has been presented, he added.

The Member pointed out that though the concept of Workers' participation in the management had been extended in some cases in the Railways, this had resulted in either the nominees of the officers at the top being given representation or a nominal representation having been given to the recognised union. He wanted this situation to be rectified. He also urged for an improvement in the housing facilities for railway workers at various places.

On March 22, the Minister of Railways replied to the discussion on the Budget and expressed his happiness over the fact that the Budget had not only been welcomed and supported, but valuable and constructive suggestions had also been given by Members to make the working of the Railways more efficient and prompt.

The Minister observed that the Railway were now running on a very sound footing and improved law and order situation in the country had also contributed to the better performance of the Railways.

Referring to the demand made by some Members for the reinstatement of the railway employees suspended or dismissed during the last railway strike, the Minister informed the House that during the strike, in all 16,800 employees had been suspended, out of whom 16,000 had already been taken back. Some of the remaining 800 employees had taken their cases to the courts. There were only 294 persons, whose appeals had been rejected on the grounds that they had instigated the other employees, prevented them from going to work and had created obstructions in the maintenance of law and order. These could not be taken back at all, the Minister said.

So far as the workers' participation in the management was concerned, concerted efforts were being made, according to the Minister, to see that the workers had the maximum say in the management in accord with the policy and principles formulated by the Ministry of Labour. Only two Federations had been recognised and their nominees were taken on the staff councils. The question of taking the representatives of those who did not belong to either of these Federations was also under consideration, he assured.

Regarding the demands made for opening of new railway lines, the Minister said it was not possible to meet all these demands because of the limited resources. Rs. 300 crores had, however, been sanctioned which were meant only for the 14 projects which had already been sanctioned.

The Budget (General) 1976-77.—The Budget (General) for 1976-77, laid on the table of the Rajya Sabha on March 15, 1976, was discussed in the Rajya Sabha on March 23 and 24, 1976. The discussion was initiated by Shri S. G. Sardesai. Characterising the Budget as a Budget with a difference, he said no one could deny that certain features of the Budget were really good. There was no rise in excise duties and that was the main reason why there was no general rise in the prices of consumer goods. There was, therefore, a certain amount of relief among the people. However, there were three points which really prejudiced the country's long-term interests for the sake of some immediate gain. Firstly, the Budget placed a very great reliance on the profit motive of the private sector for the purposes of generating savings and investments. Secondly, so far as the internal financial resources to be raised were concerned, the Budget was gravely dependent upon the huge deposits of the impounded dearness allowance and the wages of the workers and also of the banking system and similar institutions of the country. And thirdly, so far as foreign resources were concerned, it was very heavily dependent on foreign aid and on foreign exchange resources.

Intervening in the discussion on March 24, Shri Pranab Mukerjee, Minister of State incharge of the Department of Revenue and Banking, said that the Budget, to some extent, was a laboratory Budget in the sense that the Government had some experiences in the economic arena for quite some time, and if some of the Budget formulations were the outcome of these experiences, there was nothing wrong in it. Referring to the doubt expressed by some

Members about the unbridged gap of Rs. 320 crores, he said that since the country was quite comfortable on the food front, the unbridged gap might not be in a position to disturb the economic stability.

Shri C. Subramaniam, Minister of Finance, replying to the discussion on March 25, said that the performance of the country's economy would have to be judged in the context of the international developments that had taken place, because no country, not even the socialist countries, could function in isolation.

The Government tried to take very hard decisions to meet the situation that followed the post-war inflationary spiral, and from October, 1974 onwards, the impact of those measures had become clearly visible. Prices had started coming down, at the wholesale level. And then came the emergency. Its impact was found on the retail prices also. Therefore, while the strong European economy was in doldrums, India was able to achieve a certain amount of price stability. It was really something about which the whole nation should be proud.

Approval of President's Rule in Tamil Nadu and Gujarat.—The Resolution seeking approval for the Presidential Proclamation of the 31st January, 1976, in relation to the State of Tamil Nadu, laid on the Table on February 2, 1976, was moved by the Minister of Home Affairs on March 8, 1976.

Besides repeating what he had said earlier in Lok Sabha about the reasons that necessitated the President's rule in the State, the Minister referred to the recommendation of the Governor about the appointment of a high-powered commission to inquire into the allegations against the erstwhile DMK Ministry. He announced that a Commission of Inquiry consisting of a sitting Judge of the Supreme Court had since been appointed to inquire into the allegations with a view to restoring public confidence in administration.

According to the Home Minister, while mal-administration, mal-practices and partisan interference in the administration had become the order of the day, the DMK Government of the State continued to adopt a policy of calculated indifference to the instructions of the Central Government. The decision to proclaim President's Rule in the State, the Minister added, had been welcomed by all sections of the people of Tamil Nadu. The paramount task now was to give the people of Tamil Nadu a clean and efficient administration and ensure accelerated progress in all spheres.

While replying to the debate on the Resolution, the Minister disclosed that DMK leaders in the state had also threatened to revive the demand for secession if State autonomy was not conceded. At the Party's Fifth State Conference at Coimbatore on 25—28th December, 1975, it was declared that if the Party's demand for State autonomy was not conceded, the DMK would have no alternative but to revive its demand for separation.

The idea of secessionism, the anti-Hindi propaganda and a campaign of calumny carried on persistently against North India had been kept alive in the State by DMK so that it could be exploited to the best advantage of the party at any given time. If in Tamil Nadu there was a DMK Government, it did not matter. But when things like these were indulged in for purely partisan ends, for purely small, narrow political ends, it was dangerous to the unity and integrity of the country.

The Resolution was adopted on the same day.

On March 22, 1976 Shri K. Brahmananda Reddi, moved the Resolution seeking the approval of the House for the Proclamation issued by the President on the 12th March, 1976 in relation to the State of Gujarat; the proclamation had been laid on the Table on March 15, 1976.

Speaking on the Resolution, the Minister said that following the mid-term elections to the Gujarat State Legislative Assembly in June, 1975, a Janata Front Ministry was formed with the support of the Kisan Mazdoor Lok Paksha and some Independents. The Governor had, in his Report, fully described the political events in the State which led to the resignation of the Chief Minister on the 12th March, 1976 and which ultimately necessitated the issue of the proclamation. In the subsisting fluid situation, the Governor felt that there was no prospect of stable Government being formed early. Moreover, as a result of the developments in the State, the Budget for the year 1976-77 had not been passed and the immediate problem was one of having authorisation of expenditure from the beginning of the next financial year.

A situation had clearly arisen when the Government of the State could not be carried on in accordance with the provisions of the Constitution. The Governor, therefore, had recommended action under article 356 of the Constitution. While doing so, he had also recommended that the Legislative Assembly be kept in suspended

animation in the hope that after the situation stabilized, popular rule might be restored.

Replying to the debate, Shri Reddi said that the Janata Front Government in Gujarat had not been felled, but had fallen because of its own inherent weaknesses and contradictions. The Chief Minister and his colleagues had been openly saying that they were against the Emergency and in the name of civil liberties, so many things were happening against the public interest. The State had become a sanctuary for the banned organisations and clandestine literature was being produced there against the 20-point programme. The weaker sections and the minorities were feeling insecure.

Under these circumstances, the Central Government had a duty to see how the people in the area were treated and how they could be inspired to have more confidence in the functioning of the Government, the Minister said. Stability was more important and what the Central Government could do in giving stable Government to the people of Gujarat was the thing which mattered most.

The Resolution was adopted on the same day.

B. LEGISLATIVE BUSINESS

*The Foreign Contribution (Regulation) Bill, 1973**.—Shri F. H. Mohsin, Deputy Minister in the Ministry of Home Affairs, moved on March 9, 1976, the motion for consideration of the Bill and said that excepting the provisions of the Foreign Exchange Regulation Act, there were no restrictions regarding transmission of foreign money into India. Foreign agencies were influencing organisations or individuals in the country through financial aid.

The Bill envisaged three kinds of restrictions of a prohibitory or regulatory nature. The first category covered organisations and individuals like candidates for elections, Government servants, Members of Legislatures, political parties, journalists and other persons connected with the newspaper industry. They were totally banned from receiving any foreign contribution. The second category included organisations, which not being political parties themselves, might be deemed as organisations of a political nature. This category cannot accept any foreign contribution except with prior permission from the Central Government. The third category

*Report of the Joint Committee on the Bill was presented to the Rajya Sabha on January 6, 1976.

covered associations having a definite cultural, academic, religious or social programme. They were required to give to the Central Government the details of foreign contribution received by them.

There was also a general clause in the Bill which empowered the Central Government to impose in certain cases the prohibitory or regulatory restrictions regarding acceptance of foreign contribution by any person or class of persons or associations not covered by the foregoing categories. The Bill contained appropriate penal provisions to deal with contraventions of the law.

The Motion for consideration was adopted and the Bill, as amended, was passed by the Rajya Sabha on the same day.

*The High Court Judges (Conditions of Service) Amendment Bill, 1976** On March 11, 1976, Shri H. R. Gokhale, Minister of Law Justice and Company Affairs, moving the motion for consideration of the Bill, said that since the commencement of the Constitution, there had been no improvement in the conditions of service of the High Court Judges even though there had been a widespread feeling in its favour. The present Bill was a step in that direction.

The Bill, *inter alia*, proposed to extend the provisions of family pension etc. to the judges recruited from the Bar on the same pattern as was applicable to Class I officers of the Central Government. Besides, it was proposed to increase the pension of High Court Judges by about 40 per cent, and confer on them benefits like rent free accommodation, conveyance allowance, postretirement medical facilities, and a sumptuary allowance for the Chief Justice of a High Court.

The Motion for consideration of the Bill was adopted and the Bill was returned on the same day.

*The Supreme Court Judges (Conditions of Service) Amendment Bill, 1976**—The same day, Shri Gokhale moved a motion for consideration of another similar Bill relating to the conditions of ser-

*The Bill as passed by the Lok Sabha was laid on the Table of the Rajya Sabha on March 10, 1976.

vice of the Supreme Court Judges. The provisions of this Bill were practically the same as in the case of High Court Judges, barring a few slight variations. For instance, unlike the High Court Judges the Judges of the Supreme Court were given a sumptuary allowance of Rs. 300 per mensem; an allowance of Rs. 500 per mensem being provided for the Chief Justice of India. The conveyance allowance was the same as in the case of the High Court Judges. There was roughly an increase of 40 per cent in their pension.

The Motion for consideration of the Bill was adopted and the Bill was passed by the Rajya Sabha on the same day.

*The Comptroller and Auditor-General's (Duties) Powers and Conditions of Service) Amendment Bill, 1976**—Shrimati Sushila Rohatgi, Deputy Minister in the Ministry of Finance, moving the motion for consideration of the Bill on March 31, 1976, said that based on the recommendations of the Group of Ministers on Administration, a decision was taken to instal a system of departmentalised accounting by separating accounts from audit, as part of an overall scheme of reforms in financial administration. It was proposed to complete the separation of accounts from audit in all Ministries and Departments of the Government of India during the year 1976-77 in three phases commencing from 1st April, 1976.

The Deputy Minister added that separation of accounts from audit was a means to an end and with the integration of accounts with management, the existing lacunae arising from externality of accounts would disappear and accounting would be an aid to cost effective management at all levels starting from the lower operation level to the Ministry. The new system would also do away with an element of duplication of accounting work now prevailing in the various departments and audit offices maintaining similar accounting records. It was expected that when full coverage of departmentalisation of accounts in all Ministries took place, compilation of accounts would be speeded up, thereby providing necessary inputs to management information system which in turn would help better financial control and performance appraisal.

The Motion for consideration of the Bill was adopted and the Bill was passed by the Rajya Sabha on the same day.

*The Bill as passed by the Lok Sabha was laid on the Table of the Rajya Sabha on March 26, 1976.

*The Departmentalisation of Union Accounts (Transfer of Personnel) Bill, 1976**—The same day, Shrimati Rohatgi moved a motion for consideration of the Departmentalisation of Union Accounts (Transfer of Personnel) Bill, 1976. The Bill, as passed by the Lok Sabha, was laid on the Table of the Rajya Sabha on March 26, 1976. Speaking on the motion, she said that the takeover of accounting functions from the Comptroller and Auditor General involved the transfer of about 10,000 employees from the Indian Audit and Accounts Department to the Ministries and Departments of the Government of India and offices under them. To forestall the administrative and legal problems that might arise in the transfer of such a large number of persons for the administrative control of the Indian Audit and Accounts Department to the Ministries and Departments of the Government of India and to ensure that necessary expert manpower was available to Government for discharging the newly acquired responsibilities, it was found necessary to issue the Departmentalisation of Union Accounts (Transfer of Personnel) Ordinance, 1976. The Bill sought to replace that Ordinance.

The motion for consideration of the Bill was adopted and the Bill was passed by the House on the same day.

NINETY-SIXTH SESSION

Discussions on the Working of Ministries

Ministry of Labour. On May 10, 1976, Shri Jagan Nath Bhardwaj, initiated a discussion on the work of the Ministry of Labour and pointed out the need for a single trade union centre or a single, proper type of trade union movement in the country. According to him, the only way to achieve this result was for the Government and particularly the Labour Ministry, to recognise only one trade union centre in the country. The recognised union should be given a proper status and a proper chance to discuss various matters with the management. Shri Bhardwaj wanted the scheme of workers' participation in management to be modified in the interest of the workers. To make a success of the scheme, some positive action towards workers' education was also essential. He wanted this education to be modelled on the lines of the workers' university in Yugoslavia or Rustom College in Great Britain or Labour Education Colleges in the USA.

Other suggestions made included (i) the need for uniformity in the coverage of all the labour welfare schemes and the social welfare measures; (ii) proper handling of the unemployment problem; and (iii) investigations into the proper functioning of employment exchanges.

Replying to the discussion, Shri K. V. Reghunatha Reddy, Minister of Labour, said that the question of one union for one unit should be examined by trade union leaders and if they came forward with a united voice for one union for one unit, the Labour Ministry would not be lacking in its efforts to help them achieve this objective.

Referring to the workers' participation in management, the Minister said it was a process of evolution and could not be prescribed in one day and results achieved the next day. This was a process of social evolution by conscious effort. As far as the workers' education was concerned, more than 36,000 worker teachers had so far been trained under the Workers' Education Board. Apart from this, the National Labour Institute was also arranging special training by way of refresher courses for the Education Officers themselves and also for various trade union leaders.

The Minister paid tribute to the Indian working class and expressed the hope that they would be a bulwark against fissiparous and fascist tendencies and would act in support of the parliamentary institutions and democratic values.

Ministry of Agriculture and Irrigation: Initiating the discussion on the working of the Ministry of Agriculture and Irrigation on May 11, 1976, Shri Om Prakash Tyagi said that though India was mainly an agricultural country; yet during the past 28 years agriculture had been badly neglected. According to him, the improvement in the food situation had taken place not so much because of the Government policies but due to the continuously good weather. He suggested among other things, the fixation of the prices of agricultural commodities on the same basis as was done in the case of industrial goods; abolition of food zones; establishing of peasant service centres where all the agricultural tools and other implements would be available; adequate storage facilities; and declaration of River waters as the national property.

In his reply to the discussion, Shri Jagjivan Ram, the Minister of Agriculture and Irrigation, said that the credit for good production should not always go to good monsoons alone; millions of farmers also deserved appreciation because without their hard work, even good monsoons could not give good production.

He did not agree with those who said that the Government was not doing anything for the farmers and that the land laws were not being implemented properly.

Insofar as irrigation was concerned, more and more attention was being paid to provide maximum irrigation facilities to the farmers, the Minister said. Many major, medium and minor irrigation projects had already been completed and some had been taken in hand. Other means of irrigation were also being brought in use. Some of the river water disputes had been settled, while talks were going on about others.

Ministry of External Affairs: Shri Bhupesh Gupta, initiated a discussion on the working of the Ministry of External Affairs on May 24, 1976 and referred to certain significant improvements that had taken place in the recent period in the international situation. Big steps had been taken in the direction of mankind's cherished desire for peaceful co-existence, the principles for which India had always been striving. In this context, he made a special mention of the successful conclusion of the All-European Conference on Security and Cooperation held in Helsinki last year, the steady victory of Vietnamese people and of the Angolan people under the MPLA leadership.

Indo-Soviet friendship and co-operation according to Shri Gupta, was no longer a bilateral proposition but had a wider international significance in strengthening the forces of peace all over the world, and creating the climate of still greater struggle against the forces of imperialism.

He expressed pleasure over the settlement that had been arrived at between India and Pakistan at the official level, but referred with anguish to certain negative developments taking place in Bangladesh following the tragedy of the last year. The anti-Indian forces there were gaining an upper hand and for this the Farakka issue was being exploited.

The Member concluded by observing that India was on the high road to prosperity and durable peace in the world. He expressed the

hope that in all peace efforts, India would rise to the occasion, play a still greater part and reach a situation in which mankind would be in the condition of an everlasting peace.

Replying to the discussion on May 25, 1976, Shri Y. B. Chavan, Minister of External Affairs, said that whatever good results India had achieved in the field of foreign affairs had been the result of a very wise and farseeing fundamental foreign policy that was laid down by the leaders of our country after independence, and even before independence.

Naturally, with the changing world situation, some more aspects were added to it and sometimes the presentation was changed. But the basic approaches had remained the same. The foreign policy of any country could not be of a static type, but a dynamic one. The striving for world peace, willingness to work on the basis of co-existence and co-operation with all nations, aspiration for an equal and just economic order and unfailing support to the struggle to ensure freedom and human dignity, had been the guiding principles of our foreign policy, drawing sustenance and strength from our cultural traditions and our freedom movement.

Shri Chavan said it was incorrect to say that the world had become safe and, therefore, we need no longer worry about military pacts. We were far from a stage where the world was without war, without want and without conflict or tension.

He made a kaleidoscopic survey of India's relations with USA, USSR and other Socialist countries. Despite some points of difference with the United States, both countries recognised the need to build up a mature and realistic relationship on the basis of equality, reciprocity and mutual respect. While good relationship with various socialist countries was a very important facet of India's foreign policy, our relations with the USSR were of a positive quality and not based on any opportunistic consideration. Consistent efforts were being made for the normalisation of our relations with China and the first significant step of upgrading the level of our representation in Peking to Ambassador-level had now been taken. The Minister assured the House that India's friendship with any country was not meant against anyone else and it had to be taken on its own merits.

Shri Chavan said India wanted to improve relations with every one of her neighbours. Referring to Pakistan, he said that from the

very beginning, we had been trying to make efforts to have good relations with that country. About Bangladesh, he said that though from 1971 onwards, we had done everything that was possible for that country, yet unfortunately what happened in 1975 had created a different situation and a sort of anti-India propaganda had taken hold of the situation. The Farakka issue was not one which defied solution, he added.

Our relations with the Arab countries and West Asian countries had been cordial, continuous and traditional. Our relations with most of the Gulf countries were also good. Our relations with Nepal were better than they were ever before and both sides had realised that they had to be realistic in this matter and it was that realism which had put this relationship in a still better perspective.

Concluding, the Minister said that the success and strength of our foreign policy depended upon the strength of our internal political, economic and scientific policies and, therefore, as we took care of our foreign policy postures and our relations with the different countries, we had to take care of these also and ultimately these were the basic forces of strength for India. If we strengthened them, we would be strengthening India and the Indian people and it was ultimately this strength which would make the Indian foreign policy a strong and successful one.

British move to compel permanently residing Indian Nationals to accept British nationality: On May 14, 1976, Shri Bhupesh Gupta called the attention of the Minister of External Affairs to a move by the British authorities to compel thousands of Indian nationals permanently residing in Britain either to accept British nationality or to face expulsion from that country.

Making a statement on the subject, Shri Bipinpal Das, Deputy Minister in the Ministry of External Affairs said although the Government had also seen a newspaper report to this effect, on an informal inquiry the British Foreign Office had denied that there was any decision to compel Indians to adopt British citizenship or leave the country.

The grant of British citizenship was regulated by the British Nationality Act of 1948. Under this Act, Commonwealth citizens who entered Britain prior to 1st January, 1973, were entitled to be registered as British citizen after completing five years' ordinary

residence without any other requirement. Moreover, the Immigration Act of 1971 provided that Commonwealth citizens settled in the U.K. on 1st January, 1973 were to be treated as having been given indefinite leave to remain in the U.K. It was understood that a review of the Nationality Act was in progress in order to remove certain ambiguities regarding British citizenship but no decision had yet been taken nor any legislation drafted.

Clarifying the position further, Shri Y. B. Chavan, Minister of External Affairs, assured that as a Commonwealth country, India would certainly make efforts to bring to the notice of the British Government this problem, which involved questions of racial discrimination, through the Commonwealth Secretariat.

Indo-Pakistan Talks: On May 18, 1976 Shri Chavan made a statement in the House on Indo-Pakistan Foreign Secretaries' talks which had just concluded in Islamabad. Tracing chronologically the post-Simla Agreement background to the talks, he said it had always been the Government of India's policy that, in keeping with the Agreement, several links between the two countries should be restored and mutual relationship normalised. The Joint Statement issued after the Islamabad talks embodied an agreement to restore all the severed links between the two countries. He also disclosed that the entire package embodied in the Joint Statement would be put into effect more or less simultaneously between the 17th July and the 24th July, 1976.

If peace and mutual confidence prevailed in the subcontinent, the Minister added, the two nations could more fully bend their talents and energies to resolve the gigantic problems confronting them and play an even more effective role in the international sphere where so many interests were in common.

Progress in oil exploration and production in the Bombay Off-shore area: Making a statement in the Rajya Sabha on May 24, 1976, Shri K. D. Malaviya, Minister of Petroleum, said that in order to minimise the gap between discovery and the commencement of commercial production of oil in Bombay High, Government had taken certain special steps with the advice of its Consultants and telescoped the appraisal of the structure and the commencement of the first stage of production. This field, on being fully developed, could yield oil at the rate of 10 million tonnes per annum. This potential

would be achieved in five successive phases, so that by 1980-81, the full production potential would be established. Bombay High was discovered in February, 1974 and commercial production commenced on 21st May, 1976, i.e. in a period of about 27 months. This was considered to be a highly satisfactory rate of progress by international standards. The two wells which were on production would be acidised in a few days time and the flow of oil then was expected to improve considerably.

B. LEGISLATIVE BUSINESS

The Marriage Laws (Amendment) Bill, 1976: On May 12, 1976, Dr. V. A. Seyid Muhammad, Minister of State in the Ministry of Law, Justice and Company Affairs, moved the motion for consideration of the Marriage Laws (Amendment) Bill, 1976 (introduced in Rajya Sabha on March 29, 1976), and said that the measures proposed to liberalise the grounds for divorce and judicial separation. While living in adultery was previously only one of the grounds for divorce, under the amending Bill, even one act of commission of illicit relationship outside marriage would be sufficient to prove the ground of 'living in adultery'. Desertion and cruelty for two years, mental weakness, venereal disease and leprosy etc. were also sought to be included as additional grounds for divorce. The Bill also sought to reduce the period of three years' waiting for filing an application for divorce to one year and dispense with the waiting period of one year for re-marriage.

The motion for the consideration of the Bill was adopted and the Bill was passed by the Rajya Sabha on the same day.

The Finance Bill, 1976: On May 19, 1976, Shri Pranab Kumar Mukherjee, Minister of Revenue and Banking, moving the motion for consideration of the Finance Bill, 1976,* said that during the general debate on the Budget, Members had made valuable suggestions for improvement of the provisions in the Bill. A number of useful suggestions were also received from members of the public, chambers of commerce, etc. Certain modifications to the proposals contained in the Bill were formulated in the light of those suggestions and they had been incorporated in the Bill as passed by the Lok Sabha. In his speech on the Finance Bill in the Lok Sabha on

*The Bill, as passed by the Lok Sabha, was laid on the Table of the Rajya Sabha on May 18, 1976.

May 12, 1976, the Finance Minister had announced certain new concessions in the sphere of direct taxes. They had also been incorporated in the Finance Bill.

*The Constitution (Forty-second Amendment) Bill, 1976**: On May 27, 1976, Dr. V. A. Seyid Muhammad, Minister of State in the Ministry of Law, Justice and Company Affairs, moved a motion for the consideration of the Constitution (Forty-second Amendment) Bill, 1976*, seeking to amend article 297 of the Constitution and inclusion of certain Acts in the Ninth Schedule. As the Bill had earlier been discussed and passed in Lok Sabha, the Minister repeated the objectives of the Bill as explained by him in the other House.

In bringing about the proposal to include these Acts, which would form items 125 to 188 in the present Ninth Schedule, the main object and the principle, according to the Minister, was that there were certain Acts which were essentially progressive measures in order to take necessary steps to improve the general welfare of the people and also to protect public interest. Many matters were pending now before the courts challenging some of the Acts which were included in the Bill. With the apprehension that the provisions of the other Acts might also be challenged and stays granted, the Government was proposing to introduce these enactments.

The motion for consideration of the Bill was adopted and the Bill was passed by the Rajya Sabha in accordance with the provisions of article 368 of the Constitution on the same day.

III. STATE LEGISLATURES†

During the quarter January 1 to March 31, 1976, many of the State Legislatures were in session. Some of their sessions even spilled over to April and May as well. Nagaland and the Union Territory of Pondicherry continued to be under President's rule. President's rule was also imposed in the State of Tamil Nadu on January 31 and in Gujarat on March 12, 1976.

*The Bill, as passed by the Lok Sabha, was laid on the Table of the Rajya Sabha on May 25, 1976.

†Compiled by Research and Information Division, Lok Sabha Secretariat on the basis of the material received from the State Legislature Secretariats.

A brief review of the business transacted by the State Legislative Assemblies/Councils which were in session, and from whom information was received, is given in the paragraphs that follow.

Andhra Pradesh

The State Assembly met from January 29 to March 30, 1976, with the actual number of sittings being 44. All the 40 Government Bills introduced in the House were passed. During this period one MLA, a member of the Socialist Democratic Front, joined the Congress Party.

The session of Legislative Council also began simultaneously with that of the Assembly on January 29 and concluded on March 30. The actual number of sittings was 29. Six Government Bills introduced in the House were passed. Besides, 34 Bills passed by the Assembly, were also passed by the Council.

Assam

The Legislative Assembly commenced its session on February 9 and adjourned on March 27, 1976. The actual number of sittings held was 33. All the 10 Government Bills introduced, were passed.

On March 25, 1976, the House discussed and adopted a Government Resolution, moved by Dr. Bhumidhar Barman, Minister of State for Revenue, which sought to make applicable to the State of Assam, the Urban Land (Ceiling and Regulation) Act, 1976, enacted by Parliament, for the imposition of a ceiling on vacant land in Urban agglomerations and for matters connected therewith or ancillary or incidental thereto.

Bihar

The 16th Session of the 6th Vidhan Sabha commenced on March 12 with an Address by the Governor and adjourned *sine die* on March 31, 1976. The House held 11 sittings in all. The main business before the House was to pass a Vote on Account for four months.

While the Chief Minister Dr. Jagannath Mishra, was about to deliver his speech presenting the Vote on Account Budget, a point of order was raised that the Budget had already been laid on the Table of the Vidhan Parishad before it was presented in the Assembly. The Chief Minister expressed surprise over this and conceded

that a mistake had indeed occurred. While allowing the Chief Minister to present the Budget, the Speaker observed that the Government should be very cautious in these matters and such mistakes should not be repeated. The Vote on Account was thereafter passed on March 26, along with the Appropriation Bill relating thereto.

A new arrangement of listing questions was introduced in the Vidhan Sabha from this session. While previously the questions of only one or two departments of one group for the day could be taken up on one single day, under the new order the questions from any of the departments out of the group fixed for the day are taken up in the order of their receipt in the Office. The result of this arrangement has been that questions of any number of departments of the group now come up for reply. Under the previous arrangement, the questions of only one or two departments of one group for the day, could be taken up on one day, with the result that the departments down the list always remained uncovered. Apart from financial business, the Assembly passed two Bills during this Session.

The State Vidhan Parishad also held one session during this period with a total number of 12 sittings. The House adjourned *sine die* on April 1, 1976. Three Bills were introduced in the House out of which one was a Government Bill and two Private Members'. The number of Bills discussed and passed was 6 Government Bills which included five received from the Vidhan Sabha.

Gujarat

The State Legislative Assembly met from February 9, 1976, and adjourned *sine die* on March 12, 1976. The actual number of sittings held was 27. As far as the legislative programme was concerned, 18 Government Bills and 6 Private Members' Bills were introduced out of which all the 18 Government Bills were enacted.

Apart from the legislative business, the House considered a number of motions and resolutions like the one on 'the situation arising out of the recovery by Baroda police of live dynamite sticks from a Baroda godown', and 'the heavy burden of nearly Rs. 125 crores borne by the Government of Gujarat on account of the famine of 1974-75'.

Haryana

One session of the Vidhan Sabha was held during this period. The House met on January 12 with an Address by the Governor and

adjourned on January 28, 1976. There were in all 12 sittings, excluding the one relating to the Governor's Address. 19 Government Bills were introduced and passed. Most of the Committees of the Vidhan Sabha met for a number of sittings and submitted several reports to the Speaker/House.

Jammu & Kashmir

The State Assembly had one session from February 9 to April 3, 1976. The total number of sittings was 30. Number of Government Bills introduced during the session was 17 out of which 13 were actually passed. Although 12 Private Members' Bills were introduced, none could be passed during the session. As many as nine Committees of the Assembly held their sittings during this period and quite a number of them presented reports also. Four select Committees on various Bills also met and two of them submitted their reports as well.

The Legislative Council also began its session on February 9, but adjourned two days after the Assembly, i.e., on April 5, 1976. The number of sittings held was 24. The House passed as many as 17 Government Bills during the Session.

Karnataka

The Legislative Assembly met for one session from February 3 to March 27, 1976, with a break from February 22 to 29. The total number of sittings was 39. The Assembly had before it a heavy legislative programme. As many as 35 Government Bills were introduced out of which 33 were put on the statute book.

Insofar as the Committees were concerned, as many as 17 Committees met for a varying number of days and some of them submitted several reports as well. Two Joint Committees on Bills and a special Committee to enquire into the incidents that occurred in the House during the Governor's Address, also met during this period.

The Legislative Council began its session simultaneously with that of the Legislative Assembly on February 3 and adjourned *sine die* on March 27, 1976. The House had two breaks in between, the first from February 24 to February 29 and the second from March 13 to March 21. Total number of sittings held was 31. The House passed 33 bills in all, the same number as passed by the Assembly. The number of Bills introduced in the Council was 9.

Only two Committees viz. the Business Advisory Committee and the Committee on Government Assurances met during this period.

A privilege issue was sought to be raised by one of the members, Shri S. R. Bommai, regarding the non-inclusion of questions tabled by members under detention in the List of Questions and Answers. Quoting precedents from the Lok Sabha and the House of Commons, the Chairman ruled that the questions tabled by detenus could not be included in the printed lists of questions but he would permit the questions tabled by them to be treated as Unstarred questions, to be laid on the Table of the House on the last day of the current session.

When Shri Bommai sought permission on March 22 to move another question of breach of privilege in regard to the arrest and detention of some members of the House and the denial of facility to such members to attend the sittings of the Council, the Chairman ruled that he had no jurisdiction to interfere in matters concerning the exercise of executive authority outside the House. As such, he could not give his consent to the notice of breach of privilege.

Meghalaya

The State Assembly had one session from March 10 to April 7, 1976, with a total of 21 sittings. The House passed two Government Bills. Insofar as the Committees are concerned, Committee on Government Assurances held 4 sittings while the Committee of Public Accounts held 5 sittings. No reports were, however, presented. The Assembly also passed two resolutions adopting the Urban Land (Ceiling and Regulation) Act, 1976 and the Wild Life (Protection) Act 1972 in their application to the State of Meghalaya.

Orissa

The Budget Session of the Assembly which commenced from February 18, continued till April 9, 1976. On the whole, the business was transacted according to schedule. As many as 29 official bills were passed.

During the course of the Session, intimation was received by the Speaker from as many as 12 members, of their resignation from the Bhartiya Lok Dal the major Opposition Party in the House. The members expressed a desire to continue as Independent Members.

Punjab

The Vidhan Sabha met from January 20 to March 29, 1976 and held 18 sittings in all. 28 Government bills were passed during the

session. Quite a number of Committees of the Legislature held their sittings. Various resolutions discussed and adopted by the House included the one recommending the creation of a Legislative Council in Punjab. The resolution urged Parliament to pass the necessary legislation to this effect.

Rajasthan

The State Assembly held two sessions during this period. While the 10th Session met from January 5 to 25 with 12 sittings, the 11th Session was held from March 8 to April 3, 1976 with 22 sittings.

The tenth session began with an address by the Governor, a Motion of Thanks to which was passed after a four-day debate. Question Hour which had been suspended in the previous sessions was resumed. The Speaker even agreed to consider notices of adjournment motions subject to certain conditions. 22 Government Bills were passed out of which the majority related to the implementation of the 20-point Economic Programme. The House also passed Supplementary Demands for Grants.

The Eleventh Session was devoted to the consideration of the Budget and passage of the Appropriation Bills. Apart from the budget to which 16 out of 22 sittings were devoted, the House also passed 12 Government Bills. An important resolution making the Urban Land (Ceiling and Regulation) Act, 1976 applicable to Rajasthan was also adopted.

Sikkim

The State Assembly held its Budget Session from March 10 to 19, 1976. The total number of sittings held was 6. The House discussed and adopted 4 Government Bills during the Session.

Tripura

The Budget Session of the State Assembly which commenced on March 8 with an Address by the Governor, ended on March 31, 1976. The Motion of Thanks to the Governor's Address was subjected to a two-day debate and adopted thereafter. During the Session, apart from the Budget for the year 1976-77, the House discussed and adopted 9 Government Bills. Government resolution seeking regulation by Parliament by law, all matters connected with the 'restriction of ribbon development alongside National Highways and the levy of betterment charges on land benefitting from the development of such highways', was also passed by the House.

Uttar Pradesh

The first session of the State Assembly after the revocation of the President's rule on January 21, 1976 was held from March 22, 1976 with the Governor's Address to both the Houses assembled together. It was the briefest Budget Session of the State Assembly. Though it continued up to May 12, 1976, the Assembly held, in all, 26 sittings with a long spell of adjournment from April 7 to 26, 1976. The discussion on the Governor's Address was held for 4 days. The general discussion on the Budget was held only for 3 days as against the usual 5 days and only 12 days were devoted to voting on demands as against 22 to 24 days during the last three years. During this session, besides passing the supplementary demands for 1975-76, Vote on Account for 2 months for 1976-77, the Budget for 1976-77 and the Appropriation Bills relating thereto, the Assembly also passed 29 Bills and referred one Bill to Select Committee.

On March 31, the Speaker read out a letter received from the Leader of the Opposition, Shri Charan Singh informing him that the Members of the Bhartiya Lok Dal, Bhartiya Jana Sangh, the Congress (O) and the Socialist Party had decided to function as a unit in the House, the name of the new party being Lok Paksha.

The Legislative Council also began its session from March 22 and continued till May 14, 1976. It held in all 22 sittings. The House passed 29 bills during the Session.

West Bengal

The State Assembly had one session during this period commencing from February 20. The House adjourned on April 23 with a total of 33 sittings. The House passed as many as 42 Government Bills. Amongst the Motions and resolutions discussed in the House during the Session, was one important Motion which urged that the Constitution of India be thoroughly re-examined and provisions be made, in particular—(a) to have strong Central authority; (b) to restrict judicial review in certain vital socio-economic matters; (c) to establish the sovereignty of Parliament; and (d) to simplify the time consuming processes and procedures of Parliament and our Legislatures so that they can function in a much more meaningful and effective manner.

The motion which was moved and discussed on April, 6, 1976, also urged that "vital changes be made in order to enable our Constitution to continue as a living document answering to the current needs of the people and the demands of the present."

BOOK REVIEWS

THE LAST EMPEROR: DECLINE AND FALL OF THE BRITISH EMPIRE. By Peter Townsend. (Weidenfeld and Nicolson, London, 1975. Price £ 5.75 net).

If it wasn't for the peculiar "craze for foreign" which still characterises the so-called *elite* of this country, a book like Peter Townsend's would hardly find its way to India, costing as it does a tidy sum in scarce foreign exchange. There is, however, a set of buyers agape for this kind of thing, and they would find further titillation perhaps from the fact that this is, in large part, a study of George VI, in whose household the author was equerry (personal aide) and was thus privileged to be in the royal propinquity till his death in 1952. Perhaps the Anglo-Saxon imagination is still impressed by such things, and so we have here a kind of paean to Empire. Townsend thinks it worthwhile to recall that Queen Victoria was in 1877 invested with the title of 'Empress of India', thanks largely to the guile and gusto of her Prime Minister Disraeli, and that, sorrowfully, the decoration disappeared when India, "the brightest jewel in the British Crown", was, from 15th August 1947, no longer on the diadem. George VI was thus the "last emperor". While Townsend's tale of what happened in the royal career from 1936 when he took, unexpectedly, his elder brother Edward VIII's place to 1952 when he died, is told in a trite succession of pseudo-pictorial images, he has no compunction in giving to the book's subtitle a Gibbon-ian dimension.

It is entirely unsurprising that the author owes much, as he himself acknowledges, to Dominique Lapierre and Larry Collins whose perpetration, widely published in several continents and avidly lapped up by many in this country, is the notorious book "Freedom at Midnight", which is little more than a parody of the story or

India's attainment of independence. On a lesser scale, and with comparative restraint, Townsend follows the same technique of facetious writing. He aims at picturesqueness and an immediate impact on the non-serious reader, not at profundity and understanding of vital historical issues. Thus, the fact that during George VI's time, "four pillars of Empire—Ireland, India, Burma and Palestine—were dismantled", which should lend itself to an attempt at fundamental analysis of the factors involved, happens to be treated in this book in a casual, cryptic but colourful fashion. If one has greater expectations, one must only blame oneself.

There are interesting but basically trivial indications of the personality of George VI, limited, broadly sensible, almost entirely unimaginative but not without a certain in-built courage and capacity of facing eventualities. In a pictorial manner, sometimes attractive but more often irritating and pointless, the author draws a series of vignettes on the happenings in India, Burma, Ireland and Palestine, also, to a lesser extent, in other parts of the "Empire", and the only significant conclusion he seems to draw is that Britain herself had always been anxious to pass on her insights to her subject peoples and so help them towards freedom! This is not sought to be argued out, but indicated, with a superior British pride and always with the certitude that what Rudyard Kipling called "the lesser breed without the Law" were really a very different kettle of fish and needed to be alternately snubbed and patted in a patronising manner but never with a sense of common humanity or of the rights of all peoples to "life, liberty and the pursuit of happiness".

Luckily, Townsend does not quite descend to the level of the authors of "Freedom at Midnight" but often he comes near to doing so. He has the decency to admit that de Valera, Gandhi, Jinnah, Nehru, Aung San were "some of the most enlightened men of our time", but except for Aung San, for whom, with his own Burmese experience, Townsend seems to have a soft corner, he betrays no real grasp of the trends the others represented and the values they sought to uphold. He cannot help his readers to understand—nor does it seem to be his purpose—why "the four pillars of Empire" did have to crumble. He prefers, on the other hand, to gloat over a recital of some of the grisly occurrences that are, in history, a nearly inevitable concomitant of periods of transition. One need not mind his panegyric of "the King-Emperor George VI, a good and pious man who had fought fearlessly for freedom all his life" (p. 172), but it is all rather tiresome.

It is natural for Townsend to write (p. 202); "Certainly, Britannia had done more in 150 years than Mother India in 5000 to unite her people and enable them to live at peace with themselves". The brazen-ness, however, of such die-hard proponents of "the White Man's burden", in spite of the pseudo-liberal cloak so often used to cover up the historic infamy of imperialism, nearly takes one's breath away. The Indian reader will also find himself treated to a rapid *resume* of how Mountbatten, more than the somewhat ingenuous Wavell the true prototype of the Great White Chieftain, tackled Gandhi, whose consistent flair was to "throw a spanner in the works", and Nehru who, "as usual, lost control of himself", and then generously made a gift of freedom to the perverse people of our subcontinent. One could perhaps feel amused by such narrative but there is too much of method in this masquerade.

This kind of writing has turned out to be pretty prolific recently in what is called 'the West'. The reason is not far to seek. Countries like India, whose emergence in freedom is a landmark in history, have not been forgiven by the paladins of Empire. And it is exactly the same elements who ghoulishly predict that today in India, which has turned now into a "dictatorship", "the door seems open to that weary and terrible cycle of coup upon coup that has cursed post-liberation Africa" (*Political Quarterly* editorial commentary, London, October—December, 1975)! Peter Townsend's book represents a part of the spectacle of dogs barking as the caravan of history passes on.

—HIRENDRA NATH MUKERJEE, M.P.

INDIAN PARLIAMENT: INNOVATIONS, REFORMS AND DEVELOPMENT. By Dr. R. B. Jain, Calcutta, Minerva Associates (Publications) Pvt. Ltd. 144 pages, Rs. 30.

The British House of Commons is called the Mother of Parliaments and so it is but natural that the newly independent colonies which were previously colonies of Britain would adopt the practice and procedure of the British House of Commons, and India was certainly no exception. The Indian Parliament after Independence mainly adopted the procedure which was established over centuries in the British House of Commons, but it did so not because India was previously a British colony, but more on the ground that these practices and procedures were healthy, democratic and had stood the test of time. It will, however, be wrong to presume that we in India copied the British procedure in its entirety. We adopted the British

system to the extent it was necessary and made changes to suit our circumstances. Dr. Jain in his book has analysed how the Indian Parliament kept pace with the changing times and made innovations and reforms in Parliamentary practice and procedure, so that it could improve its 'legislative performance' and 'control mechanism'. The conclusions to which he has arrived at after his study are the results of analysis of data collected by him from the proceedings, reports and other literature, mainly of Lok Sabha and its numerous Committees, which had been established from time to time, so that Indian Parliament could effectively discharge the functions it was expected to perform under the Constitution.

The book consists of two parts. The first part deals with Innovations and Reforms made in our parliamentary procedure during twenty years immediately following Independence while the second part discusses the role played by Parliament in economic planning of the country.

In the part dealing with Innovations and Reforms, the author has attempted to emphasise that Parliament made these innovations and reforms to strengthen itself from within and they were made so as to ensure (a) effective utilisation of time available to Parliament; (b) effective use of the Committee system; (c) better overview and control of administration; (d) improving effectiveness of the individual member of Parliament; and (e) establishing certain institutional innovations for effecting continuous improvement in parliamentary processes. The author has been able, by a critical analysis of the data collected by him to establish that the said objectives were broadly achieved.

Parliament's time is valuable and it would lose its purpose if it cannot profitably utilise the time available to it. The innovation of the Business Advisory Committee which was mainly the results of the efforts made by Mr. Speaker Mavalankar was a new thing not known as such in the British House of Commons and was certainly a far more useful method for regulating allocation of time to various businesses before the House, than the British procedure of 'Allocation of time motion' which itself takes a long time to be debated. The author has shown how this Committee in which almost all sections of the House are represented, effectively allocated time to the business before the House saved the Presiding Officer from taking upon himself the wrath of the House for accepting a motion for closure of a debate. Many illustrations have been quoted how this

Committee—though it consisted of a majority of members belonging to the ruling party—forced the Government to bring before the House many subjects which were of great political importance, even though the debates sometimes were quite embarrassing to the Government. A faint suggestion made by the author that the regulation of time of the House by the allocation made by the Committee is responsible for decline in the standard of the debates is, however, hardly acceptable. Some useful data have been given in the shape of Tables to show how by installation of the automatic vote recorder machine, considerable time which would otherwise have been wasted in unnecessary formalities relating to traditional division has been saved. Every machine fails sometimes due to mechanical defects and so if there be a mechanical failure once in a while it is nobody's fault, but perhaps the author did not know that the machine installed in the Rajya Sabha has not failed even on a single occasion during the last twenty years since its installation.

One would wish that the author had given greater space and time to the chapter on effectiveness of the Committee system though it must be said that he has very clearly explained how the innovations regarding "Action taken reports" have made the role of the Committees more useful and effective. The author deserves congratulations for his excellent study relating to the Committee on Government Assurances and the Committee on the Welfare of Scheduled Castes and the Scheduled Tribes and for his illuminating survey relating to Calling Attention procedure which was an Indian innovation introduced after Independence. No one can disagree that this procedure is a very useful device for focussing the attention of the House on a matter of urgent public importance where the traditional adjournment motion might not have been permitted by the Speaker. Again, the Committee on Government Assurances which is an Indian innovation has been a very useful weapon in the hands of the House to ensure that assurances given by the Ministers are expeditiously implemented and that the Minister cannot escape by giving false hopes to the House.

The chapter dealing with enhancing the Members' contribution in Parliament will show how the Library, Reference, Research, Documentation and Information Services are striving hard to help the members and to serve their needs. After all, the time at the disposal of the Members is limited and their duties are many and unless research and reference facilities are provided to them by expert staff, they can hardly perform their role in Parliament with efficiency. In

his last chapter, the author has described the various institutional innovations for continuous improvement of Parliament. He has stressed upon the utility of the Conference of Presiding Officers held annually since 1921, but he has not said much about the Secretaries' Conference which also plays a significant role in the parliamentary life of India.

One would agree with the conclusion of the author that the innovations and reforms of the procedure in the Indian Parliament during the last two decades have achieved their objectives and are well-worth emulation by other legislatures at home and abroad, but there may be difference of opinion whether the constitution of all-party standing committees for different groups of subjects attached to different ministries will serve much useful purpose.

In the second part of his Book entitled 'Parliament and Planning: Developmental Role', Dr. Jain deals with Parliament's role in Economic Planning. He has taken pains to show that the common belief that under modern conditions, legislatures have nothing to do in the field of economic planning is not borne out by facts particularly in India. In the introductory chapter to this part, the author has summarised how the national plan is formulated before it is presented to the Parliament for discussion and approval. Parliament is involved in the Plan at two stages—first when the Draft Five Year Plan is submitted to it for a general discussion and secondly at the time of adopting the Plan Proposals before it is implemented. In order to succeed, a plan must involve the people at large and which other body except Parliament can properly represent the people? As is but natural, Parliament as a body cannot effectively scrutinise a Plan and so one has to take advantage of the Committee system. Initially, the Informal Consultative Committee was the body entrusted with this work. But later specially constituted Plan Committees consisting of members of both Houses were constituted by Parliament at the time of the discussion of the draft plan documents. With the exception of the Second Five Year Plan which was discussed under four groups of subjects, the next three plans were broken into five groups of subjects allotted to Committees A, B, C, D and E respectively. The author has analysed by giving relevant data in the form of tables how these Committees functioned, what was the nature of their composition and what were their shortcomings and drawbacks. These Committees did very good work but they were merely deliberative bodies and even their unanimous views could

not bring about substantial changes in the draft plan documents. Apart from the discussion of the Draft Plan by the Plan Committees, it is also discussed in both the Houses and it would not be correct to say that the Houses do not allot sufficient time for this business and that the discussion is not purposeful since the Government makes rarely any change in the Draft Plan. It would be relevant to quote in this connection the following words of the Prime Minister Shrimati Indira Gandhi: "We attach great importance and value to the discussion on the Plan. We give the greatest importance to Parliament's part in shaping public opinion and in mobilising the support of the people for success of the Plan".

In his last chapter of this part, the author has dealt with the subject of implementation of Plans and has suggested that it is necessary to provide some machinery and associate members of Parliament with the same, so that some parliamentary surveillance is ensured regarding implementation of the plans approved by Parliament. He is of the view that such a Committee may have the effect of strengthening the mechanism of accountability to Parliament and involvement of the people with the process of Planning.

In his concluding observations, the author rightly points out that the Indian Parliament takes a prominent part in the process of Economic Planning and the discussions of the plan by the Plan Committees and the Houses have also led to arousing popular interest in the plans and a sense of involvement of the people at large with the planning process. As one who has spent two decades in serving Parliament in quite an important capacity, the reviewer must say that the above observations of the author are fully borne out by facts.

Dr. Jain's book which is free from any printing error, is a good study on two aspects of the Indian Parliament and will be of considerable use and interest not only to students and research workers but even to many parliamentarians.

—B. N. BANERJEE, M.P.

SOCIAL MISSION OF LAW. By V. R. Krishna Iyer. Orient Longmans. 1976.

Society and law are so intimately knit with each other that it is difficult to think of the one without the other. Law is made by the society or its representatives in the larger interests of the society. Even a custom or a usage assumes the form of law or sometimes is

more powerful than law, if it happens to be a live custom or a usage in the society for ages.* So is there the possibility of a statutory law becoming dead for not being enforced in the right spirit. Hence Justice Krishna Iyer in his letter to the readers at the beginning of this book remarks:

“Society runs not by law alone. Nay, many ask, ‘Is law dead’? This challenge must be met by jurists, judges, lawyers, law teachers and law-makers, for sans sociologically animated law, the printed statute is inert paper”.

Law is, sometimes, made because it is thought necessary for the society by the law-makers, whereas the society itself may not be ready to receive the law and translate it into action. The legislators sometimes may not be able to appreciate what the society wants. Hence the gap:

“Among the socio-political instrumentalities which modern communities use to ensure peaceful progress is the legal process as the initiator, engineer and inhibitor”.

Procedure for the enforcement of law, the machinery set up for execution of law are all considered in the common parlance as part of law, though the nature of duties of the legislature, executive and judiciary differ very much from one another.

Whether it is the personal law, or general law or the law of the land, it is very much meant for a section of the society or the whole of it. Even the marine law or law pertaining to forests is made in the interest of the society of human beings and not for the water creatures and the animals of the jungle. For a law maker and the interpreter, social orientation is necessary so that social legislation and social justice may not encounter psychological resistance from the otherwise tradition-bound men of the robes. Never did any law hold tradition as the basis for ever.** The right thinking of pious men has always made law flexible. At the same time, in order to get acquainted with new socio-economic values, it is essential that there should be a reorientation in the teaching, making and practising of law so that a large section of the society and the Government officials get involved in that.

*शास्त्राद् रुद्धिर्वरीयसी

**श्रुतिः स्मृतिः सदाचारः स्वस्य च प्रियमात्मनः ।

सम्यक् संकल्पजः कामो धर्ममूलमिदं स्मृतम् ॥

Today, a large number of reports and recommendations of various Expert Committee are lying in the shelves. It may not be possible for legislation to keep pace with them. Justice Krishna Iyer is very sarcastic when he says, "Anarchy, plus a policeman is not order but a graveyard".

A national policy on legal education and research would have certainly converted the law institutes into laboratories of serious investigations which could as well serve as feed-back devices and fault detectors of the system. But the traditional legal education introduced by the Britishers remained untouched for quite some time. It is only now that some Universities and law institutes have introduced some changes in the curriculum with a socio-economic orientation. Equally is this social orientation, necessary at a different level for the legislators in democracy. Seminars on different aspects of Parliamentary life would go a long way in making the legislator acquainted with the parliamentary lexicon in the context of the new socio-economic outlook.

The lawyers played a leading part in the freedom struggle of the country. Today the Bar Associations are better organised. They can create a live public opinion about the necessity of making or implementing a piece of law. With their knowledge and skill the Bar Associations can always act as the nerve-centre of the society. In the absence of this orientation, the lag between the legislative pace and the life's imperative needs may breed violent discontent. As an example, the author cites the Election Law—unless the law and the practice are sharply reformed, elections would continue to be so expensive that parties, revolutionary and others, will remain dependent on money power and all that it implies. The situation tends to aggravate.

The chapter on Constitutionalism and Conflict-management, provides a new outlook necessary in the existing constitutional set-up. Conflict-management through constitutionalism is a challenging subject for Indian scholars of law and politics.

Part II of the book deals with social change and law reforms. The subject is very vast, covering a range of historic development of law and society in our country and elsewhere. Once, alongwith the punitive measures the reformative measures were also introduced in the law relating to crimes where the juvenile delinquents and such others who needed the protection from law and society were involved. It is now actually the law that is to be further reformed in the context of new social values. Decades after freedom

also, we have not been able to adopt the new law-making techniques whereas new types of offences *viz.*, those against the wealth and health of the nation, have made their appearance in large numbers. Leakage of foreign exchange, non-disclosure of one's income, adulteration of food-stuffs and the like, form the new variety of offences. The author has in this context rightly pointed out that the Indian Penal Code and the Criminal Procedure Code, are hardly aware of the remarkable strides made by modern penology. Penal strategy must therefore strike a sober balance between the sentimental and the terror-oriented ways of approach to the criminal.

To translate social justice into action, it is essential that the poor be given the legal aid necessary to defend themselves. "No true democracy can endure without a system of administration of justice of which the poorest are able to take advantage" says Shri N. C. Setalvad. The legal aid for a poor and ignorant defendant is more than a lawyer. He is friend, philosopher and guide; he also seeks the assistance of social workers, the labour leaders and the like. As Chairman of the Committee constituted for submitting a report on the project of, 'legal aid', Justice Krishna Iyer has dealt with the spirit and essence of legal aid necessary in our country. The programme is not a benefit scheme for briefless lawyers as some suspect but it is the provision of assistance through counsel and of such other facilities for effective defence.

The chapter on "Secularization: Legal implications" makes an interesting reading. The battle of secularism must be fought on the front of socio-economic backwardness. The communal organisations should by and large be banned by the Government. Students or teachers or workers in a factory should never be allowed to have their unions based on communal lines. The gaps in the secular nature of the Constitution also need to be plugged; otherwise in course of time, the vested interests would start making the maximum utilization of these gaps.

The chapter on 'Reforms of the Muslim Personal Law'—an analytical study of the situation at present—is again very enlightening. The gap between the spirit of the Holy Koran and the prevailing practice has also been brought out in bold relief. The author says: "The time has come when Indian unity, constitutional development and geo-politics must shape the course of Muslim Law reform. The Prophet has neither permitted polygamy nor flippant divorce by men". The glory of the Islamic Law is that it is practical and admits of juridical advance congenial to the changing world.

Social mission of law in its different aspects has been vividly depicted in the book. The clarity of thought and bold expression are much to be appreciated.

I felt richer on going through the book.

—DR. SAROJINI MAHISHI, M.P.

PARLIAMENTARY CONTROL OVER PUBLIC EXPENDITURE

By Dr. D. N. Gadhok, New Delhi, Sterling Publishers, 1976.

This important book is a revised and updated version of the thesis written by the author for his Ph. D. degree of the Delhi University in 1972. He has taken the opportunity to include in Part I of the book a review of the work done and of the control exercised by the public Accounts and Standing Finance Committees in the pre-Independence period. It is for the first time that the financial control exercised by the Legislative Assembly and its Committees has been examined and assessed in such study. Nobody had done it before. The second part deals with the financial procedure of Parliament and the scrutiny and control of expenditure by its two financial committees—the Public Accounts Committee and the Estimates Committee.

The author had exceptionally good opportunities to study the subject as a Senior Research Fellow at the Indian Institute of Public Administration under the guidance of Prof. V. K. N. Menon and Dr. J. N. Khosla and as an officer who worked for nearly fifteen years on the secretariats of the three Financial Committees of the Indian Parliament viz. Public Accounts Committee, Estimates Committee and Committee on Public Undertakings.

Part II, of the book begins with a discussion of the procedure for review and approval of the Budget, the Demands, the Appropriation Bill and the Finance Bill. Though the general discussion on the budget is meant to be confined to the general scheme and structure of the budget, i.e. considerations of revenue, surplus or deficit and any question of general principle involved therein, it has, as the author points out, always been of a roving type. Members attack or support the budget from their party or ideological point of view

with the result that "The same arguments tend to be repeated again and again and the discussion appears to be an idle parade of words". To prove this the author quotes from speeches of leaders of different parties on the budget for 1964-65. Besides, points raised in the discussion are so wide in scope and far off the track that the Finance Ministers find it difficult to reply to them.

After dealing minutely with the procedure for dealing with the Demands, the Appropriation Bill or the Finance Bill and the discussions on these stages of the Budget, the author says :

"One has therefore to conclude that the Parliament is a very imperfect instrument for the control of expenditure, it is ill-equipped for inquiry and it is hardly the instrument to achieve a close and exhaustive examination of the immense and complex estimates".

Then follows a detailed account of the procedures of the Public Accounts Committee and the Estimates Committee and a review and assessment of their work. These are the most interesting and illuminating chapters of the book.

The reports of the Public Accounts Committee are not discussed by Parliament as a matter of convention, though they were regularly discussed by the Legislative Assembly from 1930 to 1946. The convention grew up because it was thought that a rembling discussion of any report would lead nowhere and tend to destroy the effectiveness of the recommendations of the Committee. In 1966, discussion of the 55th report was, however, allowed on the ground that it pertained to a specific issue. In this connection, before the motion for discussion was taken up, the Speaker, Mr. Hukum Singh, said, "The most important thing that I have to bring to the notice of the House is that the Public Accounts Committee is a House in miniature. Its decisions should be respected and its dignity enhanced. There all parties work together in team-spirit and no note of dissent is appended or allowed. They work in the interest of the nation and of the House on behalf of the House".

The book reviews the work of the Public Accounts Committee from 1950-51 to 1971-72, under three heads: (i) Matters of Financial Administration; (2) Matters of Administration, and (3) Other matters. Gradually over the years the work of the Committee has widened in scope. It not only scrutinises the Audit Reports on Revenue Receipts, but also undertakes examination of the Finance

Accounts of the Government of India. Mr. Harold Wilson, as Chairman of the Public Accounts Committee in U. K. had aptly remarked that it is "an elemental fallacy to consider that the Committee looks only to past and is concerned only with inquests on a financial corpse".

Most of the recommendations of the Committee are generally accepted by the Government. Even then there is no appreciable improvement in the spending machinery of the Government. The author comes to the depressing conclusion that irregularities pointed out are not treated with the seriousness they deserve.

The Estimates Committee was first constituted on the 10th April 1950, for better financial control of the House over expenditure incurred by the Executive. Its pattern was the same as that of the Committee on Estimates in the House of Commons. Its main functions are to report what economies, improvements in organisation and efficiency or administrative reform may be effected and also to suggest alternative policies in order to bring about efficiency and economy in administration. It has also to examine whether the money is well laid out within the limits of the policy implied in the estimates.

The Public Accounts Committee has this advantage that it works with the help and advice of the Comptroller and Auditor General. The Estimates Committee has no such expert to guide and help its examination of estimates. It is a moot point whether such experts should be appointed. During the last few years the Committee has examined and reviewed problems relating to such important subjects such as (i) External Assistance, (ii) Foreign Exchange, (iii) Rural Housing, (iv) Industrial Licensing, (v) Atomic Power and (vi) Power Requirements.

A study of the recommendations of the Committee in different fields of administration reveals that the Committee has been stressing more "to improve the efficiency of administration than to effect savings in expenditure". The Committee has become more an instrument of administrative review and scrutiny.

This book is important in that it describes the work and the gradual evolution in the functions of the two most powerful Committees of Parliament. It is a valuable addition to the literature on the subject of Parliamentary control over Executive expenditures.

—Y. S. MAHAJAN, M.P.

THE POWER OF THE PURSE: THE ROLE OF EUROPEAN PARLIAMENTS IN BUDGETARY DECISIONS. By David Coombes (*et al.*) London, George Allen & Unwin, 1976.

This book, a compendium of eighteen papers on the role of the Parliament in controlling the purse, is the result of a multi-national inter-disciplinary symposium directed by PEP (the Political and Economic Planning London) which has already to its credit a number of other useful publications. The general object of the Symposium was to see how far and what particular ways changes in the purposes and techniques of budgetary decision making in central government had affected the role of European parliaments. All these papers have been written in a tight style and every paragraph has got a point to make. We talk of democracy and of Parliament representing the people. The question that arises from a study of all the papers is how far does Parliament really exercise effective control on public expenditure by Government.

One of the curious features about the control of Parliament over public expenditure is that the word 'control', itself has many shades of linguistic meaning. While in English, it has a vague meaning of 'restraint' or even 'guidance', in France and Germany, the word assumes quite a different connotation.

The concept of Parliamentary Control received its earliest expression in the Magna Carta in 1215. The nobles then obliged the King to agree to "no taxation without the consent of Parliament" and thus the cornerstone of the 'Power of the Purse' exercised by the British Parliament was well and truly laid. After a perusal of this book, one is astonished to read the conclusion of the authors that the control of Parliament over the nation's purse is more or less illusory.

According to David Coombes, one of the contributors, the budget is regarded by some as "a meaningless document and parliamentary procedure in relation to it has a pointless ritual". He goes further to say, as other contributors do, that ordinary legislation involving the spending of money is more important than the budget itself. In Italy for example, it is forbidden by Constitution to include new expenditure in the budget. It has been estimated that 88 per cent of what seems to have been passed as part of the budget normally arises out of the previous money laws.

The authors have analysed in great detail the scope of Parliament's control over public expenditure, its financial and taxation powers and the budgetary systems in the Federal Republic of Germany, France Italy, Netherlands and Switzerland.

The book also highlights the necessity of friendly co-operation between the Opposition and the Government in regard to the limited powers of control which Parliament has over public expenditure or public revenue. One of the authors says in this context that "if Parliaments wish to keep in touch with political and economic reality, then they must recognise the complexity of the factors which determine decisions about revenue and expenditure and so accept limitations on their own ability to participate in these decisions or at least to make fundamental changes in their own attitudes and objectives."

One of the significant conclusions drawn by the authors and summed up by David Coombes is that "accountability to Parliament is not always the best means of getting the best performance out of some public undertakings so that a measure of autonomy will be granted". He adds: "Traditional forms of financial accountability within Government departments themselves give way to arrangements such as accountable management. The application of new decision-making techniques calls for specialised skills which are more likely to be found in the public administration than in Parliament".

India's Parliamentary system is based on the British model, and has already undergone many changes and may need to be changed further to suit the Indian environment. It is of interest to note in this connection what one of the authors, David Millar, has said about the House of Commons. According to him, the House of Commons exercise greater control over taxation than on Governmental expenditure. The debates on the budget and on financial bills in theory afford opportunities for discussions of the economic policies of the Government but in practice, for various reasons, few members use these occasions for this purpose.

The author goes into some detail in regard to the working and procedures of the Standing Committees in the House of Commons. These Standing Committees have given more scope to the opposition and in fact provide opportunities to members of all parties to press their proposals for amendment. The author, however, points out that the British House of Commons, unlike the Commission de's Finances of the National Assembly of France or of the Appropriations

and Finance Committees of the West German Bundestag, does not have any machinery to undertake detailed examination of the contents of the budget and its administrative implications. He favours a five-year forecast of public expenditure and the formulation of the medium-term economic assessment, which in the Indian context appears to be quite appropriate so that a measure of stability is implanted in our taxation system.

What is of greater interest and relevance to the Indian reader is the budgetary system followed in the Federal Republic of Germany and the historical evolution of budgetary control in that country, dealt with briefly in the book.

The West German example has more relevance to India because of the similarity in the federal structure of the two countries. *Länder* (i.e. the member States) in that country, like the States in India, have their own budgets and the *Bund* (Central Government) its own. West Germany adopts a 5-year plan system, which must show probable expenditure together with the sources of revenue proposed to cover it over the period. It must also show both of these items in relation to the projected development of the economy as a whole. Particular attention must be paid to the financial effects of current legislation and economic programmes as well as the projected costs of any programme which is to begin during the course of the five-year period.

This quinquennial financial planning by government does not *de jure* affect the budgetary sovereignty of Parliament since it is not legally bound by the plan, because no parliamentary vote is taken on its acceptance. The plan remains above all political pressures, together with a number of institutional provisions, which ensure that parliament will in the main adhere to the basic principles of the financial plan. The West German law provides that the quinquennial plan must be revised each year to include actual performance for that year, and that projections also be correspondingly revised. The financial plan is thus not set out in inflexible segments, each of five years' duration, but rather keeps five years ahead of actual developments, and can absorb any annual budget changes.

The West German method could be usefully copied by India because over a period of five years, it may be possible to estimate the extent of expenditure and the nature of taxation that could be imposed so as to give a stimulus to economic development.

It is of interest to know that the draft budget in West Germany runs to as many as 3000 pages, as Karl Heinrich Friauf has pointed out. It is not unusual for the Bundestag to engage itself in an exhaustive discussion on minor or trivial matters like the proposal for creation of two new typists' posts or even to acquire an additional ministerial car, "while the many millions required for a subsidy programme go through on the nod". Amendments are systematically considered. In 1966, we are told, as many as 1100 amendments were accepted to the Government draft.

The Bundestag has also the power to compel the Government to *increase expenditure* and all that the Government can do is to postpone decision for six weeks. It would be indeed surprising to the Indian reader to be told that in the Bundestag even military projects are discussed in detail and a Bundestag Committee has got to be consulted for any new proposals.

The general conclusion that one can draw after going through the book is that Parliament can, to a certain extent, influence the Government regarding taxation and expenditure but it cannot exercise a strict control over the Government like a watch-dog Committee. The responsibility for spending money invariably rests with the Executive which, of course, depends on the active support of the majority in Parliament.

The publication of the book is very timely and should be read usefully by those who are now engaged in drafting amendments to the Indian Constitution where such amendments are called for. It is an indispensable addition to the existing literature on the parliamentary system of government.

—A. D. MANI,
former Member of Parliament.
(1960—72)

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APPENDIX I

STATEMENT SHOWING THE WORK TRANSACTED DURING THE SIXTEENTH SESSION OF THE FIFTH- LOK SABHA

1. Period of the Session	8th March to 27th May, 1976
2. Number of meetings held	48
3. Total number of sitting hours	322 hrs. 25 mts.
4. Number of divisions held	18
5. <i>Government Bills :</i>	
(i) Pending at the commencement of the Session	22
(ii) Introduced	22
(iii) Laid on the Table as passed by Rajya Sabha	12
(iv) Returned by Rajya Sabha with any amendment/recommendation and laid on the Table	Nil
(v) Referred to Select Committee	Nil
(vi) Referred to Joint Committee	Nil
(vii) Reported by Select Committee	Nil
(viii) Reported by Joint Committee	1
(ix) Discussed	45
(x) Passed	44
(xi) Withdrawn	Nil
(xii) Negatived	Nil
(xiii) Part-discussed	Nil
(xiv) Discussion postponed	1
(xv) Returned by Rajya Sabha without any recommendation	15
(xvi) Motion for concurrence to refer the Bill to Joint Committee adopted	Nil
(xvii) Pending at the end of the Session	12
6. <i>Private Members' Bills :</i>	
(i) Pending at the commencement of the Session	216

(ii) Introduced	2
(iii) Laid on the Table as passed by Rajya Sabha	NiF
(iv) Returned by Rajya Sabha with any amendment and laid on the Table	NiF
(v) Reported by Select Committee	NiF
(vi) Discussed	5
(vii) Passed	NiF
(viii) Withdrawn	3
(ix) Negatived	1
(x) Circulated for eliciting opinion	NiF
(xi) Part-discussed	1
(xii) Discussion postponed	NiF
(xiii) Motion for circulation of Bill negatived	NiF
(xiv) Referred to Select Committee	NiF
(xv) Removed from the Register of Pending Bills	28
(xvi) Pending at the end of the Session	186
7. Number of Discussions held under Rule 193:	
(Matters of Urgent Public Importance)	
(i) Notices received	19
(ii) Admitted	NiF
(iii) Discussion held	NiF
8. Number of Statement made under Rule 197:	
(Calling-attention to matters of urgent public importance)	
Statements made by Ministers	7
9. Half-an-hour discussions held	2
10. Statutory Resolutions :	
(i) Notices received	10
(ii) Admitted	7
(iii) Moved	7
(iv) Adopted	5
(v) Negatived	2
(vi) Withdrawn	NiF
11. Government Resolutions :	
(i) Notices received	2

(ii) Admitted	. . . . .	1
(iii) Moved	. . . . .	1
(iv) Adopted	. . . . .	1
12. Private Members' Resolution		
(i) Received	. . . . .	13
(ii) Admitted	. . . . .	12
(iii) Discussed	. . . . .	4
(iv) Withdrawn	. . . . .	1
(v) Negatived	. . . . .	2
(vi) Adopted	. . . . .	Nil
(vii) Part-discussed	. . . . .	1
(viii) Discussion postponed	. . . . .	Nil
13. Government Motions		
(i) Notices received	. . . . .	5
(ii) Admitted	. . . . .	5
(iii) Moved	. . . . .	2
(iv) Adopted	. . . . .	Nil
(v) Discussed	. . . . .	2
14. Private Members' Motions		
(i) Received	. . . . .	57
(ii) Admitted	. . . . .	35
(iii) Moved	. . . . .	} Nil
(iv) Adopted	
(v) Discussed	
(vi) Negatived	
(vii) Part-discussed	
(viii) Withdrawn	. . . . .
15. Motions Re: Modification of Statutory Rule		
(i) Received	. . . . .	} Nil
(ii) Admitted	
(iii) Moved	
(iv) Adopted	

(v) Negatived	}	Nil
(vi) Withdrawn		
(vii) Part-discussed		
16. Number of Parliamentary Committees created, if any, during the session		Nil
17. Number of Adjournment Motions:		
(i) Brought before the House		Nil
(ii) Admitted and discussed		Nil
(iii) Barred in view of adjournment Motion admitted on the subject		Nil
(iv) Consent withheld by Speaker outside the House		22
(v) Consent given by Speaker but leave not granted by House		Nil
18. Total Number of Questions Admitted:		
(i) Starred		816
(ii) Unstarred (including Starred Questions converted as Unstarred Questions)		3977
(iii) Short-Notice Questions		3
19. Number of Members granted leave of absence		55
20. Petitions presented		Nil
21. Working of Parliamentary Committees:		

Name of Committee		No. of meetings held during the period 1-2-76 to 30-4-76.	No. of Reports presented during the session
1	2	3	4
(i)	Public Accounts Committee	10	44
(ii)	Committee on Public Undertakings	13	13
(iii)	Estimates Committee	18	12
(iv)	Business Advisory Committee	2	3
(v)	Committee on Absence of Members	4	4

1	2	3	4
(vi) Committee on Subordinate Legislation		3	1
(vii) Committee on Papers laid on the Table		5	2
(viii) Committee on Petitions		2	3
(ix) Committee on Private Members Bills & Resolutions		5	5
(x) Committee on the Welfare of Scheduled Castes and Scheduled Tribes		7	10
(xi) Committee on Privileges		3	1
(xii) General Purposes Committee			
(xiii) Committee on Rules	
(xiv) Railway Convention Committee		1	..
(xv) Committee on Government Assurances		3	1
(xvi) Joint Committee on Offices of Profit		3	1
(xvii) Joint Committee on the Constitution (Thirty-second Amendment Bill, 1973		2	..
(xviii) Joint Committee on the Code of Civil Procedure (Amendment) Bill, 1974		7	1

APPENDIX II

STATEMENT SHOWING THE WORK TRANSACTED DURING THE 95TH AND 96TH SESSION OF
RAJYA SABHA

Ninety-fifth Session

1. Period of the Session	March 8 to April, 3, 1976	
2. Number of meetings held		20
3. Total number of sitting hours	90 hrs. & 36 mts. (excluding lunch break).	
4. Number of divisions held	Nil	
5. <i>Government Bills</i>		
(i) Pending at the commencement of the Session		12
(ii) Introduced		7
(iii) Laid on the Table as passed by Lok Sabha		22
(iv) Returned by Lok Sabha with any amendment		1
(v) Referred to Select Committee by Rajya Sabha		Nil
(vi) Referred to Joint Committee by Rajya Sabha		Nil
(vii) Reported by Select Committee		Nil
(viii) Reported by Joint Committee		Nil
(ix) Discussed		30
(x) Passed		30
(xi) Withdrawn		1
(xii) Negatived		Nil
(xiii) Part-Discussed		Nil
(xiv) Returned by Rajya Sabha without any recommendation		13
(xv) Discussion postponed		Nil
(xvi) Pending at the end of the Session		10
6. <i>Private Members' Bills :</i>		
(i) Pending at the commencement of the Session		89
(ii) Introduced		Nil

(iii) Laid on the Table as passed by Lok Sabha	Nil
(iv) Returned by Lok Sabha with any amendment and laid on the Table	Nil
(v) Reported by Joint Committee	Nil
(vi) Discussed	2
(vii) Withdrawn	2
(viii) Passed	Nil
(ix) Negatived	Nil
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	Nil
(xii) Discussion postponed	Nil
(xiii) Motion for circulation of Bill negatived	Nil
(xiv) Referred to Select Committee	Nil
(xv) Bills lapsed on the expiration of the term of members in charge of the Bills on the 2nd April, 1976	43
(xvi) Pending at the end of the Session	44
7. <i>Number of Discussions held under Rule 176.</i> (Matters of Urgent Public Importance)	
(i) Notices received	1
(ii) Admitted	Nil
(iii) Discussion held	Nil
8. <i>Number of Statements made under Rule 180.</i> (Calling-attention to matter of urgent public importance)	
Statements made by Ministers	5
9. Half-an hour discussion held	Nil
10. <i>Statutory Resolutions :</i>	
(i) Notices received	2
(ii) Admitted	} Nil
(iii) Moved	
(iv) Adopted	
(v) Negatived	
(vi) Withdrawn	
11. <i>Government Resolutions :</i>	
(i) Notices received	5
(ii) Admitted	5

(iii) Moved	.	.	.	.	.	5
(iv) Adopted	.	.	.	.	.	5
12. Private Members' Resolutions :						
(i) Received	.	.	.	.	.	6
(ii) Admitted	.	.	.	.	.	6
(iii) Discussed	.	.	.	.	.	1
(iv) Withdrawn	.	.	.	.	.	1
(v) Negatived	.	.	.	.	.	} Nil
(vi) Adopted	.	.	.	.	.
(vii) Part-discussed	.	.	.	.	.
(viii) Discussion postpor.ed	.	.	.	.	.
13. Government Motions :						
(i) Notices received	.	.	.	.	.	1
(ii) Admitted	.	.	.	.	.	1
(iii) Moved	.	.	.	.	.	} Nil
(iv) Adopted	.	.	.	.	.
(v) Part-discussed	.	.	.	.	.
14. Private Members' Motions :						
(i) Received	.	.	.	.	.	} Nil
(ii) Admitted	.	.	.	.	.
(iii) Moved	.	.	.	.	.
(iv) Adopted	.	.	.	.	.
(v) Part-discussed	.	.	.	.	.
(vi) Negatived	.	.	.	.	.
(vii) Withdrawn	.	.	.	.	.
However, a notice under Rule 176 was admitted as "No-day-named Motion".						
15. Motions regarding modification of Statutory Rule :						
(i) Received	.	.	.	.	.	} Nil
(ii) Admitted	.	.	.	.	.
(iii) Moved	.	.	.	.	.
(iv) Adopted	.	.	.	.	.
(v) Negatived	.	.	.	.	.
(vi) Withdrawn	.	.	.	.	.
(vii) Part-discussed	.	.	.	.	.

16. Total number of Visitors' Passes 776
17. Maximum number of Visitors' Passes issued on any 148; on 3rd April, 1976.
single day, and date on which issued.
18. Total number of questions admitted :
- (i) Starred 570
- (ii) Unstarred (including Starred Questions) 818
- (iii) Short-notice Questions Nil
19. Working of Parliamentary Committees.

Name of Committee	No. of meetings held during the Session	No. of Reports presented during the Session
(i) Public Accounts Committee		7
(ii) Committee on Public Undertakings		4
(iii) Business Advisory Committee	2	
(iv) Committee on Subordinate Legislation		
(v) Committee on Petitions		
(vi) Committee on the Welfare of Scheduled Castes & Scheduled Tribes.		} 9 Reports } 1 Statement } 1 Minute
(vii) Committee of Privileges		
(viii) Committee on Rules		
(ix) Joint Committee on Offices of Profit		1
(x) Committee on Government Assurances	1	1
(xi) Joint Committee on the Plantations (Labour) Amendment Bill, 1973		
(xii) Joint Committee on the Indian Penal Code (Amendment) Bill, 1973		
(xiii) General Purposes Committee		
(xiv) Joint Committee on the Central and other Societies (Regulation) Bill, 1974	1	..

20. Number of Members granted leave of absence
21. Petitions presented Nil
22. Number of New Members Sworn with dates

Sl.No.	Name of Members Sworn	Date on which sworn
1	Smt. Ambika Soni	30-3-76
2	Shri M.R. Krishna	3-4-76
3	Shri K.L.N. Prasad	"
4	Shri Mohammad Rahmathulla	"
5	Shri Palavalasa Rajasekharam	"
6	Shri V.B. Raju	"
7	Shri Venigalla Satyanarayana	"
8	Shri Bipin Pal Das	"
9	Shri Abdul Malik	"
10	Shri Bholu Prasad	"
11	Shrimati Aziza Imam	"
12	Shri Dharam Chand Jain	"
13	Shri Mahendra Mohan Mishra	"
14	Shri Bholu Paswan Shastri	"
15	Shri Bhisma Narain Singh	"
16	Shrimati Pratibha Singh	"
17	Shri Ramanand Yadav	"
18	Shri Golandaz Mohammedhusain A. Samad	"
19	Shrimati Kumudben Manishankar Joshi	"
20	Shri Yogendra Makwana	"
21	Shri Bansi Lal	"
22	Shri Roshan Lal	"
23	Shri Tirath Ram Amla	"
24	Shri Om Mehta	"
25	Shri R.M. Desai	"
26	Shri K.S. Malle Gowda	"

Sl. No.	Name of Members Sworn	Date on which sworn
27	Shri F.M. Khan	3-4-76
28	Shri Mulka Govinda Reddy	"
29	Shri S. Kumaran	"
30	Shri K.K. Madhavan	"
31	Shri Balram Das	"
32	Shri Gurudev Gupta	"
33	Shrimati Ratnakumari	"
34	Shri Prakash Chand Sethi	"
35	Shri Sawaisingh Sisodia	"
36	Shri Shrikant Verma	"
37	Shri A. Rahiman A. Gafur Antulay	"
38	Shri Bapuraoji Marotraoji Deshmukh	"
39	Shri Vithal Gadgil	"
40	Miss Saroj Purshottam Khaparde	"
41	Shri Govindrao Ramchandra Mhaisekar	"
42	Shri Sadashiv Krishnarao Vaisahampayan	"
43	Shri Narasingha Prasad Nanda	"
44	Shri Nilamoni Routaray	"
45	Shri Santosh Kumar Sahu	"
46	Shrimati Amarjit Kaur	"
47	Shri Raghbir Singh Gill	"
48	Shri Sat Patil	"
49	Shri Mohammad Usman Arif	"
50	Shri Dinesh Chandra	"
51	Shrimati Ushi Khan	"
52	Shri Bhagwan Din	"
53	Shrimati Mamida Habibullah	"
54	Shri Krishna Nand Joshi	"
55	Shri Ghayoor Ali Khan	"

Sl. No.	Name of Members Sworn	Date on which Sworn
56	Shri Prakash Mehrotra	3-4-76.
57	Shri Suresh Narain Mulla	"
58	Shri Nageshwar Prasad Shahi	"
59	Shri Bhanu Pratap Singh	"
60	Shri Triloki Singh	"
61	Shri Shyam Lal Yadav	"
62	Shri Prasenjit Barman	"
63	Shri Sankar Kumar Ghosh	"
64	Shri Bhupesh Gupta	"
65	Shri Phanindra Nath Hansda	"
66	Shrimati Purabi Mukhopadhyay	"
67	Shri Charanjit Chanana	"
68	Shri B.N. Banerjee	"
69	Shrimati Maragatham Chandrasekhar	"
70	Prof. Rasheeduddin Khan	"
71	Shri Bishambhar Nath Pande	"

Appendices
NINETY-SIXTH SESSION

1. Period of the Session	May 10 to 28, 1976.
2. Number of meetings held	14
3. Total Number of sitting hours	71 hrs. and 3 mts. (excluding lunch break).
4. Number of divisions held	6
5. GOVERNMENT BILLS	
(i) Pending at the commencement of the Session	10
(ii) Introduced	4
(iii) Laid on the Table as passed by Lok Sabha	10
(iv) Returned by Lok Sabha with any amendment	Nil
(v) Referred to Select Committee by Rajya Sabha	Nil
(vi) Referred to Joint Committee by Rajya Sabha	Nil
(vii) Reported by Select Committee	Nil
(viii) Reported by Joint Committee	Nil
(ix) Discussed	14
(x) Passed	12
(xi) Withdrawn	Nil
(xii) Negative	Nil
(xiii) Part-Discussed	Nil
(xiv) Returned by Rajya Sabha without any recommendation	2
(xv) Discussion postponed	Nil
(xvi) Pending at the end of the Session	10
PRIVATE MEMBERS' BILLS	
(i) Pending at the commencement of the Session	44
(ii) Introduced	1

(iii) Laid on the Table as passed by Lok Sabha	Nil
(iv) Returned by Lok Sabha with any amendment and laid on the Table	Nil
(v) Reported by Joint Committee	Nil
(vi) Discussed	1
(vii) Withdrawn	1
(viii) Passed	Nil
(ix) Negatived	Nil
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	Nil
(xii) Discussion postponed	Nil
(xiii) Motion for circulation of Bill negatived	Nil
(xiv) Referred to Select Committee	Nil
(xv) Pending at the end of the Session	44
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176	
<i>(Matters of Urgent Public Importance)</i>	
(i) Notices received	} Nil
(ii) Admitted	
(iii) Discussion held	
8. NUMBER OF STATEMENTS MADE UNDER RULE 180	
<i>(Calling-attention to matter of urgent public importance)</i>	
Statements made by Ministers	2
9. Half-an-hour discussion held	Nil
10. STATUTORY RESOLUTIONS	
(i) Notices received	} Nil
(ii) Admitted	
(iii) Moved	
(iv) Adopted	
(v) Negatived	
(vi) Withdrawn	
11. GOVERNMENT RESOLUTIONS	
(i) Notices received	1
(ii) Admitted	1

(iii) Moved	I
(iv) Adopted	I
12. PRIVATE MEMBERS' RESOLUTIONS	
(i) Received	6
(ii) Admitted	6
(iii) Discussed	I
(iv) Withdrawn	Nil
(v) Negatived	Nil
(vi) Adopted	Nil
(vii) Part-discussed	I
(viii) Discussion postponed	Nil
13. PRIVATE MEMBERS' MOTIONS	
(i) Received	7
(ii) Admitted	7
14. Number of Parliamentary Committees created, if any, during the session	Nil
15. Total number of visitors' Passes	780
16. Maximum number of Visitors' Passes issued on any single day, and date on which issued	201; on May 28, 1976.
17. TOTAL NUMBER OF QUESTIONS ADMITTED	
(i) Starred	420
(ii) Unstarred (including Starred Questions)	659
(iii) Short-notice Questions	Nil
18. DISCUSSION ON THE WORKING OF THE MINISTRIES	
1. Ministry of Labour	
2. Ministry of Agriculture and Irrigation	
3. Ministry of External Affairs.	

19. **WORKING OF PARLIAMENTARY COMMITTEES**

Name of Committee	No. of meetings held during the Session	No. of Reports presented during the Session
(i) Public Accounts Committee . . . . .	..	24
(ii) Committee on Public Undertakings		{ 9 Reports & 6 Minutes
(iii) Business Advisory Committee	I	
(iv) Committee on Subordinate Legislation	I	
(v) Committee on Petitions	I	..
(vi) Committee on the Welfare of Scheduled Castes & Scheduled Tribes . . . . .		..
(vii) Committee of Privileges		
(viii) Committee on Rules . . . . .		..
(ix) Joint Committee on the Offices of Profit		I
(x) Committee on Government Assurances . . . . .		..
(xi) Joint Committee on the Plantations (Labour) Amendment Bill, 1973 . . . . .	..	..
(xii) Railway Convention Committee (1973) . . . . .		..
(xiii) Joint Committee on Central and other Societies (Regulation) Bill, 1974	I	..
(xiv) General Purposes Committee		
20. Number of Members granted leave of absence		9
21. Petitions presented		Nil
22. NUMBER OF NEW MEMBERS SWORN WITH DATES		

Sr. No.	Name of Members Sworn	Date on which sworn
1.	Shri Pattiam Rajan	10-5-1976

APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF THE STATE LEGISLATURES DURING THE PERIOD JANUARY, I TO MARCH 31, 1976.

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short notice Questions
	2	3	4	5	6	7	8
Andhra Pradesh L. A.	29-1-76 to 30-3-76	44	40 (40)	3	554 (253)(a)	(237) (b)]	347 (91)
Andhra Pradesh L. C.	29-1-76 to 30-3-76	29	6(40)(c)	1	134(38)(5)	13	68(27)
Assam L. A.	9-2-76 to 27-3-76	33	10(10)	..	900(871)	40(36)	22(9)
Bihar L. A.	12-3-76 to 31-3-76	11	2(2)	2(2)	1043(766)	541(512)	133(33)
Bihar L. C.	12-3-76 to 1-4-76	12	1(6)(d)	2	431(401)	(46)	157(68)
Gujarat L. A.	9-2-76 to 12-3-76	27	18(18)	6	3052(1845)	714(335)	91(18)
Haryana L.A.	12-1-76 to 28-1-76	12	19(19)	..	77(50)	81(15)	..
Jammu & Kashmir L.A.	9-2-76 to 3-4-76	30	17(13)	12	853(669)	536(427)	12(10)
Jammu & Kashmir L. C.	9-2-76 to 5-4-76	24	18(17)	2	299(267)	106(91)	2
Karnataka L. A.	(i) 3-2-76 to 21-2-76 (ii) 1-3-76 to 27-3-76	39	35(33)		684(629)	77(75)	21
Karnataka L. C.	(i) 3-2-76 to 23-2-76 (ii) 1-3-76 to 12-3-76 (iii) 22-3-76 to 27-3-76	31	9(33)		181(163)	30(30)	8(5)

I	2	3	4	5	6	7	8
Kerala L. A.	. 13-2-76 to 23-4-76	39	33(30)	..	4045(1653)(e)	(1542)	8(2)
Manipur L. A.	. 26-2-76 to 15-3-76	15	12(11)	4	180(124)	(20)	..
Meghalaya L. A.	. 10-3-76 to 7-4-76	21	6(6)	..	9(8)	320(302)	1(1)
Punjab Legislative Assembly	. 20-1-76 to 29-3-76	18	28(28)	..	452(193)	144(88)	3(1)
Rajasthan L. A.	. (i) 5-1-76 to 23-1-76	34	29(28)	..	2514(981)	732(580)	..
	(ii) 8-3-76 to 3-4-76	..	..	..	..	..	..
Sikkim L. A.	10-3-76 to 19-3-76	6	4(4)	..	..	..	..
Tripura L. A.	. 8-3-76 to 31-3-76	17	9(9)	..	212(120)	25(31)(f)	..
Uttar Pradesh L. A.	. 22-3-76 to 12-5-76	26	12(7)	..	914(423)(g)	186(h)	326(3)
Uttar Pradesh L. C.	22-3-76 to 14-5-76	22	4(19)	..	919(311)	180(91)	57(11)
West Bengal L. A.	. 20-2-76 to 23-4-76	33	42(42)	..	1695(791)(i)	354(765)(j)	134(14)
<i>Union Territories:</i>							
Andhra Pradesh L. A.	. 26-3-76 to 30-3-76	4	2(2)	..	..	..	..
Delhi Metropolitan Council	. 27-1-76 to 2-2-76	5	..	..	217(100)	394(393)	..
Goa, Daman, Diu L. A.	. 5-3-76 to 23-4-76	32	13(12)	6(3)	893(722)	5(43)(k)	11(10)
Mizoram L. A.	. 15-3-76 to 30-3-76	11	3(3)	..	89(82)	13(11)	..

NOTES :

- (i) Figures in Cols. 4 and 5 indicate the number of bills introduced followed by the number of Bills passed in brackets.
- (ii) Figures in Cols. 6, 7 and 8 indicate the number of notices received followed by the number of notices admitted in brackets.
 - (a) Out of 253, 100 short Notice Questions admitted as Starred Questions.
 - (b) Out of 57, 24 Short Notice Questions admitted as Unstarred Questions. and 233 Starred Notices admitted as Unstarred Questions.
 - (c) Includes 34 Bills as passed by the Legislative Assembly.
 - (d) Includes 5 Bills as passed by the Legislative Assembly.
 - (e) The figure 4045 includes notices of both Starred and Unstarred Questions.
 - (f) Out of 31, 14 Starred Questions were admitted as Unstarred Questions.
 - (g) Out of 423, 133 Short Notice Questions.
 - (h) 75 Short Notice Questions were admitted as Unstarred Questions.
 - (i) Includes Short Notice Questions converted into ordinary Starred Questions.
 - (j) including Short notice questions and ordinary starred questions converted into Unstarred Questions.
 - (k) Including 38 Starred Questions admitted as Unstarred Questions.

APPENDIX III (Contd.)

Committee at work (Number of sittings held and number of Reports presented)

Legislature	Committee at work (Number of sittings held and number of Reports presented)															
	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Andhra Pradesh L. A.	8(7)	10(1)	3	..	2(3)	25(6)	5(1)	..	16(4)	..	5	..	9(2)	12(9)	(n)	..
Andhra Pradesh L. C.	5(5)	4(1)	3	..	2	..	..	..	..	..	..	..	..	1	..	..
Assam L. A.	5	2	..	..	..	3	..	..	3(1)	..	2	..	8(1)	3(1)	..	..
Bihar L. A.	1(1)	6(4)	20(4)	..	5(2)	4(2)	10(1)	..	1(1)	..	8	2	8	16	13	..
Bihar L. C.	3(2)	9	7	2(1)	1(4)	..	8(1)	..	..	8	8	8	..	..	..	..
Gujarat L. A.	5(4)	1(4)	..	5(5)	..	2(3)	1(3)	..	2(9)	..	2(2)	..	6(4)	1	..	..
Haryana L. A.	2(2)	13(1)*	..	..	1	..	9(1)	15(1)	14(2)	..	2	7	20(1)*	..	..	1(p)
Jammu & Kashmir L. A.	4	1(1)	2	..	..	3(2)	5(1)	..	(2)	..	3	3	6(2)	3(1)	19(2)	19(2)(q)
Jammu & Kashmir L. C.	2	3(1)	2(1)	..	2	..	2(1)	..	..	2	2	3	..	4	..	..
Karnataka L. A.	3(3)	2	..	2(2)	..	2(2)	..	9(1)	13	..	1	..	(2)	..	(4)3(f)	..
Karnataka L. C.	7(7)	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Kerala L. A.	4(4)	4(1)	6(1)	5(4)	..	6(2)	8(1)	..	15(4)	..	3	2	17(5)	(1)	5(1)(s)	..
Manipur L. A.	1(1)	(1)	(1)	..	4(1)	..	..	..	3(1)4	..	..	..	8(1)	..	..	..

Meghalaya	4	1	1(1)	1	1(1)	5	1	1(1)	1	1(1)	5	1	1(1)	1
Punjab L. A.	6(1)	4(4)	8(2)	13(2)	8(5)	15(1)	4(2)	10	1	10	15(1)	4(2)	10	1
Rajasthan L. A.	7	4(4)	18(9)	7(2)	27(2)	16(3)	3(1)	5	11	22(4)	3(1)	5	11	22(4)
Sikkim L. A.	2(1)	1(1)	10	2	8(3)	2	1(1)	2	2	1(1)	1(1)	2	2	1(1)
Tripura L. A.	2	4(4)	2(1)	6(1)	2	2(1)	1	2(1)	2	2(1)	1	1	2(1)	2
Uttar Pradesh L.A.	3(3)	6(6)	1(2)	3	7(1)	16(1)	11	4(1)	16(1)	11	4(1)	16(1)	11	4(1)
Uttar Pradesh L. C.	5(1)	11(11)	5(1)	8(3)	19(1)	7(1)	11	4(1)	16(1)	11	4(1)	16(1)	11	4(1)
West Bengal L. A.	2(1)	1(1)	2(1)	1	1(1)	3(2)	1	1(1)	3(2)	1	1(1)	3(2)	1	1(1)
Delhi Metropolitan Council	2	2	2(1)	3	2(2)	5(1)	3(1)	1(1)	3(1)	5(1)	3(1)	1(1)	3(1)	5(1)
Goa, Daman Diu L. A.	1(1)	1(1)	1(2)	3(1)	4	9(1)	1	1(1)	9(1)	1	1(1)	9(1)	1	1(1)
Mizoram L. A.	1(1)	1(1)	1(2)	3(1)	4	9(1)	1	1(1)	9(1)	1	1(1)	9(1)	1	1(1)

Note: Figure in brackets indicate the number of reports presented to the House.

- (n) Joint Select Committee on (i) The Andhra Pradesh Gram Panchayats (Amendment) Bill, 1975—2(1); (ii) The Andhra Pradesh Panchayat Samithis and Zila Parishads (Amendments) Bill, 1975—1c(1).
- (o) Includes 1 report presented to the Speaker.
- (p) Report presented to the Speaker.
- (q) Press Gallery Committee.
- (r) Joint Select Committee on (i) the Jammu and Kashmir Debtors' Relief Bill, 1976—2(1); (ii) the Jammu and Kashmir Restitution of Mortgage Proprietary Bill, 1976—2(1) Salaries and Allowances of Members of State Legislature (Amendment) Bill, 1975—3-(iv) the Jammu and Kashmir Agrarian Reforms Bill, 1976—3
- (s) Joint Select Committee on (i) Karnataka Urban Lands Tax Bill, 1975—3(1); (ii) Karnataka Agricultural Income Tax Bill, 1975—(2); (iii) Special Committee to Enquire into incidents that occurred in the House during Governor's Address.
- (t) Select Committee on (i) the Kerala Prisoners Bill, 1971 and the Kerala Slum Areas (Improvement and Clearance) Bill 1976—2(1)—presented on 22-4-1976; (ii) The Kerala Irrigation Bill, 1976-1 (iv) the Kerala Apartment ownership Bill, 1976—1.
- (u) Committee on Scheduled Castes-12(i); Committee on Scheduled Tribes—15(1)
- (v) Committee on Absence of Members from sitting of the House.
- (w) Select Committee on the U. P. Urban Local self-Government Laws (Amendment) Bill, 1974.
- (x) Contempt of Privileges Inter-House Study Committee (1);
- (y) Financial and Administrative Delays Inquiry Committee (1);
- (z) Agro Industries Corporation Inquiry Committees (1)
- (aa) Chitkut and Rajapur Development Committee (1)

APPENDIX IV

LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENTED TO BY THE PRESIDENT
DURING THE PERIOD 1ST FEBRUARY, 1976 TO 30TH APRIL, 1976

S. No.	Title of the Bill	Date of Assent by the President
1.	The Delhi Land Holdings (Ceiling) Amendment Bill, 1976	9-2-76
2.	The Nagaland Appropriation Bill, 1976	9-2-76
3.	The Pondicherry Appropriation Bill, 1976	9-2-76
4.	The Delhi Rent Control (Amendment) Bill, 1976	9-2-76
5.	The Bonded Labour system (Abolition) Bill, 1976	9-2-76
6.	The Conservation of Foreign Exchange Prevention of Smuggling Activities (Amendment) Bill, 1976	9-2-76
7.	The Regional Rural Banks Bill, 1976	9-2-76
8.	The Assam Sillimanite Limited (Acquisition and Transfer of Refractory Plant) Bill, 1976	11-2-76
9.	The Payment of Bonus (Amendment) Bill, 1976	11-2-76
10.	The Press Council (Repeal) Bill, 1976	11-2-76
11.	The Equal Remuneration Bill, 1976	11-2-76
12.	The Motor Vehicles (Amendment) Bill, 1976	11-2-76
13.	The Prevention of Publication of Objectionable Matter Bill, 1976	11-2-76
14.	The Parliamentary Proceedings (Protection of Publication) Repeal Bill, 1976.	11-2-76
15.	The Payment of Wages (Amendment) Bill, 1976	11-2-76
16.	The House of the People (Extension of Duration) Bill, 1976	16-2-76
17.	The Levy Sugar Price Equalisation Fund Bill, 1976	16-2-76
18.	The Industrial Disputes (Amendment) Bill, 1976	16-2-76
19.	The Urban Land (Ceiling and Regulation) Bill, 1976	17-2-76

S. No.	Title of the Bill	Date of Assent by the President
20.	The Prevention of Food Adulteration (Amendment) Bill, 1976 .	17-2-76
21.	The High Court Judges (Conditions of Service) Amendment Bill, 1976	18-3-76
22.	The Supreme Court Judges (Conditions of Service) Amendment Bill, 1976	18-3-76
23.	The Indian Lighthouse (Amendment) Bill, 1976 .	20-3-76
24.	The Appropriation (No. 3) Bill, 1976	22-3-76
25.	The Pondicherry Appropriation (No. 2) Bill, 1976	22-3-76
26.	The Nagaland Appropriation (No. 2) Bill, 1976	22-3-76
27.	The Tamil Nadu State Legislature (Delegation of Powers) Bill, 1976 .	22-3-76
28.	The Warehousing Corporations (Amendment) Bill, 1976	24-3-76
29.	The Appropriation (Vote on Account) Bill, 1976	27-3-76
30.	The Gujarat State Legislature (Delegation of Powers) Bill, 1976 .	30-3-76
31.	The Contempt of Courts (Amendment) Bill, 1976	30-3-76
32.	The Kerala Legislative Assembly (Extension of Duration) Amendment Bill, 1976	31-3-76
33.	The Appropriation (Railways) No. 2 Bill, 1976 .	31-3-76
34.	The Appropriation (Railways) No. 3 Bill, 1976 .	31-3-76
35.	The Foreign Contribution (Regulation) Bill, 1976	31-3-76
36.	The Tamil Nadu Appropriation Bill, 1976	31-3-76
37.	The Tamil Nadu Appropriation (No. 2) Bill, 1976	31-3-76
38.	The Gujarat Appropriation Bill, 1976 .	31-3-76
39.	The Maternity Benefit (Amendment) Bill, 1976	3-4-76
40.	The Indian Standards Institution (Certification Marks) Amendment Bill, 1976	3-4-76
41.	The Iron Ore Mines and Manganese Ore Mines Labour Welfare Cess Bill, 1976	7-4-76

S. No.	Title of the Bill	Date of Assent by the President
42.	The Beedi Workers Welfare Cess Bill, 1976	7-4-76
43.	The High Court at Patna (Establishment of a Permanent Bench at Ranchi) Bill, 1976	8-4-76
44.	The Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Bill, 1976	8-4-76
45.	The Departmentalisation of Union Accounts (Transfer of Personnel) Bill, 1976	8-4-76
46.	The Standards of Weights and Measures Bill, 1976	8-4-76
47.	The Iron Ore Mines and Manganese Ore Mines Labour Welfare Fund Bill, 1976	10-4-76
48.	The Beedi Workers Welfare Fund Bill, 1976	10-4-76
49.	The Betwa River Board Bill, 1976	10-4-76

APPENDIX V

BILLS PASSED BY THE STATE LEGISLATIVES DURING THE PERIOD JANUARY 1 TO
MARCH 31, 1976

Andhra Pradesh Legislative Assembly

1. The Andhra Pradesh Civil Services (Disciplinary Proceedings Tribunal) (Amendment) Bill, 1976.
2. The Andhra Pradesh Gram Panchayats (Amendment) Bill, 1976.
3. The Andhra Pradesh Gram Panchayats and Panchayat Samithis and Zilla Parishads (Amendment) Bill, 1976.
4. The Andhra Pradesh Panchayt Samithis and Zilla Parishads (Amendment) Bill, 1976.
5. The Andhra Pradesh (Telangana Area) Ijara and Kowli Land Cancellation of Irregular Pattas and Abolition of Concessional Assessment (Amendment) Bill, 1976.
6. The Andhra Pradesh Land Encroachment (Amendment) Bill, 1976.
7. The Land Acquisition (Andhra Pradesh Amendment) Bill, 1976.
8. The Andhra Pradesh Cinemas (Regulation) (Amendment) Bill, 1976.
9. The Andhra Pradesh Forest (Amendment) Bill, 1976.
10. The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1976.
11. The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Second Amendment) Bill, 1976.
12. The Andhra Pradesh Home Steads (Conferment of Ownership) Bill, 1976 (As passed by the Council).
13. The Andhra Pradesh General Sales Tax (Amendment) Bill, 1976.
14. The Andhra Pradesh Entertainment Tax (Amendment) Bill, 1976.
15. The Andhra Pradesh Co-operative Societies Laws (Amendment) Bill, 1976.
16. The Andhra Pradesh Agricultural University (Amendment) Bill, 1976.
17. The Andhra Pradesh Municipalities (Amendment) Bill, 1976.

18. The Andhra Pradesh Municipalities (Second Amendment) Bill, 1976.
19. The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) (Amendment) Bill, 1976.
20. The Hyderabad Municipal Corporation (Amendment) Bill, 1976.
21. The Hyderabad Municipal Corporations (Second Amendment) Amending Bill, 1976.
22. The Andhra Pradesh Urban Areas (Development) (Amendment) Bill, 1976.
23. The Andhra Pradesh (Telangana Area) Horse Racing and Betting Tax (Amendment) Bill, 1976.
24. The Andhra Pradesh Indebted Agriculturists, Landless Labourers and Artisans (Temporary Relief) Bill, 1976.
25. The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments (Amendment) Bill, 1976.
26. The Andhra Pradesh University Acts (Supplementary) Bill, 1976.
27. The Andhra Pradesh Appropriation Bill, 1976.
28. The Andhra Pradesh Appropriation (No. 2) Bill, 1976.
29. The Andhra Pradesh District Collectors Powers (Delegation) (Amendment) Bill, 1976.
30. The Indian Electricity (Andhra Pradesh Amendment) Bill, 1976.
31. The Public Wakfs (Extension of Limitation) (Andhra Pradesh Amendment) Bill, 1976.
32. The Andhra Pradesh Irrigation Projects (Special Land Tax) Bill, 1976.
33. The Andhra Pradesh (Non-Delta Area) Drainage Cess Bill, 1976.
34. The Andhra Pradesh (Telangana Area) Land Revenue (Amendment) Bill, 1976.
35. The Andhra Pradesh Splitting up of Joint Pattas (Amendment) Bill, 1976.
36. The Andhra Pradesh Municipalities (Third Amendment) Bill, 1976, (As passed by the Council).
37. The Hyderabad City Water Supply (Amendment) Bill, 1976 (As passed by the Council).
38. The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments (Second Amendment) Bill, 1976 (As passed by the Council).

39. The Andhra Pradesh (Andhra Area) Compulsory Labour (Amendment) Bill, 1976 (As passed by the Council).
40. The Andhra Pradesh Tenants and Ryots Protection Bill, 1976 (as passed by the Council).

Andhra Pradesh Legislative Council

1. The Andhra Pradesh Occupants of Homesteads (Conferment of Ownership) Bill, 1976.
2. The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments (Second Amendment) Bill, 1976.
3. The Andhra Pradesh (Andhra Area) Compulsory Labour (Amendment) Bill, 1976.
4. The Andhra Pradesh Municipalities (Third Amendment) Bill, 1976.
5. The Hyderabad City Water Supply (Amendment) Bill, 1976.
6. The Andhra Pradesh Tenants and Ryots Protection Bill, 1976.

Assam Legislative Assembly

1. The Assam Motor Vehicles Taxation (Amendment) Bill, 1976.
2. The Assam Land Revenue and Rent (Surcharge) Amendment Bill, 1976.
3. The Assam Co-operative Land Mortgage Bank (Amendment) Bill, 1976.
4. The Assam Appropriation (No. 1) Bill, 1976.
5. The Assam Finance Bill, 1976.
6. The Assam Contingency Fund (Augmentation of Corpus) Bill, 1976.
7. The Assam Appropriation (No. 11) Bill, 1976.
8. The Assam Rural Indebtedness Relief (Amendment) Bill, 1976.
9. The Assam Recovery of Loans Bill, 1976.
10. The Assam Panchayati Raj (Fourth Amendment) Bill, 1976.

Gujarat Legislative Assembly

1. The Bombay Land Requisition (Gujarat Extension of Duration) Bill, 1976.
2. The Gujarat Panchayats (Amendment) Bill, 1976.
3. The Bombay Provincial Municipal Corporations (Gujarat Amendment) Bill, 1976.

4. The Bombay Inams (Kutch Area) Abolition (Gujarat Amendment) Bill, 1976.
5. The Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Bill, 1976.
6. The Gujarat Sales Tax (Amendment) Bill, 1976.
7. The Bombay Stamp (Gujarat Amendment) Bill, 1976.
8. The Gujarat Contingency Fund (Temporary Increase) Bill, 1976.
9. The Gujarat Education Cess (Validation) Bill, 1976.
10. The Gujarat Rural Debtors (Temporary Relief) Bill, 1976.
11. The Bombay Motor Vehicles Tax (Gujarat Amendment) Bill, 1976.
12. The Bombay Cinemas (Regulation) (Gujarat Amendment) Bill, 1976.
13. The Bombay Rents, Hotel and Logging House Rates Control (Gujarat Amendment) Bill, 1976.
14. The Indian Electricity (Gujarat Amendment) Bill, 1976.
15. The Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands (Gujarat Amendment) Bill, 1976.
16. The Gujarat (Supplementary) Appropriation Bill, 1976.
17. The Bombay Entertainments Duty and Advertisements Tax (Gujarat Amendment) Bill, 1976.
18. The Indian Forest (Gujarat Amendment) Bill, 1976.

Haryana

1. The Haryana Appropriation Bill, 1976 (in respect of Budget for the year 1976-77).
2. The Haryana Appropriation (No. 2) Bill, 1976 (in respect of the Supplementary Estimates (Second instalment) 1975-76).
3. The Punjab Betterment Charges and Acreage Rates (Haryana Repealing) Bill, 1976.
4. The Punjab Urban Immovable Property Tax (Haryana Amendment) Bill, 1976.
5. The Punjab Agricultural Produce Markets (Haryana Amendment and Validation) Bill, 1976.
6. The Punjab Cooperative Societies (Haryana Amendment) Bill, 1976.
7. The Haryana Municipal (Amendment) Bill, 1976.
8. The Haryana General Sales Tax (Amendment) Bill, 1976.
9. The Haryana Ceiling on Land Holdings (Amendment) Bill, 1976.

10. The Punjab Panchayat Samitis (Haryana Amendment) Bill, 1976.
11. The Punjab Shops and Commercial Establishments (Haryana Amendment) Bill, 1976.
12. The Punjab Town Improvement (Haryana Amendment) Bill, 1976.
13. The Haryana Urban (Control of Rent and Eviction) Amendment Bill, 1976.
14. The Punjab Excise (Haryana Amendment) Bill, 1976.
15. The Punjab Gram Panchayat (Haryana Amendment) Bill, 1976.
16. The Haryana Legislative Assembly Speaker's Pension and Medical Facilities Bill, 1976.
17. The Haryana Dowry Prohibition Bill, 1976.
18. The Code of Criminal Procedure (Haryana Amendment and Validation) Bill, 1976.
19. The Haryana Relief of Agricultural Indebtedness Bill, 1976.

Jammu and Kashmir Legislative Assembly

1. A Bill further to amend the Constitution of Jammu and Kashmir.
2. A Bill to amend the Jammu and Kashmir Sikh Gurdwaras and Religious Endowments Act, 1973.
3. A Bill to validate the registration and authentication of certain documents made by the Munsiffs Mahore and Mendhar.
4. A Bill further to amend the Constitution of Jammu and Kashmir.
5. A Bill to provide for measures to be taken to deal with and satisfy the need for housing accommodation.
6. A Bill to amend the Jammu and Kashmir Houses and Shops rent Control Act, 1976.
7. A Bill to amend the Transfer of Property Act, 1977.
8. A Bill to provide for the restitution of certain Mortgaged properties in the State of Jammu and Kashmir.
9. A Bill to provide relief from indebtedness to the weaker sections of the community in the Jammu and Kashmir State.
10. A Bill to amend the Jammu and Kashmir Entertainments Duty Act, 1959 and the Jammu and Kashmir Cinematograph Act, Svt. 1989.
11. A Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the Jammu and Kashmir State for the services of the financial year 1975-76.
12. Appropriation 1976-77.
13. A Bill to amend the Jammu and Kashmir State Town Planning Act, 1963.

Jammu and Kashmir Legislative Council

1. The Jammu & Kashmir Plant Diseases & Pests (Amendment) Bill, 1976.
2. The Code of Criminal Procedure (Amendment) Bill, 1976.
3. The Jammu & Kashmir Village Panchayat (Extension of Term and Validation) (Amendment) Bill, 1976.
4. The Constitution of Jammu & Kashmir (Fourteenth Amendment) Bill, 1976.
5. The Constitution of Jammu and Kashmir (Fifteenth Amendment) Bill, 1976.
6. The Jammu and Kashmir Registration of Deeds (Validation) Bill, 1976.
7. The Jammu and Kashmir Sikh Gurdwaras & Religious Endowment (Amendment) Bill, 1976.
8. Transfer of Property (Amendment) Bill, 1976.
9. The Jammu & Kashmir Houses & Shops Rent Control (Amendment) Bill, 1976.
10. The Jammu & Kashmir Housing Board Bill, 1976.
11. The Jammu and Kashmir Entertainment Duty and Cinematograph Laws (Amendment) Bill, 1976.
12. The Jammu and Kashmir Land Revenue (Amendment) Bill, 1976.
13. The Jammu and Kashmir Appropriation Bill, 1976.
14. The Jammu and Kashmir Appropriation Bill (No. 2) 1976.
15. The Jammu and Kashmir State Town Planning (Amendment) Bill, 1976.
16. The Jammu and Kashmir Restitution of Mortgaged Properties Bill, 1976.
17. The Jammu and Kashmir Debtor's Relief Bill, 1976.

Karnataka Legislative Assembly

1. The Karnataka Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Bill, 1976.
2. The Karnataka Appellate Tribunal Bill, 1976.
3. The Karnataka Land Reforms (Amendment) Bill, 1976.
4. The Karnataka Rent Control (Amendment) Bill, 1976.
5. The Karnataka Sales Tax (4th Amendment) Bill, 1976.

6. The Karnataka Legislature Proceedings (Protection and Publication) Repeal Bill, 1976.
7. The Karnataka Legislature Salaries (Amendment) Bill, 1976.
8. The Karnataka Municipal Laws (Amendment) Bill, 1976.
9. The Karnataka Improvement Boards Bill, 1976.
10. The Karnataka Debt Relief Bill, 1976.
11. The University of Agricultural Science Bill, 1976.
12. The Karnataka Forest (Amendment) Bill, 1976.
13. The Karnataka Electricity Supply Undertakings (Acquisition) (Amendment) Bill, 1976.
14. The Bangalore Development Authority Bill, 1976.
15. The Karnataka Agricultural Produce Marketing (Regulation) (Amendment) Bill, 1976.
16. The Agricultural Income Tax Bill as reported by Select Committee.
17. The Karnataka Sales Tax (Amendment) Bill, 1976.
18. The Karnataka Co-operative Societies (Amendment) Bill, 1976.
19. The Karnataka State Universities, Bill, 1976.
20. The Karnataka Land Revenue (2nd Amendment) Bill, 1976.
21. The Karnataka Contract Carriages (Acquisition) Bill, 1976.
22. The Karnataka Land Reforms (2nd Amendment) Bill, 1976.
23. The Government Parks Preservation (Amendment) Bill, 1976.
24. The Village Panchayats (Postponement of Election) Bill, 1976.
25. The Land Revenue (Amendment) Bill, 1976.
26. The Karnataka Secondary Education Examination Board (Amendment) Bill, 1976.
27. The Karnataka Urban Water Supply and Drainage Board (Amendment) Bill, 1976.
28. The Registration (Karnataka Amendment) Bill, 1976.
29. The Karnataka Homoeopathic Practitioners (Amendment) Bill, 1976.
30. The Mythic Society (Dissolution and Management) Bill, 1976.
31. The Karnataka Appropriation Bill, 1976.
32. The Karnataka Appropriation (No. 2) Bill, 1976.
33. The Karnataka Appropriation (No. 3) Bill, 1976.

Karnataka Legislative Council

1. The Karnataka Village Panchayats (Postponement of Elections) (Amendment) Bill, 1976.
2. The Karnataka Homoeopathic Practitioners (Amendment) Bill, 1976.
3. The Mythic Society (Dissolution & Management) Bill, 1976.
4. The Karnataka Secondary Education Examination Board (Amendment) Bill, 1976.
5. The Karnataka Urban Water Supply and Drainage Board (Amendment) Bill, 1976.
6. The Karnataka Government Parks (Preservation) (Amendment) Bill, 1976.
7. The Karnataka Land Revenue (Amendment) Bill, 1976.
8. The Registration (Karnataka Amendment) Bill, 1976.
9. The Karnataka Village Offices Abolition (Amendment) Bill, 1976.
10. The Karnataka State Legislature Proceedings (Protection of Publication) Repeal Bill, 1976.
11. The Karnataka Debt Relief Bill, 1976.
12. The Karnataka Municipal Laws (Amendment) Bill, 1976.
13. The Karnataka Legislature Salaries (Amendment) Bill, 1976.
14. The Karnataka Agricultural Produce Marketing (Regulation) (Amendment) Bill, 1976.
15. The Bangalore Development Authority Bill, 1976.
16. The Karnataka Sales Tax (Amendment) Bill, 1976.
17. The University of Agricultural Sciences (Amendment) Bill, 1975.
18. The Karnataka Improvement Boards Bill, 1976.
19. The Karnataka Motor Vehicles (Taxation on passenger and Goods) (Amendment) Bill, 1976.
20. The Karnataka Electricity Supply Undertaking (Acquisition) (Amendment) Bill, 1976.
21. The Karnataka Forest (Amendment) Bill, 1976.
22. The Karnataka Rent Control (Amendment) Bill, 1976.
23. The Karnataka Appellate Tribunal Bill, 1976.
24. The Karnataka Land Reforms (Amendment) Bill, 1976.
25. The Karnataka Agricultural Income Tax (Amendment) Bill, 1976.

26. The Karnataka Land Reforms (Second Amendment) Bill, 1976.
27. The Karnataka Cooperative Societies (Amendment) Bill, 1976.
28. The Karnataka Contract Carriages (Acquisition) Bill, 1976.
29. The Karnataka Land Revenue (Second Amendment) Bill, 1976.
30. The Karnataka State Universities Bill, 1976.
31. The Karnataka Appropriation Bill, 1976.
32. The Karnataka Appropriation (No. 2) Bill, 1976.
33. The Karnataka Appropriation (No. 3) Bill, 1976.

Kerala Legislative Assembly

1. The Kerala Motor Vehicle Taxation Bill, 1976.
2. The Kerala Land Reforms (Amendment) Bill, 1976.
3. The Kanam Tenancy Abolition Bill, 1976.
4. The Town Planning Laws (Amendment) Bill, 1976.
5. The Kerala Essential Articles Control (Temporary Power) Continuance Bill, 1976.
6. The Kerala Panchayats (Amendment) Bill, 1976.
7. The Kerala Municipal Corporations (Amendment) Bill, 1976.
8. The Kerala Municipal Corporations (Second Amendment) Bill, 1976.
9. The Kerala Municipal Councils (Extension of term of Office of Councillors) Bill, 1976.
10. The Trivandrum Municipal Corporation (Dissolution) Bill, 1976.
11. The Kerala General Sales Tax (Amendment) Bill, 1976.
12. The Calicut University (Amendment) Bill, 1976.
13. The Kerala University (Amendment) Bill, 1976.
14. The Kerala Sales Tax (Second Amendment) Bill, 1976.
15. The Agricultural Income Tax (Amendment) Bill, 1976.
16. The Prisons Laws (Amendment) Bill, 1976.
17. The Kerala Tax on Employment Bill, 1976.
18. The University Laws (Amendment) Bill, 1976.
19. The Supply of Paddy & Rice to Travancore Palace (Extinguishment of Rights and Liabilities) Bill, 1976.
20. The Kerala Appropriation Bill, 1976.

21. The Kerala Appropriation (Vote on Account) Bill, 1976.
22. The Travancore-Cochin Hindu Religious Institutions (Amendment) Bill, 1974.
23. The S. K. V. A. Cooperative Pharmacy and Stores (Acquisition and Transfer of Undertakings) Bill, 1976.
24. The Koodal Manickam Devaswom (Amendment) Bill, 1976.
25. The Kerala Appropriation (No. 2) Bill, 1976.
26. The Kerala Appropriation (No. 3) Bill, 1976.
27. The Kerala Appropriation (No. 4) Bill, 1976.
28. The Kerala Appropriation (No. 5) Bill, 1976.
29. The Kerala Appropriation (No. 6) Bill, 1976.
30. The Kerala Appropriation (No. 7) Bill, 1976.

Manipur Legislative Assembly

1. The Manipur Municipalities Bill, 1976 (Bill No. 8 of 1975).
2. The Manipur Ministers, Speakers & Chairman, Hill Areas Committee of Manipur Legislative Assembly (Grant of Motor Car Advance) Bill, 1976.
3. The Manipur Appropriation (No. 1) Bill, 1976.
4. The Manipur Appropriation (No. 2) Bill, 1976.
5. The Manipur Local Funds (Accounts & Audit) Bill, 1976.
6. The Manipur Agricultural Indebtedness (Relief) Bill, 1976.
7. The Manipur Town & Country Planning (Amendment) Bill, 1976.
8. The Manipur State Road Transport (Prevention of Ticketless Passenger) Bill, 1976.
9. The U.P. Panchayat Raj (Manipur Amendment) Bill, 1976.
10. The Shri Govendaji Temple (Amendment) Bill, 1976
11. The Manipur Land Revenue and Land Reforms (Second Amendment) Bill, 1976.

Meghalaya Legislative Assembly

1. The Meghalaya Chit Fund and Money Circulation Scheme (Prohibition) Bill, 1976.
2. The Meghalaya Credit Operation and Miscellaneous Provisions Bill, 1976.

Mizoram Legislative Assembly

1. The Appropriation (No. 1) Bill, 1976.
2. The Appropriation (No. 2) Bill, 1976.
3. The Mizo District (Land and Revenue) (Amendment) Bill, 1976.

Punjab Legislative Assembly

1. The Punjab Urban Estates (Development and Regulation) (Amendment) Bill, 1976.
2. The Punjab Municipal (Amendment) Bill, 1976.
3. The Punjab Town Improvement (Amendment) Bill, 1976.
4. The Punjab Appropriation Bill, 1976.
5. The Public Wakfs (Extension of Limitation) (Punjab Amendment) Bill, 1976.
6. The Punjab Agricultural Produce Markets (Validation) Bill, 1976.
7. The Punjab Gram Panchayat (Common Purposes Land) Eviction and Rent Recovery Bill, 1976.
8. The Punjab Appropriation (No. 2) Bill, 1976.
9. The Punjab Legislative Assembly (Allowances of Members) Amendment Bill, 1976.
10. The East Punjab Ministers' Salaries (Amendment) Bill, 1976.
11. The Salaries & Allowances of Deputy Ministers' Punjab (Amendment) Bill, 1976.
12. The Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries (Amendment) Bill, 1976.
13. The Punjab Land Reforms (Amendment) Bill, 1976.
14. The Punjab General Sales Tax (Amendment and Validation) Bill, 1976.
15. The Punjab New Capital (Periphery) Control (Amendment) Bill, 1976.
16. The Punjab Village Common Lands (Regulation) (Amendment) Bill, 1976.
17. The Punjab Panchayat Samitis & Zila Parishads (Amendment) Bill, 1976.
18. The Punjab Gram Panchayat (Amendment) Bill, 1976.
19. The Punjabi University (Amendment) Bill, 1976.
20. The Guru Nanak Dev University Amritsar (Amendment) Bill, 1976.

21. The Punjab Bhudan Yagna (Amendment) Bill, 1976.
22. The Dowry Prohibition (Punjab Amendment) Bill, 1976.
23. The Punjab Backward Classes Land Development and Finance Corporation Bill, 1976.
24. The Punjab Package Deal Properties (Disposal) Bill, 1976.
25. The Punjab Security of State (Amendment) Bill, 1976.
26. The Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries (Second Amendment) Bill, 1976.
27. The Punjab Mechanical Vehicles (Bridge Tools) (Repeal) Bill, 1976.
28. The Punjab Water Supply and Sewerage Board Bill, 1976.

Rajasthan Legislative Assembly

1. Wage Laws (Rajasthan Amendment) Bill, 1975.
2. The Rajasthan Public Service Commission (Regulation and Validation of Procedure) Bill, 1976.
3. The Rajasthan Panchayat Samitis and Zila Parishad (Amendment) Bill, 1976.
4. The Rajasthan Legislative Assembly Members (Removal of Disqualification) (Amendment) Bill, 1976.
5. The Rajasthan Monuments, archaeological Sites and antiquities (Amendment) Bill, 1976.
6. The Rajasthan Panchayat (Amendment) Bill, 1975.
7. The Rajasthan Stamp Law (Adaptation) (Amendment) Bill, 1975.
8. The Rajasthan Municipalities (Amendment) Bill, 1975.
9. The Rajasthan Co-operative Societies (Amendment) Bill, 1976.
10. The Rajasthan Tenancy (Amendment) Bill, 1976.
11. The Rajasthan Revenue Laws (Amendment) Bill, 1976.
12. The Rajasthan Imposition of Ceiling on Agricultural Holdings (Amendment) Bill, 1976.
13. The Rajasthan Money-Lenders (Amendment) Bill, 1976.
14. The Rajasthan Scheduled Debtors (Moratorium on Debts) Bill, 1976.
15. The Rajasthan Scheduled Debtors (Liquidation of Indebtedness) Bill, 1976.
16. The Rajasthan Sagri System Abolition (Repeal) Bill, 1976.

17. The Rajasthan Appropriation (No. 1) Bill, 1976.
18. The Rajasthan Appropriation (No. 2) Bill, 1976.
19. The Rajasthan Premises (Control of Rent and Eviction) (Amendment) Bill, 1976.
20. The Rajasthan Taxation Laws (Amendment) Bill, 1976.
21. The Rajasthan Appropriation (No. 4) Bill, 1976.
22. The Rajasthan Taxation Laws (Second Amendment) Bill, 1976.
23. The Electricity (Supply) (Rajasthan Amendment) Bill, 1976.
24. The Rajasthan Lands (Restrictions on Transfer) Bill, 1976.
25. The Rajasthan Universities' Teachers and Officers (Special Conditions of Service) (Amendment) Bill, 1976.
26. The Rajasthan Appropriation (No. 3) Bill, 1976.
27. The Rajasthan Urban Improvement (Amendment) Bill, 1976.
28. The Registration (Rajasthan Amendment) Bill, 1972.

Sikkim Legislative Assembly

1. The Sikkim Appropriation Bill (No. 1) of 1976.
2. The Sikkim Criminal Procedure Bill, 1976.
3. The Charter of Incorporation of the Sikkim Research Institute of Tibetology (Amendment) Bill, 1976.
4. The Sikkim Appropriation (No. 4) Bill, 1976.

Tripura Legislative Assembly

1. The Tripura Agricultural Credit Operations Bill, 1976 (Tripura Bill No. 6 of 1976).
2. The West Bengal Security (Tripura Re-enacting) Third Amendment Bill, 1976 (Tripura Bill No. 1 of 1976).
3. The Tripura Motor Vehicles Tax (2nd Amendment) Bill, 1976 (Tripura Bill No. 8 of 1976).
4. The Tripura Appropriation (No. 2) Bill, 1976 (Tripura Bill No. 5 of 1976).
5. The Tripura Appropriation (Vote on Account) Bill, 1976 (Tripura Bill No. 3 of 1976).
6. The Tripura Appropriation Bill, 1976 (Tripura Bill No. 4 of 1976).
7. The Tripura Land Revenue & Land Reforms (Fourth Amendment) Bill, 1976 (Tripura Bill No. 2 of 1976).

8. The Tripura Professions Trades, Callings and Employment Taxation Bill, 1976 (Tripura Bill No. 7 of 1976).
9. The Tripura Sales Tax Bill, 1976 (Tripura Bill No. 9 of 1976).

*Uttar Pradesh**

1. Societies Registration (U.P. Amendment) Bill, 1974.
2. The U.P. Water Supply and Sewerage Bill, 1975.
3. The U.P. Badrinath (Sanitation and Improvement) (Repeal) Bill, 1975.
4. The U.P. Education Laws Amendment Bill, 1975.
5. The U.P. Appropriation Bill, 1975.
6. The Kumaun and Garhwal Water (Collection, Retention and Distribution) Bill, 1975.
7. The U.P. Prohibition of Bonded Labour Bill, 1975.
8. The U.P. High Court (Abolition of letters Patent Appeals) (Amendment) Bill, 1975.
9. The U.P. General Clauses (Amendment) Bill, 1975.
10. The U.P. Ministers and Legislators (Publication of Assets and Liabilities) Bill, 1975.
11. The U.P. Lok Ayukta and Uplok Ayukta Bill, 1975.
12. The U.P. Indian Medicine (Amendment) Bill, 1975.
13. The U.P. Roadside Land Control (Amendment) Bill, 1975.
14. The U.P. Krishi Utpadan Mandi Samiti (Alpkalik Vyavstha) (Amendment) Bill, 1975.
15. The U.P. Local Bodies (Prevention of disqualification) Bill, 1975.
16. The U.P. Land Laws (Amendment) Bill, 1975.
17. The U.P. Municipalities (Amendment) Bill, 1975.
18. The Essential Commodities (U.P. Second Amendment) Bill, 1975.
19. The U.P. Fundamental Rule 56 (Amendment) and Validation Bill, 1975.
20. The U.P. Ownership of Flats Bill, 1975.
21. The U.P. Homoeopathic Medicine (Amendment) Bill, 1975.

*Bills listed at S. Nos. 1 to 35 relate to the period October 1 to December 31, 1975.

22. The U.P. Medical Educational Institutions (Prevention) (Amendment) Bill, 1975.
23. The U.P. Chit Fund Bill, 1975.
24. The U.P. Rural Weaker Section (Moratorium on recovery of Debts) Bill, 1975.
25. Registration (U.P. Amendment) Bill, 1975.
26. The U.P. Appropriation (Regularisation of Excess Expenditure, 1968-69) Bill, 1975.
27. The U.P. Appropriation (Regularisation of Excess Expenditure, 1969-70) Bill, 1975.
28. Indian Stamp (U.P. Amendment) Bill, 1975.
29. The U.P. Sales Tax (Amendment and Validation) Bill, 1975.
30. The U.P. Sugarcane (Purchase Tax) (Amendment) Bill, 1975.
31. The U.P. Parks, Playgrounds and Open Spaces (Preservation and Regulation) Bill, 1975.
32. The U.P. State Control over Public Corporation Bill, 1975.
33. The U.P. Secondary Education (Amendment) Bill, 1975.
34. The U.P. Prohibition of Beggary Bill, 1975.
35. The U.P. Legislative Chambers (Members Emoluments) (Amendment) Bill, 1975.
36. The Code of Criminal Procedure (U.P. Amendment) Bill, 1976.
37. Sugarcane (Regulation of Supply and Purchase) (Amendment) Bill, 1976.
38. The Indian Electricity (U.P. Amendment) Bill, 1976.
39. The U.P. Appropriation (Supplementary 1975-76) Bill, 1976.
40. The U.P. Resin and other Forest Produce (Regulation of Trade) Bill, 1976.
41. The U.P. Urban Planning and Development (Amendment) Bill, 1976.
42. The U.P. Appropriation (Vote on Account) Bill, 1976.

West Bengal

1. The West Bengal Land Reforms (Amendment) Bill, 1976.
2. The West Bengal Restoration of Alienated Land (Amendment) Bill, 1976.

3. The Calcutta National Medical College and Hospital (Amendment) Bill, 1976.
4. The West Bengal Medical and Dental Colleges (Regulation of Admission) (Amendment) Bill, 1976.
5. The R. G. Kar Medical College and Hospital (Amendment) Bill, 1976.
6. The West Bengal Irrigation (Imposition of Water Rate for Damodar Valley Corporation Water) (Amendment) Bill, 1976.
7. The West Bengal Requisitioned Land (Continuance of Powers) (Amendment) Bill, 1976.
8. The West Bengal Scheduled Castes Development and Finance Corporation Bill, 1976.
9. The Gangasagar Mela Bill, 1976.
10. The West Bengal Municipal Employees (Compulsory Retirement) Bill, 1976.
11. The Jadavpur University (Amendment) Bill, 1976.
12. The West Bengal University Law (Amendment) Bill, 1976.
13. The Oriental Gas Company (Amendment) Bill, 1976.
14. The West Bengal Employment Scheme Loans (Recovery) Bill, 1976.
15. The West Bengal Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Bill, 1976.
16. The West Bengal Universities (Control of Expenditure) Bill, 1976.
17. The West Bengal National Volunteer Force (Amendment) Bill, 1976.
18. The Lowis Jubilee Sanatorium (Taking over of Management) Bill, 1976.
19. The West Bengal Prevention of Defacement of Property Bill, 1976.
20. The West Bengal Relief of Rural Indebtedness (Amendment) Bill, 1976.
21. The Darjeeling Hill areas Development Council Bill, 1976.
23. The West Bengal Government Premises (Tenancy Regulation) Bill, 1976.
24. The Indian Stamp (West Bengal Amendment) Bill, 1976.
25. The West Bengal Rural Employment and Production Bill, 1976.
26. The West Bengal Urban Land Taxation Bill, 1976.
27. The West Bengal Taxation Laws (Amendment) Bill, 1976.

28. The West Bengal Advertisement Tax Bill, 1976.
29. The Calcutta Municipal (Second Amendment) Bill, 1976.
30. The Bengal Municipal (Amendment) Bill, 1976.
31. The Howrah-Amta Light Railway Company (Acquisition of Land) Bill, 1976.
32. The Chanchal College (Taking over of Management) Bill, 1976.
33. The West Bengal Clinical Establishment (Amendment) Bill, 1976.
34. The Calcutta Municipal (Amendment) Bill, 1976.
35. The West Bengal Appropriation Bill, 1976.
36. The Mackintosh Burn (Taking over of Management) Bill, 1976.
37. The West Bengal Appropriation (No. 2) Bill, 1976.
38. The West Bengal Housing Board (Amendment) Bill, 1976.
39. The Darjeeling Ropeway Co. Ltd. (Acquisition of Undertaking) Bill, 1976.
40. The West Bengal Government (Extension of Civic Amenities) (Amendment) Bill, 1976.
41. The West Bengal University Laws Amendment (No. 2) Bill, 1976.
42. The Calcutta Improvement (Amendment) Bill, 1976.

Arunachal Pradesh Legislative Assembly

1. The Arunachal Pradesh Appropriation (No. 1) Bill, 1976 (Relating to the Supplementary Demands for grants for 1975-76).
2. The Arunachal Pradesh Appropriation (No. 2) Bill, 1976 (Relating to the Demands for grants for 1976-77).

Goa, Daman and Diu Legislative Assembly

1. The Goa, Daman and Diu Plant Diseases & Pests Bill, 1975.
2. The Goa, Daman and Diu Administration of Evacuee Property (Fourth Amendment) Bill, 1976.
3. The Goa, Daman and Diu Supplementary Appropriation Bill, 1976.
4. The Goa, Daman and Diu Excess Expenditure Bil, 1976.
5. The Goa, Daman and Diu Agricultural Indebtedness (Temporary Relief) Bill, 1976.
6. The Goa, Daman and Diu Habitual Offenders Bill, 1976.
7. The Goa, Daman and Diu Public Gambling Bill, 1976.
8. The Goa, Daman and Diu Municipalities (2nd Amendment) Bill, 1976.

9. The Goa, Daman and Diu Village Panchayats Regulation (Amendment) Bill, 1976.
10. The Goa, Daman and Diu Excise Duty (Amendment) Bill, 1976.
11. The Goa, Daman and Diu Barge Tax (Amendment) Bill, 1976.
12. The Goa, Daman and Diu (Lease, Rent and Eviction) Control (Amendment) Bill, 1976.
13. The Goa, Daman and Diu Appropriation (Vote on Account) Bill, 1976.
14. The Goa, Daman and Diu Appropriation Bill, 1976.
15. The Goa, Daman and Diu (Legislative Diploma No. 1682, dated 29-11-1956) (Repeal) Bill, 1976.
16. The Goa, Daman and Diu Agriculture Tenancy (Fifth Amendment) Bill, 1976.

APPENDIX VI

ORDINANCES ISSUED BY THE CENTRAL GOVERNMENT DURING THE PERIOD 1ST FEBRUARY, 1976
TO 30TH APRIL, 1976, AND THE STATE GOVERNMENTS DURING JANUARY 1 TO MARCH, 31,
1976.

S. No.	Subject	Date of promul- gation	Date on which laid before House	Date of Cessation	Remarks
1	2	3	4	5	6

Central Government

1	The Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Amendment Ordinance, 1976 (No. 1 of 1976).	1-3-76	8-3-76		Replaced by Legislation.
2	The Departmentalisation of Union Accounts (Transfer of Personnel) Ordinance, 1976 (No. 2 of 1976).	1-3-76	8-3-76		Do.
3	The Coal Mines (Nationalisation) Amendment Ordinance, 1976 (No. 3 of 1976).	*29-4-76	29-4-76		To be replaced by legislation.

States

ANDHRA PRADESH

1	The Andhra Pradesh Agricultural University (Amendment) Ordinance, 1976 (A.P. Ordinance, No. 1 of 1976).	7-1-76	29-1-76	9-3-76	Replaced by Legislation.
2	The Andhra Pradesh Urban Areas (Development) (Amendment) Ordinance, 1976.	9-1-76	Do.	Do.	Do.
3	The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Amendment) Ordinance, 1976.	Do.	Do.	Do.	Do.

*Lok Sabha was in session but Rajya Sabha was not in session.

1	2	3	4	5	6
4	The Andhra Pradesh General Sales Tax (Amendment) Ordinance, 1976.	11-1-76	29-1-76	9-3-76	Replaced by Legislation.
5	The Andhra Pradesh Entertainments Tax (Amendment) Ordinance, 1976.	11-1-76	Do.	Do.	Do.
6	The Andhra Pradesh Co-operative Societies Laws (Amendment) Ordinance, 1976.	Do.	Do.	Do.	Do.
BIHAR					
1	The Bihar Irrigation Laws (Amendment) Ordinance, 1976.	10-1-76		31-3-76	Replaced by Legislation.
2	The Bihar Khatli and Village Industries (Amendment) Ordinance, 1976.	18-1-76		Do.	Do.
3	The Bihar State Aid to Industries (Amendment) Ordinance, 1976.	18-1-76		Do.	Do.
4	The Chotanagpur and Santhal Parganas Autonomous Development Authority (Amendment) Ordinance, 1976.	18-1-76		Do.	Do.
5	The Bihar Taxation of Motor Vehicles (Amendment) Ordinance, 1976.	18-1-76		Do.	Do.
6	The Bihar private Irrigation Works (Amendment) Ordinance, 1976	18-1-76		Do.	Do.
7	The Bihar Hindu Religious Trusts (Amendment) Ordinance, 1976.	18-1-76		Do.	Do.
8	The Motor Vehicles (Bihar Amendment) Ordinance, 1976.	18-1-76		Do.	Do.
9	The Rajendra Agricultural University (Amendment) Ordinance, 1976.	18-1-76		Do.	Do.
10	The Bihar Weights and Measures (Enforcement) (Amendment) Ordinance, 1976.	18-1-76		Do.	Do.

1	2	3	4	5	6
11	The Bihar State University Laws and School Laws (Amendment and Repeal) Ordinance, 1976.	18-1-76		31-3-76	Replaced by legislation.
12	The Chotanagpur Tenancy (Amendment) Ordinance, 1976.	Do.		Do.	Do.
13	The Bihar Kolhen Civil Justice (Increase in pecuniary (Amendment) Ordinance, 1976.	Do.		Do.	Do.
14	The Bihar Irrigation and Lift Irrigation (Amendment) Ordinance, 1976.	Do.		Do.	Do.
15	The Bihar Irrigation Field Channel (Amendment) Ordinance, 1976.	Do.		Do.	
16	The Bihar Panchayat Samities and Zila Parishads (Amendment) Ordinance, 1976.	Do.		Do.	
17	The Bihar School Examination Board (Amendment) Ordinance, 1976.	Do.		Do.	
18	The Bihar Local Self Government (Amendment) Ordinance, 1976.	Do.		Do.	
19	The Bihar Soil and Water conservation and Land Development Ordinance, 1976.	Do.		Do.	
20	The Bihar Health Cess Ordinance, 1976.	Do.		Do.	
21	The Bihar Entertainment Tax (Amendment) Ordinance, 1976.	Do.		Do.	
22	The Court Fee (Bihar Amendment) Ordinance, 1976.	Do.		Do.	
23	The Bihar Advertisement Tax Ordinance, 1976.	Do.		Do.	
24	The Indian Stamp (Bihar Amendment) Ordinance, 1976.	Do.		Do.	
25	The Bihar Medical Educational Institutions (Regulation and control) Ordinance, 1976.	Do.		Do.	

1	2	3	4	5	6
26	The Jharia Water Supply (Amendment) Ordinance, 1976.	18-1-76		31-3-76	
27	The Bihar Municipality (Amendment) Ordinance, 1976.	Do.		Do.	
28	The Bihar Cess (Amendment) Ordinance, 1976.	Do.		Do.	
29	The Bihar Primary Education Board Ordinance, 1976.	Do.		Do.	
30	The Bihar District Boards and Local Boards (Management and control) (Amendment) Ordinance, 1976.	Do.		Do.	
31	The Bihar Land (Rent surcharge) Ordinance, 1976.	Do.		Do.	
32	The Bihar District Boards (Reorganisation) Ordinance, 1976.	Do.		Do.	
33	The Bihar Public and Encroachment (Amendment) Ordinance, 1976	Do.		Do.	
34	The Bihar Panchayat Raj (Amendment and validation) Ordinance, 1976.	Do.		Do.	
35	The Bihar Tenancy (Amendment) Ordinance, 1976.	Do.		Do.	
36	The Bihar Panchayat Samities and Zila Parishads (Amending and validating) Ordinance, 1976.	Do.		Do.	
37	The Bihar Primary Education (Amendment) Ordinance, 1976.	Do.		Do.	
38	The Bihar Agricultural and Rural Areas Development Agencies Ordinance, 1976.	Do.		Do.	
39	The Bihar Agricultural produce Markets Ordinance, 1976.	Do.		Do.	
40	The Bihar Premises and Vehicles (Acquisition) Ordinance, 1976.	Do.		Do.	

1	2	3	4	5	6
41	The Essential Commodities (Bihar Amendment) Ordinance, 1976	18-1-76		31-3-76	
42	The Motor Vehicles (Bihar Second Amendment) Ordinance, 1936	Do.		Do.	
43	The Bihar Sugarcane (Supply and Regulation of purchase) Ordinance, 1976	Do.		Do.	
44	The Patna Municipal Corporation (Amendment) Ordinance, 1976	Do.		Do.	
45	The Bihar Co-operative Societies (Amendment) Ordinance, 1976	Do.		Do.	
46	The Bihar State Housing Board Ordinance, 1976	Do.		Do.	
47	The Bihar State Housing Board Ordinance, 1976	Do.		Do.	
48	The Bihar Bloodan yagna (Amendment) Ordinance, 1976	Do.		Do.	
49	The Bihar application of State Laws to transferred Territories Ordinance, 1976	Do.		Do.	
50	The Santhal Parganas Tenancy (Supplementary provisions) (Amendment) Ordinance, 1976	Do.		Do.	
51	The Bihar Gramdan (Amendment) Ordinance, 1976	Do.		Do.	
52	The Bihar Electric Supply undertaking (Acquisition) Ordinance, 1976	Do.		Do.	
53	The Lalit Narain Mithila University Ordinance, 1976	Do.		Do.	
54	The Patna University (Amendment) Ordinance, 1976	Do.		Do.	
55	The Magadh University (Amendment) Ordinance, 1976	Do.		Do.	
56	The Bihar State Universities (Bihar University, Bhagalpur and Ranchi) (Amendment) Ordinance, 1976.	Do.		Do.	

1	2	3	4	5	6
57	The Bihar Ancient Monuments and Archaeological sites and Remains Ordinance, 1976	18-1-76		31-3-76	
58	The Bihar Irrigation Development (Requisition of Land) Ordinance, 1976	Do.		Do.	
59	The Bihar Regional Development Authority Ordinance, 1976	Do.		Do.	
60	The Bihar Ceiling on Urban Property (Temporary restriction on Transfer) Ordinance, 1976	Do.		Do.	
61	The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Ordinance, 1976	Do.		Do.	
62	The Bihar Private Primary School (Taking over of control) Ordinance, 1976	Do.		Do.	
63	Ranchi District Thana Bhagat Raiyats (Restoration of Agricultural Lands) (Amendment) Ordinance, 1976	Do.		Do.	
64	The Kameshwar Singh Darbhanga Sanskrit University (Amendment) Ordinance, 1976	Do.		Do.	
65	The Bengal Forries (Amendment) Ordinance, 1976	Do.		Do.	
66	The Bihar University Laws (Amendment) Ordinance, 1976	Do.		Do.	
67	The Bihar Co-operative Societies (Second Amendment) Ordinance, 1976	Do.		Do.	
68	The Bihar Municipal (Second Amendment) Ordinance, 1976.	Do.		Do.	
69	The Bihar Taxation on Passengers goods (carried by public Motor Vehicles) (Amendment) Ordinance, 1976.	Do.		Do.	

1	2	3	4	5	6
70	The Bihar Municipal and Patna Municipal Corporation (Amendment) Ordinance, 1976	3-3-76		31-3-76	
GUJARAT					
1	The Bombay Stamp (Gujarat Amendment) Ordinance, 1975.	26-8-75	10-2-76		Replaced by legislation.
2	The Bombay Provincial Municipal Corporations (Gujarat Amendment) Ordinance, 1975	13-9-75	Do.		Do.
3	The Gujarat Panchayats (Amendment) Ordinance, 1975	Do.	Do.		Do.
4	The Gujarat Contingency Fund (Temporary Increase) Ordinance, 1975	1-10-75	Do.		Do.
5	The Gujarat Rural Debtors (Temporary Relief) Ordinance, 1975.	18-10-75	Do.		Do.
6	The Bombay Stamp (Gujarat Second Amendment) Ordinance, 1975.	30-10-75	Do.		Do.
7	The Bombay Entertainment Duty and Advertisements Tax (Gujarat Amendment) Ordinance, 1975	Do.	Do.		Do.
8	The Bombay Motor Vehicles Tax (Gujarat Amendment) Ordinance, 1975.	27-11-75	Do.		Do.
9	The Gujarat Sales Tax (Second Amendment) Ordinance, 1975.	12-12-75	Do.		Do.
10	The Gujarat Contingency Fund (Temporary Increase) (Second) Ordinance, 1975.	22-12-75	Do.		Do.
11	The Bombay Land Requisition (Gujarat Extension of Duration) Ordinance, 1975.	24-12-75	Do.		Do.

1	2	3	4	5	6
12	The Bombay Inams (Kutch Area Abolition (Gujarat Amendment) Ordinance, 1975.	30-12-75	10-2-76		Replaced by legislation.
12	The Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Ordinance, 1975.	Do.	Do.		Do.
HARYANA					
1	The Punjab Betterment Charges and Acreage Rates (Haryana Repealing) Ordinance, 1975.	1-9-75	12-1-76	..	Replaced by Legislation
2	The Punjab Agricultural Produce Markets (Haryana Amendment and Validation) Ordinance, 1975	25-9-75	12-1-76	..	Do.
3	The Punjab Cooperative Societies (Haryana Amendment) Ordinance, 1975.	17-11-75	Do.]	..	Do.
JAMMU & KASHMIR					
1	The Jammu & Kashmir Sikh Gurdwaras and Religious Endowment (Amendment) Ordinance, 1975.	2-12-75	9-2-76		Replaced by Legislation
2	The Jammu & Kashmir Village Panchayat (Extension of Term/ Amendment) Ordinance, 1975	29-12-75	Do.		Do.
3	The Jammu and Kashmir Land Revenue (Amendment) Ordinance, 1975.	31-12-75	Do.		Do.
4	The Jammu & Kashmir Entertainments Duty & Cinematograph Laws (Amendment) Ordinance, 1976.	22-1-76	Do.		Do.
KARNATAKA					
1	The Karnataka State Legislature Proceedings Protection of Publication) Repeal Ordinance, 1976.	9-1-76	3-2-76		Replaced by Legislation
2	The Karnataka Government Parks (Preservation) (Amendment) Ordinance, 1976	Do.	Do.		Do.

1	2	3	4	5	6
3	The Karnataka Legislature Salaries (Amendment) Ordinance, 1976.	9-1-76	3-2-76		Replaced by legislation
4	The Karnataka Co-operative Societies (Amendment) Ordinance, 1976.	19-1-76	Do.		Do.
5	The Karnataka Agricultural Produce Marketing (Regulation) (Amendment) Ordinance, 1976.	20-1-76	Do.		Do.
6	The Karnataka Land Revenue (Amendment) Ordinance 1976.	24-1-76	Do.		Do.
7	The Karnataka Contract Carriage (Acquisition) Ordinance, 1976.	30-1-76	4-2-76		Do.

KERALA

1	The Kerala Panchayats (Amendment) Ordinance, 1975				Do.
2	The Kerala Municipal Corporations (Third Amendment) Ordinance, 1975.				Do.
3	The Kerala Municipal Corporations (Fourth Amendment) Ordinance, 1975.				Do.
4	The Kerala Municipal Councils (Extension of Terms of Office of Councillors) Ordinance, 1975.				Do.
5	The Trivandrum Municipal Corporation (Dissolution) Ordinance, 1975.				Do.
6	The Town Planning Laws (Amendment) Ordinance, 1976.				Do.
7	The Kerala Land Reforms (Amendment) Ordinance, 1975.				Do.
8	The Kuttam Tenancy Abolition Ordinance, 1975.				Do.
9	The Prisons Laws (Amendment) Ordinance, 1975.				Do.
10	The Calicut University (Amendment) Ordinance, 1975.				Do.

1	2	3	4	5	6
11	The Kerala University (Amendment) Ordinance, 1975.				Replaced by Legislation
12	The Calicut University (Second Amendment) Ordinance, 1975.				Do.
13	The University Laws (Amendment) Ordinance, 1976.				Do.]
14	The Kerala General Sales Tax (Amendment) Ordinance, 1975.				Do.
15	The Kerala General Sales Tax (Second Amendment) Ordinance, 1975.				Do.
16	The Agriculture Income Tax (Amendment) Ordinance, 1975.				Do.
17	The Kerala Tax on Employment Ordinance, 1975 (No. 16 of 1975).				Do.
RAJASTHAN					
1	The Rajasthan Taxation Laws (Amendment) Ordinance, 1976.	2-1-76	12-6-76	27-4-76	Do.
2	The Electricity Supply (Rajasthan Amendment) Ordinance, 1976.	7-2-76	9-3-76	6-4-76	Do.
3	The Rajasthan Lands (Restriction on transfer) Ordinance, 1976.	14-2-76	9-3-76	6-4-76	Do.
4	The Rajasthan Universities' teacher & officers (Special Conditions of service) Amendment Ordinance, 1976.	26-2-76	9-3-76	17-4-76	Do.
5	The Rajasthan Urban Improvement (Amendment) Ordinance, 1976.	26-2-76	9-3-76	6-4-76	Do.
TRIPURA					
1	The West Bengal Security (Tripura Re-enacting) (Third Amendment) Ordinance (Tripura Ordinance No. 1 of 1976.)	8-2-76	8-3-76	Six week from 8-3-76	Do.
2	The Tripura Land Revenue and Land Reforms (Fourth Amendment) Ordinance 1976 (Tripura Ordinance No. 2 of 1976).	17-2-76	8-3-76	Do.	Do.

1	2	3	4	5	6
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TRIPURA—Contd.

3	The Tripura Agricultural Credit Operations Ordinance, 1976 (Tripura Ordinance No. 3 of 1976).	21-2-1976	8-3-1976	Six Week from 8-3-1976	Do.
4	The Tripura Professions, Trades, Callings and Employment Taxation Ordinance, 1976 (Tripura Ordinance, No. 4 of 1976).	21-2-1976	8-3-1976	Do.	Do.

UTTAR PRADESH

1	The U.P. Krishi Utpadan Mandi Samiti (Alpkalik Vyavastha) (Amendment) Ordinance, 1975	5-5-75	28-7-75	13-8-75	Replaced by legislation
2	The U.P. Water Supply Sewerage (Second) Ordinance 1975	20-5-75	Do.	7-9-75	Do.
3	The U.P. High Court (Abolition of letters Patent Appeals) (Amendments) Ordinance, 1975	22-5-75	Do.	14-8-75	Do.
4	The U.P. Sales Tax (Amendment and Validation) Ordinance, 1975	Do.	Do.	13-8-75	Do.
5	The U.P. Lok Ayukta and Uplok Ayukta Ordinance 1975.	7-6-75	Do.	7-9-75	Do.
6	The U.P. Fundamental Rule 56 (Amendment) and Validation) Ordinance 1975	Do.	Do.	13-8-75	Do.
7	The U.P. Ministers and legislations (Publication of Assets and Liabilities) Ordinance, 1976	Do.	Do.	14-8-75	Do.
8	The U.P. Municipalities (Amendment) Ordinance, 1975	12-6-75	Do.	7-9-75	Do.
9	The Essential Commodities (U. P. Second Amendment) Ordinance, 1975	13-6-75	28-7-75	26-8-75	Do.

1	2	3	4	5	6
10	The U.P. Secondary Education Laws (Amendment) Ordinance, 1975	7-7-75	28-7-75	14-8-75	Replaced by legislation
11	The Kumaun and Garhwal Water (Collection Retention and Distribution) Ordinance, 1975	15-5-75	Do.	7-9-75	Do.
12	The U.P. Land Laws (Amendment) Ordinance, 1975	16-7-75	Do.	14-8-75	Do.
13	The U.P. Prohibition of Bonded Labour Ordinance 1975	22-7-75	Do.	7-9-75	Do.
14	The U.P. Regulation of Cold Storage Ordinance 1975	11-9-75	..		..
15	The U.P. Public Services (Tribunals) Ordinances, 1975	17-9-75	..		..
16	The U.P. Departmental Inquiries (Enforcement of attendance of witnesses and Production of Documents) Ordinance 1975	Do.		..	
17	The U.P. Sugarcane (Regulation of Supply and Purchase) (Amendment) Ordinance, 1975	Do.			
1	The U.P. Departmental (Enquiries Enforcement of Attendance of witnesses and Production of Documents) Ordinance, 1976.	16-2-76	22-3-76	12-4-76	Replaced by legislation.
2	The U.P. Sugarcane (Regulation of Supply and Purchase) (Amendment) Ordinance, 1976.	16-2-76	22-3-76	16-4-76	Do.
3	The U.P. Co-operative Laws (Amendment and miscellaneous provisions) Ordinance, 1976.	16-2-76	22-3-76	2-4-76	Do.
4	The U.P. Urban Planning and Development (Amendment) Ordinance, 1976.	16-2-76	22-3-76	1-5-76	Do.

1	2	3	4	5	6
5	The U.P. Khetra Samitis and Zila Parishads (Amendment) Ordinance, 1976.	16-2-76	22-3-76	..	Replaced by legislation.
6	The U.P. Intoxicating Liquor (Objectionable Advertisements) Ordinance, 1976.	16-2-76	22-3-76	12-4-76	Do.
7	The U.P. Regulation of Cold Storage Ordinance, 1976.	16-2-76	22-3-76	16-4-76	Do.
8	The U.P. Public Services (Tribunals) Ordinance, 1976	16-2-76	22-3-76	30-4-76	Do.
9	The U.P. Motor Vehicles Taxation and other Laws (Amendment) Ordinance, 1976.	16-2-76	22-3-76	30-4-76	Do.
10	The U.P. Resin and other Forest Produce (Regulation of Trade) Ordinance, 1976.	16-2-76	22-3-76	16-4-76	Do.
11	The U.P. Imposition of Ceiling on Land Holdings (Amendment) Ordinance, 1976.	16-2-76	22-3-76	30-4-76	Do.
12	The Indian Electricity (U.P. Amendment) Ordinance, 1976.	16-2-76	22-3-76	30-4-76	Do.
13	The Code of Criminal Procedure (U.P. Amendment) Ordinance, 1976.	16-2-76	22-3-76	30-4-76	Do.
14	The U.P. Educational Institutions (Taking over of Management) Ordinance, 1976	28-2-76	22-3-76	1-5-76	Do.
15	The U.P. Excise (Amendment) Re-enactment and Validation) Ordinance, 1976	28-2-76	22-3-76	16-4-76	Do.
WEST BENGAL					
1	The Jadavpur University (Amendment) Ordinance, 1975.		23-2-76	4-4-76	Do.
2	The Gangesagar Mela Ordinance, 1975 (W.B. Ordinance XXI of 1975).		23-2-76	4-4-76	Do.

1	2	3	4	5	6
3	The West Bengal Municipal Employees (Compulsory Retirement) Ordinance, 1975 (W.B. Ordinance XXII of 1975).	..	23-2-76	4-4-76	Replaced by legislation.
4	The West Bengal National Volunteer Force (Amendment) Ordinance, 1975 (W. B. Ordinance XXIII of 1975).		23-2-76	4-4-76	Do.
5	The Oriental Gas Company (Amendment) Ordinance, 1976 (W.B. Ordinance XXIV of 1975).	..	23-2-76	4-4-76	Do.
6	The West Bengal Government Premises (Tenancy Regulation) Ordinance, 1976 (W.B. Ordinance I of 1976).	7-1-76	23-2-76	4-4-76	Do.
7	The West Bengal University Laws Amendment Ordinance, 1976 (W.B. Ordinance II of 1976).	16-1-76	23-2-76	4-4-76	Do.
8	The West Bengal Land Reforms (Amendment) Ordinance, 1976 (W.B. Ordinance III of 1976).	19-1-76	23-2-76	4-4-76	Do.
9	The West Bengal Restoration of Alienated Land (Amendment) Ordinance, 1976 (W.B. Ordinance III of 1976).	30-1-76	23-2-76	4-4-76	Do.
10	The West Bengal Universities (Control of Expenditure) Ordinance, 1976 (W.B. Ordinance V of 1976).	30-1-76	23-2-76	4-4-76	Do.
11	The West Bengal Employment Scheme Loans (Recovery) Ordinance, 1976 (West Bengal Ordinance VI of 1976).	3-2-76	23-2-76	4-4-76	Do.
12	The West Bengal Medical and Dental Colleges (Regulation of Admission) (Amendment) (W.B. Ordinance VII of 1976).	6-2-76	23-2-76	4-4-76	Do.

1	2	3	4	5	6
13	The Lewis Jubilee Sanatorium (Taking over of Management) Ordinance 1976 (W. B. Ordinance VIII of 1976).	9-2-76	23-2-76	4-4-76	Do.
14	West Bengal Prevention of Defacement of Property Ordinance, 1976 (W.B. Ordinance IX of 1976).	16-2-76	23-2-76	4-4-76	Do.
GOA, DAMAN AND DIU					
1	The Goa, Daman and Diu Agricultural indebtedness (Temporary Relief) Ordinance, 1975.	8-3-76	..	..	Do.

APPENDIX VII

A. PARTY POSITION IN LOK SABHA

(As on June 15, 1976)

Name of the State	Seats	Cong.	CPI (M)	CPI	JS	DMK	Other Parties	Unattached	Total	Vacancies
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Andhra Pradesh	41	36	1	1			2(a)	1	41	
Assam	14	12	1					..	13	1
Bihar	53	35		5	2		7(b)		49*	3
Gujarat	24	13					9(c)	1	23	1
Haryana	9	6			1	..		2	9	..
Himachal Pradesh	4	3					..		3	1
Jammu & Kashmir	6	5						1	6	
Karnataka	27	27							27	
Kerala	19	6	2	3	..	..	5(d)	2	18	1
Madhya Pradesh	37	23	..	..	9	..	3(c)	1	36	1

Maharashtra	45	38	..	1	..	3(f)	2	44	1
Manipur	2	2	..	..	..	..	..	2	..
Meghalaya	2	..	..	..	..	1(g)	..	2	1
Nagaland	1	..	..	..	..	2(h)	3	1	20
Orissa	20	14	..	1	..	..	1	11	2
Punjab	13	9	..	1	..	..	1	11	2
Rajasthan	23	15	..	2	2	3(i)	3	23	..
Sikkim	1	1	..	..	..	..	..	1	..
TamilNadu	39	8	..	4	15	8(j)	3	38	1
Tripura	2	..	2	..	..	..	..	2	..
Uttar Pradesh	85	71	..	5	4	2(k)	3	85	..
West Bengal	40	13	20	3	..	1(l)	1	38	2

UNION TERRITORIES

Andaman & Nicobar Islands	1	1	..	..	..	..	..	1	..
Chandigarh	1	1	..	..	..	..	..	1	..
Dadra and Nagar Haveli	1	1	..	..	..	..	..	1	..
Delhi	7	6	..	..	..	..	..	6	..

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Gos, Daman & Dju	2	1	..	..	..	..	1(m)	..	2	..
Lakshadweep	1	1	..	..	..	..	..	..	1	..
Mizoram	1	1	..	..	..	..	..	..	1	..
Pondicherry	1	..	..	..	..	..	1(n)	..	1	..
<i>NOMINATED</i>										
Arunachal Pradesh	1	1	..	..	..	..	..	..	1	..
Anglo-Indian	2	..	..	..	..	..	2(o)	..	2	..
TOTAL	525	350	26	24	18	15	50	26	509*	15

*Excludes the Speaker, who is not a member of any party.

- (a) Telengana Praja Samiti-2.
 (b) Cong.(O)-3, Socialist Party 1, U.I.P.G.-2, B.L.D.-1.
 (c) Cong.(O)-7, B.L.D.-2.
 (d) Muslim League-2, Kerala Congress-3.
 (e) B.L.D.-1, U.I.P.G.-2.
 (f) Socialist Party-1, Forward Bloc-2.
 (g) U.I.P.G.-1.
 (h) B.L.D.-2.
 (i) B.L.D.-1, U.I.P.G.-2.
 (j) Muslim League-1, Forward Bloc-1, Cong(O)-1, A.D.M.K.-5.
 (k) B.L.D.-2.
 (l) Socialist Party-1.
 (m) B.L.D.-1.
 (n) A.D.M.K.-1.
 (o) U.I.P.G.-2.

B. PARTY POSITION IN THE RAJYA SABHA

(As on June 1, 1976)

State/Union Territories	Total No. of seats	Cong.	CPI	J.S.	BLD	Cong.(O)	ADMK	CPI(M)	M.L.	DMK	BKD	APHLC	PVP	REP	UDF	IND.	NOM.	Vacancies		
		2	3	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Andhra Pradesh . . .	18	16															2			
Assam	7	7																		
Bihar	22	16	3	1	1			1									1			
Gujarat	11	7		1	1	2											1			
Haryana	5	4																1		
Himachal Pradesh . . .	3	3																		
J. & K.	4	4																		
Karnataka	12	9						1												
Kerala	9	3	1															2		
Madhya Pradesh	16	13		2				3	1								1			
Maharashtra	19	17											1							
Manipur	1	1												1						
Meghalaya	1																			1

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Nagaland		1														1			
Orissa		10	6	1		2											1		
Punjab		7	5	1															1
Rajasthan		10	10																
Sikkim		1	1																
Tamil Nēdu		18						4		2	2						4		6
Tripura		1		1															
Uttar Pradesh		34	19	1	4	5	1					1							
West Bengal		16	13	3															3
Arunachal Pradesh		1	1																
Delhi		3	3																
Mizoram		1	1																
Pondicherry		1																	1
Nominated		12	4															8	
TOTAL		244	163	11	8	7	5	4	3	3	2	1	1	1	1	1	17	8	8

C. PARTY POSITION IN STATE LEGISLATURES

State/Union Territory	Seats	Cong. (O)	Cong.	4	5	6	7	C.P.I. (M)	S.P.	Other parties	Ind.	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11	12	13	
Andhra Pradesh Legislative Assembly (as on 31-3-1976)	288	243	..	..	..	8	1	..	23(a)	10	285	3	
Legislative Council (as on 5-5-1976)	90	67	..	6	4	..	..	..	8(b)	4	89	1	
Assam Legislative Assembly (as on 1-5-1976)	114	94	..	2	3	4	..	..	5(c)	5	113	1	
Bihar Legislative Assembly (as on 14-5-1976)	319	194	3	1	35	..	..	..	15(d)	20	269(e)	50	
Legislative Council (as on 5-6-1976)	96	61	4	5	4	..	..	..	6(f)	13	93	3	
Gujarat Legislative Assembly (as on 31-3-76)	182	84	56	2	17	..	..	..	1(g)	17(h)	179(i)	3	
Haryana Legislative Assembly (as on 4-5-1976)	81	61	2	6(j)	2	..	..	..	2(k)	7	80	1	
Jammu & Kashmir Legislative Assem- bly (as on 13-5-1976)	75	58	2	2	2	..	..	..	9(l)	2	73	2	
Legislative Council (as on 10-5-1976)	36	22	..	..	..	..	..	..	6(m)	3	31	5	
Karnataka Legislative Assembly (as on 13-5-1976)	217	163	23	3	2	19	213(n)	4	

	1	2	3	4	5	6	7	8	9	10	11	12	13
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Legislative Council (as on 13-5-1976)	63	34	20	..	6	6	2	63(o)	..
Kerala Legislative Assembly (as on 9-6-1976)	134	35	3	3	16	31	7	32(p)	6	131(q)	3		
Manipur Legislative Assembly (as on 1-4-1976)	60	42	..	..	6	6	..	10(r)	2	60	..		
Meghalaya Legislative Assembly (as on 17-6-1976)	..	12	..	..	..	..	..	47(s)	60	..	..
Punjab Legislative Assembly (as on 8-6-1976)	104	66(t)	..	..	10	1	..	3(u)	2	103	1		
Rajasthan Legislative Assembly (as on 15-5-1976)	184	149	..	..	5	1	2	16(v)	8	181	3		
Sikkim Legislative Assembly (as on 5-5-1976)	32	..	..	..	..	..	..	32(u)	..	32	..		
Tripura Legislative Assembly (as on 22-5-1976)	60	40	..	..	..	1	15	..	3	59	1		
Uttar Pradesh Legislative Assembly (as on 10-5-76)	426	237	..	..	..	16	2	151(x)	14	421	5		
West Bengal Legislative Assembly (as on 23-4-1976)	281	210	2	..	..	36	13	8(y)	10(z)	280	2		

Union Territories

Arunachal Pradesh Legislative Assembly (as on 5-5-1976)	23	23	..	..	..	..	..	..	..	23	..
Goa, Daman and Diu Legislative Assembly (as on 31-5-1976)	30	1	..	..	..	..	..	..	26(aa)	..	1(bb)
Delhi Metropolitan Council (as on 20-5-1976)	61	46	2	..	6	3	..	..	1(cc)	2	60
Mizoram Legislative Assembly (as on 8-5-76)	33	29	..	..	..	..	..	..	4(dd)	..	33

(a) Andhra Pradesh Progressive Democrats-7, Progress Front-6, Socialist Democratic Front-4, Peoples Democrats-3, Maglis Ittehad-ul-Muslimeen-2, R.P.I.-1.

(b) Progressive Democratic Front-8.

(c) P.D.P.-3, R.C.P.I.-1, P.T.C.-1.

(d) S.S.P.-5, Socialist Vidhayak Dal-1, Hul Jharkhand-2, Progressive Hul Jharkhand-1, Jharkhand (N.F. Hora Group)-1, All India Jharkhand-3, Hindustan Soshit Dal-1, Nominated-1.

(e) Includes Hon. Speaker.

(f) Samajbadi Dal-4, Teachers-2.

(g) Rashtriya Majdoor Paksh.

(h) Includes 7 affiliated to Janata Morcha.

(i) Seven out of 17 affiliated to Janata Morcha, consisting of Congress (O), Jan Sangh, Socialist Party, B.L.D., and Rashtriya Majdoor Paksh. with a total strength of 85 members.

(j) Note:—"Chaudhri Hardwar Lal ceased to be member of the Haryana Vidhan Sabha *vide* Haryana Vidhan Sabha Secretariat Notification No. H.V.S. L-A-19/75/2, dated the 8th January, 1975. But *vide* Punjab and Haryana High Court order dated 7-5-1975 he is entitled to attend the Session of the Haryana Legislative Assembly and sign the register for minimum number of days to keep his seat intact, but shall not take part in the proceedings of the said Assembly or vote or draw any remuneration."

(k) Vishal Haryana Party.

(l) National Conference-4, Unattached members-5.

- (m) National Conference.
- (n) Includes Hon. Speaker.
- (o) Includes the Chairman.
- (p) Kerala Congress-9, R.S.P.-5, Muslim League (Opposition) 7.
- (q) Includes Hon. Speaker.
- (r) M.P.P.-4, M.H.U.-5, K.N.A.-1.
- (s) APHLC-39, HSPDP. 8
- (t) "one member has neither the right to vote nor to participate in the proceedings."
- (u) Shiromni Akali Dal.
- (v) Swatantra Party-1, Janata Morcha-15.
- (w) Sikkim Congress.
- (x) Lok Paksh-146, Hindu Mahasabha-1, Muslim League-1, Shoshit Samaj Dal-1, Nominated-1, Unattached-1.
- (y) R.S.P.-3, Socialist Unity Centre-1, Workers' Party-1, Gorkha League-2, Nominated-1.
- (z) Includes Hon. Speaker, 5 MLAs recently expelled from Congress Legislative Party and one MLA who has resigned from the Muslim League.
- (aa) Maharashtrawadi Gomantak Party-19, United Goans-9.
- (bb) Hon. Speaker
- (cc) Mizo Union.

Note:—The figures are based on the information furnished by the respective State Legislature Secretariats.

**OTHER PERIODICALS/PUBLICATIONS OF THE LOK SABHA
SECRETARIAT**

Periodicals

1. **Diary of Political Events (Monthly)**
Annotated chronology of the national and international political events.
(Per copy: Rs. 1.50; Annual: Rs. 25.00, including the Annual issue)

2. **Diary of Political Events, 1974 (Annual)**
Annotated chronology of national and international political events of the year. (Per copy: Rs. 5.00)

3. **Digest of Central Acts (Quarterly)**
Contains synopses of Central laws.
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4. **Digest of Legislative & Constitutional Cases (Quarterly)**
Contains abstracts of judgements of the Supreme Court and the High Courts involving important legislative and other cases.
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A well-indexed periodical containing suitably annotated titles of important books, articles, reports and other materials on various subjects received in the Parliament Library, during every fortnight.
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Other Publications

1. Developments in Chile

Chronological account of the political and constitutional developments leading to the fall of Allende regime. Also contains important UN and IPU resolutions on Chile. (Rs.3.00)

2. Legislators in India: Salaries & Other Facilities

Containing tabulated statements on salaries, allowances and other facilities available to M.Ps, and legislators in States. (Rs. 3.00)

3. S. L. Shakdher (ed.): The Commonwealth Parliaments

A comprehensive and authoritative study in comparative parliamentary political science, more particularly of legislative procedures and institutions of the Parliaments in Commonwealth countries. (Rs. 35.00)

4. Constitution Amendment in India (4th Edition)

A documentary study on the nature, scope and operation of the Constitution amending process in India, containing synopses and legislative history of all constitutional amendments till the end of October, 1974. (Rs. 6.75)

5. S. L. Shakdher (ed.): The Constitution and the Parliament in India—The 25 Years of the Republic.

The volume brought out as part of the Silver Jubilee celebrations of the Constitution and Parliament of India, contains contributions from Ministers, Presiding officers, distinguished parliamentarians, eminent jurists, constitutional experts and others. They present a wide panorama of the development and functioning of the different political institutions in the country and their interactions with each other. (Rs. 125.00)

Hindi Publications

1. Sansadiya Patrika (Quarterly)

Contains mainly original contributions in Hindi on various constitutional and parliamentary subjects from Members of Parliament and other experts in the field. Authentic recorder of parliamentary events in India and abroad.

(Per copy: Rs. 3.00; Annual Subscription: Rs. 12.00)

2. S. L. Shakdher (ed.): Samvidhan Aur Sansad: Ganatantra Ke Pachis Varsh.

Hindi version of the Constitution and the Parliament in India—'The 25 Years of the Republic'. (Rs. 90.00)

Copies of the above publications can be had from:

Sales Branch,
Lok Sabha Secretariat,
Sansadiya Soudha,
New Delhi-1.

CORRIGENDA

- Page 619, line 2, for "T.C. Hanumanthappa" read;
"Te. Hanumanthappa".
- Page 661, line 2, delete "of Legislative Bodies in India".
- Page 661, line 3, insert "of Legislative Bodies in India"
after "Presiding Officers".
- Page 665, line 9 from bottom, insert second asterisk
"(*)" after "Training".
- Page 674, line 8, for "his" read "this".
- Page 677, substitute the following for lines 11 and 12:
"from their own experience and
recommend the introduction of a Short
Bill confined to that point. It would"
- Page 695, line 5, for "Regual:tion" read "Regulation".
- Page 696, line 11, against item 170, for "Second"
read "Third"
- Page 696, line 17, against item 172, for "Fifth"
read "Sixth".
- Page 711, line 9 from bottom, for "judgment (-),
debtors" read "judgment-debtors"
- Page 716, line 2, for "Hinsdale III" read "Hinsdale
111.".

- Page 717, line 1, for "acts" read "act"
- Page 720, line 1 from bottom, for "R. B. JAIN" read
"Dr. R. B. Jain, Reader in Political
Science, University of Delhi".
- Page 739, in col. 2 for heading "No. of meetings held"
read "No. of meetings held during the
period 1.5.76 to 31.7.76".
- Page 746, line 3, insert "to" after "Pertains".
- Page 747, line 2, insert "passed" after "Bills".
- Page 748, line 3, for "Aprial" read "April".
- Page 784, line 13 from bottom, insert page "721"
after 524 against "Recent Literature... "
- Page 786, line 3 from bottom, for "Yadav, Singh T.N."
read "Yadav, J.N Singh".
- Page 770, footnote (d), for "SSP-3" read "S. S P.-5"