HYDERABAD LEGISLATIVE ASSEMBLY
DEBATES
Official Report

PART II—PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS

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Note:—*At the beginning of the session, during Festivals.
The Minister for Excise, Forests and Revenue (Shri K. V. Ranga Reddy): I beg to introduce L.A. Bill No. XVIII of 1954, the Hyderabad Abolition of Inams Bill, 1954.

Mr. Speaker: The Bill is introduced.


On a point of information, Sir. Clearly Money Bill (i.e., a Bill of the nature of a Money Bill) Reconsideration cannot be applied to a Money Bill. 

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"When a Bill is reserved by a Governor for the consideration of the President, the President shall declare either that he assents to the Bill or that he withholds assent therefrom:

Provided that, where the Bill is not a Money Bill the President may direct the Governor to return the Bill to the House, or as the case may be, the Houses of the Legislature of the State together with such a message as is mentioned in the first proviso to article 200............."

"Where the Bill is not a Money Bill"

Section 1: When a Bill is reserved by a Governor for the consideration of the President, the President shall declare either that he assents to the Bill or that he withholds assent therefrom:

Provided that, where the Bill is not a Money Bill the President may direct the Governor to return the Bill to the House, or as the case may be, the Houses of the Legislature of the State together with such a message as is mentioned in the first proviso to article 200.

"Where the Bill is not a Money Bill"

Section 2: When a Bill is reserved by a Governor for the consideration of the President, the President shall declare either that he assents to the Bill or that he withholds assent therefrom:

Provided that, where the Bill is not a Money Bill the President may direct the Governor to return the Bill to the House, or as the case may be, the Houses of the Legislature of the State together with such a message as is mentioned in the first proviso to article 200.

Section 3: When a Bill is reserved by a Governor for the consideration of the President, the President shall declare either that he assents to the Bill or that he withholds assent therefrom:

Provided that, where the Bill is not a Money Bill the President may direct the Governor to return the Bill to the House, or as the case may be, the Houses of the Legislature of the State together with such a message as is mentioned in the first proviso to article 200.

Section 4: When a Bill is reserved by a Governor for the consideration of the President, the President shall declare either that he assents to the Bill or that he withholds assent therefrom:

Provided that, where the Bill is not a Money Bill the President may direct the Governor to return the Bill to the House, or as the case may be, the Houses of the Legislature of the State together with such a message as is mentioned in the first proviso to article 200.
L. A. Bill No. XIV of 1953, the Hyderabad Prize Competitions Control & Tax Bill, 1953.

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Mr. Speaker: Is it a Money Bill?

Shri Gopal Rao Ekbote: It is not a Money Bill, nor has it been returned as Money Bill. The President has no right to return a Money Bill. This was sent to the President for his assent under Article 254.

Mr. Speaker: I also think that it is not a Money Bill.

Shri Gopal Rao Ekbote: I entirely agree with you, Sir, but at the time of authentication, it was treated as a Money Bill.

Mr. Speaker: That was why I asked the hon. Minister to clarify whether it was a Money Bill.

A Bill shall not be deemed to be a Money Bill by reason only that it provides for the imposition of fines or other pecuniary penalties; or for the demand or payment of fees for licences or fees for services rendered or by reason that it provides for the imposition, abolition, remission, alteration, or regulation of any tax by any local authority or body for local purpose.
Clause 7: "There shall be levied in respect of........ as specified by the Government in a notification in the Jarida.

Article 254 (2) "Where a law made by the Legislature of a State specified in Part A or Part B of the First Schedule with respect to one of the matters enumerated in the Concurrent List contains any provision repugnant to the provisions of an earlier law made by Parliament or an existing law with respect to that matter, then, the law so made by the Legislature of such State shall, if it has been reserved for the consideration of the President and has received his assent, prevail in that State."
L. A. Bill No. XIV of 1958, the
Hyderabad Prize Competitions
Control & Tax Bill, 1958.

Art. 199 (1)

"For the purposes of this Chapter, a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters, namely........

A Bill shall not be deemed to be a Money Bill by reason only that it provides for the imposition of fines or other pecuniary penalties; or for the demand or payment of fees for licences or fees for services rendered or by reason that it provides for the imposition, abolition, remission, alteration or regulation of any tax by any local authority or body for local purposes."
Shri V. K. Koratkar: Sir, I beg to move:

“That L. A. Bill No. XIV of 1958, the Hyderabad Prize Competitions Control and Tax Bill, 1958, be read a first time.”

Mr. Speaker: Motion moved.

The question is:

“That L.A. Bill No. XIV of 1958, the Hyderabad Prize Competitions Control and Tax Bill, 1958, be read a first time.”

The motion was adopted.

Mr. Speaker: According to our Rules, we have to treat this Bill just as a new Bill.

Shri V. K. Koratkar: Sir, I beg to move:

“That L. A. Bill No. XIV of 1958, the Hyderabad Prize Competitions Control and Tax Bill, 1958, be read a second time.”
Mr. Speaker: The question is:

"That L.A. Bill No. XIV of 1958, the Hyderabad Prize Competitions Control and Tax Bill, 1958, be read a second time."

The motion was adopted.

Clause 2.

Mr. Speaker: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3.

Shri V. K. Koratkar: Sir, I beg to move:

"That for the clause substitute:

Promotion of unlicensed prize competitions prohibited.

3. No prize competition shall be promoted unless a licence in respect thereof has been obtained by the promoter."

Mr. Speaker: Amendment moved.

PAUSE

Mr. Speaker: The question is:

"That Clause 3 as amended stand part of the Bill."

The motion was adopted.

Clause 3 as amended was added to the Bill.

Clause 4.

Mr. Speaker: The question is:

"That clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.
Clause 5.

Shri V. K. Koratkar : Sir, I beg to move:

"That insert the following as Clause 5 and renumber consequentially the remaining clauses:—

Penalty for certain acts in connection with an unlicensed prize competition

5. Every person who in connection with any unlicensed prize competition promoted or proposed to be promoted either in the State or elsewhere:—

(a) publishes any proposal to pay any sum, or to delivery any goods, or to do or forbear doing anything for the benefit of any person or any event of contingency relative or applicable to the drawing or any ticket, lot, number or figure in such prize competition; or

(b) prints any tickets for use in such prize competition; or

(c) sells or distributes, or offers or advertises for sale or distribution, has in his possession for the purpose of sale or distribution, any tickets or chances in such prize competition; or

(d) prints, publishes or distributes, or has in his possession, for the purpose of publication or distribution—

(i) any advertisement of such prize competition, or

(ii) any list (whether complete or not) of prize winners or winning tickets in such prize competition, or

(iii) any such matter descriptive of the drawing or intended drawing of the lot, or otherwise relating to such prize competition, as is calculated to act as an inducement to persons to participate in such prize competition or in other such prize competitions; or

(e) brings or invites any person to send into the State for the purpose of sale or distribution any ticket in, or advertisement of, such prize competition; or

(f) sends or attempts to send out of the State any money or valuable thing received in respect of the sale or distribution, or any document recording the sale or distribution, or the identity of the holder, of any ticket or chance in such prize competition; or

"
(g) uses any premises or permits any premises to be used for purposes connected with the promotion or conduct of such prize competition; or

(h) causes or attempts to cause any person to do any of the above mentioned acts,

shall, on conviction, be punishable—

(i) for the first offence with fine which may extend to one thousand rupees;

(ii) for the second offence with fine which may extend to two thousand rupees; and

(iii) for any subsequent offence with imprisonment for a term which may extend to three months or with fine which may extend to five thousand rupees or with both.

Mr. Speaker: Amendment moved.

Shri Syed Akhtar Hussain (Jangaon): I beg to move:

(a) That in sub-para (i) of para (h), for “one thousand substitute “five hundred.”

(b) That in sub-para (ii) of para (h) for “two” substitute one.

(c) That in sub-para (iii) of para (h), for “five” substitute Three.

Speaker: Amendment moved.

Shri A. Raj Reddy: I beg to move:

“That omit para (e) and renumber consequentially the other paras.”

Mr. Speaker: Amendment moved.

Shri J. Anand Rao (Sirsilla-General): I beg to move:

“That in line of 1 of para (g), between “or” and “permits” insert “intentionally.”

Mr. Speaker: Amendment moved.
(g) Uses any premises or permits any premises to be used for purpose connected with the promotion or conduct of such prize competition; or

Uses any premises or `intentionally' permits any premises to be used.

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Control & Tax Bill, 1953.

(g) Uses any premises or permits any premises to be used for purpose connected with the promotion or conduct of such prize competition; or

Uses any premises or `intentionally' permits any premises to be used.
Shri Syed Akhtar Hussain: I beg leave of the House to withdraw my amendment.

The amendment was, by leave of the House, withdrawn.

Shri A. Raj Reddy: I beg leave of the House to withdraw my amendment.

The amendment was, by leave of the House, withdrawn.

Mr. Speaker: The question is:

“That in line 1 of para (g), between “or” and “permits” the word “intentionally” may be inserted.”

The motion was negatived.
Mr. Speaker: The question is:

'That the following be inserted as Clause 5 and the remaining clauses be renumbered consequentially:

Penalty for certain acts in connection with an unlicensed prize competition.

5. Every person who in connection with any unlicensed prize competition promoted or proposed to be promoted, either in the State or elsewhere:

(a) publishes any proposal to pay any sum, or to deliver any goods, or to do or forbear doing anything for the benefit of any person or any event or contingency relative or applicable to the drawing of any ticket, lot, number or figure in such prize competition; or

(b) prints any tickets for use in such prize competition; or

(c) sells or distributes, or offers or advertises for sale or distribution, or has in his possession for the purpose of sale or distribution, any tickets or chances in such prize competition; or

(d) prints, publishes or distributes, or has in his possession, for the purpose of publication or distribution—

(i) any advertisement of such prize competition, or

(ii) any list (whether complete or not) of prize winners or winning tickets in such prize competition, or

(iii) any such matter descriptive of the drawing or intended drawing of the lot, or otherwise relating to such prize competition, as is calculated to act as an inducement to persons to participate in such prize competition or in other such prize competitions; or

(e) brings or invites any person to send into the State for the purpose of sale or distribution any ticket in, or advertisement of, such prize competition; or

(f) sends or attempts to send out of the State any money or valuable thing received in respect of the sale or distribution, or any document recording the sale or distribution or the identity of the holder, of any ticket or chance in such prize competition; or

(g) uses any premises or permits any premises to be used for purposes connected with the promotion or conduct of such prize competition; or
(h) causes or attempts to cause any person to do any of the above mentioned acts,

shall, on conviction, be punishable—

(i) for the first offence with fine which may extend to one thousand rupees;

(ii) for the second offence with fine which may extend to two thousand rupees; and

(iii) for any subsequent offence with imprisonment for a term which may extend to three months or with fine which may extend to five thousand rupees or with both.”

The motion was adopted.

Mr. Speaker: The question is:

“That Clause 5 as amended stand part of the Bill.”

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6 (as renumbered)

Shri V. K. Koratkar: I beg to move:

“That the following be added as sub-clause (2) and the existing be consequentially renumbered as sub-clause (1):

“(2) A licence may be granted for more than one such competition conducted by the same person.”

Mr. Speaker: Amendment moved.

Shri. K. K. Koratkar:—यही यह जो क्लॉज (२) है वह बिल में क्लॉज (१) में था, वृत्तके बजाय अब तिसरे क्लॉज ६ में रखा गया है। विसमे कोजी नयी बात नहीं बतायी गयी है।

Mr. Speaker: The question is:

“That the following be added as sub-clause (2) and the existing be consequentially renumbered as sub-clause (1):

“(2) A licence may be granted for more than one such competition conducted by the same person.”

The motion was adopted,
Mr. Speaker: The question is:

"That clause 6 as amended stand part of the Bill."

The motion was adopted.

Clause 6 as amended was added to the bill.

Clause 7 (as renumbered)

Shri V. K. Koratkar: I beg to move:

"(1) That in sub-para (8) for ‘7’ substitute ‘8’.

(2) That in sub-para (4) for ‘10’ substitute ‘11’.

Mr. Speaker: Amendment moved.

The question is:

"1. That in sub-para (8) for ‘7’ substitute the figure ‘8’.

2. That in sub-para (4) for the figure ‘10’ substitute the figure ‘11’.

The motion was adopted.

Mr. Speaker: The question is:

"That Clause 7 as amended stand part of the Bill."

The motion was adopted.

Clause 7 as amended was added to the Bill.

Clause 8 (as renumbered)

Mr. Speaker: The question is:

"That Clause 8 stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.
Clause 9 (as renumbered)

Shri V. K. Koratkar: I beg to move:

(1) That in sub-clause (1) for '7' substitute '8'.
(2) That in sub-clause (1) for '10' substitute '11'.
(3) That in sub-clauses (3) & (4) for '7' substitute '8'.

Mr. Speaker: Amendment moved.

[Pause]

Mr. Speaker: The question is:

(1) That in sub-clause (1) for '7' substitute '8'.
(2) That in sub-clause (1) for '10' substitute '11'.
(3) That in sub-clauses (3) & (4) for '7' substitute '8'.

The motion was adopted.

Mr. Speaker: The question is:

"That Clause 9 as amended stand part of the Bill."

The motion was adopted.

Clause 9 was added to the Bill.

Clauses 10 & 11 (as renumbered)

Mr. Speaker: The question is:

"That Clauses 10 and 11 stand part of the Bill."

The motion was adopted.

Clauses 10 & 11 were added to the Bill.
Clause 12 (as renumbered)

Shri V. K. Koratkar: I beg to move:

(1) That in line 2 for '10' substitute '11'.

(2) That in line 4 between 'prescribed' and 'he' insert 'or keeps and maintains false accounts or submits false accounts'.

Mr. Speaker: Amendment moved.

Shri. V. K. Koratkar:—यहां इस सभी चीजों के साथ साथ वह जो कोई व्यय रहें या वेश करें, तो बुनको सजा देनेके लिये तज्ज्ञ कि गयी हैं, जिल्ला ही सुने जिसके बारे में जरूर

Mr. Speaker: The question is:

(1) That in line 2 for '10' substitute '11'.

(2) That in line 4 between 'prescribed' and 'he' insert 'or keeps and maintains false accounts or submits false accounts'.

The motion was adopted.

Mr. Speaker: The question is:

"That Clause 12 as amended stand part of the Bill."

The motion was adopted.

Clause 12 as amended was added to the Bill.

Clause 18 (as re-numbered)

Mr. Speaker: The question is:

"That clause 18 stand part of the Bill."

The motion was adopted.

Clause 18 was added to the Bill.

Clause 14 (as re-numbered)

Shri V. K. Koratkar: I beg to move:

(1) "That in line 8 between 'by' and 'a' insert 'in the City of Hyderabad by the Commissioner of Police, Hyderabad and elsewhere by'."
(2) "In the proviso—

(i) In line 4 for ‘any complaint made before him on oath’ substitute ‘credible information’.

(ii) In line 8 for ‘unlawful’ substitute ‘unlicensed’.

Mr. Speaker: Amendment moved.

Mr. Speaker: The question is:

(1) "That in line 8 between ‘by’ and ‘a’ insert ‘in the City of Hyderabad by the Commissioner of Police, Hyderabad, and elsewhere by’.”

(2) "In the proviso—

(i) In line 4 for ‘any complaint made before him on oath’ substitute ‘credible information’.

(ii) In line 8 for ‘unlawful’ substitute ‘unlicensed’.

The motion was adopted.

Mr. Speaker: The question is:

"That Clause 14 as amended stand part of the Bill."

The motion was adopted.

Clause 14 was added to the Bill.

Clause 15 (as renumbered)

Shri V. K. Kothawal: I beg to move:

"For ‘18’ substitute ‘14’.”
Mr. Speaker: Amendment moved.

Mr. Speaker: The question is:
"That for '13' substitute '14.'"

The motion was adopted.

Mr. Speaker: The question is:
"That Clause 15 as amended stand part of the Bill."

The motion was adopted.

Clause 15 as amended was added to the Bill.

Clauses 16 to 19 (as renumbered)

Mr. Speaker: The question is:
"That Clauses 16 to 19 stand part of the Bill."

The motion was adopted.

Clauses 16 to 19 were added to the Bill.

Clause 20 (as renumbered)

Shri V.K. Koratkar: I beg to move:
"That for '17' substitute '18.'"

Mr. Speaker: Amendment moved.

[Pause.]

Mr. Speaker: The question is:
"That for '17' substitute '18.'"

The motion was adopted.

Mr. Speaker: The question is:
"That Clause 20 as amended stand part of the Bill."

The motion was adopted.

Clause 20 as amended was added to the Bill.
Clause 21 (as renumbered)

Shri V. K. Koratkar : I beg to move:

"That for '21' substitute '22'">

Mr. Speaker : Amendment moved.

[Pause]

Mr. Speaker : The question is:

"That for '21' substitute '22'."

The motion was adopted.

Mr. Speaker : The question is:

"That Clause 21 as amended stand part of the Bill."

The motion was adopted.

Clause 21 as amended was added to the Bill.

Clause 22 (as renumbered).

Mr. Speaker : The question is:

"That Clause 22 stand part of the Bill."

The motion was adopted.

Clause 22 was added to the Bill.

Clause 23 (as renumbered).

Shri V. K. Koratkar : I beg to move:

"That in sub-clause (1) for '17' substitute '19'."

Mr. Speaker : Amendment moved.

[Pause]

Mr. Speaker : The question is:

"That in sub-clause (1) for '17' substitute '19'."

The motion was adopted.
Mr. Speaker: The question is:

"That Clause 28 as amended stand part of the Bill."

The motion was adopted.

Clause 28 as amended was added to the Bill.

Clause 24 (as renumbered)

Mr. Speaker: The question is:

"That Clause 24 stand part of the Bill."

The motion was adopted.

Clause 24 was added to the Bill.

Clause 25 (as renumbered)

Shri V.K. Koratkar: I beg to move:

"That in sub-clause (2) — 1. in para (i) for '5' substitute '6';
2. in para (ii) for '10' substitute '11'."

Mr. Speaker: Amendment moved.

[Pause]

Mr. Speaker: The question is:

"That in sub-clause (2) — 1. in para (i) for '5' substitute '6';
2. in para (ii) for '10' substitute '11'."

The motion was adopted.

Mr. Speaker: The question is:

"That Clause 25 as amended stand part of the Bill."

The motion was adopted.

Clause 25 as so amended was added to the Bill.
Clause 1.

Shri V.K. Koratkar: I beg to move:
"That in line 2 of sub-clause (1) for '1953' substitute '1954'."

Mr. Speaker: Amended moved.

[Pause]

Mr. Speaker: The question is:
"That in line 2 of sub-clause (1) for '1953' substitute '1954'."

The motion was adopted.

Mr. Speaker: The question is:
"That Clause 1 as amended stand part of the Bill."

The motion was adopted.

Clause 1 as amended was added to the Bill.

Mr. Speaker: The question is:
"That preamble and short title stand part of the Bill."

The motion was adopted.

Preamble and short title were added to the Bill.

Shri V. K. Koratkar: I beg to move:
"That L. A. Bill No. XIV of 1958, the Hyderabad Prize competitions Control & Tax Bill, 1958, as amended be read a third time and passed."

Mr. Speaker: The question is:
"That L.A. Bill No. XIV of 1958, the Hyderabad Prize competitions Control & Tax Bill, 1958, as amended be read a third time and passed."
Mr. Speaker: I shall read to the House a communication received from the Rajpramukh, which runs thus:

"In exercise of the powers conferred by clause 2 (a) of Article 174 read with article 238 of the Constitution, I, Mir Osman Ali Khan, Rajpramukh of Hyderabad, do hereby prorogue the House of the Legislature of the Hyderabad State with effect from the 14th April, 1954."

The House was accordingly prorogued.