ANDHRA PRADESH LEGISLATIVE ASSEMBLY
DEBATES
OFFICIAL REPORT
Part II — Proceedings other than Questions and Answers.

CONTENTS

Point of clarification re Certain remark about the Muslim Community published in 'Indian Express'

Message from the Council
re The Andhra Pradesh Ancient and Historical Monuments and Archaeological Sites and Remains Bill, 1959,

Business of the House

Presentation of the Second Report of the Subordinate Legislation Committee

Government Bill
The Hyderabad Housing Board (Andhra Pradesh Extension and Amendment, Bill, 1959—withdrawn

Note — at the commencement of the speech denotes confirmation not received in time from the Member.
Point of Clarification re Certain remark about Muslim Community published in "Indian Express"

Mr. Speaker: "Indian Express" తెష ఈ పత్రికలో సంచారమనం చెప్పాడు. మనం మనిషిని సంచారమనం చెప్పాడు, షారలెఫ్రికి దాదాపు ఇరికించే పత్థరికలో "మనిషిని సంచారమనం చెప్పాడు" గా సంచారం చెప్పాడు.

The question was not whether the Muslim community was included in the backward community list. I never said that the Muslim Community was not included in the list of backward communities. I believe, generally they are also included in the backward communities just like Christians, Muslims and others. I do not know about that. Whether the Muslim community is included as a whole among the backward communities or in the forward communities, I never said. So far as we know, there does not seem to be any distinction between other Muslims and Scheduled Caste Muslims and others. I never made that remark. The remark that Muslim community was a backward community or forward community should not be attributed to me. I am saying this lest they should misunderstand me.
266 19th December, 1959

MESSAGE FROM THE COUNCIL

re the Andhra Pradesh Ancient and Historical Monuments and Archaeological Sites and Remains Bill, 1959

Mr. Speaker: I have received the following message from the Hon. Chairman of the Legislative Council dated 18th December, 1959.

"In accordance with rule 174 of the Andhra Pradesh Legislative Council Rules, I transmit a copy of the Andhra Pradesh Ancient and Historical Monuments & Archaeological Sites and Remains Bill, 1959 (L.A. Bill No. 23 of 1959) as passed and agreed to by the Legislative Council on the 17th December 1959 without any amendment and signed by me."

BUSINESS OF THE HOUSE

Mr. Speaker: I have information.

Sri J. V. Narasimharao:—That I can do.
The Hyderabad Housing Board 19th December, 1959 267
(Andhra Pradesh Extension and Amendment) Bill, 1959.

PRESENTATION OF THE SECOND REPORT OF THE SUBORDINATE LEGISLATION COMMITTEE.

Sri R. Lakshminarasimham Dora (Tekkali).—Mr. Speaker, Sir I beg to present the Second Report of the Subordinate Legislation Committee.

Mr. Speaker. Report presented.

GOVERNMENT BILL

The Hyderabad Housing Board (Andhra Pradesh Extension and Amendment) Bill, 1959.

The Minister for Cooperation (Sri Mehdi Nawaz Jung): Mr. Speaker, Sir, I beg to move:

"That the Hyderabad Housing Board (Andhra Pradesh Extension and Amendment) Bill, 1959, be read a first time."

Sir, this Bill is being introduced in conformity with the Government of India's policy with a view to promote the housing schemes and to afford facilities for extension of housing schemes and to constitute a body corporate to be able to take up the construction of houses on a large scale and with facilities to obtain money also from sources that may be available.

In the Statement of Objects and Reasons, this has been clearly explained. The Hyderabad Housing Board Act, 1956 (Hyderabad Act XLVI of 1956) provides for taking measures to deal with and satisfy the need of housing accommodation and for the establishment of a Board for that purpose. It extends to the Telangana area of this State and provision is made in section 1 (3) of the Act to bring the Act into force by a notification in the Gazette. There is no corresponding law in force in the Andhra area. With a view to remedy the shortage in housing accommodation, the Government of India have made necessary provision for the purpose in the Second Five-Year Plan and have desired that suitable agencies, either in the shape of housing corporations or Boards should be set up to, intensify and co-ordi-
nate the housing activities in the State. It is therefore proposed to extend the Hyderabad Act XLVI of 1956 to the Andhra area also and to amend it in its application to the entire State of Andhra Pradesh.

This is a very progressive measure especially in view of the difficulties that are being experienced in regard to housing problems and the amendments that have been suggested by Government also give a complete form. Therefore, Sir, I would suggest that this Bill may be considered in a very expeditious manner and passed today only.

The salient features of this Bill are as follows. The Housing Board will come up, consisting of 7 members including the Chairman: The Chairman and the members shall be appointed by the Government and their term of office will be for 3 years; they are eligible for reappointment; the Chairman may hold the post honorarily or may be taken on remuneration; the Board will have powers to initiate and take up execution of housing schemes, to acquire land, finalize acquisition proceedings by appointing a Tribunal and to raise loans.

With the formation of the Board, the C. I. B. in Hyderabad and the City Improvement Trust in Secunderabad will be abolished; and the new Housing Board will inherit all the assets and liabilities of these two institutions. There is provision in the Act for the transfer of officers taken from these institutions to the new Board or to Government service and vice versa; the Government have powers to exercise supervision and control over the Board, they have also powers to supersede the Board for any default and reconstitute it; they can also dissolve the Board. The present Bill is an amendment to the Hyderabad Housing Board Act, 1956 and seeks extension to the Andhra area.

*Sri G. Yellamananda Reddy (Kanigiri):—I request the hon. Minister to give us information on the functions of the previous Board in Hyderabad State because it was there in 1956. Before we discuss the amending Bill, we want to know its functions and the work done by the Board till now.
Sri Mehdi Nawaz Jung :—It is not in force, because of the reorganisation that has come in.

Mr. Speaker :—Motion moved.
The Hyderabad Housing Board (Andhra Pradesh Extension and Amendment) Bill, 1959.

Proportional representation is a method of voting in which each voter has a number of votes equal to their party's share of the total votes cast. In the case of the Hyderabad Housing Board, the Independent Committee comprised 12 members. The advisory committee consists of the chairman and members appointed by the government. The chairman of the committee is responsible for conducting the queries and hearing the evidence presented by the auditor. The auditor's report includes details of the accounts, statements, and contracts. The auditor's role is to ensure that the accounts are true and fair. The auditor's report is presented to the House for consideration.

The Co-operative system is a form of business organization in which the members share in the profits, risks, and responsibilities. The Co-operative system of the Hyderabad Housing Board is a microfinance institution that aims to provide affordable housing to the poor. The Co-operative system has been successful in providing housing to thousands of families. The Co-operative system has also been instrumental in promoting economic development in the region.
The Hyderabad Housing Board 19th December, 1959 271
(Andhra Pradesh Extension and Amendment) Bill, 1959.

*Sir Ramnath Raj Bhavan (Amarbhash):—Samajik Adhyatma Mandali.*

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advisory function 18% over 20% is also. It is, therefore,

The words 'Proportional Representation'

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272 19th December, 1959  The Hyderabad Housing Board (Andhra Pradesh Extension and Amendment) Bill, 1959

एकविषयमेंजानिक्तकर्तापेशबालिहैहुकिसीहूटकनसोंकालोहै।में
देखता हूँ कि इस स्कीम के नहत गवर्नमेंट लेबल पर गवर्नमेंट इम्पलाईज़ के सियां
स्कीम है।इसके लिये संस्थान फार्मॉर्मेंट से लोन भी प्राप्त है।हाविज़िया
स्कीम और कोमान्यिया हाविज़िया सूसाइटी और लोकल बाड़ीज़ के लोन से महा-
नात बनाने को स्कीम से इसके तहत आयात है।इस सब बालियों का सामने रखने
तो जो युवाकित्तालियों हैं से वह अपने सामूहिक रूप से बालिया है। बांट की फिरी परियार में
बहां की लोकल बाड़ी इपॉन बालियों का अभिकार है। इस लेख में हाविज़िया और
दूसरे विस्त्रायन लेबल पर कुछ इस्ताऴ्य सिदीदो बनाने से अधिक वह कमेटी
बनने के बाद आज बने शाळा का संपात हो चुका है। लेकिन बालिया उसकी एक
सदिया स्कीम भी नहीं हुई। वहां जो काम होता है उसका सुपरविज़ियन (supervision)
करन। और महानात बनने के बाद उसकी ठीक डंग से एलाह (alloit) क ना यह सब
कमेटी के व्यवसायित है। उसके बावजूद भी वहां इस तरह का कोई सुपरविज़ियन
हां हो रहा है और कमेटी न बनने के बावजूद से कहे साहि ले पेश बाय होती है। ऐसा
न होना चाहिये। में यह कहूँ कि अगर वहां कोई वित्तार करिबज़िया रखे तो
काम ठीक डंग से जिलक्सी। इसके बावजूद महानात भी साइटिशिफिक पार्टाइंट अपा
विन (scientific point of view) से बनने की सही फिशर है। इन स्कीमें-
वालो से यह बिल बनती है व्यक्ति है। में यही कहूँ कि इससे जो कुछ में कमबाजिया
है उनमें नियम देना चाहिये। और इससे वाला वित्तज़िया को रखने की
मुश्ति में तिलकाल चाहिये। यदि इस तरह के अपेक्षेत्र इस बिल में कर दिये जाये
हो ठीक रहेगा।
The Hyderabad Housing Board 19th December 1959 273
(Andhra Pradesh Extension and Amendment) Bill, 1959

Hon. Member. I am pleased to submit a Bill for the extension and amendment of the Hyderabad Housing Board Act, 1958, as amended by the Act of 1959, to provide for the establishment of Town Planning Departments in respect of certain Municipalities and Town Panchayats in the State of Andhra Pradesh, and for matters connected therewith or incidental thereto.

The Bill seeks to amend the Hyderabad Housing Board Act, 1958, in the following manner:

1. To create Town Planning Departments in respect of certain Municipalities and Town Panchayats in the State of Andhra Pradesh.

2. To provide for the appointment of Directors of Town Planning Departments.

3. To empower the Director of Town Planning Departments to expedite certain procedures under the Land Acquisition Act.

4. To establish an Advisory Committee to advise the Director of Town Planning Departments on various matters.

The Bill also provides for certain other matters related to the establishment and functioning of Town Planning Departments in the State.

I beg to move that the Bill be taken into immediate consideration.
Subject to the provisions of this Act and subject to the control of the Government, the Board may incur expenditure and undertake works for the framing and execution of such housing schemes as it may consider necessary from time to time, or as may be entrusted to it by the Government.
Notwithstanding anything contained in any other law for the time being in force, a housing scheme may provide for all any of the following matters, namely:

(a) the acquisition by purchase, exchange or otherwise of any property necessary for or affected by the execution of the scheme;

(b) the laying or relaying out of any land comprised in the scheme;

(c) the distribution or redistribution of sites belonging to owners of property comprised in the scheme;

(d) the closure or demolition of dwellings or portions of dwellings unfit for human habitation;

(e) the demolition of obstructive buildings or portions of buildings;

(f) the construction and reconstruction of buildings, their maintenance and preservation;

(g) the sale (including on hire purchase system), letting or exchange of any property comprised in the scheme;

(h) the construction and alteration of streets and back lanes.
(1) the provision of the draining, water-supply and light­
ing of the area included in the scheme,

(1) the provision of parks, play-fields and open spaces
for the benefit of any area comprised in the scheme or any
adjoining area and the enlargement of existing parks, play-
fields, open spaces and approaches,

(k) the provision of sanitary arrangements required
for the area comprised in the scheme, including the conser­
vation and prevention of any injury or contamination to
rivers or other sources and means of water-supply;

(l) the provision of accommodation for any class of
inhabitants;

(m) the advance of money for the purposes of the
scheme;

(n) the provision of facilities for communication and
transport;

(o) the collection of such information and statistics
as may be necessary for the purposes of this Act;

(p) any other matter for which, in the opinion of the
Government, it is expedient to make provision with a view
to provide housing accommodation and to the improvement
or development of any area comprised in the scheme or any
adjoining area or for the general efficiency of the scheme.

"The collection of such information and statistics as may
be necessary for the purposes of this Act; and any other
matter for which, in the opinion of the Government, it is
expedient to make provision with a view to provide housing
accommodation and to the improvement or development of
any area."
It shall be the duty of the Board to take measures with a view to expediting and cheapening construction of buildings and the Board may for that purpose do all things for:

(a) unification, simplification and standardisation of building materials;

(b) encouraging prefabrication and mass production of house components;

(c) organising or undertaking the production of building materials required for the housing schemes;

(d) encouraging research for discovering cheap building materials and evolving new methods of economic construction,

(e) securing a steady and sufficient supply of workmen trained in the work of construction of buildings.

(1) The Board shall have its own fund.

(2) The Board may accept grants, subventions, donations and gifts from the Central Government or State Government or a local authority or any individual or body,
whether incorporated or not, for all or any of the purposes of this Act.

(3) The Government shall, every year, make a grant to the Board of a sum equivalent to the administrative expenses of the Board.

(4) All moneys received by or on behalf of the Board by virtue of this Act, all proceeds of land or any other kind of property sold by the Board, all rents, betterment charges and all interest, profits and other moneys accruing to the Board shall constitute the fund of the Board.

(5) Except as otherwise directed by the Government all moneys and receipts specified in the foregoing provisions and forming part of the fund of the Board shall be deposited in the Hyderabad State Bank or in any Scheduled Bank or invested in such securities as may be approved by the Government.

"When by the making of a housing scheme any land in the area comprised in the scheme will in the opinion of the Board be increased in value, the Board in framing the scheme may declare that betterment charges shall be payable by the owner of the land, or any person having an interest therein, in respect of the increase in value of the land from the execution of the scheme."
(2) Such increase in value shall be the amount by which the value of the land on the completion of the execution of the scheme estimated as if the land were clear of the buildings exceeds the value of the land prior to the execution of the scheme estimated in like manner and the betterment charges shall not exceed one half of such increase in value.”

“Such betterment charges shall also be leviable in respect of any land not comprised in the scheme but adjacent to the area comprised in the scheme.”

“The Board shall consist of a Chairman and such number of other members, subject to a maximum of 6 and a minimum of 4, as may be appointed by the Government,

Any member of the Board may at any time resign his office by submitting his resignation to the Government;

Provided that the resignation shall not take effect until it is accepted.”

Nominated Board is subsidiary legislation under main legislation.
The Hyderabad Housing Board 19th December, 1959

The Hon. Deputy Speaker

Sir,

I welcome the Bill in principle, but I am unable to uphold the view that the Board contemplated in the Bill is going to be a fully autonomous body. After carefully going through all the provisions of the principal Act, I am compelled to observe that the Board, though made to appear as a statutory body in the Bill, is purely a Department of the Government. I may quote one or two instances to substantiate my observation. The members of the Board are sought to be nominated by the Government that is appointed by the Government; the budget of the Board, the programme of the Board and the appointments to the service of the Board have to be approved by the Government. Under these circumstances, I have no option but to say that it is a department of the Government but given a shape so as to make it appear to be a statutory board.

Then Sir, I fully agree with the views expressed by the Leader of the Opposition that in the matter of the constitution of the Board due representation should be given to the legislature and also to local authorities, because this Bill is sought to be extended to local areas also. For this purpose,

(Mr. Deputy Speaker in the Chair)
Sir, I may also submit that the scope of the definition of the word 'local authority' may be widened or enlarged so as to include the newly constituted Zilla Parishads and Panchayat Samithis, because it is doubtful whether these Zilla Parishads and Panchayat Samithis would be deemed local authorities under this Bill. I hope the Hon. Minister would consider this and try to extend the definition of the word 'local authority' so as to include panchayat samithis and zilla parishads.

In regard to the vesting of properties of the local bodies, if there is any dispute between the local authority and the Board the matter would be referred to the Government and the decision of the Government on such matter shall be final according to the principal Act. But while making the decision of the Government final, the principal Act does not provide for any appeal against an order of the Government in such matters. I may also submit, Sir, that under the Principal Act, when a property of the local body is taken over by the Board and it declares that it is going to take it permanently, no compensation need be paid to the local authority. I do not know whether this would not be repugnant to Article 31 of the Constitution, because when the local authorities, Zilla Parishads and Panchayat Samithis, have been made corporate bodies and when they can sue and be sued, and when their property is being taken over by the Board, I do not know how we refuse to pay compensation and how we can incorporate a provision inconsistent with the powers of the local bodies and also Article 31 of the Constitution. I, therefore, request the hon. Minister to consider whether this provision denying compensation to local bodies when their properties are being taken over by the Board should not be suitably amended.

Then, Sir, it is stated that in the Tribunal as constituted under the Principal Act, there shall be a President and two Assessors. I do not know, Sir, what is meant by the word 'Assessors'. If I am to understand the word 'Assessor' in the sense in which it is used in the Code of Criminal Procedure, I have to say that we do not have Assessors in the Andhra Area, in which case I have to think that the appointments to the Tribunal would be confined only to the Telangana
area. Otherwise, I request the hon. Minister to clarify as to what the Government means by the word 'Assessors'.

Then, Sir, it is also provided in the Principal Act that the proceedings of the Tribunal are judicial in character and that the Tribunal also shall exercise the powers of a Civil Court in making enquiries under the Act. It is further provided that the order of the Tribunal shall be executed by Civil Court, but it is surprising to note that what procedure the Tribunal should follow has not been defined in the Principal Act itself. It is merely stated there that the Tribunal shall follow such procedure as may be prescribed. When its proceedings are made judicial and when its orders are made decrees for the purpose of execution by Civil Courts, I do not know why the procedure relating to the trial of suits as provided in the Civil Procedure Code is not made applicable to the procedure to be followed by the Tribunals.

The leader of the opposition has been suggesting the constitution of an advisory board because several matters are brought within the purview of this Board. While I am happy to note that the slum clearance is brought within the purview of the Board, in the absence of due representation to the Legislature in the Board as it is, I have to support the view of the Opposition leader that there should be at least an advisory board to advise on all matters enumerated in the Act. As pointed out by the Leader of the Opposition, I also suggest and request the Government to very carefully consider this aspect that this Legislature should have an opportunity of discussing and reviewing the activities of the Board because several functions are going to be transferred to it and huge amounts are going to be made over to it. We know the activities of the L.I.C. are being reviewed by Parliament and the activities of the statutory bodies constituted by the Government of India under an Act of Parliament are reviewed by Parliament. Similarly, all statutory bodies which this Legislature is constituting should be within the control of the Legislature for which purpose I request the Government to provide a suitable provision in the Bill so as to bring the activities of the Board within the purview of the Legislature.

Thank you, Sir.
Mr. Deputy Speaker The question is:

"That the Hyderabad Housing Board (Andhra Pradesh Extension and Amendment) Bill, 1959, be read a first time"

The motion was adopted

Sr. Pillai Ramani Venkateswarlu (Nadigama) — I move:

"That the Bill be referred to a Select Committee or a Joint Select Committee, if need be."

Mr. Deputy Speaker Motion moved.
The Hyderabad Housing Board 19th December, 1959 285
(Andhra Pradesh Extension and Amendment) Bill, 1939

...the reply to the speech made by the hon. Members at concerned I shall follow them up later. Just now the question is whether the
286 19th December, 1959 The Hyderabad Housing Board (Andhra Pradesh Extension and Amendment) Bill, 1959.

Bill should be referred to a Select Committee or a Joint Select Committee. The Act is so simple and is a tried one

Sri Pillalamarri Venkateswarlu: It was passed into law but not tried.

Sri Mehdi Nawaz Jung: It was passed and tried in Bombay and Madras, it was also sent to the Government of India who have also approved it and made some suggestions. It is not desirable in the interests of housing problems that it should be referred to a Select Committee. There is a very pressing need for developing our housing schemes and I would request the Member not to insist on referring it to the Select Committee.

Sri Pillalamarri Venkateswarlu: In how many months or weeks or days is the Government going to constitute the Board if it is so very urgent and pressing? I would just like to have a clarification.

Mr. Deputy Speaker: No clarification. The question is whether the Member wants to press his amendment or not

Sri Pillalamarri Venkateswarlu: If the Government is so insistent, I am prepared not to press the amendment.

I beg leave of the House to withdraw the amendment.

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

Sri Mehdi Nawaz Jung: I move:

“That the Hyderabad Housing Board (Andhra Pradesh Extension and Amendment) Bill, 1959 be read a second time.”

Mr. Deputy Speaker: Motion moved.

(Pause)

Mr. Deputy Speaker: The question is:

“That the Hyderabad Housing Board (Andhra Pradesh Extension and Amendment) Bill, 1959 be read a second time.”

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

"That Clauses 2 and 3 do stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clauses 4 & 5

*Sri Yavatla Gopalakrishnaiah: Sir, I am moving the following amendment:

"For sub section (1) of Section 4, substitute the following:

The Board shall consist of a Chairman, a whole-time officer and two persons elected by the members of each of the both Houses of State Legislature from among themselves, the Registrar of Co-operative Societies, Chief Engineer-in-charge of Sanitary Engineering and three persons to be nominated by the Government."

Mr. Deputy Speaker: I am sorry, you have given this amendment to clause 6 i.e. Sec. 4 of the Principal Act. Therefore the occasion has not arisen: I will now put clauses 4 and 5 to vote.

(Pause)

Mr. Deputy Speaker: The question is:

"That Clauses 4 and 5 do stand part of the Bill."

The motion was adopted.

Clauses 4 and 5 were added to the Bill.
Clause 6

Mr Deputy Speaker: — Amendment moved.

"For sub-section (1) of Section 4 of the Principal Act, substitute the following —

The Board shall consist of a Chairman, a whole-time Officer, and two persons elected by the members of each of the both Houses of State Legislature from among themselves, the Registrar of Co-operative Societies, Chief Engineer-in-charge of Sanitary Engineering and three persons to be nominated by the Government.

Mr Deputy Speaker: — Amendment moved.
The Board shall consist of a Chairman, a whole-time officer and two persons elected by the members of both the Houses of the State Legislature from among themselves, Registrar of Co-operative Societies, Chief Engineer-in-charge of Sanitary Engineering and a representative from the Local authorities and two persons to be nominated by the Government."

"Sanitary Engineering" and three persons to be nominated by the Government of whom one shall be from the local authority"

Sir Mehdi Nawaz Jung.—Sir, there is already a provision for an Engineer also to be on the Board. So it is not necessary at all to have another Engineer on the Board when there is already one to advise the Board and to carry out their orders.

The Registrar of Co-operative Societies does not find place on the Board because he has got other duties to perform. This is entirely a matter in which people who have got experience in building trade and housing construction are represented. The only thing I can agree to is this. There should be a convention that in addition to the members on the Board including one Chairman, there should be two Members—one from the Assembly and one from the Council—to be nominated by the Government.

Mr. Deputy Speaker:—How do you want to incorporate that in the Bill?
The Hyderabad Housing Board 19th December, 1959 291
(Andhra Pradesh Extension and Amendment) Bill, 1959.

Sri Mehdi Nawaz Jung:—We can do that, Sir. Instead of seven, we can say that there should be nine members—the additional two being from the Assembly and Council to be nominated by the Government.

Sri Vavilala Gopalakrishnayya:—As the hon. Minister has accepted that much, why can't he accept another member to be from the Local Boards also, Sir?

Sri Mehdi Nawaz Jung.—That is not necessary, Sir.

Sri P. ilavanan Venkateswarlu:—The Hon. Minister needs not go to small bodies. In whatever spirit he has said, he has agreed to send one hon. Member of the Assembly to be represented on the Board. In the same manner he can send three hon. Members. The addition of two more members may not make the Board unwieldy as the hon. Minister believes.

Mr. Deputy Speaker —Is the hon. Minister agreeable to increase the strength of the Board?

Sri Mehdi Nawaz Jung:—Sir, the idea is that representation from the Assembly and the Council should be there, but we should not make the number large. I would submit that the present arrangement is quite satisfactory if my proposal is accepted.

Mr. Deputy Speaker:—The hon. Minister wants to increase the number to nine from seven. The additional two
members being one from the Assembly and one from the Council.

Sri Vavilala Gopalakrishnayya:—As a concession we may agree, Sir.

Sri Pillalamarri Venkateswarlu:—As the hon. Minister has moved an oral amendment, may I request you, Sir, to allow me to move an oral amendment to the amendment moved by the hon. Minister?

Mr. Deputy Speaker:—You may please sit down with the hon. Minister and come to an understanding and give a mutual amendment, in writing.

Sri Mehti Nawaz Jung:—I have not got the amendment, Sir. But it can be given now.

Mr. Deputy Speaker:—You can give the amendment in writing now.

(Pause)

With the permission of the House, may I take the other clauses for consideration, so that they may give the amendment in writing in the meanwhile?

Sri Mehti Nawaz Jung:—Supposing, Sir, I give an undertaking that without making any change here in the Bill, the Government will undertake to nominate three representatives—two from the Assembly and one from the Council. Will it serve the purpose, Sir?

Mr. Deputy Speaker:—That means you do not want to suggest any amendment here.

Sri Mehti Nawaz Jung:—Only I give an undertaking. When a statement is made on the Floor of the House, that is as good as an amendment.

Sri Pillalamarri Venkateswarlu:—When the Hon. Minister is prepared to concede, it is better that it goes into the Statute, Sir.
Sri Vavilala Gopalakrishnayya:—I think it must be in the Statute, Sir. He has agreed to the point, but the only question is whether it should be one person or more persons.

Sri Mehdi Nawaz Jung:—It is better that the hon. members are satisfied with my undertaking, Sir. An amendment is not necessary.

Mr. Deputy Speaker:—Does hon. Sri Vavilala Gopalakrishnayya want to press his amendment?

Sri Vavilala Gopalakrishnayya:—Yes, Sir.

Mr. Deputy Speaker:—The question is:

"For sub-section (1) of section 4 of the Principal Act, substitute the following:

The Board shall consist of a Chairman a whole-time officer and two persons elected by the members of each of the both Houses of State Legislature from among themselves, the Registrar of Cooperative Societies, Chief Engineer-in-charge of Sanitary Engineering and three persons to be nominated by the Government, of whom one shall be a representative of the local authority."

The amendment was adopted.

(Long pause)

Sri Mehdi Nawaz Jung: I demand a division, Sir.

Mr. Deputy Speaker: It is too late now.

Sri Mehdi Nawaz Jung: What has happened, Sir?

Mr. Deputy Speaker: When I put the amendment of hon. Sri Vavilala Gopalakrishnayya to vote, and took a voice vote the volume of voice on 'Ayes' side was more and I therefore declared the amendment as carried. Then, nobody challenged it. I am sorry I cannot do anything now.

(Pause)

I shall put clause 6, as amended, to the vote of the House.
Sri Mehdi Nawaz Jung: I am not able to follow, Sir.

Mr. Deputy Speaker: When I declared the amendment as carried, nobody challenged it. After some time if somebody wants division, it cannot be accepted.

Sri Mehdi Nawaz Jung: I withdraw the Bill, Sir.

Sri G. Yellamanda Reddy: The hon. Minister cannot withdraw the Bill without giving reasons, Sir.

Sri Pillalamarri Venkateswarlu: I would like to know the stage at which the hon. Minister wishes to withdraw the Bill.

Mr. Deputy Speaker: Will you please wait?

Sri Vavilala Gopalakrishnayya: Apart from it, I wish to submit that the Bill cannot be withdrawn at the intermediate stage. He could withdraw it at an early stage.

Mr. Deputy Speaker: The provision in Rule No. 149 is like this: "Withdrawal of a Bill: The member-in-charge may, at any stage of a Bill, withdraw the Bill with the leave of the Assembly" (Applause from the Treasury Benches)

Sri Vavilala Gopalakrishnayya: I submit, Sir, that a ruling of the Hon. Speaker is there that if any member-in-charge wants to withdraw a Bill he must give a clarification.

Mr. Deputy Speaker: The Rules do not say any thing about it; I am sorry. I think there was such a question on the Land Acquisition Bill. But now, as the Rules are very clear and as the Rules do not provide that the member-in-charge should give any explanation before withdrawal, it is left to the member-in-charge to withdraw the Bill if he so chooses.

Sri. Vavilala Gopalakrishnayya: Before you give a ruling, let me submit...

Mr. Deputy Speaker: I am not giving any ruling.
The Hyderabad Housing Board 19th December, 1959 295
(Andhra Pradesh Extension and Amendment) Bill, 1959.

Sri Vavulala Gopalakrishnayya: That is the same thing which happened on the Land Acquisition Bill and I think the next day, the Hon. Speaker ruled that a member-in-charge of a Bill should give reasons before he withdraws a Bill.

Mr. Deputy Speaker: Have you got that Ruling with you now?

Sri Vavulala Gopalakrishnayya: It is in the records, Sir. It is not with me now. If the hon. Deputy Speaker gives me time I will show it to him.

Sri Pillalamarri Venkateswarlu: The member-in-charge can withdraw the Bill at any stage. What is the stage here? Is it the first reading or second reading or the third reading stage? Now we are in the midst, we are virtually discussing a clause.

Mr. Deputy Speaker: What is the stage?

Sri Pillalamarri Venkateswarlu: He must complete the stage before he can withdraw the Bill. The interpretation is this. 'At any stage' means not in the midst of the discussion.

Mr. Deputy Speaker: Because Rule No. 149 is very clear, the member-in-charge is free to withdraw it at any time and there is no such provision that any explanation should be given. But still if the hon. Minister wants to say anything he can do so.

Sri Mehdi Nawaz Jung: Sir, I find that the Bill is not being taken up in right earnest and every necessary help is not forthcoming. I feel that I am not prepared now to proceed with the Bill. After taking into consideration the amendment that has been moved in the House, I may consult my colleagues in the Government and then come up before the House. At the moment I am not in a position to say 'yes' or 'no' to the amendments that have been brought.

Mr. Deputy Speaker: I will put the motion for withdrawal of the Bill, to the vote of the House.
296  19th December, 1959  The Hyderabad Housing Board
(Andhra Pradesh Extension and Amendment) Bill, 1959.

The question is

"That leave be granted for the withdrawal of the Hyderabad Housing Board (Andhra Pradesh Extension and Amendment) Bill, 1959."

The motion was adopted.

*Sri Pillalamarri Venkateswarlu*: I demand division Sir.

The House divided: Ayes: 77

Noses: 19

The motion was adopted and the Bill withdrawn.

*Mr. Deputy Speaker*: Now the House is adjourned till 9 a.m. on Monday the 21st December 1959

(The House then adjourned till Nine of the Clock on the Monday, 21st December 1959)