### CONTENTS

<table>
<thead>
<tr>
<th>Adjournment Motion</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>re: Flood havoc in Nellore district</td>
<td>42</td>
</tr>
<tr>
<td>(Postponed)</td>
<td></td>
</tr>
<tr>
<td>Nominations to the Business Advisory Committee</td>
<td>43</td>
</tr>
<tr>
<td>Papers laid on the Table of the House</td>
<td>44</td>
</tr>
<tr>
<td>Amendment to the Andhra Pradesh General Sales</td>
<td></td>
</tr>
<tr>
<td>Tax Rules 1957</td>
<td></td>
</tr>
<tr>
<td>Notifications issued under Sec. 11 (1) of the</td>
<td></td>
</tr>
<tr>
<td>Madras Motor Vehicles Taxation Act, 1931</td>
<td></td>
</tr>
<tr>
<td>Government Bills:</td>
<td></td>
</tr>
<tr>
<td>The Andhra Pradesh Sugarcane (Regulation of</td>
<td></td>
</tr>
<tr>
<td>Supply and Purchase) Bill, 1969. (Referred to</td>
<td></td>
</tr>
<tr>
<td>Joint Select Committee)</td>
<td></td>
</tr>
<tr>
<td>The Andhra Pradesh Primary Education Bill, 1960</td>
<td></td>
</tr>
<tr>
<td>(not concluded)</td>
<td></td>
</tr>
</tbody>
</table>
SECOND DAY OF THE ELEVENTH SESSION OF THE
ANDHRA PRADESH LEGISLATIVE ASSEMBLY

TUESDAY, THE 29TH NOVEMBER, 1960

THE HOUSE MET AT NINE OF THE CLOCK

[MR. SPEAKER IN THE CHAIR]

QUESTIONS AND ANSWERS
(SEE PART I)

ADJOURNMENT MOTION

re: Flood havoc in Nellore District.

Mr. V. S. Raju (V.C., Nellore): Sir, the Members will be interested to know the situation prevailing in the area affected by floods in Nellore district. 10, 11, 12, 13th November, the Members of the House have been informed about the situation. The flood situation has been described as very serious. The Members of the House have been informed about the help being extended by the Government. The Members of the House have also been informed that the help is being extended in the form of food and clothing. The Members of the House have been informed that the help is being extended as per the guidelines. The Members of the House have been informed that the help is being extended as per the guidelines.

Mr. K. V. Ramana Rao (V.C., Nellore): Sir, the Members of the House have been informed about the situation prevailing in Nellore district. The Members of the House have been informed that the help is being extended in the form of food and clothing. The Members of the House have been informed that the help is being extended as per the guidelines. The Members of the House have been informed that the help is being extended as per the guidelines.

Mr. S. V. Raja Rao (V.C., Nellore): Sir, the Members of the House have been informed about the situation prevailing in Nellore district. The Members of the House have been informed that the help is being extended in the form of food and clothing. The Members of the House have been informed that the help is being extended as per the guidelines. The Members of the House have been informed that the help is being extended as per the guidelines.

Mr. K. V. Ramana Rao (V.C., Nellore): Sir, the Members of the House have been informed about the situation prevailing in Nellore district. The Members of the House have been informed that the help is being extended in the form of food and clothing. The Members of the House have been informed that the help is being extended as per the guidelines. The Members of the House have been informed that the help is being extended as per the guidelines.

Mr. S. V. Raja Rao (V.C., Nellore): Sir, the Members of the House have been informed about the situation prevailing in Nellore district. The Members of the House have been informed that the help is being extended in the form of food and clothing. The Members of the House have been informed that the help is being extended as per the guidelines. The Members of the House have been informed that the help is being extended as per the guidelines.

Mr. K. V. Ramana Rao (V.C., Nellore): Sir, the Members of the House have been informed about the situation prevailing in Nellore district. The Members of the House have been informed that the help is being extended in the form of food and clothing. The Members of the House have been informed that the help is being extended as per the guidelines. The Members of the House have been informed that the help is being extended as per the guidelines.

Mr. S. V. Raja Rao (V.C., Nellore): Sir, the Members of the House have been informed about the situation prevailing in Nellore district. The Members of the House have been informed that the help is being extended in the form of food and clothing. The Members of the House have been informed that the help is being extended as per the guidelines. The Members of the House have been informed that the help is being extended as per the guidelines.

Mr. K. V. Ramana Rao (V.C., Nellore): Sir, the Members of the House have been informed about the situation prevailing in Nellore district. The Members of the House have been informed that the help is being extended in the form of food and clothing. The Members of the House have been informed that the help is being extended as per the guidelines. The Members of the House have been informed that the help is being extended as per the guidelines.
Nominations to the
Business Advisory Committee

Mr. Speaker: I nominate the following members to be on the Business Advisory Committee:
PAPERS LAID ON THE TABLE OF THE HOUSE.

Amendment to the Andhra Pradesh General Sales Tax Rules.


Mr. Speaker: Papers laid on the Table.

Notifications issued under Section 11 (1) of the Madras Motor Vehicles Taxation Act, 1931.

*The Minister for Education and Transport (Sri S. B. P. Pattabhirama Rao): (1) I lay on the Table under
sub-section (2) of Section 11 of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931) a copy of the Notification issued under Section II (1) of the said Act published at page 2020 of Part-I of the Andhra Pradesh Gazette, dated the 7th August 1960.

(2) I lay on the Table under sub-section (2) of Section 11 of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931) a copy of the Notification issued under Section 11 (1) of the said Act and published at page 118 of Part-I of the Andhra Pradesh Gazette, dated the 21st April 1960

(3) I lay on the Table under sub-section (2) of Section 11 of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931) a copy of the Notification issued under Section 11 (1) of the said Act published at page 2674 of the Andhra Pradesh Gazette, Part-I dated the 11th August, 1960.

Mr. Speaker: Papers laid on the Table.

GOVERNMENT BILLS

The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

...
The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

29th November, 1960

South Indian Mill Owners’ Association revealed a twist in the Sisma Formula earlier reported.

The Sisma Formula earlier reported was that of the South Indian Mill Owners’ Association. Now, it was clarified that the bonus was 6% on the subsistence priced. This bonus was to be adjusted in the Sisma Formula. The revised Sisma Formula was as follows:

South Indian Mill Owners’ Association revealed that the bonus was 6% on the subsistence price. This bonus was to be adjusted in the Sisma Formula.
The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

Price linking formula

Price linking formula 1960-61 bonus 1960-61 factories at

Tariff Commission

Price linking formula 1960-61 bonus 1960-61 factories at

Price linking formula 1960-61 bonus 1960-61 factories at

Price linking formula 1960-61 bonus 1960-61 factories at

Price linking formula 1960-61 bonus 1960-61 factories at

Price linking formula 1960-61 bonus 1960-61 factories at

Price linking formula 1960-61 bonus 1960-61 factories at
The Andhra Pradesh Sugarcane
(Regulation of Supply and
Purchase) Bill, 1960

29th November, 1960

48

...
The Andhra Pradesh Sugarcane Regulation of Supply and Purchase) Bill, 1960

49 29th November, 1960

...
The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

29th November, 1960
50

...
29th November, 1960

The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

...
The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

29th November, 1960

As required by Sections 17 to 20, the State Government of Andhra Pradesh has accommodated space for the following provision in the said Acts.

Section 17 specifies a penal clause for non-compliance. Any breach of the conditions shall result in a penalty of 15% of the amount involved.

Section 18 mentions a sugar cane cess of 7% to be levied on production for the state. With the aid of mechanical power, Khandsari sugar factories are capable of producing sugar cane.

The Khandsari sugar factory is paying 10% duty at present. However, with the aid of mechanical power, the sugar factories propose to reduce the duty to 5%. The proposed sugarcane factory is expected to produce sugar at a lower cost.

Sugar factory Khandsari sugar factory "Production of Sugar by means of Vacuum pans" with the aid of mechanical power. Khandsari sugar factories are capable of producing sugar cane.
The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

Medium variety ఇది సంపూర్ణంగా మంగాగాడి సంఘాతి స్వభావం. Late Varieties మంగాగాడి సంఘాతి
ఉత్సాహం స్వభావం. మంగాగాడి తీసుకుని medium variety సంఘాతి ఎంత స్థానం
ఉంది. "late variety" సంఘాతి ఫిస్ స్థానం. ఆ సంఘాతి యొక్క విభాగాలు
ప్రదర్శించాలి. అయది ప్రతి సంఘాతి ప్రదర్శించేది. 36

సంఘాతి యొక్క విభాగాలు ప్రదర్శించాలి. అయితే సంఘాతి ప్రదర్శించేది. 36
The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

29th November, 1960

52

"Production of Sugar by means of Vacuum pans" by paying 10% on 50% "with the aid of mechanical power" to Khandswari sugar factories whereas Khandswari sugar factories are paying 10% on 50%.

Sugar factory 1958-59 for the year 1959-60 in Khandswari sugar factories were 3-5-0 in 43-0 and duty 6-5-0 on 4-5-0.
29th November, 1960

The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

Section 33, Khandarsi sugar

*El 4. The Andhra Pradesh (Notified Areas) Act. 1956*

The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

Section 33, Khandarsi sugar

*El 4. The Andhra Pradesh (Notified Areas) Act. 1956*
The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

29th November, 1960

Sugarcane Cess fund rate 30% of the total value of Sugar cane produced in the previous year. The rate shall be fixed by the Board of Agriculture. The rate shall be fixed by the Board of Agriculture. The Board of Agriculture may, after consulting the Sugarcane Cess Fund Committee, fix the rate of the Sugarcane Cess fund rate. The Board of Agriculture shall, after consulting the Sugarcane Cess Fund Committee, fix the rate of the Sugarcane Cess fund rate.

(Sri P. Rajagopal Naidu in the Chair).
The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

29th November, 1960

A report and a report (Regulation of Supply and Purchase) Bill, 1960

Consumer and, factory are labour and in agriculture. The report of the Consumer and, factory, report and in labour and in agriculture. The report of the

Consumer and, factory, report and in labour and in agriculture. The report of the
The Andhra Pradesh Sugar cane (Regulation of Supply and Purchase) Bill, 1960

29th November, 1960

56

General Revenue etc. (Poinsons) as separate accounts and General Revenue of the Assistant Commissioner of Revenue. The separate accounts of the Assistant Commissioner of Revenue shall be shown in the accounts of General Revenue etc. as separate accounts and General Revenue of the Assistant Commissioner of Revenue as separate accounts. The separate accounts of the Assistant Commissioner of Revenue shall be shown in the accounts of General Revenue etc. as separate accounts and General Revenue of the Assistant Commissioner of Revenue as separate accounts.
The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

Man lives with hope.
The Andhra Pradesh Sugarcane
(Regulation of Supply and
Purchase) Bill, 1960

29th November, 1960

58

ప్రపంచంలో సుగార్ ఆలయం నిర్మాణం చేసేవారు. మునిగి పర్యాటక నిర్మాణం సాధనాలు ఉన్నాయి. ప్రపంచంలో సుగార్ ఆలయం నిర్మాణం చేసేవారు. మునిగి పర్యాటక నిర్మాణం సాధనాలు ఉన్నాయి. ప్రపంచంలో సుగార్ ఆలయం నిర్మాణం చేసేవారు. మునిగి పర్యాటక నిర్మాణం సాధనాలు ఉన్నాయి. ప్రపంచంలో సుగార్ ఆలయం నిర్మాణం చేసేవారు. మునిగి పర్యాటక నిర్మాణం సాధనాలు ఉన్నాయి. ప్రపంచంలో సుగార్ ఆలయం నిర్మాణం చేసేవారు. మునిగి పర్యాటక నిర్మాణం సాధనాలు ఉన్నాయి.
29th November, 1960

The Andhra Pradesh Sugar cane
(Regulation of Supply and
Purchase) Bill, 1960
The Andhra Prades Sugarcane

(Regulation of Supply and
Purchase) Bill, 1960

29th November, 1960

60
61 29th November, 1960 The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

"..."
The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

29th November, 1960

62

...
The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

29th November, 1960

The Bill seeks to regulate the supply and purchase of sugarcane in the State of Andhra Pradesh. It is intended to protect the farmers who grow sugarcane, ensuring a fair price for their harvest. The Bill also aims to control the marketing of sugarcane to prevent monopolies and ensure equitable distribution.

The Bill encompasses several key provisions:

1. Setting of Minimum Prices: The Bill mandates the State Government to fix minimum prices for sugarcane, ensuring a fair return for farmers.
2. Control of Marketing: It prohibits the formation of monopoly in the marketing of sugarcane, ensuring fair competition.
3. Protection of Farmers: The Bill includes provisions to protect the interests of sugarcane farmers, ensuring they are not exploited by middlemen or large sugar mills.
4. Enforcement: The Bill empowers the State Government to enforce the regulations, ensuring compliance and maintaining the integrity of the sugarcane market.

The Bill is a significant step towards ensuring the sustainability of sugarcane cultivation in the state, providing a safety net for farmers and promoting a fair and competitive market environment.

*The bill is an excerpt from the Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960.*
The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

29th November, 1960

64

Sugar cane growers for the functioning of

The Andhra Pradesh Sugar
(Regulation of Supply and
Purchase) Bill, 1960
Proviso to Clause 5 of the Bill reads thus:

“Provided that, where the Cane Commissioner so directs, a Council may be constituted for an area which is larger or smaller than a particular factory zone.”
The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

29th November, 1960

(Mr. Speaker in the Chair)

*Shri Narsinga Rao (V. G. R.):" Akshayatra, the sugarcane is a very vital part of the economy in the Andhra Pradesh. It is a major source of income for the farmers. The sugarcane is grown in various districts of the state. The sugarcane is processed into sugar and other products. The sugarcane industry is a major contributor to the state's economy. It is a labor-intensive industry and provides employment to many people. It is also a major source of revenue for the state.

With your permission, Sir, I would like to draw the attention of the House to the important role of sugarcane in the state's economy. The sugarcane industry is a major contributor to the state's economy. It is a labor-intensive industry and provides employment to many people. It is also a major source of revenue for the state.

I would like to invite the House to consider the importance of sugarcane in the state's economy. The sugarcane industry is a major contributor to the state's economy. It is a labor-intensive industry and provides employment to many people. It is also a major source of revenue for the state.

Thank you."
The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

29th November, 1960

68
The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960

69 29th November, 1960

S&3 general cess fund &4 R1

Sugar factories & liaisan farms

Sugar factories & liaisan farms

Sugar factories & liaisan farms

Sugar factories & liaisan farms
Mr. Speaker: The question is:

“That the Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960, be read a first time.”

The motion was adopted.

Sri N. Ramachandra Reddy: Mr. Speaker, Sir, I move:

“That the Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960, be referred to a Joint Select Committee.”

Mr. Speaker: Motion moved.
Mr. Speaker: I have to settle this question. The Money Bill is necessary for the constitution. The ‘Money Bill’ is defined as follows:

Sri M. Satyanarayana Raju: Because the Bill deals with spending about Rs. 20 to Rs. 30 lakhs, it becomes a Money Bill.

Mr. Speaker: This is the definition of Money Bill as contained in Article 199 of the Constitution:

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:

(a) the imposition, abolition, remission, alteration or regulation of any tax (not cess, but tax);
(b) the regulation of the borrowing of money or the giving of any guarantee by the State or the amendment of the law with respect to any financial obligations undertaken or to be undertaken by the State;

(c) the custody of the consolidated fund or the contingency fund of the State, the payment of the monies into or the withdrawal of monies from any such fund;

(d) the apportionment of monies out of the consolidated fund of the State;

(e) the declaring of any expenditure to be expenditure charged on the consolidated fund of the State or the increasing of the amount of any such expenditure;

(f) the receipt of money on account of the consolidated fund of the State or the public account of the State or the custody or issue of such money; or

(g) any matter incidental to any of the matters specified in sub-clauses (a) to (f).

2. 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.

3. If any question arises whether a Bill introduced in the Legislature of a State which has a legislative council is a money bill or not, the decision of the Legislative Assembly of such State thereon shall be final. “Of any tax by any local authority or body for local purposes...... . . .”

श्रेणी: वस्त्रांच्या मांजरीत सम्बन्धित कार्यक्रम. \( \text{Consolidated fund किंवा separate fund योंेची विचारे?} \)

मंत्री: \( \text{Consolidated fund किंवा separate fund.} \)
There is something like consolidated fund of the whole State which is constituted under the Constitution. It does not come under the consolidated fund at all.

_Sri Pillalamarri Venkateswarulu:_ If you will please excuse me, Sir, Land Revenue goes into the consolidated fund.

_Mr. Speaker:_ Yes.

_Sri Pillalamarri Venkateswarulu:_ Educational cess goes into the consolidated fund.

_Mr. Speaker:_ No.

_Sri Pillalamarri Venkateswarulu:_ Excuse me, Sir.

_Mr. Speaker:_ Yes.

_Sri Pillalamarri Venkateswarulu:_ When it has once come under the jurisdiction of the Speaker, the Speaker will not allow anybody, either the Minister or the Leader of the House or any other Member to interfere with his jurisdiction. It has come in my jurisdiction, because the question is there.

_Mr. Speaker:_ Let me be clear.
Sri A Yeruku Naidu: There is clause 21, Sir.

Sri Vavilala Gopalakrishnayya: Clause 21 deals with that.

Mr. Speaker: Let me go through clause 21.

“(1) The Government may, by notification, levy a cess at such rate not exceeding seven rupees per metric ton as may be prescribed on the entry of cane into the premises of a factory for use, consumption or sale therein, and subject to the maximum rate aforesaid and the conditions prescribed, cess may be levied at different rates for different areas and for different factories.

(2) The Government may, by notification, remit in whole or in part such cess in respect of cane used or intended to be used in a factory for any purpose specified in such notification.

(3) The Government may, by notification, exempt any new factory for a period not exceeding three years from the date on which it commences its business, or any factory which in the opinion of the Government is substantially expanded for a period not exceeding one year from the date of such expansion, from payment of cess.

(4) The cess payable under sub-section (1) shall be levied and collected from the occupier of the factory in such manner and by such authority as may be prescribed.

(5) Arrears of cess shall carry interest at the rate of 9 per cent per annum.

(Some hon. Members rose—)

Mr. Speaker: ‘..on the entry of cane into the premises of a factory for use, consumption or sale therein...’

cess چیکی ہے؟

The Government is levying a cess under this Act.

Mr. Speaker: What is the difference between tax and cess? Here it is not anything levied by a local body.

Sri S. B. P. Pattabhirama Rao: Actually, according to the existing Act, there is provision for such cess. Only such cess is Rs. 5 per ton. It is being increased to Rs. 7. That is all.

Sri S. B. P. Pattabhirama Rao: It is not intended as a tax. It is just an education cess. For that do you call it as Money Bill, I would like to ask. There is education cess.

Mr. Speaker: Who levies?

Sri S. B. P. Pattabhirama Rao: Government levies it. It is never considered as a money bill. It is for a specific purpose, viz., for the improvement of the agriculturists there. For this purpose, money is collected and spent there. So, I don't think it can be called as money bill. If the argument of the opposition members is accepted, at that rate, you have to construe
every bill as a money bill and the Legislative Council will be denied an opportunity of hearing—

Sri Vavilala Gopalakrishnayya: The Constitution provides it. We can’t help it.

Sri S B. P. Pattabhirama Rao: But this is not a taxation measure. If you call everything as a taxation measure, it is not correct. You know law very well, Sir, and you may interpret it in whatever manner you think.

Sri Pillalamarri Venkateswarulu: He knows thousand times the law.

Sri Vavilala Gopalakrishnayya: You can’t introduce a small Bill and levy some cess and then say that it is not a taxation or money Bill and evade that process.

Sri P. Rajagopal Naidu: Now, the issue before the Assembly is whether it is tax or not. That must be decided by the hon. Speaker.

Mr. Speaker: So, much of the estimates as are charged on the consolidated fund of the State shall not be submitted.

Consolidated Fund eteru, samadhiyam charge intoharam, i.e., tax. This is a tax and must be treated as such. And it is not a consolidated fund. It is a special fund raised partly by Government cess. And it is treated as special fund.

Sri Venkata Ramacharyulu: As Consolidated Fund is treated as cess fund, then the deposit is cess fund? It goes to the consolidated fund. And it is a special fund raised partly by Government cess. Act 8, clause 8 of Council has treated cess as special fund raised partly by cess. It shows that it goes into the Consolidated Fund.
Sri Pillalamarri Venkateswarlu: The financial memorandum appended to the Bill says thus: 'Clause 8 of the Bill provides for the maintenance of a Fund by each Cane Development Council for the purpose of meeting the charges in connection with the discharge of its duties and performances of its functions under the Act. The Fund is proposed to comprise, amongst others grants, if any, made by the Government. Assuming that 25 percent of the proceeds of the cess collected under the Act in a factory zone will be set apart towards grants to the Fund of the Cane Development Council of that zone, an amount of about Rs. 20 lakhs may be expected to be provided by the Government towards grants to the Funds of all the Cane Development Councils in the State.' From this, it is clear that the grants will be made from the Cess Fund.

Mr. Speaker: It is a separate fund belonging to that council.

“25 per cent of the cess collected by Government will be given to the Council for this purpose” 3. What about the rest? It must be somewhere. It is not categorically explained. Therefore, it must be presumed that the other 75 per cent will go to the Government. They may spend it for other purposes. That is not mentioned in the Bill. Let the hon. Minister clarify the matter. Sir, we will hear him.

Mr. Speaker: You can not dictate to me.
Sri G. Yellamanda Reddy: No Sir, we request.

Mr. Speaker: Therefore, when I say, it is not consolidated fund, the Minister need not explain that portion. You need not again and again ask “Let the Minister explain.”

We Departments have a State fund and State fund businesses. Factory fund is another fund. It is not a State. Also business under the Act. They are separate funds. If there is a grant of temple, then that is fund. Similarly for business, there is a fund. If there is a grant of temple,

It is important to note that. As I said, funds is not a separate.

Mr. Speaker: ... Sir.

Sri G. Yellamanda Reddy: Sir, I think I am right.

Mr. Speaker: You must excuse me if I say that I am right.

Sri G. Yellamanda Reddy: As I said, Departments are consolidated, general to consolidate the. And labourers in sugar factories. Revenue Head sugar, Labour Heads sugar. We have a separate fund. There is a fund as a separate council. Similarly for business, similarly for business. Executive Officer has the right to.

Mr. Speaker: Sugarcane grower, factories, labourers and sugar factories. A Bill to provide for the regulation of supply and purchase of sugarcane required for use in sugar factories.
purchase of sugarcane to the factories. The Committee, after a detailed inquiry, submitted its report to the Government. The Government considered the report of the Committee, and, in the light of the decisions taken on the recommendations of the Committee, it is proposed to undertake comprehensive legislation to regulate the supply and purchase of sugarcane required for use in sugar factories in the State and to repeal the Madras Sugar Factories Control Act, 1949, and the Hyderabad Sugarcane Cess Act, 1953, which are in force in the Andhra and Telangana areas of the State. The salient features of the proposed legislation are:

(i) the constitution of a Sugarcane Advisory Committee—

This is what the Statement of Objects and Reasons says:

‘In January 1956, the Government of Andhra constituted a Committee, with Shri T. N Venkata Subba Reddy, M L. A., as Chairman, to enquire and report on the question of sugarcane supplies to sugar factories in the State and to make recommendations, amongst others, in regard to the principles according to which the supply of sugarcane to Sugar Factories should be regulated.’

(Interruption by Sri Pillalamarri Venkateswarlu)

Do not disturb me please. You should not disturb me while I am talking. You understand that first. The Statement of Objects and Reasons continues.

The Committee, after a detailed inquiry, submitted its report to the Government. The Government considered the report of the Committee, and, in the light of the decisions taken on the recommendations of the Committee, it is proposed to undertake comprehensive legislation to regulate the supply and purchase of sugarcane required for use in sugar factories in the State and to repeal the Madras Sugar Factories Control Act, 1949, and the Hyderabad Sugarcane Cess Act, 1953, which are in force in the Andhra and Telangana areas of the State. The salient features of the proposed legislation are:

(i) the constitution of a Sugarcane Advisory Committee—

...
Mr. Speaker: You are confusing yourself. Sugarcane cess is a cess. Clause 8 deals with council functions, and fund is a part of cess. Clause 8 deals with cess. Council Fund and cess cannot be the Consolidated Fund.
Mr. Speaker: The cess collected by the Government will be used for such and such purposes and such purposes.

Mr. Satyanarayana Raju: The manner in which it is collected and the manner in which it is spent—whether money bill or cess is levied over and above cess.

Sri Pragada Kotaiah: Clause 8(2)(c) (iii). Clause 8(2)(c) says "any other sums which the Government may require to be credited to it".
29th November, 1960

The Andhra Prades Sugarcane
(Regulation of Supply and
Purchase) Bill, 1960

Clause 8 (2) (C) for any other sums which the Government may require to be credited to it. Any other sums to be credited to the Consolidated Fund. Clause 9 for contributions direct to the Development Council.

Any other sums which the Government may require to be credited to it.

Sri S. B. P. Pattabhirama Rao: First of all, let us see what the definition of a Money Bill is. The definition is very clear.

Mr. Speaker: The question is: simply because you call it a cess, is it a tax?

Sri S. B. P. Pattabhirama Rao: The definition says:

'......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) the imposition, abolition, remission, alteration or regulation of any tax;

(b) the regulation of the borrowing of money or the giving of any guarantee by the State, or the amendment of the law with respect to any financial obligations undertaken or to be undertaken by the State......'

I do not understand how this Bill comes under the definition of a 'money bill' and how you can call it a tax.
Sri P. Rajagopal Naidu: I want to know from the Minister the difference between a tax and a cess.

Section 8 of the Sugar Act of 1960 defines a cess as a specific cess levied for local purposes.

Then the provisions are enumerated. Then Art. 199 (2) says:

"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...."

Sri S. B. P. Pattabhirama Rao: The continuation of it says "or body for local purposes".

Yes, yes. Cess is not a cess account. The cess is a cess, the cess money is collected in the general account. The cess is a cess for local purposes. Government is levying the cess and Government is collecting it. The cess is a cess and is collected in the general fund. It stands as a tax though it is called cess.
Mr. Speaker: Now I give my ruling. Here is a case on the point in Civil Appeal No. 38 of 1953:

“A neat definition of what ‘tax’ means has been given by Latham, C.J., of the High Court of Australia in Matthews vs. Chicory Marketing Board. “A tax” according to the learned Chief Justice “is a compulsory exaction of money by public authority for public purposes enforceable by law and is not payment for Services Rendered”. This definition brings out, in our opinion the essential characteristics of a tax as distinguished from other forms of imposition which, in a general sense, are included within it. It is said that the essence of taxation is compulsion that is to say, it is imposed under statutory power without the tax-payer’s consent and the payment is enforced by law. The second characteristic of tax is that it is an imposition made for public purpose without reference to any special benefit to be conferred on the payer of the tax. This is expressed by saying that the levy of tax is for the purposes of general revenue which when collected forms part of the public revenue of the State. As the object of the tax is not to confer any special benefit upon any particular individual, there is, as it is said, no element of quid pro quo between the tax-payer and the public authority. The difference between a tax and a fund or cess is that the tax is collected by the Government for general State purposes whereas, fee or cess is collected for particular purposes. That is what is meant by ‘local purposes’. Therefore this cess also comes under ‘local purposes’ because it is levied by the Government for giving certain benefits to the people concerned. This cess cannot be used for the education of some other school somewhere, but it has to be spent only in that area for the benefit of either the sugarcane dealers or the factories or the improvement of the roads or for the children of the labourers. Now here is an Act concerning the sugar-cane growers and the sugar manufacturing factories, and it is only in that connection for rendering certain services to them and for conferring certain benefits on that, a special kind of cess or fee is collected. Therefore, it comes under the definition of ‘for local purposes’. Therefore, it does not come under ‘a tax’. ‘Tax’ according to the learned Chief Justice of Australia is only a general imposition of money collected for
general purposes of the State. It comes under the general budget and therefore they appropriate under the various heads like Revenue, Police etc. Therefore, it is not a money bill. We shall now proceed.

(Sri P. Rajagopal Naidu was seen rising in his seat)

I have given my ruling. I have finished. I shall allow no more questions on this. We have spent some time over this question. I have given my ruling and I cannot go back. You can fight out in courts if you feel that my ruling is wrong. The only thing you can do against the ruling of the Speaker, if it goes against the Constitution is to fight it out in the Supreme Court. I do not allow further questions on this. I now call upon Sri Visweswara Rao to propose a Joint Select Committee.

Sri P. Rajagopal Naidu: One submission, Sir.

Mr Speaker: I cannot allow you to speak. Any other member can move and he will accept it.

Sri K. L. Narasimha Rao: I move Sir:

That the Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960 be referred to a Joint Select Committee.

Mr. Speaker: The question is:

That the Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Bill, 1960 be referred to a Joint Select Committee.

The motion was adopted.

Mr. Speaker: The following will constitute the Joint Select Committee so far as the Legislative Assembly is concerned. The Legislative Council will nominate its own members:

2. Sri M. Harischandra Prasad.
The Joint Select Committee will elect the Chairman.

**THE ANDHRA PRadesh PRIMARY EDUCATION BILL, 1960**

*Sri S. B. P. Pattabhirama Rao* : Mr. Speaker Sir, I beg to move:

"That the Andhra Pradesh Primary Education Bill, 1960, be read a first time and it be referred to the Regional Committee for consideration and report to the Assembly within seven days, if possible."

2. According to Article 45 of the Constitution of India, all the States should endeavour to provide within a period of ten years from the commencement of the Constitution for free and compulsory education for all children until they complete the age of 14 years. As this directive principle could not be achieved by 1960, the Government of India have decided that the introduction of Universal, Free and Compulsory Education for the age-group 6-11 years should be completed by the end of the Third Five Year Plan period (i.e., by 1965-66). They have accordingly requested the State Government to enact legislation for the introduction of Free and Compulsory Education in the State.

The Madras Elementary Education Act, 1920 (Madras Act VIII of 1920) is in force in the Andhra region, while the Hyderabad Compulsory Primary Education Act, 1952 (Act XL of 1952) is in force in Telangana region. Because of the fact that most of the existing laws in the country on Elementary or Primary Education have been found to be out of date in several aspects, the Government of India have, in consultation with the State Government, drafted a model legislation (Bill) on the subject, communicated a copy to this Government and indicated that this draft may serve as
a model to the State Government. With a view to secure uniformity in regard to the scheme of Compulsory Primary Education throughout the State of Andhra Pradesh, the Government have decided to have a single comprehensive enactment applicable to the entire State by repealing the Hyderabad Compulsory Education Act, 1952, and Sections 44 to 51 of the Madras Elementary Education Act, 1920.

Though the provisions of the Bill follow substantially the provisions of the model bill drafted by the Government of India, the following important modifications have been made:

(i) The Panchayat Samithis within their jurisdiction and the Zilla Parishads in areas where Samithis are yet to be formed are statutorily responsible for the expansion of Elementary Education in both Andhra and Telangana regions. The Municipalities in Andhra are similarly responsible for imparting Elementary Education in both Andhra and Telangana regions. The Municipalities in Andhra are similarly responsible for imparting Elementary Education within their jurisdictions. Therefore these Local Authorities are made responsible for implementing the Compulsory Education scheme in the draft bill. In the jurisdiction of the Municipal Corporation and town municipalities of Telangana, the Government are at present bearing the whole responsibility for providing Primary Educational facilities. Since the co-operation of the people is absolutely necessary for making any scheme of Compulsory Education a success, the responsibility for primary education has to be transferred to the Corporation and Town Municipalities in Telangana region from the Education Department, as soon as possible. However, as Compulsory Primary Education is to be introduced in June 1961 and this leaves very little time for making preparations, the draft bill provides that in the Municipal and Corporation areas of Telangana, the Government may formulate and undertake a scheme for compulsory Education in the first instance and hand it over to the local authorities later. There is also a saving clause to the effect that where a local authority fails to implement a compulsory education scheme to the satisfaction of the Government, the responsibility may be taken over by the Government who may themselves
implement the scheme and hand it over to the local authority later.

(ii) At present the District Educational Officers are the authorities to impose penalties under the Act in the Andhra area, while in the Telangana region, the Magistrates try such contraventions. The draft bill provides that the existing Magistrates Courts and the Nyayapanchayats contemplated in the integrated Andhra Pradesh Village Panchayat Bill will try offences under the provisions of the Bill.

(iii) Provision has also been made to exempt a child from attending an approved school under the circumstances enumerated in Clause 6 of the Bill.

I may also mention that although the Compulsory Primary Education will be brought into force at the beginning of the school year 1961-62 throughout the whole State (except in the Scheduled areas), it will apply in that year to the children of age group 6-7 years (i.e., children born between 1-7-1954 and 1-9-1955 inclusive). In 1962-63 compulsion will apply to the children of the age group 6-8 years, in 1963-64 to the children of the age group 6-9 years, in 1964-65 to the children of the age group 6-10 years and in 1965-66 to the children of the age group 6-11 years.

I request the hon. Members to accept the motion before the House.

Mr. Speaker : Motion moved:

Sri S. B. P. Pattabhi Rama Rao : I may mention that the Education Department wants 4 clear months to introduce this system in June next; that means they must be ready to take over from March. Unless this Bill is completed in this Session, we will be postponing the introduction by one year.
29th November, 1969

The Andhra Pradesh
Primary Education Bill, 1969

...
The Andhra Pradesh
Primary Education Bill, 1960

29th November, 1960

Compulsory and free primary education [ప్రాథమిక శాస్త్ర శాస్త్ర ప్రారంభ శాస్త్రానికి వాస్తవం, సాధారణ నియమానికి వాస్తవం, బాధ్యత కలిగిన ప్రారంభ శాస్త్రానికి వాస్తవం, రేఖాత్మకంగా ఇస్త్రి ప్రారంభ శాస్త్రానికి వాస్తవం], Symbolic Compulsory and free primary education [ప్రాథమిక శాస్త్ర శాస్త్ర ప్రారంభ శాస్త్ర ప్రారంభ శాస్త్రానికి వాస్తవం, సాధారణ నియమానికి వాస్తవం, బాధ్యత కలిగిన ప్రారంభ శాస్త్రానికి వాస్తవం, రేఖాత్మకంగా ఇస్త్రి ప్రారంభ శాస్త్రానికి వాస్తవం], Symbolic primary education [ప్రారంభ శాస్త్రానికి వాస్తవం, సాధారణ నియమానికి వాస్తవం, బాధ్యత కలిగిన ప్రారంభ శాస్త్రానికి వాస్తవం, రేఖాత్మకంగా ఇస్త్రి ప్రారంభ శాస్త్రానికి వాస్తవం].

amalgamation, integration [సమేత సంయోగ సంయోగ సంయోగ సంయోగ సంయోగ సంయోగ]

constitutional technical [సంసార సంసార సంసార సంసార సంసార]

Problem [ప్రచుర ప్రచుర ప్రచుర ప్రచుర ప్రచుర]

Integration [సంయోగాలు సంయోగాలు సంయోగాలు సంయోగాలు సంయోగాలు]

appoint [సమితి సమితి సమితి సమితి సమితి]
The Andhra Pradesh
Primary Education Bill, 1960

Mid-day meals have been leased. The number of students served in the
primary schools has increased significantly. The number of students
enrolled in the primary schools has increased from 20,000 in 1950 to
50,000 in 1960. The number of schools has increased from 2,000 in
1950 to 5,000 in 1960. The number of teachers employed in the
primary schools has increased from 400 in 1950 to 1,000 in 1960.

Mid-day meals have been introduced to provide meals to the students of
primary schools. The number of students served in the primary schools
has increased significantly. The number of students enrolled in the
primary schools has increased from 20,000 in 1950 to 50,000 in 1960. The
number of schools has increased from 2,000 in 1950 to 5,000 in 1960. The
number of teachers employed in the primary schools has increased from
400 in 1950 to 1,000 in 1960.
The Andhra Pradesh
Primary Education Bill, 1960

29th November, 1960

92
93 29th November, 1960 The Andhra Pradesh Primary Education Bill, 1960

A M?w?p&%2;', 1960

Pn^a/y FcfMc^^^/! Fz//, I960

'Slog) g)o" ^^o-^Xh $3^dca^ ^ajrelg 36o^ §^8^. "gbtjb*

"3*^ *&r*^oex) €3-^dc3^ ir*-y*el3 ay* !*3o3b^o 55o^ !po3b-ar^exb

rr^(3b Q^^^_?y^ ^r* !S5o&-^-^^ ^r* €3^-^*6^b ^ir* D^g^SoR)

^ro^^a^ ^6^-0o-0 ^€ D5Sj^bc6^ R13o^ ^^or^, "Rj^oo ^R)8b^

ej^ j6sSj^^.cf-sr^€3o ^^o3bcr*^§ - iy*8r°oo?fo^ ^^^i^coS'a^ 1960

^rr" e*;3b<R) -6^53b^, ^9^ -o^^^ex) ejS' -^ej-*K^_ ^^^"6c3oo&,

55or^^s$ tX)-E^^F^ ^5b^?^6^ 33y§^oa ^a aiarm s)5$^7^^ ^^&

tSS-c^ ^&J^ cp^Soeo ^eb^b^bTO^, <^^j9 ^^Ty* ^8^1^, ^b?3o^?d

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^

^
The Andhra Pradesh
29th November, 1960
Primary Education Bill, 1960

element 45

extend 37
The Andhra Pradesh
Primary Education Bill, 1960

The resolution moved by the Government on the 29th November, 1960, for the introduction of the Primary Education Bill, 1960, was adopted by the Assembly.

The resolution moves that the Government of Andhra Pradesh hereby introduces the Primary Education Bill, 1960, in the Legislative Assembly, for the purpose of providing for the establishment of primary education institutions and for matters connected therewith.

The Bill seeks to establish primary education institutions and to provide for the regulation and control of such institutions. It is aimed at ensuring universal access to primary education and promoting the development of educational facilities in the state.

The resolution further emphasizes the importance of primary education in the overall development of the state and the need to ensure that every child has access to quality education. The Bill is expected to bring significant improvements in the field of primary education, thereby contributing to the well-being and future prospects of the Andhra Pradesh region.

The resolution was moved by the Honourable Minister for Education and is expected to be discussed, debated, and subsequently debated in the Legislative Assembly. The Bill is intended to be enacted to provide a strong foundation for the education system in the state, fostering a brighter future for the young citizens of Andhra Pradesh.
The Andhra Pradesh 29th November, 1960 96
Primary Education Bill, 1960

...
(The House then adjourned).