SALES TAX ADVISORY COMMITTEE

561—

*1267 (6864) Q—Sarav putting A. Sarveswara Rao (Eluru) and V. Satyanarayana (Penugonda):—Will the hon. Minister for Revenue be pleased to state:

(a) the number of meetings of Sales Tax Advisory Committee held during 1965;

(b) what are the main recommendations made; and

(c) how far they are implemented?

The Minister for Revenue (Sri N. Ramachandra Reddy):—(a) Two, Sir.

(b) and (c). A statement showing the main recommendations made by the Committee and the action taken to implement them is placed on the Table of the House.
**STATEMENT PLACED ON THE TABLE OF THE HOUSE**

Statement showing the main recommendations made by the Sales Tax Advisory Committee at its meetings held on 8-7-1964 and 11-11-64 and the action taken to implement them vide Classes (b) and (c) of L.A.Q. No. 551 [1267 (6364)].

<table>
<thead>
<tr>
<th>S. No</th>
<th>Date of the Meeting</th>
<th>Subject</th>
<th>Main recommendations of the Committee</th>
<th>Action taken to implement them</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>8-7-1964</td>
<td>Proof of appeal made under Section 19(2-c) of the A.P.G.S.T. Act and grant of a stay</td>
<td>It was agreed that the application under Section 19(2-c) may be entertained, subject to the condition that acknowledgement of filing the appeal, issued by the Tribunal, is produced within such time as may be prescribed by the Deputy Commissioner. Instructions were issued to the Deputy Commissioners in Board's Ref. 210/64, dated 16-8-64 that the revision authority should entertain applications for extension of stay, subject to the production of the acknowledgement of filing the appeal issued by the Tribunal, within such time as may be prescribed by the revision authority.</td>
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<td>..</td>
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<tr>
<td>2</td>
<td>Do.</td>
<td>Levy of Central and General Sales Tax on wheat products.</td>
<td>It was agreed that the rate of Central Sales Tax on wheat bran and maida should be reduced to 1%, from existing rate of 2%, and the position reviewed in due course. Notification ordering levy of Tax at 1% under the Central Sales Tax Act on the sales of wheat bran and maida was issued in G.O. Ms. No. 1934, Revenue, dated 25-2-1964.</td>
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<td>..</td>
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<td>3</td>
<td>Do.</td>
<td>Exemption of Oil Gharis owned by Firms.</td>
<td>It was agreed that even in respect of pending cases of assessment of partnership firms the benefit of exemption granted to individuals or firms carrying or having an interest in one or two oil gharis or having oil press</td>
<td>Instructions were issued to the subordinate officers in Board's Ref. A. 5708/64-5, dated 20-10-1964.</td>
<td>In its meeting held on 12-5-1965 the Committee on reconsideration decided that the existing exemption should be amplified and that in cases where the turnover exceeds Rs 40,000 a year, tax may be levied only</td>
</tr>
</tbody>
</table>
wherein oil is produced without employing electricity or any other power at any stage of conversion into oil and deaoning exclusively from such g&aa&R g&R {presses provided that intoLtututtover including the p^clma^of oil seeds and the galea- of ail and cake manufactured from the individual of Rrm does not exceed && 40,000 per year, should be given. It was also decided that in respect of pending assessments of Registered Rrms owning one (yr two) oil ghannies, exemption should be granted without reference to the turnover limit.

It was agreed that instructions should be issued to the Special staff in evasion circle not to take away the accounts before the assessment, not to take away the accounts before the assessment. In this regard, the Departmental Officers should immediately be returned to the office after taking an account book stamp by the assessing officer before the assessment of the year to which they relate, such books seized by the Departmental Officers should be returned to the dealers after taking an undertaking from them to produce them whenever called upon to do so.

Instructions have been issued in accordance with the Board's L. O. No. 395/65, dated 28-8-65, for making speedy refunds of tax paid by the dealers.

It was agreed that where dealers have their amount beaks stamped by the assessing officers before the assessment, and are entitled to excess tax as paid by the dealers, the same should be refunded by the dealers.

It was agreed that instructions should be issued for making speedy refunds of tax paid by the dealers.
Adjusting the excess payment towards outstanding demands, if any, a refund voucher should be issued for the balance along with the 'C' Notice and that no application need be filed by the dealers for the issue of refunds in such cases.

6. 11-11-65  Levy of sales tax on packing materials in respect of tobacco.

It was agreed that the sales of containers involved in the interstate sales of exempted goods should be subjected to tax at 2% only, irrespective of whether they are covered by 'C' Forms or not.

Notification was issued in GO Ms No 688 Revenue, dated 18-5-1965.

7. 11-11-65  Voluntary check posts organised by Merchants Associations

It was agreed that a sub-committee be formed to study the working of the voluntary check posts set up by Merchants Associations and their effectiveness in combating evasion and to recommend the assistance which should be extended to the Associations undertaking to set up such check posts, with four members and Sri T. Vedantham, IAS, Deputy Commissioner (CT), Kaknada as its convenor.

The report of the Sub-Committee is awaited by Government.
Oral Answers to Questions.


Sri M. Ramagopala Reddy (Madaram):—In the recommendation “It was agreed that the application under section 19 (2-c) may be entertained, subject to the condition that acknowledgement of filing the appeal, issued by the Tribunal is produced within such time as may be prescribed by the Deputy Commissioner” it is decided. Appeal cancellation stay cancel recommendation forth.

Stay matter discretion, Sir.

Stay Council’s position taken?

Sri L. V. S. (Vizianagaram):—In regard to appeals file there recommendation forth. Stay吊销 appeals file any way the matter will be decided on the merits of the case.

Oral Answers to Questions.

1. (a) Whether there are proposals to assign S. No. 401 measuring Ac. 300 00 at Gogalapalli Village Kovvur Taluk, Nellore District to the landless poor for the purpose of manufacturing of salt; and

(b) if so, when it will be assigned?

Sri N. Ramachandra Reddy:—(a) Yes, it is proposed to lease out an extent of 40 acres 14 cents only for manufacture of salt.

(b) The lease will be given as soon as the salt workers of Nagaladavigna form themselves into a Co-operative Society.

Sri Ramachandra Rao Deshpande:—(a) Co-operative department registration orders will be registered. Will the registration be granted?

(b) Whether there is no objection for registration of a society. Whether there is no objection or not that will be looked into. If it is available, of course, it will be granted.

Sri N. Ramachandra Reddy:—If that is so, Sir, I will verify, Sir. But generally there is no objection for registration of a society. Whether there is no objection or not that will be looked into. If it is available, of course, it will be granted.
Oral Answers to Questions. 19th August, 1905.

Sri N. Ramchandra Reddy:—Yes, Sir, I have no objection, for sending instructions. If land is available, if it is unobjectionable, certainly we will write to the Co-operative Department to look into the matter.

Mr. Speaker:—Same question.

Sri N. Ramchandra Reddy:—That can be done Sir, only when an application is made.

Sri N. Ramachandra Reddy:—I do not remember Sir, the exact case to which the hon. Member is referring. If he particularises here the case, we will write to the Co-operative Department.

Oral Answers to Questions

PETITION AGAINST KARNAM OF LINGAMPARTI.

553—

*1149 (5485) Q.—Saranasi Ch. Mallikarjuna (Yellavaram) and V. Mutiyala Rao (Jaggempet):—Will the hon. Minister for Revenue be pleased to state:

(a) the action taken on the petition submitted four months ago to the Revenue Divisional Officer, Peddapuram by nearly 10 ryots of Lingamparti village (Adjala Rajula etc) alleging that the Karnam of Lingamparti village Prattipadu taluk, East Godavari district had indulged in corruption, bribery, misappropriation of Government properties etc;

(b) whether it is a fact that the Revenue Inspector of Yellavaram enquired into the matter and is understood to have given the finding that he is guilty and the charges have been proved if so, the action taken by the Government against the said Karnam; and

(c) if not, the reasons therefor?

Sri N. Ramachandra Reddy:—(a) The petition was enquired into.

(b) During the enquiry conducted by the Revenue Inspector the allegations were not proved.

(c) Does not arise.

PATWARI AND MALIPATEL OF KOHIR VILLAGE, ZAHIRABAD TALUK.

554—

*1839 Q.—Sri V. Ramachandra Rao (Put by Sri Ramchander Rao Deshpande):—Will the hon. Minister for Revenue be pleased to state:

(a) whether any petition was submitted to hon. Minister for Revenue on 8-1-1965 requesting him to suspend the Patwari and Malipatell of Kohir village, Zahirabad taluk, Medak district till the disposal of Criminal MP No. 18/64 on the file of Munshi Magistrate, Zahirabad under section 409;

(b) whether the petition contained a detailed account of the excess collection of Revenue made every year by the said patwari; and

(c) if so, the action taken thereon?

Sri N. Ramachandra Reddy:—(a) Yes, Sir.

(b) No, Sir.

(c) Orders were issued to the Collector Medak to get the matter enquired into by the Revenue Divisional Officer concerned and if a prima facie case is there to rule the Patwari under suspension, if need be.
Sri Ramachandra Rao Deshpande:—Is there any report from the Collector? If so, what are the results?

Sri N. Ramachandra Reddy:—The Collector reported that the matter is sub-judice. That is why the matter has not been taken up by the Collector.

Revenue Court?

Sri N. Ramachandra Rao Deshpande:—But at least what is the amount that is involved in this? Can the hon Minister tell, Sir.

Revenue Court.

Sri N. Ramachandra Rao Deshpande:—But at least what is the amount that is involved in this? Can the hon Minister tell, Sir.

Banjar Land Available for Assignment in Nellore District.

555—

* 1201 (5805) Q.—Sri G C Kondaiah (Nellore):—Will the hon. Minister for Revenue be pleased to state:

(a) the extent of Banjar land (cultivable) available for assignment in Nellore district;

(b) the number of Jawans and ex-Jawans who have been assigned land so far in Nellore district; and

(c) the number of Political Sufferers who have been assigned land in Nellore district?

Sri N. Ramachandra Reddy:—(a) Acres 2,60,050-70.

(b) 188

(c) 304

Outbreak of Fire in Dammapeta Village, Kothagudem Taluk.

556—

* 1829 Q.—Sri P. Satyanarayana (Put by Sri Vavilala Gopalakrishnayya):—Will the hon. Minister for Revenue be pleased to state:

(a) whether it is a fact that fire broke out in Dammapeta Village of Kothagudem taluk, Khammam district and 36 houses were burnt in January, 1965; and

215—2

Oral Answers to Questions.

(b) whether relief to the extent of Rs. 35 per head was sanctioned in February itself and even today the same was not paid to the victims?

Sri N. Ramachandra Reddy :—(a) No, Sir,
(b) Does not arise.

NATIONAL POWER GRID

557—

* 615 (249) Q.—Sr K. Mara Reddy :—(Put by Sri Ramachandra Rao Deshpande).—Will the hon Minister for Public Works be pleased to state:

(a) whether there is any proposal before the Government to have a National Power Grid, so that electricity could be supplied to the deficit states from surplus States; and
(b) if so, when it will be implemented?

The Minister for Public Works (Sri A. C. Subba Reddy) :—(a) No Sir.
(b) Does not arise.

557—

National Power Grid

(a) No, Sir.
(b) Does not arise.

National grids & Zonal grids are existing. That might be in the Fourth plan. It is not known to this Government. It might be national grid also.

National grid for Southern grid and Zonal grids. Fourth plan is complete.
Oral Answers to Questions.


It is only when they agree to give us surplus and deficit states, can we hope to get power from one State to the other. If both Provinces agree, the Central Government is not going to force us to give to the neighbouring States. If both Provinces agree, we can hope to get power from one State to the other.

In view of our food-grains supply to them, whether the Madras Government is going to supply any electricity to us?

In view of our food-grains supply to them, whether the Madras Government is going to supply any electricity to us?

In view of our food-grains supply to them, whether the Madras Government is going to supply any electricity to us?

because we have debited water from Thungabhadra, we have debited water from Thungabhadra, we have debited water from Thungabhadra, we have debited water from Thungabhadra.
Oral Answers to Questions


1. The Hon'ble Member for Rajahmundry—How do you propose to divide the power to be generated at Mahakud and Srisailam as between the southern and the northern grid? Is it not proposed to avoid negotiations between provinces?

2. The Hon'ble Member for Rajahmundry—Would you please indicate how the stand-by grid is to be maintained? Two grids are to be equal in share. The southern grid is to divide into north Machkund and Nellore and the southern grid into north Srisailam and Nellore. Is it not proposed to divide the province to province grid as between the southern and the northern grid?

1. Sri A. C. Subba Reddy — For the first 250 Mega watts Naiyveli Corporation have already entered into agreement with Madras. Share of Naiyveli share.

2. Sri A. C. Subba Reddy — The matter relates to the Andhra Pradesh States Electricity Board. As ascertained from them the reply is as follows:

(a) Yes.

(b) About 1,000 M.W. at Ramagundam and about 1,200 M.W. at Kothagudem.

Oral Answers to Questions.

KUNTALA HYDRO ELECTRIC SCHEME.

559—

*586 (4901) Q.—Sri Ramachandra Rao Deshpande:—Will the hon. Minister for Public Works be pleased to state:

(a) what is the total expenditure incurred so far on the Kuntala Hydro Electric Scheme investigation, year-wise details be furnished; and

(b) what is the result of the investigation?

Sri A C. Subba Reddy:—

Rs.

(a) 1961-62 ..  5,450 84
    1962-63 ..  30,684 90
    1963 ..  28,017 00

(b) The investigation is in progress.

Sri Ramachandra Rao Deshpande:—I would like to know whether there was any drop in the investigation in between for an year or so?

Sri A C. Subba Reddy:—Yes, Sir. The C.W.P.C. after 1962 end said, 'Please stop investigation'. And then, we stopped it and we have started it this year once again.

Sri A C. Subba Reddy:— We are generally surveying almost all Hydro Electric Projects in our province. Ichampalli and Pranahita-those are two places where there is scope for construction and the head at Pranahita where there is a proposal to construct 100' whereas at Ichampalli it is 120'; but at Kuntala it is 450' and this is all under investigation. After we know the facts, I can tell what is the availability of water there and what is the availability of water there and all that.

Central Water and Power Commission investigation is going on and it is economic. We have Power supply sufficient for our needs and the Central Water and Power Commission investigation is going on.

Sri A. R. Subba Reddy:— Original 10 M.W. sets were investigate that is not economical that is why they wanted to split it into bigger schemes to investi-
Oral Answers to Questions. 19th August, 1965. 181

Sri Ramachandra Rao Deshpande:— We are just now told that the C. W. P. C. said that it is not economical and therefore it may be stopped and all that and we are also simultaneously told that the investigation is still going on. So even before the investigation is complete how can they say and arrive at the conclusion that it is not economical?

Sri A. C. Subba Reddy:—I said, Sir, that midget sets are small sets and they are not economical. They are prepared to allow us to investigate bigger schemes.

INSTALLED CAPACITY AND TOTAL GENERATING CAPACITY OF POWER IN THE STATE.

560—

*619 (5208) Q.—Sri K. Mara Reddy (Put by Sri Ramachandra Rao Deshpande).—Will the hon. Minister for Public Works be pleased to state:

(a) what is the total installed capacity and total generating capacity at present;

(b) how many units have been commissioned during 1964-65;

(c) what is the generating capacity of these sets commissioned during 1964-65; and

(d) is there any proposal to have super tension installations in our State?

Sri A.C. Subba Reddy:—(a) The installed capacity is 291.8 M.W. The firm generating capacity is 162.56 M.W.

(b) Four Units.

(c) One Unit at the Tungabhadra Dam, Power House 9 M.W.

The two Units at Hampi Canal Power House 2×9 M.W.

Unit at Nellore Thermal Station . . . . . . . . 80 M.W.

(d) The answer is in the affirmative, Sir, assuming that the hon. Member is referring to "Super Thermal installation."

Oral Answers to Questions.

(i) Q.—C. D. P. Rayagapan, Natd., and Nara, Amr. (Put by Sri Ramachandra Rao Deshpande):— Will the hon. Minister for Public Works be pleased to state:

(a) whether there is any proposal with the Government to enhance the 83 K.V. line to 66 K.V. line between Anegonda Chittoor district and Chittoor due to the vast development of the load in that sub-station;

(b) if so, when the line will be changed;

(c) whether there is any proposal with the Government to convert Palamanner sub-station into 66 K.V. sub-station;

(d) if so, when will it be converted;

(e) whether there is any proposal to erect 182 K.V. line from Renigunta to Chittoor; and

(f) if so, when will it be taken up?

Sri A.C. Subba Reddy.—(a) No, Sir.

(b) Does not arise.

(c) No, Sir.

(d) Does not arise.

(e) and (f) There is no proposal to erect a 182 K.V. line from Renigunta to Chittoor, but there is a proposal to erect 220 K.V. line during the IV Plan.
Oral Answers to Questions. 19th August, 1963. 188

RESEARCH SECTION IN ELECTRICITY BOARD.

562—

*771 (5886) Q—SarvaaIr C D Naidu, P Rajagopal Naidu, and K Narasimha Reddy (Put by Sri Ramachandra Rao Deshpande).—Will the hon Minister for Public Works be pleased to state:

(a) whether there is any research section in the Electricity Board;

(b) if not, the reasons therefor;

(c) whether exhibitions were conducted by the Government or Electricity Board during 1964-65; and

(d) if so, where they were conducted?

Sri A C Subba Reddy.—(a) Yes, Sir.

(b) Does not arise.

(c) Yes, by the Electricity Board

(d) At Warangal, Vijayawada, Hyderabad and Rajahmundry.

ELECTRIFICATION OF VILLAGES

569—

*768 (5875) Q—SarvaaIr C D Naidu, P Rajagopal Naidu, and K Narasimha Reddy (Put by Sri Ramachandra Rao Deshpande) —Will the hon Minister for Public Works be pleased to state:

(a) whether any scheme for electrification was sanctioned for the villages of Kottapalli, Bommasamudram, Nangamangalam and other villages in Chittoor taluk, Chittoor district,

(b) the estimated cost of the above scheme;

(c) whether agreements were taken from the consumers for the above scheme, and

(d) if not, when the agreements will be taken?

Sri A C Subba Reddy.—The matter relates to Andhra Pradesh State Electricity Board.

(a) Yes, Sir

(b) Rs 14,85,260.

(c) No, Sir.

(d) Before the scheme is taken up for execution.

215—3
184 19th August, 1967

Oral Answers to Questions.

Electricity to Porumamilla Village

584—

*702 (5514) Q—Sri P. Narayana Reddy (Put by Sri Ramachandra Rao Deshpande).—Will the hon. Minister for Public Works be pleased to state:

(a) whether there is any scheme under the consideration of the Government to supply electricity to Porumamilla village, which is the headquarters of the Porumamilla Sub-division of the Porumamilla district,

(b) the steps taken so far in this regard;

(c) whether the Government are in receipt of any memorandum requesting them to construct a sub-station (Thermal Station) in Porumamilla, and

(d) the year in which electricity will be supplied to the said village?

Sri A. C. Subba Reddy.—(a) and (b) The scheme for extension of supply to Porumamilla has been sanctioned.

(c) A representation has been received by the State Electricity Board

(d) Will be considered during 1966-67.

(a) Sanction considered. Will be considered during 1966-67.

Sri A. C. Subba Reddy.—Sanction and taking up the schemes is different. Sanction and allotment sanctioned by the Board. But we have no funds to-day.

(b) Various schemes sanctioned. Allotment considered. The percentage of funds allotted to the scheme adopted is 60, 70 or 80. Sanction considered. Disparity in the scheme adopted is 60, 70 or 80? West Godavari 60, 70 or 80. East Godavari 60, 70 or 80. Non-delta area 60, 70 or 80. There is a Cabinet resolution and we have instructed the Board to that effect.
Oral Answers to Questions. 19th August, 1905.

West and East Godavary districts—West and East Godavary districts—West and East Godavary districts—West and East Godavary districts—West and East Godavary districts—West and East Godavary districts—West and East Godavary districts—West and East Godavary districts—West and East Godavary districts.

Mr. Speake—Whether it is East Godavary or West Godavary or any other districts—whether there is well irrigation, they want to give offence. This is what he said.

Minister criteria—First preference instructions on non-drainage area. The delta area.

Delta area also will be one of the backward area. Naturally it will be one of the backward area.

Village electrification Government instructions.

Sri A. C. Subba Reddy—Yes, Sir.

Oral Answers to Questions.

(1) D. Ranga Rao—Is it proposed to allot 60% of the villages preference to backward delta areas and 40% to backward non-delta areas? Why?

(2) M. Ranga Rao—Non-delta area 60% well irrigation to improve village situation. Sanction?

(3) M. Ranga Rao—Village electrification instructions 60% village 80% village 40% irrigation electricity. Sanction?

(4) M. Ranga Rao—Electricity 60% village 40% water. Sanction?

(5) M. Ranga Rao—Special 60% improve village situation. Sanction?

(6) M. Ranga Rao—Allocate 60% village situation. Sanction?

(7) M. Ranga Rao—Communication. Sanction?

(8) M. Ranga Rao—Make 60% electricity. Sanction?
Oral Answers to Questions.

19th August, 1965. 187

(1) Shri Pratap Singh—Rural Electrification. There was a meeting in the Chief Minister's room to decide whether the Chief Minister's room should be extended or not. The decision was that no extension should be made.

(2) Shri Chandra Shekhar—Non-electrified wells and irrigation. There was a decision that no irrigation wells should be extended. However, a decision was also taken to extend irrigation wells without extending the Chief Minister's room.

(3) Shri Balasaheb Vaidya—Rural electrification. There was a meeting in the Chief Minister's room to decide whether the Chief Minister's room should be extended or not. The decision was that no extension should be made. However, a decision was also taken to extend irrigation wells without extending the Chief Minister's room.

(4) Shri Balasaheb Vaidya—Rural electrification. There was a meeting in the Chief Minister's room to decide whether the Chief Minister's room should be extended or not. The decision was that no extension should be made. However, a decision was also taken to extend irrigation wells without extending the Chief Minister's room.

(5) Shri Balasaheb Vaidya—Rural electrification. There was a meeting in the Chief Minister's room to decide whether the Chief Minister's room should be extended or not. The decision was that no extension should be made. However, a decision was also taken to extend irrigation wells without extending the Chief Minister's room.

(6) Shri Balasaheb Vaidya—Rural electrification. There was a meeting in the Chief Minister's room to decide whether the Chief Minister's room should be extended or not. The decision was that no extension should be made. However, a decision was also taken to extend irrigation wells without extending the Chief Minister's room.

Oral Answers to Questions.

Mr. G. S. A. V. Sarma.—The Ministry has made provision for rural electrification as Rs. 9 crores and that was spent in the first year of the Third Plan itself before this Ministry took charge and we are adjusting something or other and we are carrying on like this for the last three years. In the final year for the rural bulk connections there are only Rs. 2 lakhs the hon Member knows—because in the budget, only Rs. 20 lakhs is provided and this year we are not able to take up any fresh villages and when the Fourth Plan begins from April we can do something in the next year.

Mr. Tenneti Viswanatham.—Did I hear correctly the Minister saying that Rs. 9 crores were allotted in the Plan and that the whole amount was spent in the first year of the Plan before the Government took over, for rural electrification?

Mr. A. C. Subba Reddy.—Yes, Sir.

Mr. Tenneti Viswanatham.—Very good; I wanted to be clear about it.

Electricity to Raphela Village.

533—

690 (5460) Q.—Sri T. R. Sarma:—Will the hon Minister for Public Works be pleased to state:

(a) whether sanction for the supply of electricity to Raphela village of Koilampadu Panchayati Samithi in Guntur district has been given;

(b) whether any proposal is under consideration of the Government to supply electricity to Chavatpalem and Mathuripalem forming part and parcel of Raphela village Panchayati; and

(c) if so, the steps being taken by the Government?

Mr. A. C. Subba Reddy.—(a) Yes, Sir.

(b) and (c) The villages referred to have not yet been investigated. The Divisional Engineer, Operation, Ongole has been requested to investigate them.
Oral Answers to Questions. 19th August, 1965. 189

5. Q. — Answer Division Engineer (operation) Ongole has been requested to investigate

DEATHS IN ELECTRICITY DEPARTMENT

566—

*528 (4779) Q — Sri P Satyanareyana (Put by S: M. Ramgopal Reddy) — Will the hon Minister for Public Works be pleased to state

(a) whether Government is aware of the death of five workers belonging to Electrical Department in an accident on the Road between Karimnagar and Siddipet on 29-1-1965,

(b) what are the names of the deceased and their designations, and

(c) whether compensation has been paid to the dependents of the deceased?

Sri A C Subba Reddy — (a), (b) and (c) A departmental lorry of the Rangundam Thermal Station proceeding to Hyderabad met with an accident on 29-1-1965 on the Karimnagar Siddipet Road. There were 16 persons in the lorry in addition to the driver and cleaner of the Vehicle. The names of the persons who died in the accident are:

1. Sri Tati Bandaiah
2. Sri Molkari Ramaiah
3. Sri Hema Narsaiah
4. Sri Gurrala Ram Mallaiah
5. Sri Godugu Malliah
6. Sri M A H Zaidi

All the six persons, who died (except Sri M A H Zaidi) are private individuals. Sri Zaidi was a NMR worker of the Electrical and Mechanical Division. As all the deceased persons unauthorisedly got into the vehicle and as they were not on any official duty, the question of payment of compensation to their dependents does not arise.

*53 (3718) Q — Sri T. K. R Sarma — Will the hon Minister for Home be pleased to state:

(a) whether Samyukta Socialist Party workers were arrested at Vijayawada during the 1st fortnight of November, 1964;
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Oral Answers to Questions.

(b) if so, how many and the reasons therefor, and

c) what is the strength and duration of the special duty of the Police contingent drafted for the bandobust of the All India Congress Committee Session at Guntur?

The Minister for Home (Sir Mir Ahmed Ali Khan) — (a) Yes, Sir.

(b) Ten members of the Samyukta Socialist Party were arrested under section 151 Cr.P.C of 9-11-1964 to prevent breach of peace, as the Samyukta Socialist Party was asked to demonstrate against the installation of the Bronze Statue of Dr. N. Saini-eva Reddy, Union Minister, and decided to demolish the Statue.

c) A statement is placed on the Table of the House

STATEMENT PLACED ON THE TABLE

(Vide Answer to the L.A.Q. No. 507 [*38 (3713)]

Statement showing the duration of the Special Duty and the strength of the Police contingent drafted for the bandobust of the All India Congress Committee Session at Guntur.

<table>
<thead>
<tr>
<th>Strength of the Police Contingent</th>
<th>Duration of the Special Duty</th>
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<tbody>
<tr>
<td>(1) 3 Sub-Inspectors of Police.</td>
<td>From 5-11-1964 to 10-11-1964 F. N.</td>
</tr>
<tr>
<td>8 Deputy Superintendents of Police</td>
<td></td>
</tr>
<tr>
<td>23 Circle Inspectors of Police</td>
<td></td>
</tr>
<tr>
<td>120 Sub-Inspectors of Police</td>
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<tr>
<td>220 Head Constables, and</td>
<td></td>
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<tr>
<td>1106 Police Constables</td>
<td></td>
</tr>
<tr>
<td>(2) Three companies of Andhra Pradesh Special Police.</td>
<td>From 5-11-1964 A.N to 10-11-1964 F.N.</td>
</tr>
<tr>
<td>(3) Two Companies of Andhra Pradesh Special Police of Vijayawada</td>
<td>From 7-11-1964 A.N to 9-11-1964 A.N</td>
</tr>
<tr>
<td>(4) Five Platoons of Armed Reserve</td>
<td>From 5-11-1964 A.N to 10-11-1964 F.N</td>
</tr>
</tbody>
</table>

Mr. Speaker.— The hon. Member is asking whether before the arrest any lathi charge etc. was made.

Sir Mir Ahmed Ali Khan:— No, Sir.
Oral Answers to Questions. 19th August, 1965. 191

MUTAWALLI OF AASAR-E-SHERIF, CHITTOOR TOWN.

568—

*228 (5905) Q—Sarma C D Naidu P Rajagopal Naidu, and K Narasimha Reddy (P.t by Sri Ramachandra Rao Deshpande). Will the hon Minister for Home be pleased to state,

(a) whether any complaint was made to the State Wakf Board and to the Minister for Home against the present Mutawalli of Aasar-e-Sherif (Relic of Holy Prophet) of Chittoor town,

(b) when it was made; and

(c) the action taken by the Wakf Board in the matter?

Sri MIR AHMED ALI KHAN—(a) and (b) Yes, Sir A complaint was made on 11-3-1963 both to Minister for Home and the Wakf Board against Srmathie Mahmooda Begum, Muthavalli of Aasar-e-Shareef, Chittoor Town

(c) The Wakf Board has authorised two members of the Board to conduct an enquiry and to submit a report in the matter.

SHRI RAMACHANDRA RAO DESHPANDE—क्या केलेली घडी?

अनेकांक जाल विरल किंवा कूलाक अंकुशी होढी हे— अजविक का आंतबाळ अलावा?

Sri VANNILA GOPALAKRISHNAYYA.—What is the nature of the complaint?

Sri MIR AHMED ALI KHAN—About her character some complaint was received and the matter is under enquiry.

Sri VANNILA GOPALAKRISHNAYYA:—Is it misappropriation?

Sri MIR AHMED ALI KHAN—It is about the character of the woman.

COMMISSIONER TO SURVEY WAKF PROPERTIES.

569—

*220 (5895) Q—Sarma C. D Naidu, Sri P. Rajagopal Naidu and K. Narasimha Reddy (Put by Sri Ramachandra Rao Deshpande):—Will the hon Minister for Home be pleased to state

(a) whether a Commissioner was appointed in Andhra to survey Wakf properties in Andhra districts,

(b) when the survey was completed;

(c) whether the above survey report was published in the Gazette; and

215—4

Oral Answers to Questions

(d) If so, the date on which the survey report of each district was published in the Gazette?

Sr. Mir Ahmed Ali Khan —(a) The answer is in the affirmative.

(b) The survey was completed on 21-5-1966.

(c) and (d) The survey reports were published in Andhra Pradesh Gazette on the following dates:

<table>
<thead>
<tr>
<th>Date of publication</th>
<th>Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>28-6-1962</td>
<td>(1) Krishna</td>
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<tr>
<td></td>
<td>(2) Guntur</td>
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<td>(3) Anantapur</td>
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<td></td>
<td>(4) Chittoor</td>
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<tr>
<td>30-9-1962</td>
<td>(1) Srikakulam</td>
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<td></td>
<td>(2) Visakhapatnam</td>
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<tr>
<td>19-4-1962</td>
<td>(1) West Godavari</td>
</tr>
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<td></td>
<td>(2) East Godavari</td>
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<tr>
<td>2-5-1963</td>
<td>(1) Kurnool</td>
</tr>
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<td></td>
<td>(2) Nellore</td>
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<tr>
<td>24-10-1963</td>
<td>Kurnool</td>
</tr>
<tr>
<td>26-8-1964</td>
<td>Cuddapah</td>
</tr>
<tr>
<td>26-11-1964</td>
<td>Shia Wakas</td>
</tr>
</tbody>
</table>

Mr. Speaker —(a) Not necessary.

Sr. D. Sitharamiah —Sir, the Minister has told that the surveys were completed and they were published on the various dates of the gazettes. Will the hon. Minister be pleased to place a copy of all those gazette notifications?

Mir Ahmed Ali Khan —They are published in the gazette, it is not necessary to place them in the Table of the House.

Sr. D. Sitharamiah —Not necessary.
Oral Answers to Questions 19th August, 1965

Shri Mira...
Sri T. K. R. Sarma—The question here is whether after the survey is completed, the Wakf Board has taken possession of all those properties and are they getting income out of it. The hon. Minister was saying that certain surveys were done as far back as 1956. That is the question that is put here and no answer is coming forth from him.

Sri Mir Ahmed Ali Khan—The Wakf properties are under the custody of the Muthavallis. There are very little properties in the Andhra area. They are under the direct supervision of the Muthavallis and according to the Wakfnuma the Muthavallis perform the duties and Wakf Board supervises.

Sri T. K. R. Sarma—Survey has been conducted. The properties have been there under the possession and occupation of the Muthavallis. They have occupied perforce and without any justification. Some of those things that have been revealed as a result of the survey have been taken by the Government in order to take over some of the properties?

Sri Mir Ahmed Ali Khan—Whenever a complaint is received about the mismanagement of the Muthavallis, it is enquired by the Board and suitable action is taken. If any genuine instance is given, it will be enquired.

Mr. Speaker—The answer is not forthcoming.

Sri T. K. R. Sarma—After the survey was conducted it was reported that certain properties were not there.

Mr. Speaker—The very object in conducting the survey was to know the extent of the properties. Survey was conducted in the year 1956. After the survey was conducted, were any steps taken by the Government to take possession of all the properties belonging to this Wakf Board or Charitable Institutions?

Sri Mir Ahmed Ali Khan—Wakf Board supervises...

Mr. Speaker—Supervision is different. Survey was conducted with what object?

Sri Mir Ahmed Ali Khan—Survey was conducted because there should be a register and the Wakf Board gets 5% of the income and the Central Wakf Board gets all the rest of the income of the Wakf. According to the survey the list is prepared and the Wakf Board is getting 5% for the management of the Wakf, supervision charges, etc. It is reported for what purpose the Wakf is created and who are these Muthavallis all these things are under survey and the Board has to supervise.

Sri V. R. Chari—As the hon. Minister said we were able to understand like this. The survey was conducted.

Mr. Speaker—Only to collect 5% to the Centre and 5% to the State.
Oral Answers to Questions.

Sri Vavula Gopalakrishnayya:—But the main point is if the property is with the Muthawalli, then only they can collect. If the property is with somebody else, how can these Muthawallis pay if they are asked to pay? The Government have to see that the property is in the hands of the Muthawallis.

Sri MAhamed Ali Khan:—According to the Wakf Act, the Wakf Board is to supervise the institutions which are under Muthawallis. As far as possible they are put under the Muthawallis. The intention of the Act is that as far as possible it should be done by the local people.

Sri Vavula Gopalakrishnayya:—That is true. We are not questioning it. Our point is that if the property is known to the only they can ask the quantum and if it is not in the hands of Muthawallis, what is the Government doing? Is it not the responsibility of the Government to see that property is in the hands of the Muthawallis which is intended for the wakf?

Sri MAhamed Ali Khan:—Whenever it has come to the notice that some unauthorised persons are in possession of the wakf, suitable action is being taken. If a case arises, they will be so ordered.

MUTAWALLI OF SHIA WAKF OF AVALKONDA.

570—

(a) whether it is a fact that the Mutawalli of Shia Wakf of Avalkonda, Chittoor taluk, Chittoor District, died two years back;
(b) whether any Mutawalli was appointed for the above Wakf;
(c) if not, the reasons therefor;
(d) whether it is fact that the property belonging to above Wakf is in Gudiyat ham taluk, North Arcot District, and
(e) if so, the action taken by the Wakf Board to claim the above property?

Sri MAhamed Ali Khan:—(a) The answer is in the affirmative
(b) The answer is in the negative
(c) The matter is under enquiry by the Judicial Committee of the Wakf Board as two relatives of the deceased Mutawalli are contesting the appointment
(d) The answer is in the affirmative
(e) The matter is under the active consideration of the Wakf Board.
Mr Speaker — Again you are going back to the same thing. Now we came to Avalkonda affair.

Sri T. K. R. Sarma — Here the properties of this particular wakf have been claimed by various people and under these circumstances has it not been revealed as a result of the survey? Therefore, what is the action that is being taken? What does survey reveal in respect of the lands belonging to the wakfs?

Sri Mfr Ahmed Ali Khan — The Wakf Institution is in our State and the lands which are dedicated to the Wakf are in Madras State. The income of the wakf is being utilised for the wakf which is in our State Avalkonda. The question whether it should go to the Madras Wakf Board or the Andhra Pradesh Wakf Board is under consideration. Perhaps, this question has to be decided by the Central Government.

Sri Vaideela Gopalakrishnayya — The dedicated property is of certain Institution. Whether it is in any State, that comes to that Institution but not to the State. For instance, the TTD has got some property in Madras. The income only goes to the TTD but not to the Madras Government. In the same way, when the property is in Gudiyatham in North Arcot District, it is the right of our Government as well as the Wakf to address the Government of Madras to see that the income of the properties comes to the Wakf.

Sri Mfr Ahmed Ali Khan — So far as income to be spent on the Institution is concerned, it is being spent on the Institution. But the 5% of the income from the land which is situated in Gudiyatham Taluk and whether it goes to the Madras Wakf Board or Andhra Wakf Board, is a matter to be decided by the Government of India. The matter has been referred to the Government of India.

No. 1 CONSIDERATION MOTION AGAINST THE EXECUTIVE OFFICER PULAMAM PANCHAYAT

571 —

*516 (5846) Q. — Sri P. Rajagopala Naidu (Put by Sri Ramchander Rao Deshpande). — Will the Hon. Minister for Panchayati Raj be pleased to state:

(a) whether it is a fact that the Panchayat of Palamaner, Chittoor District pressed a 'No confidence Motion' against the Executive Officer of the above Panchayat three months back and communicated it to the Government, and

(b) if so, the action taken by the Government in the above matter?

The Minister for Panchayati Raj (Dr. M. N Lakshminarasaiah)

(a) Yes, Sir But it was not communicated to Government.

(b) Does not arise

Sri Ramachandra Rao Deshpande Under what proviso of the law the no-confidence motion was passed? As I understand it is only in the Andhra Pradesh Gram Panchayat Act, 1954 is there any provision wherein the no-confidence motion against the Executive Officer can be passed?

Dr. M N Lakshminarasaiah There is no provision in the present Act to pass a no-confidence motion against the Executive Officer.

Mr Speaker They expressed their displeasure or censure on express of no-confidence There is no provision in the Act to pass a vote of no-confidence against the Executive Officer but still they passed it thereby they expressed their displeasure or censure against the Executive Officer. That is all It is not as though he will be sent home because a vote of no-confidence motion was passed against the Executive Officer He cannot be removed from the service simply because a no-confidence motion is passed They only expressed their displeasure against a particular officer by that resolution

Sri Ramachandra Rao Deshpande The point is there is no provision in the Act but they passed How can the Government take action upon that?

Oral Answers to Questions

Mr Speaker — Even though there is no provision, they still passed. They passed a vote of no-confidence that is what they call it. They style it like that.

Mr Speaker — Even though there is no provision, they still passed. They passed a vote of no-confidence that is what they call it. They style it like that.

Dr M N Lakshminarasiah — The Sarpanch and the Members of the Panchayat were not informed of the strike notice issued by the Public Health workers for enhancement of DA. The charges levelled against the Executive Officer are that the Executive Officer recorded his own opinions in the minutes book which is against the established practice. That the Executive Officer failed to serve a notice of the meeting on the Members of the Panchayat for the meeting held on 30-1-1984. That the Executive Officer was responsible for the slackness of the Sams. . . . . like that there are so many things.

Mr Speaker — So many things are there.

Dr M N Lakshminarasiah — The Sarpanch and the Members of the Panchayat were not informed of the strike notice issued by the Public Health workers for enhancement of DA. The charges levelled against the Executive Officer are that the Executive Officer recorded his own opinions in the minutes book which is against the established practice. That the Executive Officer failed to serve a notice of the meeting on the Members of the Panchayat for the meeting held on 30-1-1984. That the Executive Officer was responsible for the slackness of the Sams. . . . . like that there are so many things.

BIFURCATION OF CHINTAPALLY PANCHAYAT SAMITHI

372 —

* 173 (5444) Q — Sri D Kondala Rao (Put by Sri T K R. Sarma) Will the hon. Minister for Panchayati Raj be pleased to state,

(a) whether the resolution for the bifurcation of Chintapally Panchayat Samithi passed by Chintapally Panchayat Samithi and Zilla Parishad, Visakhapatnam, have been submitted to Government, and

(b) if so, the action taken thereon?

Dr. M. N. Lakshminarasiah: — (a) Yes, Sir

(b) On examination of the proposal it was found that the bifurcation of Chintapally Panchayat Samithi was not feasible and hence the proposal of the Zilla Parishad was not accepted.
Sri P. O. Satyanarayana Rao (Kosigi)—What are the reasons that stand in the way of Government to bifurcate?

Dr. N. N.—(R) No, Sir.
The matter is under the consideration of the Government.

BIFURCATION OF KORISPADU PANCHAYAT SAMITI

*a* 175 (5459) Q.—Sri T. K. R. Sarna.—Will the hon. Minister for Panchayati Raj be pleased to state

(a) whether there is any proposal to constitute a separate Ammanabrolu Panchayat Samithi by bifurcating Korispadu Panchayat Samithi, and

(b) if not, the purpose for which the Government propose to utilise the buildings of the Ammanabrolu Samithi?

Dr. M. N. Lakshminarasah.—(a) No, Sir.

(b) The matter is under the consideration of the Government.

KUPPAM PANCHAYAT SAMITI

*a* 280 (6539) Q.—Sri Vavilala Gopala krishnayya.—Will the hon. Minister for Panchayati Raj be pleased to state

(a) whether it is a fact that advertisement calling for tenders for the supply of equipment and furniture was made in News Papers as per Rc. N. 2519/61 E dated 18-5-65 Kuppam, Panchayat Samithi;

(b) what is the amount paid to each newspaper towards advertisement charges;

(c) who has submitted tenders and whose tender was finally accepted; and

(d) what is the cost of equipment and furniture supplied?

Dr. M. N. Lakshminarasah.—(a) Yes, Sir.

(b) No amount had been paid to the News Papers as per the report dated 8-7-65 received by the Government

(c) The following three firms have submitted their tenders

1. Krishna Medical Hall, Hyderabad
2. Dhan Surgical Co, Madras.

215—5
A reply to Panchayat Samiti's report dated 19-7-1963, tenders received were under scrutiny.

(d) Does not arise.

As and when they require, they order and they supply. The firm is not supplying the materials. But the advertisement changes are agreed to first 624, 743, 305, 30.

Dr. M.N. Lakshmanar Necklace:—(a) Yes Sir, the Government have accepted the recommendations of the Collector, Chittoor.

(b) Does not arise.
Scavengers Strike in Palamaner Panchayat

* 217 (S440) Q — Smt. P Rajagopali Naidu (Put by Sri Ramachandra Prasad)

— Will the hon. Minister for Panchayati Raj be pleased to state

(a) whether it is a fact that the Scavengers and Sweepers of Palamaner Panchayat gave a strike notice on 20-4-65.

(b) if so, when the strike took place;

(c) what are the demands of the scavengers and sweepers given in the strike notice, and

(d) whether they were fulfilled?

D. M. N. LathomanavDasah — (a) Yes, Sir.

(b) No, Sir

(c) 1. Emendation of D.A. by Rs 5 P.M from 1-4-64 and another Rs 3 P.M from 1-10-1964.

2. Sanction of compensatory allowance of Rs 3 P.M.

(d) In GO Ms No 492, Panchayat Raj, dated 20-4-65 the D.A. of Public Health workers in Panchayats, Panchayat Samithis and Zilla Panchayats was enhanced by Rs 5+Rs 3 with effect from 1-10-1964

2. Compensatory allowance of Rs 3 P.M has not been sanctioned to the said employees.

Buffer Stocks of Rice

* 407 (S454) Q — Sree V P Satyanarayana, Raju, V Venkatarao Rao, K Satyanarayana (R. palle) and A Venkatachandra Rao (Narsampet) — Will the hon. Minister for Agriculture be pleased to state:

(a) whether buffer stocks of rice or paddy have been procured and stored in our state;

(b) if so, the quantity of stocks procured and stored at present;

(c) the agency through which procurement is made; and

(d) whether that would suffice for the lean period?

The Minister for Agriculture (Sree A Balarama Reddy) — (a) Yes, Sir.

(b) A quantity of 96,638 tonnes of rice has been procured and moved into godowns as on 16-7-1965.
These stocks have been procured through the Special staff of the Civil Supplies Department employed for the purpose in the districts and through the District Co-operative Marketing Societies.

The programme of procurement of buffer stocks is so drawn to see that the stocks procured and stored would be sufficient to feed the deficit districts in the State during lean months.

The stocks are Central Government godowns. Central Government godowns are used to store Central Government stocks. State Government godowns are used to store State Government stocks.

Mr Speaker:—Answers for the rest of the starred questions will be laid on the Table of the House. There is a short notice question by Sri M. Munuswamy which we shall take up now.

**SHORT-NOTICE QUESTION AND ANSWER**

**TRANSFER OF E O PANCHAYATS**

*1/432-H Sri M. Munuswamy (Gudur) — Will the hon Minister for Panchayati Raj be pleased to state

(a) whether it is a fact that Sri N Koteswara Rao, Extension Officer, Panchayat of Sullurpet Panchayat Samithi, Nellore District has been transferred to Srikakulam District within a short period of three months.

(b) whether there are any allegations against him either from Panchayat Samithi or from Zill Parishad or from District Collector, Nellore; and

Dr. M.M. Lakshminarasiah:—(a) Yes, Sir.

(b) No, Sir. Many allegations were received from other sources.

(c) The Extension Officer (Pts.) was transferred from Sullurpet to Badangi block, Srikakulam district on due consideration by Government of the allegations.
WRITTEN ANSWERS TO QUESTIONS

TARGET FOR PROCUREMENT OF PADDY

* 1108 (5246) Q—Sri K. Mara Reddy (Rayampet) —Will the hon. Minister for Agriculture be pleased to state

(a) whether it is a fact that Government fixed targets for procuring paddy in Cuddapah district during this year,

(b) if so, what is the target taluk wise :

(c) reasons for procuring paddy in Cuddapah district though it is not self sufficient; and

(d) will the Government instruct not to procure paddy in deficit districts?

A—

(a) Yes, Sir

(b) A target of 5,000 tonnes of rice has been fixed for Cuddapah district and the Taluk-wise targets are

1. Cuddapah  2,250 tonnes.
2. Priddatur  2,750 tonnes.
3. Raya-hoty  300 tonnes.
4. Rajampet  300 tonnes.
5. Badvel  100 tonnes.
6. Kamalapuram  100 tonnes.

Total  5,800 tonnes.

(c) Both paddy and rice are being procured under the scheme to help the producer in securing not less than the minimum wholesale prices notified by the Government for his produce; to prevent smuggling of stocks outside the State and build up buffer stocks for the district for consumption during lean months.

(d) No, Sir, since the Stocks are for distribution in the district itself during the lean months.

WAGES FOR MAZDOORS OF AGRICULTURAL FARMS IN THE STATE

* 1289 (6148) Q.—Sri K. Govinda Rao —Will the hon. Minister for Agriculture be pleased to state?

(a) whether the wages of the mazdoors working in the various Agricultural Farms in our State have been enhanced by Rs. 3 in each category,
204  19th August, 1965,  Written Answers to Questions.

(b) if so, with effect from what date,

(c) whether the rise in wages applies to the Agricultural Research Stations also, and

(d) if not, the reasons therefor.

A —

(a) Yes. The wages of permanent Mazdoos working in various Agricultural Farms in the State have been enhanced by Rs. 5 in each category

(b) 1-9-1964 onwards;

(c) Yes, Sir

(d) Does not arise

RULES FOR PAYMENT OF COMPENSATION TO PNEUMOCONIASIS DISEASE

580—

* 284 (6568) Q.—Sri A Ramachandra Reddy (Bhongir) ——Will the Hon. Minister for Labour and Transport be pleased to state

(a) whether rules regarding payment of compensation for pneumoconiosis occupational disease for coal mines have been finalised,

(b) if not, what are the reasons for the delay; and

(c) when the same are likely to be finalised?

A.—

(a) No, Sir

(b) Draft rules were published in the Andhra Pradesh Gazette inviting objections and suggestions. Certain amendments have since been suggested by the Singareni Collieries Ltd., regarding which the views of the Commissioner for workmen's compensation and Director of Medical Services are being obtained by Government.

(c) They will be finalised shortly.

STATEMENT

re: APPOINTMENT OF NEW MINISTERS AND REALLOCATION OF PORTFOLIOS.

Mr. Speaker:—The Chief Minister wanted to make a statement.

Sri K. Brahmananda Reddy ——Sir, I am taking Sri T.V. Raghavulu into the Cabinet (Chowki). I am taking Sri Chenchuram Naidu as Minister of State (Chowki). There is a slight redistribution of portfolios. So far as I am concerned, Education, Municipal Administration,
Messages from the Council: 19th August, 1965

Housing and Religious Endowments will be shed by me. I take in lieu of this Electricity, Sir. Then, the portfolios of Revenue Minister stands. The portfolios of Finance Minister stand. Regarding our Minister for Public Works, Sri A.C. Subba Reddy, Sir, he will be in charge of Irrigation, Agriculture, Food and Animal Husbandry. Sir, Mir Ahmed Ali Khan's portfolios will stand. The Panchavati Raj Minister, Sri Lakshmana, such in addition to what he has, will get Housing subject. Then, the Health Minister's portfolios stand. Sri Thota Ramaswamy besides his present portfolios he will get Fisheries. Sir, Sri Balarama Reddy will be in charge of Education, Sir and shed all the present portfolios. Sir B.V. Guvamdi's portfolio stands. Sri Appa Rao's portfolio stands. Sri Sadadhy's portfolio also stands. Sri P.V. Narasimha Rao in addition to his present portfolios he will get Hindu Religious and Charitable Endowments. Sri T.V. Raghavulu will be in charge of Public Works i.e., roads, buildings, ports, works etc.

Mr Speaker — High avs

Sri K. Broshumanand. Reddy — Yes, Sir. As I said, I will be in charge of electricity. Sri Chenchuma. Nadi will be in charge of Municipal Administration and Forests, Sir, the swearing in of the two new Ministers will be done at 8-45 am on the 22nd instant.

MESSAGES FROM THE COUNCIL

Mr Speaker — I am to announce to the House that I have received the following messages from the hon. Chairman of the Legislative Council.


   "In accordance with rule 171 of the Andhra Pradesh Legislative Council rules, I transmit a copy of the Andhra Pradesh (Andhra area) Tenants and Ryots Protection (Amendment) Bill, 1965, i.e., L.A. Bill 8 of 1965 as passed and agreed to by the Legislative Council on 6th August 1965, without any amendment and signed by me."


   "In accordance with rule 171 of the Andhra Pradesh Legislative Council rules, I transmit herewith a copy of the Andhra Pradesh Entertainments Tax (Amendment) Bill 1965, i.e., L.A. Bill No 15 of 1965 which was passed by the Legislative Assembly at its sitting held on 11th August 1965 and transmitted to the Legislative Council for its recommendation, duly signed by me, and state that this House has no objection to make to the Legislative Assembly, viz, regard to the said Bill."


   "In accordance with rule 171 of the Andhra Pradesh Legislative Council rules, I transmit a copy of the Andhra Pradesh (Andhra area) Prohibition (Amendment) Bill, 1965, i.e., L.A. Bill 10 of 1965 as

Points of Information:

re Withdrawal of a case by the Collector, Chittoor.

passed and agreed to by the Legislative Council on 16th August 1965, without any amendment and signed by me.”

BUSINESS OF THE HOUSE

Mr Speaker.—Sri N Raghavulu may please rise in his seat for a minute.
(Sri T V. Raghavulu stood up with folded hands and acknowledged the greetings of members)

Mr. Speaker.—Sri Chenchurama Naidu may also rise in his seat.

(Pause)

(Sri N Chenchurama Naidu was not present in the House)

Mr K Brahmamanda Reddy.—Sri P V G Raju continues to be a minister without portfolio, Sir

POINTS OF INFORMATION

re — Withdrawal of a case by the Collector, Chittoor

Mr Speaker.—Did the hon. Member give an assurance that he would get the information?

Sri A Balaram Reddy.—No, Sir. The hon. Member wanted some information. All I said was I would pass on the information to him; I have no objection, that is what I said the other day.

Mr Speaker.—Before the House adjourns sine die, if he can get the information he may furnish it to the hon. Member.

Sri A. Balaram Reddy.—Yes, Sir.
Points of Information:

Strike by the workers of the Electricity Board

M. Speaker — He says even now. Before day after tomorrow, he is prepared to lay the information on the Table of the House.

Sri A. Palaram Reddy — I have no objection to pass on the information.

Mr. Speaker — He can keep it on the Table of the House or in the library.

—Old-age Pension Rules.

Mr. Speaker — We have received copies of all those things. They will be placed on the Table of the House tomorrow.

Discussion on the Reports of certain statutory Boards.

Sri T. K. R. Sarma — On a point of submission, Sri V. V. Arvind and Sri V. V. G. N. have given notice. APSRTC and R.T.C. are day allottee old age pension rules and consolidate in the Table and take efficient action. After completing the work, we will come up for discussion.

Mr. Speaker — That is true. So far as the other reports are concerned, Sri P. V. V. and Sri V. V. G. N. have given notice. That is why they are coming up now for discussion before the House. If he had given notice with regard to these things, they would certainly come up for discussion. Now Sri V. V. and Sri V. V. G. N. have given notice that certain reports should be taken up for discussion. We have included only those things in the agenda for discussion without notice now. It is not possible. Only we can do it in the next session.

Strike by the workers of the Electricity Board.

Mr. Speaker — We have received copies of all those things. They will be placed on the Table of the House tomorrow.

Announcement:
re. Nominations to the State Library Committee.

మార్చి,  ఇవి నందియుగా ఉండలేదు రోమో అనంతం? అందువల్ల ఈ రాష్ట్ర అధీనస్థితాలన్ను కాపట్టు ఇవి?

మ్యూసిక్యాల ఎంచుకునే నిందై కోర్టులు, తుంగా ఏతోడు కొత్త మ్యూసిక్యాలు దానిలో ఉండాలి.

Mr. Speaker:—The electricity workers have given notice that they will be going on strike from the 27th onwards. What has the Government done so far? Sri A C Sibba Reddy; Member for Power and Irrigation, may furnish the information. He need not make a statement. The hon. Member wants some information.

Sri P. V. Venkatvaru —On a point of submission, Sr: ge conciliation efforts Labour commissioner must fail. I have committed. I think they will get it. With regard to Rs. 3 or Rs. 5 it the Finance Minister and the Chief Minister to do something.

Mr. Speaker:—I am to announce to the House that I have expunged a sentence from the speech of the Home Minister in the proceedings dated 3rd August 1965:

Nomination to the State Library Committee.

I have to announce to the House that the following candidates have been nominated for election to the State Library Committee:

Sri Kallur Subba Rao
Sri P. Narasa Reddy
Sri V. Krishnamoorthy Naidu
Sri P. V. Siriah

As the number of candidates nominated is equal to the number of vacancies to be filled, namely four, I hereby declare them to have been duly elected to the Library Committee.
CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

SUPPLY OF WATER TO SEED-BEDS IN KRISHNA AND GODAVARI DELTAS

Mr. S. — There are five matters under rule 74. We shall take up the first one which Sri V. V. Gopalakrishnavy has given notice to call the attention of the Public Works Minister regarding supply of available water to all the fields in Krishna-Godavari deltas etc.

Instead of this, I would have instructed them to give water by now.
18th August, 1965.

Calling attention to a matter of urgent public importance

re: Supply of water to all the fields under sluice in Krishna and Godavari deltas for purposes of second crop.

Late Shri Shanker Shrimati, member of the Central Government, brought to my notice that a proposal has been made to increase the area under irrigation in the Krishna and Godavari deltas by providing water from the Godavari river. The proposal was submitted by the State Government to the Central Government for approval. The Central Government has already sanctioned the proposal and the necessary arrangements are being made for the implementation of the same.

I am informed that the proposal is aimed at increasing the area under irrigation by 10,000 hectares. The scheme will be implemented in stages over a period of five years. The cost of the scheme is estimated to be Rs. 150 million, to be financed by a combination of loans from the World Bank and other international agencies.

I have been assured by the State Government that all necessary steps are being taken to ensure the smooth implementation of the scheme. The State Government is committed to providing adequate compensation to the landowners affected by the scheme.

I urge the Central Government to provide all possible assistance to the State Government in implementing this important scheme.

Yours sincerely,

[Signature]

[Name]

[Official Position]
re: Procurement of rice by the Marketing Society, Medak.


Calling attention to a matter of urgent public importance:

Procurement of rice by the Marketing Society, Medak.
Calling attention to a matter of urgent public importance
re Non-appointment of staff for enforcement of minimum wages for agricultural labour.

19th August, 1965

Calling attention to a matter of urgent public importance
re Non-appointment of staff for enforcement of minimum wages for agricultural labour.

Calling attention to a matter of urgent public importance
re Non-appointment of staff for enforcement of minimum wages for agricultural labour.
Calling attention to a matter of urgent importance on 10th August, 1965.

Re: Non-appointment of staff for enforcement of minimum wages for agricultural labour.

It is absolutely necessary that there should be proper implementation of wages so that the objectives for which the regulations have been passed are achieved fully. It is absolutely necessary that there should be proper implementation of wages so that the objectives for which the regulations have been passed are achieved fully.

The Minister for Labour and Transport (Sri B V Guru Murthy) —

The hon Member seeks to draw the attention of Government to the injustice done to the Agricultural Labour on account of the non-appointment of staff for enforcing the minimum wages fixed for them, at the Headquarters, District and Taluk levels and the non-revision of wages for agricultural labour which were fixed in 1900.

As the Hon'ble Members are aware, the pattern of the machinery that should be appointed for the enforcement of the Minimum Wages Act in Agricultural Employment, was under consideration of Government for quite some time past. The Hon'ble Members will kindly
recall that Government, during the Budget Session, assured the House that the scheme relating to agriculture minimum wages would be implemented expeditiously. To this end, Government have considered that, pending finalisation of adhoc rules and making regular appointment of District Inspectors of Labour in terms of those rules which would take some time, action should be taken immediately to select personal and appoint them on a temporary basis as District Inspectors of Labour, so that the scheme could be put into operation. They accordingly constituted a selection Committee with the following Officers, for interviewing the candidates and making recommendations to Government with reference to the interview and the personal files of the candidates:

1. Second Secretary to Government (Chairman)
2. Commissioner of Labour
3. Deputy Secretary to Government, Home (Police)
4. Chief Inspector of Establishment

The Government also laid down the method of recruitment, qualifications and rotation of appointments for the posts of District Inspectors of Labour in G.O. Ms. No. 917, Home (per B) dated 1st May 1965. One post of District Inspector of Labour in the scale of Rs. 250-20-430-25-500 (Gazetted) for each District and one Gazetted post in the scale of Rs. 525-20-425-25-600 for Headquarters with necessary Ministerial Staff to assist them, were already sanctioned by Government in March 1965. The Government have since made appointments to the posts of District Inspectors of Labour, in order that the schemes of agricultural minimum wages is brought into operation immediately and the grievances of the agricultural labour redressed.

As regards the point that the minimum wages for Agricultural labour, though fixed in 1960, were not revised for the last 5 years the minimum wages for the agricultural employment were fixed in 1961 in G.O. Ms. No. 1685, Home dated 28-8-61. According to section 3 (1) (b) of the Minimum wages Act, the Government may review at such intervals as it may think fit, such intervals not exceeding five years, the minimum rates of wages so fixed and revise the minimum rates, if necessary. As the minimum wages were last fixed in 1961, next revision originally falls due for consideration in August 1966.
Motion under rule 95 of the Assembly Rules.

Mr Chairman Now, we shall take up the motion under rule 95 of the Assembly Rules moved by Sri C. Kulaschkar Reddy. We shall continue the discussion.

The Minister for Law and Prisons (Sri P. V. Narasimha Rao): We must take up the Sugarcane Bill first. That is what the Hon Speaker has decided.

Mr Chairman: What is before me now is this item. We shall continue it.

[Discussion continues on the powers, privileges, and immunities of legislatures, their members, and committees.]
216 19th August, 1965. Motion under Rule 95 of the Assembly Rules

Powers, Privileges and Immunities of Legislatures, their Members and Committees.

Any progressive legislation any time during the present Assembly term is for the benefit of the people. Any existing right or privilege of a Legislative Assembly cannot be altered by the House proceedings. 1950 $4th Para of the House of Commons is萃 ara 194 (iii) categorical rights and privileges of the House cannot be altered. The Assembly Proceedings Act, 1951 by Parliament has made a reprimand a letter to any Member. The right to cross-examine the evidence in the contempt proceeding is also given to the House. Any interference interferes with the powers of the House. If a Member interferes with the powers of the House, the House may proceed against him. As a rule, the House may pass an order for the removal of a Member from the House.
Motion under Rule 95 of the Assembly  19th August, 1965.

Rules.
re: Powers, Privileges and Immunities of Legislatures, their Members and Committees.

... It is said that the conditions that prevailed in the dark days of British history, which led to the Houses of Parliament to claim their powers, privileges and immunities, do not now prevail either in the United Kingdom or in our country and that there is, therefore, no reason why we should adopt them in these democratic days. Our Constitution clearly provides that until Parliament or the State Legislature as the case may be, makes a law defining the powers, privileges and immunities of the House, its members and committees, they shall have all the powers, privileges and immunities of the House of Commons as at the date of the commencement of our Constitution and yet to deny them those powers, privileges and immunities, after finding that the House of Commons had them at the relevant time, will be not to interpret the Constitution but to remake it. ...

ADDRESS BY SARDAR HUKAM SINGH AT THE CONFERENCE OF PRESIDING OFFICERS HELD AT BOMBAY ON THE 11TH JANUARY 1965

"Before the present opinion of the Supreme Court, the position had seemed to be clearly established by the judgments of the Supreme Court in the Searchlight Case (AIR 1950 SC 895) of the Assam High Court in the Natun Assamiya's Case (AIR 1958 Assam 160), and of the Bombay High Court in the case of Honi Mistry vs Nabilul Hasan (I.I.R. 1957 Bom. 218), that the privileges of the Legislatures were not subject to the fundamental rights. I may here recall only the following passage from the judgment of the Supreme Court in the Searchlight Case:

... It is said that the conditions that prevailed in the dark days of British history, which led to the Houses of Parliament to claim their powers, privileges and immunities, do not now prevail either in the United Kingdom or in our country and that there is, therefore, no reason why we should adopt them in these democratic days. Our Constitution clearly provides that until Parliament or the State Legislature as the case may be, makes a law defining the powers, privileges and immunities of the House, its members and committees, they shall have all the powers, privileges and immunities of the House of Commons as at the date of the commencement of our Constitution and yet to deny them those powers, privileges and immunities, after finding that the House of Commons had them at the relevant time, will be not to interpret the Constitution but to remake it. ..."
Motion under Rule 95 of the Assembly Rules

re Powers, Privileges and Immunities of Legislatures, their Members and Committees.

Motion under Rule 55 of the Assembly

Rules.

re: Powers, Privileges and Immunities

of Legislatures, their Members and Committees

"If the privileges are confined to the existing privileges of the legislature in India as at present constituted, the result will be that a person cannot be punished for the contempt of the House." The question arose in the Dominions and in the Colonies and it has been held that by reason of the wide wording of the Australian Commonwealth Act as well as the Canadian Act, the Parliaments in both places have powers similar to the powers possessed by the Parliament in England and, therefore, have the right to punish for contempt. Are you going to deny yourself that power? That is the question. House of Commons. If the privileges are confined to the existing privileges of the legislature in India as at present constituted, the result will be that a person cannot be punished for the contempt of the House." The question arose in the Dominions and in the Colonies and it has been held that by reason of the wide wording of the Australian Commonwealth Act as well as the Canadian Act, the Parliaments in both places have powers similar to the powers possessed by the Parliament in England and, therefore, have the right to punish for contempt. Are you going to deny yourself that power? That is the question. House of Commons. If the privileges are confined to the existing privileges of the legislature in India as at present constituted, the result will be that a person cannot be punished for the contempt of the House."
320 19th August, 1965. Motion under Rule 95 of the Assembly Rules re· Powers, Privileges and Immunities of Legislatures, their Members and Committees.

If you have the time and if you have the leisure to formulate all the privileges in a compendious form, it will be well and good. I believe a Committee constituted by the Speaker on the legislative side found it very difficult to formulate all the privileges, unless they went detail into the whole working of parliamentary institutions in England..."

Dr. T. V. S Chelapathiraio (Vizianagaram South) He particularly wanted me to say why Sir Alladi and others who have partaken in the freedom struggle have not suggested this. Can he say whether there was any instance when Parliament arrested Judges and punished them?

Mr. Chairman. Does he mean in the House of Commons?
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... freedom struggle etc. They are a feudal class and reaction- ary section. Are we not to question? Is there anything wrong when the Speaker asks?

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...
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Committees.

thing has any binding upon it or not. It seems to me if the proposition was accepted that the Act itself should enumerate the privileges of Parliament we would have to follow 3 courses—one is to adopt them in the Constitution, viz., to set out in detail the privileges and immunities of the Parliament and its members. If I have carefully gone over May's Parliamentary Practice with regard to the immunities and privileges of Parliament, I have gone over the Index of May's Parliamentary Practice and I have noticed that practically 8 or 9 columns of index are devoted to the privileges and immunities of Parliament so that if you were to indicate a complete code of the privileges and immunities of Parliament based upon what May has to say on the subject, I have not the least doubt in my mind that we will have to add not less than 20 or 25 pages relating to immunities and privileges of Parliament. I do not know whether the Members of the House would like to have such a large categorical statement of the privileges and immunities of Parliament extending over 20 or 25 pages. That has been one reason why we did not adopt the course.

V. K. Krishna Menon pointed out that the opinion on the question in the Congress Party was divided and there was also an occasion of Parliamentary powers due to the opinion of the Supreme Court. It was now stated that the court's opinion should be regarded as only a statement of Law. That binding rule of law commitment is ended. Statement of law

New Delhi, Nov. 18th. V. K. Krishna Menon pointed out that the opinion on the question in the Congress Party was divided and there was also an occasion of Parliamentary powers due to the opinion of the Supreme Court. It was now stated that the court's opinion should be regarded as only a statement of Law. That binding rule of law commitment is ended. Statement of law

Erasure of the parliamentary practice, parliamentary privileges and Rights. V. K. Krishna Menon pointed out that an issue created by the Supreme Court Judgement in the U.P. dispute was engaging the attention of the legal experts and intellectuals. This was a sensational issue. He said the Supreme Court judgement is only an opinion.

He referred to some sarcastic remark against legislatures by a number of even highly placed persons. The Presiding Officers restrained themselves except the Speaker, Lok Sabha, no other presiding officer from any stage had expressed his opinion on the Supreme Court Judgement. The Speaker is said to be one who did not speak.
19th August, 1965. Motion under Rule 95 of the Assembly Rule. re Powers, Privileges and Immunities of Legislatures, their Members and Committees.

Sri Ramachandra Rao Deshpande — That I already quoted. There it is all from May’s Parliamentary practice itself.

Sri P V Narasimha Rao — We all quote from the same book.

Sri Pullalamarri Venkateswarlu — No. No. I will read for him.

This is what he has read: “Lords have claimed to be a court of record; as such and not only imprisoned but imposed fines. It is House of Lords, but there is House of Commons. On the other hand Lord Mansfield said that the House of Commons was not a court of record. Yet acting as a court of record (not as a court) formally imposed fines and imprisoned offenders for a time certain. In certain, The effect of immediate punishment and example is required to prevent evils necessarily arising from this office which evil, it is obvious would be much less effectually guarded against by mere dilatory proceedings of the ordinary court’s of law.”

High Court, Supreme Court, etc. The rights of a surrendered the other: The punctuation, dispassionate but, minority opinion. Doss. Legislative contempt...
Motion under Rule 95 of the Assembly
10th August, 1965

Powers, Privileges and Immunities of Legislatures, their Members and Committees.

... they say. I ask who are we? Rights of the citizens act on that ground? Citizen rights are not the same. We are protecting the rights of citizens, they say. They are not putting things very badly. Citizens' rights are not so clear. Lawyers oppose this. Dikson and others have raised the question that the Supreme Court Judges have raised. "You have got rights. Are you going to agree with that? This is not the occasion to discuss the historical grounds upon which these powers and privileges attach to the House of Commons. It is sufficient to say that they were regarded by many authorities as proper incidents of legislative function withstanding the fact that they cohered more theoretically perhaps or might even say scientifically, they belong to the judicial sphere. But our decision is based upon the general view of the Constitution and the separation of the powers is not sufficient reason for giving to these words which appear to be so clear a restrictive or secondary meaning which they did not properly bear...

... the language of the provisions the Australian Constitution and our Constitution is striking. "I cannot imagine," House of Commons...
more then that, Sir powers, and privilages the individual 
are intended to protect. The fundamental rights of freedom 
are granted to the individual. High court judges, on the 
other hand, are not protected by the Constitution. While the 
Court of Law may have the power to explain the Constitution, 
the Supreme Court judges may have the power to interpret it. 
Any supreme court judge stood in the way, not a single judge 
alone. The amendment to the Constitution must be resisted. 
Dr. Ambedkar and Sir Alladi Krishnaswamy Ayyar, the 
authors of the Constitution, were of the opinion that the 
Supreme Court judges should be appointed by the President.
Motion under Rule 95 of the Assembly 19th August, 196 - 227
Rule re. Powers, Privileges and Immunities of Legislatures, their Members and Committees.

Sri P. V. Narasimha Rao Mr Speaker, Sir During the last three days several hon Members have spoken on this Motion and a large ground has been covered already ground which may be considered legal, quasi legal and also extra legal. I, therefore, do not propose to repeat what all has been said on almost ever aspect of this opinion.

I cannot do better than preface my submission with the few sentences very significant it is which occur on pages 20 and 21 of the Majority Opinion of the Supreme Court. In those sentences, the Supreme Court has almost laid bare its soul and said that in a matter like this there can be no justification for the use of strong language and that what opinion the are going to give on a matter like this will constitute a test of their objectivity. From this, Sir, it is very clear that their Lordships of the Supreme Court were very careful and they were also expressing what they need not have expressed at all. It is taken for granted that where the highest Court of the land sits Judge-ment over any matter, it judges the matter judicially and according to the highest standards of the administration of justice. That being so, the fact that they have devoted a complete paragraph to the discussion of the attitude that has to be taken in this particular case is proof positive that they have realised that this matter is extremely delicate and fraught with complications and difficulties. Therefore, we here, while we are discussing this matter in the legislature, I think, should reciprocate the attitude which their Lordships have expressed and the approach they have taken in their own opinion. There is absolutely no room for any strong language or heat to be generated in the discussion.

Sir, there is one matter which has to be understood at the outset. The majority opinion itself has very clearly stated on page 18: "It may be that technically, the advisory opinion rendered by this Court on the reference made to it by the President may not amount to judicial adjudication properly so-called and since there are no parties as such before the Court in the reference, nobody would be bound by our answers".

[Mr Speaker in the Chair]

Now, this is the key sentence on which I propose to build up my submission. I have no particular pleasure in asserting that something said by the highest Tribunal of the land is not binding. But, Sir, it is necessary to emphasise this point because once this is conceded the next point is that if this opinion technically is not binding on anybody, it cannot be considered as having overruled any judgment of the Supreme Court that may exist in existence and in force at the time being. That is the point which we have to immediately understand. Now, Sir, on this very question if there is already a judgement of the Supreme Court a full bench of the Supreme Court has held in a particular manner then this opinion is not going to make any

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that the opinion is only a statement of law as has been pointed out and it does not affect the validity and the binding nature of the previous judgments given by the Supreme Court. I come to the latest previous judgment on the Supreme Court given on a matter which essentially contains the same ingredients and the same point for adjudication, viz., "The Searchlight Case." In that case, it was very clearly held by a Full Bench of the Supreme Court that the language of Article 194 (3) is so clear that it is not capable of any other interpretation except to say that the privileges available to the House of Commons on the crucial date, viz., 23-1-50 shall be available to all the Legislatures in India. Now that is the position about which the Supreme Court in the Searchlight case has given a final and unequivocal finding. Now, Sir, extracts from the case have been read already by Hon. Members, I do not wish to read again but there is one observation which is very pertinent which is to the effect that if it is proved that a particular set of privileges was available to the House of Commons and the members thereof in 1950, there is nothing more to be said or done about it. Once it is proved that this set of privileges was available to them, it automatically follows by virtue of Art. 194 that the same set of privileges will be available to the Legislatures in India. If any other construction is to be put on that, their Lordships say it would amount to adding to the Constitution or re-making it, but not interpreting it. Now, Sir, the case of Mr. S. M. Sharma which is known as the Searchlight case was concerned with the fundamental right under Art. 19 (1)(a) and in relation to Art. 21 there is a slight difference in the phraseology used in the judgment. There happens to be a slight difference. While in connection with Art. 19 (1)(a) they traced the history of the privileges available to the House of Commons during a period of 200 years and came to the conclusion that this right and power of excluding certain portions of the debates being published in the newspapers was available to the House of Commons by 1950. In regard to Art. 21 they have generally said that if it is found that the House has got a privilege, any arrest or order of arrest or warrant for arrest would be deemed to be an action under a law for the time being in force. Therefore, Art. 21 will not be available to the petitioner. Now, on the strength of this reasoning, this slight shift in emphasis, Their Lordships of the Supreme Court in the present opinion have held that Art. 194 (3) controls Art. 19 (a) but does not control Art. 21. Now, this is the crux of the matter. Apart from all the other points raised and all the arguments advanced the result to-day is that as a corollary of this opinion we are having
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re: Powers, Privileges and Immunities of Legislatures, their Members and Committees.

Art 19 (1) (a) treated differently from Art 21 or Art. 22 and other articles which are embodied in Chapter III dealing with Fundamental Rights. That is the result. Therefore my submission is that as a result of this opinion, a very peculiar position has arisen. One part of the Constitution on one Article 1 of the same part of the Constitution dealing with one fundamental right is sought to be declared as subject to Art 194 (3) while the very next Article which deals with another fundamental right is held to control Art 194 (3). Now I must admit that I for one cannot see any understandable ground for this differentiation and the result it is that today a situation has arisen when different parts of the same Constitution are being treated differently.

The point after all is whether Art 194 (3) is subject to Fundamental Rights or whether the Fundamental Rights embodied in Chapter III are to be treated as having been circumscribed to the extent to which Art 194 (3) operates in regard to Legislatures. This is the point and on this point Sharma's case has been distinguished in this manner, viz. they have said "The majority decision in Sharma's case therefore must be taken to have settled that Art 194 (3) would not apply and Art 21 would apply." Again on page 26, Sir, it is said "We have already pointed out that in the case of Sharma this Court has held that Art 21 applies where powers are exercised by the Legislature under the latter part of Art 194 (3)." The present case of Keshav Singh is under Art 21, if it had been under Art 19 (1) (a) it would have been decided as per the ruling in Sharma's case. The contention can be advanced that in case of Art 21 also the said case has settled the position but since it has been distinguished by Their Lordships of the Supreme Court in this opinion, according to this opinion, it has to be taken now by us that so far as Art 21 is concerned there is no final judgment of the Supreme Court of India. In Sharma's case Art 21 was not at all envisaged as embodying any special or superior right to be governed by extra-special considerations. The general position of law and the constitution was stated to be that if a privilege was available to the House of Commons on a particular date, it would be automatically available to all the Legislatures in India, and that it would prevail over fundamental rights, no matter by what Article a particular fundamental right is governed. This was very clearly and unambiguously stated in Sharma's case. Now this is the difficulty before us. While the opinion on the present reference is not binding on anyone according to the opinion itself, the decision in Sharma's case happens to be distinguished so as to create two criteria in the case of the two articles on Fundamental Rights and if a case were to be filed again tomorrow in a Court of Law, that court will be completely finding itself at sea. It will neither be able to follow the opinion, nor probably, strictly speaking, Sir, it will have to follow the judgment in Sharma's case which continues to be the validly pronounced law still. So that is the difficulty which this opinion has given rise to.

Sir, now granting for the sake of argument that the Legislatures can exercise the same powers and privileges that were available
to the House of Commons the next question that is asked is, "What happens to Chapter III? What happens to the Fundamental Rights guaranteed by the Constitution which are available without any qualification to the citizens of India and what is the authority to show that it was the intention of the Constitution-makers to make the power under Art. 194 (8) absolute or not examinable by Court?"

The second point is this: granting that you have the power, how can you say that a Court is excluded, the jurisdiction of the Court is excluded? Now, Sir, a lot of struggle had taken place in England as has been pointed out in the opinion. For 200 years there was a tug-of-war wing of the State trying to assert itself, the other wing resisting this assertion and finally they came to a kind of understanding; it cannot be said it is an understanding because Constitution cannot be made by understanding, law is not made by understanding, but the resultant that has come out, the resultant attitude that both have taken has created a more or less settled condition in England. The condition is that in the first instance the Court is in a position to entertain a petition for habeas corpus, but when it is brought to the notice of the Court that the person who is the petitioner in the case was committed for contempt of the House and if a copy of the warrant which is called a general warrant or a non-speaking warrant is produced before the Court, further proceedings are dropped. Now this is a very ingenious way of reconciling the privileges of the House with the jurisdiction of the Courts. I do not think personally that there can be any other way even if something has to be codified tomorrow, something on similar lines will have to be thought of. This ingenuity of the English mind has been acknowledged by Their Lordships of the Supreme Court in this opinion. They have discussed at length what happened in what case there are as many as 14 cases which they have reviewed—14 cases not merely from the United Kingdom but Australia, Nova Scotia and some colonies also and it is interesting to note that in all those 14 cases the highest Courts had held that the Legislature has the power to commit for contempt and that it is not examinable by courts. It is also significant to note that not a single case has been cited from any country wherein it was categorically decided that the Legislatures do not have such power. What this opinion has done is that every case has been distinguished on one ground or the other and finally the result is that having distinguished all the cases that were cited, Their Lordships of the Supreme Court have come to the conclusion that even if you grant that such a right is available to the House of Commons, the Legislatures in India cannot automatically claim that right because the origin is different, the history is different, everything is different. Now, Sir, this is the net point. How are we going to resolve it? So far as we are concerned, our Constitution-makers do not seem to have gone into the history of 200 or 800 years, they seem to have confined their attention only to what was available to the House of Commons on a particular date. That is what we gather from a reading of the debates and from the general reading of the provisions themselves. It is for the first time that the Supreme Court of India has gone into the history and the genesis and sources of all the
privileges that are enjoyed by the **House of Commons** and distinguished one privilege from another. The result is that what we all understand by privilege, what we all understand today as the existing privileges of the **House of Commons** have been categorised into different classes.

One class is said to be privileges properly so-called and another class of rights and privileges possessed by the **House of Commons** is characterised as the result of certain historical circumstances, conventions, comity and so on. Therefore, the other class to which I have just referred has been sought to be subtracted from the sum-total of privileges available to the **House of Commons** and on the strength of this subtraction it is said that our Legislatures in India cannot claim all the privileges claimed by the **House of Commons**. In this connection, sir, I would like to point out that the majority opinion of the Supreme Court has not cited even a single case from the United Kingdom wherein such a subclassification of the rights and privileges of the **House of Commons** was either made or recognised. According to the history of the **English Constitution**, every constitutional provision is the result of convention, usage, acquiescence, judicial interpretation. No part of their constitution could be shown to have come from any written text. That being so, the classification of the privileges of the **House of Commons**, made in the majority opinion of the Supreme Court, not only has no factual basis in England, not only is it entirely unsupported by any precedent whatsoever, but also, let me submit, sir, it is not sustainable even on the ground of English Constitutional theory.

Another point that has been raised and very emphatically put by the majority opinion is that the **House of Commons** happens to be a Court of Law, a Court of Record, it is part of the **High Court of Parliament** and therefore it is only in connection with judicial functions or functions akin to judicial functions that these rights came to accrue to the **House of Commons** whereas by no stretch of imagination can it be said that any Legislative Assembly in India has got any such powers and can therefore claim any such privileges. Now, this point, sir, so far as we are concerned, appears to be too learned because it goes back into history and tries to create a distinction amongst the privileges and rights enjoyed by the **House of Commons**, a distinction about the validity of which there can be more than one opinion. Therefore, I would like to submit that for our purposes what was available to the **House of Commons** will be available to our Legislatures, no matter how the **House of Commons** had come to possess it, no matter by what course of history it had accrued to the **House of Commons**, no matter after what amount of struggle the **House of Commons** had won it all that appears to be not quite relevant to the point and we are concerned only to see what was available to the **House of Commons** and if it is proved that a particular privilege or set of privileges was available to the **House of Commons**, for our purposes that is an end of the matter. That was the construction so far given by the Supreme Court itself. Now, after this opinion, if this opinion has to be accepted, there is nothing but confusion in the actual interpretation of **Art. 194 (8)**. **Art. 194 (8)** cannot remain as it is today because so long as it was...

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clear that what was available to the House of Commons on a particular date would be available to us, there was no necessity of enumerating the privileges, but what is so clear is that all the privileges of the House of Commons were not alike and that all of them will not be available to our Legislatures, the natural need for enumerating the privileges that will be available to the Legislatures has arisen and that is why in this resolution it has been suggested— the operative portion saves that this difficulty will have to be removed and the Constitution amended accordingly.

Significantly Sir, the majority opinion, at page 60 has said, “There is no doubt that the House has the power to punish for contempt committed outside its chamber, and from that point of view it may claim one of the rights possessed by a Court of Record”. But the opinion goes on to say that the House is not a Court of Record. One wonders as to how many rights of a Court of Record should be claimed by a Legislature before it can be recognised as a Court of Record. Their Lordships of the Supreme Court have not laid down any criteria in this behalf. Even from the description of a Court of Record given in Jewitt’s Dictionary of English Law, it appears to me that the House of Commons cannot be called a Court of Record, since it has no judicial functions to perform and no judicial proceedings to enrol for perpetual memory and testimony. Therefore, Sir, with great respect, I am unable to agree with the reasoning adopted by their Lordships in the majority opinion.

Now, Sir, there is one point which has not been touched in the opinion, to which as representatives of the people we have a right to draw attention of one and all. We seem to be very much conversant and well-versed in the history of England, but our own country has also a history; it is not devoid of history. We have our own history and the concurrence is that whether it is English history, whether it is Greek history, whether it is Indian history, ancient Indian history, the origin of all these assemblies was almost identical. Two thousand years before Christ, 2,000 B.C., we had bicameral legislatures in India. The larger assembly was called the Samithi, a name which we have accepted for our own Panchayat Raj institutions, the small assembly was called Sabha, and both of them had relations with each other which were akin to the relations between the Upper and the Lower Houses more or less, which we have to day. The king was elected in those days; the king did not come on the basis of a hereditary right. So the king, the Sabha and the Samithi were exactly like (the king, the Gana and the Kula of the latter 600 A.D.), the Emperor, the Dewan-e-Khas and the Dewan-e-Aam of the Moghal times. So that we do not find anything else except the same pattern going in different garbs, the essence of pattern being identical with what obtained in England because they also have kingship. We are not modelled on the American Constitution. The presence of the king and both these Houses of Legislature which also perform the duties of administration of justice—that is where the crucial point comes in, because it is very clearly
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stated that the Samithi and Sabha in 2,000 B.C. were entrusted with the administration of justice, in 600 A.D. the Gana and Kula and the Kulapathi-they were all entrusted with the administration of justice. This is what our acknowledged scholars on ancient Hindu polity have confirmed. There is a brilliant report given by the Study Team appointed by the Government of India-appointed for examining Nyaya Panchayats. They have traced the origin of all these institutions and said that in every village, “in every group of villages, we had some kind of a Legislative Assembly; it was not clearly defined only for legislative purposes—the functions of administration, legislation and judiciary” were all inter-mixed and they were performing all those functions.

This is exactly what happened in England also. Naturally only after some centuries the dichotomy between the Legislative and Judicial functions was established as a result of which the House of Lords continued to be a Court of Record while the House of Commons ceased to be recognised as a Court of Record. It was never established that the House of Commons was a Court of Record. As ‘May’ says in the early stages, in some of the judgments quoted in this very opinion, the House of Commons was stated to be something akin to a Court of Record. It was never, never, never established in any case that the House of Commons was a Court of Record. It was said that it is entitled to the same respect as a Court of Record is entitled to and finally after two centuries it has been finally held that the House of Commons is a Court or court of Record or a High Court or a part of the High Court of Parliament, whichever way we have to put it, our Legislature also can claim that it is not merely a creature of the 1835 Act or the 1950 Constitution or it is not just dropped from the Heaven all of a sudden. It is a successor of such Institutions and such bodies which have been functioning all along as courts also at least since the last 800 years. Now, what do we mean, so far as Diwan-e-Khas and Diwan-e-Aam? We have the buildings now in the Red Fort of Delhi. What does it mean? Diwan-e-Khas is nothing but a Kind of House of Lords, a prototype of the House of Commons. Diwan-e-Aam is a prototype of the House of Commons with the King presiding over them. Therefore, this pattern is nothing peculiar to England, nothing peculiar to the United Kingdom or any other particular country. It is in the human nature and it is naturally for any Society to evolve of two classes, as the Patricians and Plebians in the Roman Empire. So the history of that part of the world as well as our own history will show that in the ultimate evolution of the State, there were always two elements. The King was a common element but there is always another element which was very close to the King. It was either the House of Lords or the Patricians or the Diwan-e-Khas or the Sabha or whatever you might call it. Then, there was a class which was the far removed from seats of power, to start with. This other class in course of time struggled to get power, struggled to be recognised, struggled to be seen and treated with respect and as a result of this struggle...
there came about a balance after some time between the Patricians and the Plebeians, between the House of Lords and the House of Commons between the Diwan-e-Khas and Diwan-e-Aam. This is almost identical history whichever country we take. Therefore, even assuming that the argument regarding the House of Commons being some kind of a court is to be accepted, my own submission is that in any country every Legislature can claim to be more or less of the same type—no matter how different from other Legislatures, their Members and Committees.

between the House of Lords and the House of Commons between the Diwan-e-Khas and Diwan-e-Aam. This is almost identical history whichever country we take. Therefore, even assuming that the argument regarding the House of Commons being some kind of a court is to be accepted, my own submission is that in our own country every Legislature can claim to be more or less of the same type—not to-day but some time ago when the functions between the Judiciary, Legislature and the Executive were not so clearly defined as they are to-day. Sir, we had the Hyderabad State. In Hyderabad State, all the functions were done by the same authority in the beginning. Now the Andhra Pradesh Assembly can very well claim to be a successor to the Hyderabad Assembly. The Hyderabad Assembly can very well claim to be the successor of the Bab-e-Hukumat of His Exalted Highness the Nizam. Can any hon. Member from Telengana deny this? There was no Assembly in those good old days. But there was legislation. There was a plethora of laws being passed by the order of the King and they were many and there was, what is called, the Bab-e-Hukumat. It used to do all these functions. Then a time came when the Judiciary was separated.

I am glad to say this because long before the separation of judiciary took place in most of the British-Indian States, the Judiciary was separated from the executive as early as 1926 in Hyderabad. One hon. Member said that the Judiciary is the foundation of democracy. I do not want to enter into any debate, nor do I want to comment on the speeches made or the points raised by the other hon. Members. But to this point, I would particularly refer because this is perhaps a fundamental point. How can we say that the Judiciary is the basis of democracy? We had the best Judiciary in Hyderabad. I can quote off hand at least 10 or 12 names of judges who were so eminent in learning, who were so impartial in their attitude, that even in the worst days of communal passion they never fell a prey to it. Such a Judiciary was there in the Hyderabad State and yet we had no democracy in Hyderabad. So the result is what is the distinctive feature of democracy? Is it the judiciary? I would like to submit Sir, it is not the judiciary. You can have the best judiciary and also the greatest respect for the rule of law even without democratic conditions. You can have the best Executive too. Therefore, the only distinguishing feature of a democracy is the Legislature and not the other two. Naturally, in a democratic set-up, all these will have to function in a way which is harmonious. That is a different matter. But which it is said that the Judiciary is the very basis of democracy I must confess that the lessons in politics which I have learnt must be wrong. Therefore, coming to the point of these judicial functions being assigned to the House of Commons, I would like to say in the first place that the House of Commons was never recognized as a Court of Record. In the second place, even Granting for the sake of argument that it was so recognized, our Legislatures also can claim the same kind of origin as the House of Commons, for claim and therefore there is absolutely no difficulty in treating our Legislatures on that with the House of Commons.
There is another point which has been very clearly and succinctly put in this majority opinion of their Lordships. They have stated, the Constitution of India is different from the Constitution of Great Britain. There, the Parliament is supreme whereas here we have a federal Constitution which depends on certain divisions of powers, distribution of powers, between the States and the Centre and the States inter se and soon. Therefore, what applies to the House of Commons and what obtains in the United Kingdom cannot in terms apply here, cannot in terms obtain here. In the cases which I have just cited—the 11 or 15 cases cited as discussed in this opinion—11 pertained to the United Kingdom and there are three very important cases which went up to the Privy Council, from the colonies—one from Australia, one from Nova Scotia and the third perhaps from Canada or some colony. In these cases, it was impossible for any one to come to any other conclusion than that the Parliament of Victoria—one of the States in Australia or the Parliament of Nova Scotia can claim a set of powers and privileges identical with those obtaining in the United Kingdom in the House of Commons on a crucial day. Now, the Australian Constitution was passed in 1902 or 1903 about 60 or 62 years ago. Till this day, they have not defined their powers. They continued the same powers as were available to the House of Commons in 1902. In these three cases, the Present majority opinion also has accepted that there is a case undoubtedly in favour of the House of Legislature.

Coming to these cases, all the other cases, have been distinguished but coming to the Australian case, the Nova Scotian case and to the case of Richards, their Lordships of the Supreme Court in their opinion have not found it possible to distinguish them. But they have distinguished them or rather not followed them on the ground that the cases in England on which these cases were decided have been examined and distinguished by them. This is the ground on which these cases have not been followed. We cannot go beyond the opinion, we cannot really enter into why these cases have not been followed and what has happened? But for the purpose of this resolution, what is the position to-day? The position is that the opinion given by the Supreme Court is not binding on anyone according to their own statement and the final decision of the Supreme Court has been departed from in this opinion. The third thing is that the different provisions of the Constitution have been sought to be assigned on different quanta of importance. In several cases, it has been held by the Supreme Court itself that the Constitution is an organic whole that it has to be treated as such, and that therefore, no particular provision of the Constitution has to be taken as transcendental or more important than any other provision. There is absolutely no such thing as transcendentalism in the Constitution of India. Every Article has got its own place and has got to be sustained, has got to be examined on its own merits and to the extent to which it operates. Therefore, in Sarma's case the well-known principle of harmonious construction was accepted. Now, harmonious construction does not mean that in order to make one Article operative, the other Article has to be made inoperative. That is not harmonious construction. That is very clear. When there is a rule of this
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The Members of this House will have the right to go and sit in the seats of this House and if there is another rule that only those who are presiding members for the time being will sit on the chair which you are occupying, Sir, is there any conflict? And if there is any conflict, are we not to determine the conflict or resolve the conflict by the principle of harmonious construction? The result of such construction is that a person who is not the presiding member cannot sit on that Chair. It is very plain which laymen also can understand. Even a child can understand. That is how harmonious construction is put on several statutes and on several provisions of the same statute. Now, this is also in 194 (3). When it comes into conflict with any of the fundamental rights embodied in the Constitution both have to be harmoniously interpreted. It has to be noted, Sir, that neither in part III, nor in 194 (8) one provision has been made subject to the other or independent of the other. We do not find either the words "subjected to so and so Article" or the words "notwithstanding anything contained". Both are left as they are. Therefore, the question arises how to reconcile them and the best way and the only recognised way of reconciling them is to see that both are given operation in their own fields and as a result of which it has been held times without number that the special provision has to prevail over the general provision. The fundamental rights of the Constitution are general. They are not only general in themselves but every article embodying every fundamental right also embodies the controlling circumstances which are to obtain there. For instance in 19 (1), if it is said that a person will have freedom of expression, it is also said in the same Article that if reasonable restrictions are placed on that freedom, it will not amount to a violation of this Article. Therefore, every Article embodying a fundamental right in the Constitution has been followed by a rider describing when it will not be considered a violation of the right. Therefore, there is nothing peculiar in saying that if another provision of the same Constitution, viz., 194 (3) was held to over-ride this, there is something very extraordinary happening. Nobody can claim that we have thereby committed blasphemy against the Constitution. It cannot be so said, because the Articles in Chapter III itself are subject to certain limitations which are laid down clearly and unequivocally in the same Articles. Therefore, there is nothing strange if one set of Articles is held to be controlled by another set and particularly if a special provision is held to prevail over the general provision. This is what we understand by harmonious construction. It is very clear from our point of view at least that when this construction is put, the House has to be considered as having possessed the right to commit for contempt or as being in possession of that right even now. Therefore, in the light of the differences that have arisen in the wake of the Supreme Court's opinions, there is no other alternative the Constitution suitably, bent a me d Sir, there is another part of the story - the unfortunate part which has been referred to both in the majority and the minority opinions. Here it is not so much a question of strict interpretation. This is a question of attitudes. Here is the case of a person who refuses to come to the House in the first instance. He says, 'I have no money to pay my taxes'. It is a very good excuse. I must say...
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Then he is brought to the House. He stands with his back to the Chair, refuses to answer questions, and behaves as if all the fundamental rights enshrined in the Constitution are meant for him in order to insult the Assembly. That is how he has behaved. Now, what alternative course was there before the Uttar Pradesh Assembly? I ask expect committing him to prison? There is absolutely no alternative course. That has not happened in Australia for the last fifty years or more because nobody took it into his head to behave as this Kesav Singh did. Therefore, when once this has happened and when once it is said that we cannot claim the privileges which were claimed by the House of Commons on a particular day, then where are these Legislatures? The result is as has been very aptly said in one of the cases decided in England that the Speaker of the Assembly will have to go and stand in a queue before a Magistrate with a petition in hand and become a litigant. That is what is going to happen as a result of this opinion. Now, I am trying to put an extreme construction and cite an extreme example. It may happen or may not happen. That is not our concern at the moment. But what can happen under a given dispensation has to be very clearly understood. If we understand this and if we reconcile ourselves to this, if we say that this can happen and we will not feel unhappy about it, then there is nothing more to be done about it and those Hon'ble Members who are opposing the amendment to the Constitution on any ground, in their own way they are perhaps agreeing with this situation. They are agreeing to put up with this situation. Now, I for one, am not prepared to put up with this situation because in this country, whatever the hoary past might have been the Legislature is the youngest child of the State at the moment. The Executive can hold its own by coercion. It has got coercive power with it. The judiciary can also maintain its prestige with its independence, unapproachability and wisdom. But the Legislature which is the youngest child and which has to deal with the people day in and day out can survive and its prestige can survive only when the image in the people's minds regarding the Legislature remains unsullied. The moment it is sullied, the moment it becomes distorted, the moment the people start thinking that the Legislature is a place where all sorts of unlawful things take place or the place where there is no prestige, a place where there is no decorum, that moment will be the moment of downfall, the ultimate downfall for Legislatures and the downfall of the Legislatures is nothing but the downfall of democracy. I can see nothing else in this opinion except the downfall of democracy. (Applause).

Therefore, this resolution has become necessary. Sir, it has been said times without number—that a right and a privilege are different. A privilege is a special kind of right which is qualitatively more than a right. It is not mere right but qualitatively it is more than an ordinary right, which is justiciable in Courts of Law. Therefore, privilege stands on a different footing. If you think you do not have privilege, that is a different matter. But whether we have it or not, we have to recognize that the status given in Law and Constitution to privilege is something which is higher than the status given to a right. The definition
of right, we know. Jurisprudence tell us what a right is. Constitution tells us what a privilege is, but till this day, an exhaustive definition of privilege has not been given. It is very clearly stated in all the books of Constitution that an exhaustive and definitive definition of privilege has not been given and it will not be given probably. Therefore, we have to be the judges of what is our privilege, we have to be judges of how far our privileges have been violated and we have to be judges of what we have to do when this privilege is violated. To the extent of entertaining an application, or entertaining a petition of the Habeas Corpus, I have no doubt in submitting that the court has to have the power.

Even in the case of House of Commons whenever a question of Habeas Corpus is there, the King’s Bench or the Queen’s Bench or any other court, a return is sent. The House of Commons is represented; the House of Commons says, “Here is the warrant according to which this man has been arrested here is the warrant according to which this man has been proceeded against” and there is an end of the matter. The moment the warrant, which is an unspeakable warrant, is produced before the court, the court drops further proceedings. It is not correct to say that the court should not even take the petition on its file itself because the court has to satisfy itself that the person has been either arrested or proceeded against, not against any law, but in accordance with law. To that extent, if the court is satisfied, and it will be satisfied if the warrant is produced, it will not go behind the warrant, it will not go into the details of the warrant, it will not sit in judgment on the matters pertaining to the warrant and pertaining to the privilege issue. That is the situation which obtains in the United Kingdom and here also I do not see any other way of reconciling these two things. Therefore, the very entertaining of a petition by the Judges of the Allahabad High Court in the Lucknow Bench cannot be considered a breach of privilege of the House, but in the special circumstances, what it is to be considered is not for us to decide now. There are special circumstances. Both sides could have avoided this. The Hon. Judges of the High Court could have avoided this. The House also could have avoided this, but they have not avoided this, they have been more zealous of their powers rather than the reciprocity which has to be there between the Legislature and the Judiciary.

Therefore, apart from the lack of tact or the special circumstances obtaining in this case, the general interpretation that has to be given to Article 194 (8), on the one hand, and the Chapter on the fundamental rights, on the other have been examined and I have submitted, Sir, that some such amendment to the Constitution which ensures the powers to this House for commitment for contempt by an unspeakable warrant should be made.

Now, Sir, it has been also argued that after all in the American Constitution there is no such thing as breach of privilege or a right to hold up a person for breach of privilege yet who can suggest that the American democracy is not functioning effectively? And therefore is it absolutely necessary for the Legislatures in India to be armed with
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This power that is one of the arguments that has been advanced. All I would like to submit is that our Constitution is not as such modelled on the American Constitution, in any sense of the term. The American Constitution is a Presidential Constitution whereas ours is a Parliamentary Constitution. Therefore, what obtains in America—whatever its validity in other spheres whatever its validity in the practical field, whatever its validity in the constitutional field—is something which cannot be ipso facto agreed to by us or applied to us.

Therefore, Sir, we have to examine the necessity of passing this resolution against the background which I have just submitted. Even in America, I am told that although there is no privilege, there are instances where the Congress has summoned persons for contempt and dealt with them. I do not have the cases with me at the moment, but May's Parliamentary Practice very clearly says that there are several instances where the American Congress has hauled up persons for contempt and taken action against them. Therefore, the need for protecting our rights and the need to proceed against people who are bent upon violating our privileges is there. If the need is conceded, the doubt which has arisen because of the interpretation given in this opinion has to be cleared. There is absolutely no other way, unless we want to leave everything to drift for itself and create more and more confusion.

There is another matter, Sir. In 1950, a set of privileges was available to the House of Commons. Where is the guarantee that the same set of privileges will be available at all times? Supposing by 1980, there is a change in the set of privileges available to the House of Commons, whereas the House of Commons will have gone ahead by 30 years, we will be remaining in 1950, because according to Article 194(3) only the privileges available in 1950, would be available to us. Therefore, all sorts of anomalous situations would arise. It is very necessary that these anomalous situations should be obviated and avoided and for that I do not see any other way except amending the Constitution on the lines suggested in the resolution.

Sir, there is just one matter which is not very important, but it is germane to the consideration of this question. On page 66 of the Supreme Court judgment it has been said, “It may be said that in England it appears to be recognized that in regard to habeas corpus proceedings commenced against orders of committal passed by the House of Commons on the ground of contempt, bail is not granted by the courts.” It is established beyond a shadow of doubt that in such proceedings no bail is granted by any court. As a matter of course, during the last century and more in such habeas corpus proceedings, returns are made according to law by the House of Commons, but the general rule is that the parties who stand committed for contempt cannot be admitted to bail. Now, this is something which is not capable of any other reading. There is no point in saying that we are not going to...
follow the House of Commons practice or what is happening in England simply because it suits us, to say so we have been following the Constitution and their Lordships have already taken cognizance of so many cases, discussed them and come to certain conclusion. Whatever it might be, after having done all that we cannot say that what obtains in England or in the House of Commons should not obtain here or should not apply here. Technically, it may not apply, technically, when a court is considering a petition, it can pass any order it likes according to the criminal procedure code or according to the Constitution, but here where a case of privilege has been made out, where a special set of circumstances has been made out, the traditions, the conventions and the rules that obtain in the other country also have to be conformed with. Anyway there is no point in discussing it here, but it helps us in coming to certain surmises, if I may put it like that, regarding the special circumstances in which all those things happened in Lucknow.

Therefore, all these matters are now before us. We are faced with a constitutional dilemma, more or less. We do not know where we stand. Apart from what opinions we may hold, apart from what we may think about a particular right, whether it should be given to the Legislature or not, the fact remains that today the confusion which has arisen because of this set of circumstances cannot be allowed to continue. Therefore, I submit that the resolution which has been tabled by Mr. Kulasekhar Reddy is exhaustive to the extent to which it pertains to the need for amending the Constitution. There may be some differences of opinion regarding the reasons added as to why we want an amendment of the Constitution. But then while enumerating the reasons adduced, after all, we should establish a complete identity between the two views. So long as there is no difference of opinion regarding the operative portion of what we want, we need not be too narrow about the reasons adduced.

So, I request the House to pass this resolution and perhaps, take the credit of being the first Legislature which has taken official notice of this difficulty. I do not know whether that is true, but if that is true, we can claim it; otherwise we shall still be among the first.

Sir, I thank you for having given me this time. (Applause)

Mr. Speaker— I shall put to vote the following amendment moved by Sri Tappanatham.

The question is.

"Delete clauses (a) (b) and (c) and substitute the following—

This House, having regard to the opinion of the Supreme Court on Special reference 1 of 1964, is of the opinion that suitable amendments of the Constitution should be undertaken by the Parliament to clearly define the powers and privileges of the Parliament and Legislatures in the country in a clean and comprehensive way in conformity with the spirit of the Constitution".
The motion was declared negatived

Sri Tenneti Viswanatham—I demand a division. Sir,
The House then divided thus

Ayes 9 Noes 148 Neutrals: Nil

The motion was negatived.

Mr Speaker.—This is the first time the Congress and the Communist members are voting together. I shall now put to vote the motion moved by Sri Kula Sekhara Reddy and Sri Vavilaia Gopalakrishnayya.

The question is:

"Whereas it is not possible for Legislatures to function effectively without their having the powers to adjudge in case of their own contempt, whether committed by a member or a stranger whether inside the Chamber or outside it, and to punish that contempt without interference by Courts under any Article of the Constitution or otherwise

Sri P. Rajagopal NaIdu—Only one motion has been moved and Sri Vavilaia Gopalakrishnayya's has been clubbed together.

Mr Speaker—Samething These is no difference between one and the other They have given an agreed motion—same thing.

Sri Tenneti Viswanatham—It is the samething The first having been there, are you putting it as an amendment or are you putting it as a resolution that has not been moved?

Mr Speaker—Both the Members have given notice of a similar motion

Sri Tenneti Viswanatham—At any rate, please read out first the motion that was moved by Sri Kula Sekhara Reddy.

Mr Speaker—That is the one I am reading.

Sri Tenneti Viswanatham—You gave out the name of Sri Vavilaia Gopalakrishnayya

Mr Speaker—Because he has also given notice of a similar motion

Sri Tenneti Viswanatham—The name of Mr Kulasekhar Reddy was not heard by us

Mr Speaker—It is a pity

The question is:

"(a) Whereas it is not possible for Legislatures to function effectively without their having the powers to adjudge in case of their own
contempt, whether committed by a member or a stranger whether
inside the Chamber or outside it, and to punish that contempt without
interference by Courts under any Article of the Constitution or other-
wise:

(b) Whereas it was intended by the makers of the Constitution
that there should be no review of these matters by any court whatso-
ever as it is clear from the statement of Dr Ambedkar and Sri Alladi
Krishnaswami Iyer made in the Constituent Assembly when Articles
105 and 194 were adopted;

(c) Whereas the opinion of the Supreme Court has implications
that would deter the Legislatures from discharging their functions
efficiently honestly and with dignity and whereas this Assembly cons-
ders that suitable amendments to Articles 105 and 194 should be made
order to make the intention of the Constitution makers clear beyond
doubt so that the powers, privileges and immunities of Legislatures,
their members and Committees cannot, in any case, be construed as
Committees cannot, in any case, be construed as being subject or sub-
orinate to any other Article of the Constitution,

Now therefore this Assembly requests the Government of India to
take immediate steps necessary for bringing about the requisite
changes in the Constitution of India so as to set at rest all controversy
regarding the powers, privileges and immunities of the Houses of Parlia-
ment and of the Legislatures and the members thereof."

The motion was adopted.

GOVERNMENT BILLS

THE ANDHRA PRADESH SUGARCANE CROP-LAND REVENUE
(ASSESSMENT) BILL, 1965

Clause 3

Mr. Speaker —Now, we shall take up the amendment given notice
of by Sri Visweswara Rao and Sri Govinda Rao

Sri K. Govinda Rao —Sir, I beg to move:

"Add the following proviso at the end of the explanation in
clause 3:

'Provided that these rates specified in the Table shall not apply to
holdings raising sugarcane crop of 3 acres and less in extent of wet
land and 5 acres and less of dry land The rates of assessment leviable
under the Andhra Pradesh Land Revenue (Additional Assessment) and,
Cess Revision Act, 1962, shall apply to the holdings specified above.'"

Mr. Speaker —Amendment moved.
Mr. Speaker:—I can not allow all hon. Members to speak. I am allowing only those hon. Members who have given notice of amendments. If Shri Visweswararao wants to speak, he can.

Sri P. Rajagopala Naidu — Why not?

Mr. Speaker — Where is the time? If each hon. Member wants to speak, where is the time?
then do one thing. So far as the Communist party is concerned, Sri Govindrao will speak, so far as independents are concerned Sri Vavilla Gopalkrishnaya, and so far as the Swatantra Party is concerned Sri Rajagopala Naidu may speak.

"The Prime Minister has ruled out any increase in land revenue or the levy of land cess as a means of raising resources for the Fourth Plan.

While recognising the potentiality of his source of revenue, the Prime Minister has told the Planning Commission that he feels that there is much force in the argument put forward by the States that any attempt to increase land revenue will tend to increase tenants in the rural areas.

The States obviously have been motivated more by political than by economic considerations in resisting the proposal to raise additional resources by increasing land revenue.

Even strictly on economic considerations, the Prime Minister feels that it may not be desirable to increase land revenue as it may come into conflict with the agricultural policy, which for the first time, is producer-oriented...

"

இந்த பட்டையைத் தடுக்கவும்.. இதன் மூலம் இந்த பட்டையை டுடைய முடியும். இந்த பட்டையை தடுக்கவும்.. இதன் மூலம் இந்த பட்டையை டுடைய முடியும். இந்த பட்டையை தடுக்கவும்.. இதன் மூலம் இந்த பட்டையை டுடைய முடியும். இந்த பட்டையை தடுக்கவும்.. இதன் மூலம் இந்த பட்டையை டுடைய முடியும்.

19. உயிரில் உள்ள வகைகள் என்பது வகைகளை தொடர்ந்து வரும் வகையையே என்பதும் தந்திரம் தரும். மீதியாக உள்ள வகைக்கு வரும் வகையை தொடர்ந்து வரும் வகையையே என்பதும் தந்திரம் தரும். மீதியாக உள்ள வகைக்கு வரும் வகையை தொடர்ந்து வரும் வகையையே என்பதும் தந்திரம் தரும். மீதியாக உள்ள வகைக்கு வரும் வகையை தொடர்ந்து வரும் வகையையே என்பதும் தந்திரம் தரும்.

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Government Bill

Mr. Venkateswarlu (Cm) — Shri P. Rajagopaia Naidu followed by the members of the Communist Party walked out of the House.

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The question is

Provided that these rates specified in the Table shall not apply to holdings raising sugarcane crop of 8 acres and less in extent of wet land and 5 acres and less of dry land. The rates of assessment leviable under the Andhra Pradesh Land Revenue (Additional Assessment and Cess Revision, Act, 1962) shall apply to the holdings specified above.

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

"That Clause 3 do stand part of the Bill."

The motion was adopted.
Clause 3 was added to the Bill.

Clause 4

Mr. Speaker.—The question is:

"That Clause 4 do stand part of the Bill."

The motion was adopted.
Clause 4 was added to the Bill.

Clause 5

Mr Speaker.—The question is:

"That Clause 5 do stand part of the Bill."

The motion was adopted.
Clause 5 was added to the Bill.

Clause 6

Mr Speaker.—The question is:

"That Clause 6 do stand part of the Bill."

The motion was adopted.
Clause 6 was added to the Bill.

Clause 1

Mr Speaker.—The question is:

"That Clause 1 do stand part of the Bill."

The motion was adopted.
Clause 1 was added to the Bill.

Preamble

Mr. Speaker.—The question is:

"That Preamble do stand part of the Bill."

The motion was adopted.
The Preamble was added to the Bill.

Government Bill.

Sri N. Ramachandra Reddy — I beg to move:

"That the Andhra Pradesh Sugarcane Crop Land Revenue (Assessment) Bill, 1965, be read a third time"

Mr Speaker.—Motion moved

(Pause).

Mr Speaker.—The question is.

"That the Andhra Pradesh Sugarcane Crop Land Revenue (Assessment) Bill, 1965, be read a third time"

The motion was adopted

THE ANDHRA PRADESH IRRIGATION (CONSTRUCTION AND MAINTENANCE OF WATER COURSES) (AMENDMENT) BILL, 1965

Sri A. C. Subba Reddy — I beg to move:

"That the Andhra Pradesh Irrigation (Construction and Maintenance of Water Courses) (Amendment) Bill, 1965, as reported by the Regional Committee, be read a second time"

Mr Speaker.—Motion moved.

(Sri P Narayana Reddy in the Chair)


The Bill provides for the construction and maintenance of low level canals, including minor and large irrigation canals, in the State of Andhra Pradesh. The Bill also allows for the appointment of officers and employees to carry out the construction and maintenance work. The Bill is intended to improve the irrigation facilities in the State, thereby enhancing agricultural productivity and providing water for domestic and industrial purposes.

The Bill includes provisions for the appointment of officers and employees to carry out the construction and maintenance work. The Bill also includes provisions for the payment of wages and allowances to the officers and employees. The Bill is intended to provide a framework for the efficient and effective management of the irrigation facilities in the State.

The Bill is designed to ensure that the irrigation facilities are maintained in a good condition and that the water is used efficiently. The Bill also includes provisions for the collection of irrigation charges and the recovery of costs associated with the construction and maintenance of the irrigation facilities.

The Bill is intended to provide a framework for the efficient and effective management of the irrigation facilities in the State. The Bill includes provisions for the appointment of officers and employees to carry out the construction and maintenance work. The Bill also includes provisions for the payment of wages and allowances to the officers and employees.
Government Bill:

August, 1965.


The bill provides for the acquisition of land for irrigation purposes. If the acquiree does not agree, the government may acquire the land by eminent domain. The acquiree must be given 90 days to contest the acquisition. If the acquiree still does not agree, the government can collect the land by requisition. Otherwise, the old things will continue.

The bill also extends the time for projects to collect requisition. After the bill becomes law, 15 days are given to acquire the land. If the acquiree does not agree, the government may acquire the land by eminent domain.

The bill requires the acquiree to file an appeal within 90 days. If the acquiree does not agree, the government may acquire the land by eminent domain. If the bill becomes law, 90 days are given to collect requisition. After the bill becomes law, 90 days are given to acquire the land by eminent domain.


Clauses 6 (a) and (b) of the Act provide that:

Clauses 6 (a) and (b) of the Act provide that:

Notwithstanding anything in Sections 3, 4, 5 or Section 6 of this Act, where all the owners of land to be benefited by the water course, if they consent, in writing in the form prescribed, the Revenue Divisional Officer shall proceed to acquire the land for the construction of the water course as provided in the Act.

Government Bills.


Sri A. C. Subba Reddy:—Yes, Sir

Mr. Chairman.—The question is

"That the Andhra Pradesh Irrigation (Construction and Maintenance of Water Courses) Amendment Bill, 1965 be read a second time".

The motion was adopted.

Clauses 2 and 3

Mr. Chairman.—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.

Clause 4

Sri A. C. Subba Reddy:—I beg to move "In new section 6-A, as proposed to be inserted by clause 4 after the words "owners of lands to be benefited by a water course", substitute the words "owners of lands to be benefited by any water course other than a water course under the Nagarjunasagar Project".

Mr. Chairman.—Amendment moved.

Sri A. C. Subba Reddy:—This applies to Nagarjunasagar. Other projects except Nagarjunasagar these words we added.

Mr. Chairman.—The wording is correct.

Sri A. C. Subba Reddy:—This applies to any water course other than a water course under the Nagarjunasagar Project.

Other than a water course under Nagarjunasagar these words we added.
Government Bill


Under Section 6, any project other than Nagarjunasagar project also will come. Section 6 says about Nagarjunasagar project; Section 6-A says "any other project", any project other than Nagarjunasagar Project. Law Department said it must be clear.

Sri V. Visveswara Rao—Owners of land to be benefited by any water course other than the water course in Nagarjunasagar project—It might be interpreted by saying that it is under that Act they must be given compensation only at that rate and not according to the present market rate. The Law Department has advised me to do this because for acquisition proceedings under this Act, for Nagarjunasagar project, they get compensation only at the 1952 rate or 1953 rate. I do not think that they should come under that. I want the ryot should be paid at the present rate.

Sri A. C. Subba Reddy—Section 6 relates to Nagarjunasagar. Section 6 (a) says projects' other than Nagarjunasagar projects' also. Section 6 says Nagarjunasagar project only, while Section 6 (a) relates to any other project. Law Department said it must be clear, and said it must be other than Nagarjunasagar project. It might be interpreted by saying that it is under that Act they must be given compensation only at that rate and not according to the present market rate.
Mr. Chairman—The question is:
In new Section 6-A as proposed to be inserted by clause 4 after the words 'owners of lands to be benefited by a water course', substitute the words owners of lands to be benefited by any water course other than a water course under the Nagarjunasagar Project'

The motion was adopted.

Mr. Chairman.—The question is:
"That Clause 4 as amended do stand part of the Bill"

The motion was adopted.

Clause 4 as amended was added to the Bill.

Clauses 5, 6, 1 and Preamble.

Mr. Chairman—Now Clause 5, 6, 1 and preamble...

The motion was adopted.

The Andhra Pradesh Irrigation (Construction and Maintenance of Water Courses) (Amendment) Bill, 1965

It is against the contents of the Bill itself. Is it not contrary to the basic principles of the Bill? The owners have agreed for other things. The whole Act was framed for the Nagarjunasagar project which I do not want. That is why I brought this Bill.

The Andhra Pradesh Irrigation (Construction) and Maintenance of Water Courses (Amendment) Bill, 1965.

Government Bill.

Sri Vavilala Gopalakrishnayya—That is alright.

Sri A. C. Subba Reddy—Please see section 8 (1) “Any proceedings started or action taken by or on behalf of the Government under the provisions of the Land Acquisition Act, 1894 as modified by the Nagarjunasagar Project (Acquisition of Land) Act, 1956 before the commencement of the Andhra Pradesh Irrigation (Construction and Maintenance of Water Courses) Amendment Act, 1965, for the acquisition of land needed for the construction of any water course under the Nagarjunasagar Project shall be deemed to be proceeding started or action taken in pursuance of the aforesaid sub-section (1) of section 6,”
When the 1956 Act was passed, when the Nagarjunasagar Project was conceived and was under examination, the intention then was to check the inflation of land values.

Section 6 (A) provides for a definite rate of compensation for land acquisition which is to be applied to other projects also. Even the Land Acquisition rate as determined by the Nagarjunasagar Project also. The same procedure adopted in Nagarjunasagar Project also would come here. Clause 6 (A) should be applied to other projects other than Nagarjunasagar. I wanted to be clear about this.

In section 6, it is stated as not with standing anything in sub-section (1) of section 6, section 4 or section 5 of this Act—

(i) any proceeding started or action taken by or on behalf of the Government under the provisions of the Land Acquisition Act, 1894 as modified by the Nagarjunasagar Project (Acquisition of Land) Act, 1956 before the commencement of the Andhra Pradesh Irrigation (Construction and Maintenance of Water Courses) Amendment Act; 1965, for the acquisition of land needed for the construction of any water course under the Nagarjunasagar Project shall be deemed to be proceeding started or action taken in pursuance of the aforesaid sub-section (1) of section 6.

“6—A:—Notwithstanding anything in section 3, section 4, section 5 or section 6 of this Act, where all the owners of lands to be benefited by a water-course give their consent in writing, in the form prescribed, to the Revenue Divisional Officer, for the acquisition of the land needed for the construction of the water-course at their cost as provided in this Act, the Revenue Divisional Officer may thereupon proceed to acquire the land under the Land Acquisition Act, 1894.”

Sri A.C. Subba Reddy. —In section 6 it is stated as not with standing anything in sub-section (1) of section 6, section 4, section 5 or section 6 of this Act—

(i) any proceeding started or action taken by or on behalf of the Government under the provisions of the Land Acquisition Act, 1894 as modified by the Nagarjunasagar Project (Acquisition of Land) Act, 1956 before the commencement of the Andhra Pradesh Irrigation (Construction and Maintenance of Water Courses) Amendment Act; 1965, for the acquisition of land needed for the construction of any water course under the Nagarjunasagar Project shall be deemed to be proceeding started or action taken in pursuance of the aforesaid sub-section (1) of section 6.

Government Bill.


The Hon. Speaker:

Sri Vavilala Gopala Krishnaiah—Certainly.

Sri A C. Subba Reddy.—Suppose 6 ‘A’.

Sri Vavilala Gopala Krishnaiah—Where is the supposition?

Sri A C Subba Reddy.—It is not supposition. I wanted to be more clear. That is why I said.

Sri Vavilala Gopala Krishnaiah—When it does not require any clarification, it need not be clarified.

Sri A C Subba Reddy.—Why? I wanted to be definite here that that thing should not apply to other projects.

Sri Vavilala Gopala Krishnaiah—That is true. The clause is very definite as our hon. Minister wants. And where is the question of adding more and creating confusion?

Sri A C Subba Reddy.—I wanted to be more definite. That is why I have introduced it.

Mr. Chairman.—The question is.

"That Clauses 5, 6, 1 and Preamble do stand part of the Bill".

The motion was adopted.

Clauses 5, 6, 1 and Preamble were added to the Bill.

The Indian Registration (Andhra Pradesh Amendment) Bill, 1965.

Sri A C Subba Reddy—I beg to move —

“That the Andhra Pradesh Irrigation (Construction and Maintenance of Water Courses) (Amendment) Bill, 1965 be read a third time.”

Mr Chairman.—Motion moved.

(Pause)

Mr Chairman —The question is —

“That the Andhra Pradesh Irrigation (Construction and Maintenance of Water Courses) Amendment Bill, 1965 be read a third time.”

The motion was adopted

THE INDIAN REGISTRATION (ANDHRA PRADESH AMENDMENT) BILL, 1965.

Sri N Ramachandra Reddy—I beg to move —

“That the Indian Registration (Andhra Pradesh Amendment) Bill, 1965 be read a first time.”

Mr Chairman—Motion moved

[translated text in Telugu]
Government Bill,
The Indian Registration (Andhra Pradesh Amendment) Bill, 1965.

3. information is to be given by the owner of land who is the registered proprietor in the state register. The state register is to be maintained by the Director of Money and the sub-registrar is to be notified in the state register. Sub-registrars are responsible for assessment and registration and the Central Act provides for the effect of registration in any part of India of the property to which the document relates.

(1) The Registrar of District including a presidency town may receive and register any document referred to in section 23 without regard to the situation in any part of India of the property to which the document relates.

Central Act amends the Registrar of District, including a presidency town, to receive and register any document referred to in section 23 without regard to the situation in any part of India of the property to which the document relates.
Government Bill.  

The Indian Registration (Andhra Pradesh) Amendment Bill, 1965.

19th August, 1965.  261

The question is whether the Bill is contrary to the Central Act or not.

Mr. Chairman:—Now, the question is whether the Bill is contrary to the Central Act or not.

...
The Indian Registration (Andhra Pradesh Amendment) Bill, 1965.

Is effected in Madras, what is the effect of it? Can we prevent it? Are we not going to take cognizance of the effect of registration, so far as this Act is concerned which are enunciated from 47 to 50?

Sri N. Ramachandran Reddy — We have got a right, Sir, to restrict it because the matter falls in the concurrent list. So, the State Government is also authorised to amend this thing.

Sri T. K. R. Sarma — I do not question our right because the subject-matter is in the concurrent list. But I am just requesting the Government to consider what is the effect of the amendment of this type. I am just putting a concrete proposal before you, Sir, that so far as Madras Presidency is concerned, they have got this section 32. Under the particular provision he files a document for registration there before the Presidency Registration Officer at Madras. What happens to it? He has to take it and he will register it. How are you going to prevent it? Whatever has been said under section 28 in spite of that section 32, by ourselves deleting that particular clause, are we preventing the Madras Government from registering it in Madras under Section 32?

Sri N. Ramachandran Reddy — Even if they register, Sir, it will not be valid because there is the enabling provision to us. That is why as it falls in the concurrent list, we are enacting here. According to that enabling provision, we were enacting here and restricting it that it should not be registered in other States. So, there is no anomaly or difficulty.

Mr. Chairman — The question is.

“That the Indian Registration (Andhra Pradesh) Amendment Bill, 1965, be read a first time.”

The motion was adopted.

Sri N. Ramachandran Reddy: — I beg to move:

“That the Indian Registration (Andhra Pradesh Amendment) Bill, 1965, be read a second time.”

Mr. Chairman: Motion moved.

'Examination: — Examine  వివరణ చేయండి.

Examination: — Examine  వివరణ చేయండి.
Government Bill,
The Indian Stamps (Andhra Pradesh Amendment) Bill, 1965,

19th August, 1965. 363

Mr. Chairman:— The Minister for Revenue will move for the first reading of the Indian Stamps (Andhra Pradesh) Amendment Bill.

Sri N. Ramachandra Reddy:—Sir I beg to move:

"That the Indian Stamps (Andhra Pradesh Amendment) Bill, 1965 be read a first time."

Mr. Chairman:— Motion moved.

(Pause)

Mr. Chairman:— The question is

"That the Indian Stamps (Andhra Pradesh Amendment) Bill, 1965 be read a third time."

The motion was adopted.


Mr. Chairman:— The Minister for Revenue will move for the first reading of the Indian Stamps (Andhra Pradesh) Amendment Bill.
Mr. Chairman:— The question is:

"That the Indian Stamps (Andhra Pradesh Amendment) Bill, 1965 be read a first time."

The motion was adopted.
Sri N Ramachandra Reddy:— Sir, I beg to move

“That the Indian Stamps (Andhra Pradesh Amendment) Bill, 1965 be read a second time”

Mr Chairman — motion moved (Pause)

Mr. Chairman:— The question is

“That the Indian Stamps (Andhra Pradesh Amendment) Bill, 1965 be read a second time.”

The motion was adopted.

Mr. Chairman — Now I will put the clauses to vote.

The following exemptions shall be substituted...

Government Bill.

The Indian Stamps (Andhra Pradesh Amendment) Bill, 1965.

Clause 2

Mr. Chairman — For Clause 2 there are three amendments given notice of. One by Sri Pooja Subbaiah and one by the Minister for Revenue. Sri Pooja Subbaiah is not moving his amendments. The Hon. Minister for Revenue may move the Government amendment.

Sri N. Ramachandra Reddy — Sir, I beg to move:

"In clause 2 (vi), the sub-item (a) and the brackets and letter "(b)" shall be deleted."

Mr. Chairman:—Motion moved

In clause 2 (vi), the sub-item (a) and the brackets and letter "(b)" shall be deleted.

The motion was adopted

Mr. Chairman — The question is:

"That Clause 2 as amended, do stand part of the Bill."

The motion was adopted

Clause 2, as amended, was added to the Bill.

Mr. Chairman:—The question is:

"That Clause 1 and Preamble do stand part of the Bill."

The motion was adopted.

Clause 1 and Preamble were added to the Bill.

On L A Q No. 735 regarding the report of the Nagarjunasagar Bridge Collapse Enquiry Committee.

Sir N Ramachandra Reddy—Sir, I beg to move

"That the Indian Stamps (Andhra Pradesh Amendment) Bill, 1965 be read a third time."

Mr Chairman:—Motion moved.

(Pause)

Mr Chairman—The question is

"That the Indian Stamps (Andhra Pradesh Amendment) Bill, 1965 be read a third time."

The motion was adopted.

HALF AN HOUR DISCUSSION

On L A Q No. 735 regarding the report of the Nagarjunasagar Bridge Collapse Enquiry Committee

Mr Chairman— Now we will take up half-an-hour discussion on Question No 735 regarding the Report of the Nagarjunasagar Bridge Collapse Enquiry Committee.

The spill over the dam was between L S Ch 136.90 to L S Ch. 114.10 for a length of 720 feet with varying crest levels from plus 806.0 against the final designed spillway of 1550 between L S Ch. 99.13 to L S Ch 114.95 and crest level at plus 548. The spillway over the dam.

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Half-an-hour discussion

On L.A.Q. No. 735 regarding the report of the Nagarjunasagai Bridge Collapse Enquiry Committee

The experiments indicated that the maximum average velocity occurred at pier Nos 25 to 16 and was of the order of 28.5 feet per second, the maximum velocity being 35 feet per second. The angles of the oblique attack of the flow at the bridge were approximately 17° at pier 17, 25° at pier No. 14 and 47° at pier No. 10.

Concentrated velocity highest velocity occurred at pier Nos 25 to 16 and was of the order of full speed 4° of concentrated velocity at force 100 feet per second. The experiments indicated that the maximum average velocity of the water at force 100 feet per second. The velocity of the water at force 100 feet per second. The concentration of the water at force 100 feet per second. The concentration of the water at force 100 feet per second.
Half an-hour discussion.

On L.A.Q No. 735 regarding the report of the Nagajunasagur Bridge Collapse Enquiry Committee.

On 19th August, 1935.

On L.A.Q No. 735 regarding the report of the Nagajunasagur Bridge Collapse Enquiry Committee.
Half-an-hour discussion
On IAQ No 735 regarding the report of the Nagarjunasagar Bridge Collapse Enquiry Committee

To determine the cause for the collapse of a part of the bridge - The Committee finds that the actual cause for the collapse of the part of the bridge from span 17 to span 31 including piers 17 to 31 was due to severe wave action. The location of the axis of the dam is such that the greater portion of the flow over the spillway on the right side would hit the right margin of the river upstream of the bridge deflected after striking the right margin towards the right side of the bridge creating oblique flow to the piers which in turn would cause considerable amount of side thrust for which the piers were not fully designed.

Why was it not designed for that? explain clearly. Why was it not designed for that? explain clearly. Why was it not designed for that? explain clearly. Why was it not designed for that? explain clearly. What are the reasons for the failure of the Department to design these piers according to the standards? The conditions were aggravated by the nature of the spillway discharge. What is the nature of the spillway discharge?

On L.A.Q. No 785 regarding the report of the Nagarjunasagar Bridge Collapse Enquiry Committee.

The design for the bridge generally follows standard IRC specifications, and code of practice for road bridges. I hope the Minister will take pains to explain "the conditions of flow which occurred during the lapses were not anticipated and no additional provision was therefore made for the side thrust in the design."

"The Committee also feels that the site at which the bridge had been constructed is too near ... But is that the way of approach to the problem? That is a very bad way of arguing. Certainly it is a loss. But certain lapses have taken place. Why there are lapses in the design or construction so far as the superstructure of prestressed concrete beams is concerned."
372 Nth August, 1965. Half-an-hour discussion
On L.A.O. No 785 regarding the report
of the Nagarjunasagar Bridge Collapse
Enquiry Committee

On the question whether the pillars were
water-trapped at the same angle as the
foundations, it was stated that it was possible
that this might have contributed to the
overturning of the pillars. Mr. ABC
mentioned that the report of the
Enquiry Committee stated that the
foundations were water-trapped at the same
angle as the pillars. Mr. DEF
agreed with this view, stating that the
foundations were also water-trapped at the
same angle as the pillars. Mr. GHI
suggested that this might be a contributing
factor to the overturning of the pillars.
Half-an-hour discussion
On L A Q. No 735 regarding the report of the Nagarjunasagar Bridge Collapse Enquiry Committee.

19th August, 1965
Half-an-hour discussion
On L & Q No. 765 regarding the report of the Nagarjunasagar Bridge Collapse Enquiry Committee

On 18th August, 1965

The design of the bucket is according to the schedule and according to the C.W.P.C. design. The bucket is th-

...
The House r a assembled after lunch at Four of the clock.

(Mr B Sivaram Murthy in the Chair)

Discussion on the Annual Report of the Andhra Pradesh Mining Corporation Ltd., for the year ended 31st March, 1965

The House r a assembled after lunch at Four of the clock.


Mr Kamaraj: 1961 saw a substantial increase in the production of coal, iron ore, and manganese in the Andhra Pradesh Mining Corporation Ltd. The company's operations expanded significantly, with a focus on systematic work to meet the targets set for the year. The corporation managed to achieve its targets in all the major sections.

The corporation has been successful in managing its coal mines systematically. The corporation has been able to meet the targets set for the year, with a focus on the performance of its labourers and middle class employees. The corporation has also been successful in managing its tenders systematically. In total, the corporation has been able to meet the targets set for the year.
On the Annual Report of the Andhra Pradesh Mining Corporation Ltd.,
for the year ended 31st March, 1964.

Discussion

19th August, 1965


...
Discussion:


The successful tenderer should be prepared to deliver ore in accordance with the sampling and procedure laid down by the State Trading Corporation of India Ltd. Payment would only be made to them after the ore in particular strata has been accepted by the Corporation. The Contractors shall make available.

I request the Hon'ble Minister to note this: “to the officers appointed by the A P Mining Corporation on behalf of the Corporation, iron ore 63/62% with no allowance of unitage whatsoever in accordance with the specifications laid down in the contract agreement.”

The contractors shall make available to the officers appointed by the A P Mining Corporation on behalf of the Corporation, iron ore 63/62% with no allowance of unitage whatsoever in accordance with the specifications laid down in the contract agreement.

US $ 50,000.00 25,000.00 62 85

63000


63000


Discussion


Are they really there to safeguard the interests of the Corporation or the Government? Are they there to safeguard the interests of the Corporation or the Government?
Discussion

Discussion:

On the Annual Report of the Andhra Pradesh Mining Corporation Ltd.,

for the year ended 31st March, 1964.
Discussion:


19th August, 1964

...
Discussion:


On August 28th, 1964, the Board of Directors approved the Annual Report of the Andhra Pradesh Mining Corporation Ltd. for the year ended 31st March, 1964. The annual report covers the financial performance and operational activities of the company during the fiscal year.

The report highlights the company's progress in various aspects, including mining activities, financial performance, and corporate governance. The board also discusses the future plans and strategies to further improve the company's performance.

The report is presented in a clear and concise manner, making it easy for stakeholders to understand the company's operations and financial status. The board is committed to maintaining transparency and accountability in its operations.

In conclusion, the annual report provides valuable insights into the company's performance, and the board is confident in the company's ability to continue its growth and success in the future.
Discussion
On the Annual Report of the Andhra
Pradesh Mining Corporation Ltd.,
for the year ended 31st March, 1965.
Discussion


behaviour and practice Sharp practice 19th August, 1955 BPS

A draft agreement is in the office for inspection on 25th March. A draft agreement is in the office for inspection on 25th March.

It is too late now. It cannot rely upon this document. The Estimates Committee did not take into account all the documents which we gave them. Therefore a wrong conclusion has been reached. The Estimates Committee did not take into account all the documents which we gave them.

Office note: The Estimates Committee did not take into account all the documents which we gave them. Therefore a wrong conclusion has been reached. The Estimates Committee did not take into account all the documents which we gave them.

A draft agreement is in the office for inspection on 25th March. A draft agreement is in the office for inspection on 25th March.
Finance Minister raised the question, "Is it a good idea to raise money close to the horse's neck?" He added, "Are we going to bankrupt the company by raising funds in public?" The deal was finally settled after much discussion. The Finance Minister promised to create confusion. The annual report of the Andhra Pradesh Mining Corporation Ltd for the year ended 31st March 1965 is a 55-page deal with many issues. The Finance Minister raised the question of confusion create - are we going to create confusion? The annual report mentions the underwrite of the Memorandum at 50 rows. Under the banking shares, the share broker was underwrite to 33 ½ shares. Government underwrite to 33 ½ shares. After the horse is stolen, the Finance Minister raised the question.
Discussion:


On the Annual Re...

Discussion:

19th August, 1965


It is quite certain that mining has a direct bearing on our prestige; it mining our health; it mining our money; it mining our wealth; as it must be mined and it must be blown up in no time.
Discussion:

19th August, 1965


Discussion:


The Committee is therefore constrained to recommend to the Government to institute immediately an enquiry into the allegations contained in the complaints and the irregularities and unusual concessions given to the contractor by the Corporation. The Committee feels that this enquiry might be entrusted to an officer independent of the Corporation.

Independent of the Corporation corporation is established. The interest of the Corporation is best served by an officer independent of the Corporation. Andhra Pradesh Industrial Corporation also has its own interests. Absolute authority Sovereign body Assembly is vested. Absolute authority Sovereign body Assembly is vested.
The Committee desired that the details of the offers received by the Corporation for collaboration with the Corporation in the promotion of the integrated glass project and the reasons that weighed with the Corporation in its choice may be furnished to them. The Managing Director of the Andhra Pradesh Industrial Development Corporation informed the Estimates Committee at that time that this information would be furnished later. (This is from D.O. letter dated 6-2-1965 from the D. puty Secretary to Government, Industries Departm nt addressed to the Secretary, Legislature) It was felt that such information was always regarded as confidential and it would not therefore be proper for the Corporation to disclose it to the Estimates Committee. The Managing Director has been authorized to communicate the decision of the Board of Directors to the Government. The Government concur with the view of the Board of Directors of the Andhra Pradesh Industrial Development Corporation that such details of commercial offers received by the Corporation and the merits of the parties selected by the Corporation cannot be disclosed either in the interest of the Corporation or in the public interest.

Discussion


Discussion:

On the Annual Report of the Andhra Pradesh Mining Corporation Ltd., for the year ended 31st March, 1964

thinking loud thinking  
Non-officials to 
interested-man 
I.C.S. — thinking  
Industrial process 
Legislature control 
Private Sector 
Legislature is a shadow of every Rupee. Budget estimate 
enterprises details thorough enquiry 1984 sanction Estimats Committee Assembly 
sovereignty Estimats Committee concentrate 
individuals members Assembly member elected 
Executive interference
Discussion:

On the Annual Report of the Andhra Pradesh Mining Corporation Ltd., for the year ended 31st March, 1964


The President expressed serious objection to some of the proposals made in the Annual Report of the corporation. Individual president is responsible for the annual report of the corporation. Individual president is responsible for the annual report of the corporation in the sense of sovereignty and confidence. President is sovereign and subordinate in the sense of Executive and sovereignty. Executive side is responsible for the public accounts. Assembly representatives are responsible for the public accounts. Executive side is responsible for the public accounts. When they are responsible transfer is a boon. It is a question of public finance. When they are responsible transfer is a boon. Action must be impartial. Transfer is a question of public finance. It is a question of public finance. Action must be impartial. Transfer is a question of public finance. It is a question of public finance. Action must be impartial. Transfer is a question of public finance. It is a question of public finance. Action must be impartial.
On the Annual Report of the Andhra Pradesh Mining Corporation Ltd.,
for the year ended 31st March, 1964.

Discussion:

On the Annual Report of the Andhra Pradesh Mining Corporation Ltd.,
for the year ended 31st March, 1964.

The speakers were sincere in work and effective in setting up a democratic structure. However, they were insincere in their demands to uphold planning spirit and public sector's role in the country. We will be abused by the public sector, so we need to uphold planning and public sector's role in the country.

Sovereignty Assembly is a tool to uphold public sector's role in the country. Estimates Committee report states that public sector's role in the country is being undermined. Estimates Committee chairman's report states that public sector's role in the country is being undermined. Public accounts committee chairman's report states that public sector's role in the country is being undermined. Estimates Committee chairman's report states that public sector's role in the country is being undermined.
Discussion:


Committee Chairman: The Chairman pointed out that the Estimates Committee had been irregular in its procedure in considering the tenders. The estimates committee had also been misleading and had delayed the process. The chairman also expressed concerns regarding the irregularities in the tender notice and draft agreements.

215—17
On the Annual Report of the Andhra Pradesh Mining Corporation Ltd, for the year ended 31st March, 1964

Discussion:

On the Annual Report of the Andhra Pradesh Mining Corporation Ltd, for the year ended 31st March, 1964

The following are the main points of discussion:

1. Tender notice: An additional draft agreement application for tender notice was discussed. The Estimates Committee was asked to produce a document.

2. Tender notice: The informal discussion on the tender notice application forms led to the development of a draft agreement.

3. Research: The informal discussion on research led to the development of a draft agreement.

4. Draft agreement: A draft agreement was discussed in relation to the tender notice application forms.

5. Weighing bridges: The informal discussion on weighing bridges led to the development of a draft agreement.

That is the thing.
Discussion:


Estimates Committee report to the Minister for Defence after the analysis of the defence estimates.

Public Accounts Committee report to the Minister for Public Accounts after the examination of the financial statements of the Corporation.

Legislature Secretariat.

Corporation.

Discussion:


Finance Corporation, and Industrial Development Corporation offer no objection to the appointment of Deputy Secretary of Industries (Industrial Development Corporation). In pursuance of the Legislature's directive to Estimates Committee to examine the subject, the Secretary, in view of the legislature's recognition of the fact that Industrial Development Corporation is under the purview of the legislature, makes the following points:

1. The Corporation's objective is to follow the Legislature's directive to Legislature and its bodies. The Corporation has a public exchequer of rupees and is subject to the scrutiny of the legislature.
2. The Corporation is independent but subject to the control of the Secretary, Minister, and other bodies.
3. The Corporation's objective is to function efficiently and effectively.

Finance Corporation, and Industrial Development Corporation, in pursuance of the Legislature's directive, have appointed Deputy Secretary of Industries (Industrial Development Corporation). The Secretary, in view of the legislature's recognition of the fact that Industrial Development Corporation is under the purview of the legislature, makes the following points:

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2. The Corporation is independent but subject to the control of the Secretary, Minister, and other bodies.
3. The Corporation's objective is to function efficiently and effectively.
Discussion

On the Annual Report of the Andhra Pradesh Mining Corporation Ltd, for the year ended 31st March, 1964


Public Sector is a fundamental aspect of Economic Structure of the economy of Andhra Pradesh. Public Sector complete independence is required. Nothing is definite and final and nothing is going to be definite, because we have to gain some more experience and experience is the most important factor. In the initial stage we are in transitory stage, nothing is definite and final and nothing is going to be definite, because we have to gain some more experience and experience is the most important factor. We should be prepared to face any kind of problems and question that may arise. That point has been raised. I thought I must bring it to the notice of the House, in fact I placed even now, in the public Accounts Committee a report Sub Committee to examine loan matters. Therefore, I am proposing a Finance Bill. Finance Bill should be passed in the early stage. Loan accounts should be passed in the early stage. I am proposing for just conventional purposes loan should be passed in the early stage. Finance Corporation is a Loan Corporation. It is a Loan Corporation. For just conventional purposes loan should be passed in the early stage. Loan can be passed in the early stage.

Discussion.

What are the companies to which loans are refused? And what are the companies to which loans were given? These are all evading things. Finance Corporation would be a Seminar if it were to be given. The companies mind it. It may be clear now. Loans are given to companies.

Then you must publish the list of companies. Central Finance Corporation must disclose correspondence in detail. The issue of correspondence is no longer. Public Accounts Committee is in the position to raise any impression. The point is how to stand. The Public Accounts Committee can publish information. The question of offer should be a fact of the context. What is the context? Not the question in the authority of the Assembly, or the Assembly Bodies. But on the Corporation should be treated.

The question is to be published. After all, it is a matter of republic. Yes it is treated. What is the treatment? How is the treatment to be done? Officers on the non-officers in the cadre. Non-officials in the cadre. Communist countries and capitalist countries. Yes it is democratic countries.
Discussion


15th August, 1964

Politics, economic, industrial concerns responsibility to a certain extent is being discussed. Non-officials should be given a voice. Non-officials should be included in the corporation. Limited concerns also need to be considered. Even Public Limited concerns should be considered.

DISCUSSION ON THE REPORT OF THE ANDHRA PRADESH PUBLIC SERVICE COMMISSION FOR 1962-63

Politics, economic, industrial concerns responsibility to a certain extent is being discussed. Non-officials should be given a voice. Non-officials should be included in the corporation. Limited concerns also need to be considered. Even Public Limited concerns should be considered.

Politics, economic, industrial concerns responsibility to a certain extent is being discussed. Non-officials should be given a voice. Non-officials should be included in the corporation. Limited concerns also need to be considered. Even Public Limited concerns should be considered.

(Mr Speaker in the Chair.)

Temporary appointments should be avoided, as there is a need to fill the vacancies created by the retirement of permanent officers. The Commission has recommended the appointment of temporary officers to meet the current demands. The purpose of the Commission is to ensure a fair and merit-based selection process. Ordinary appointments should not be made on the basis of seniority alone. The Commission has suggested that a point system be introduced to take into account the qualifications and experience of the candidates. The announcement of appointments should be made after the publication of results, and the candidates should be notified in advance. The candidates who fail to meet the required qualifications should be allowed to reapply.

Sri Ramana Rao, B.A., Commercial Tax Officer, has been appointed in Category C. The Commission has recommended the appointment of temporary officers to meet the current demands. The purpose of the Commission is to ensure a fair and merit-based selection process. Ordinary appointments should not be made on the basis of seniority alone. The Commission has suggested that a point system be introduced to take into account the qualifications and experience of the candidates. The announcement of appointments should be made after the publication of results, and the candidates should be notified in advance. The candidates who fail to meet the required qualifications should be allowed to reapply.

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Discussion


Regarding the human question involved in the examination process. The human element in the process of recruitment involves the human question. The examination process is a human element that involves opportunities. The human element in the examination process finalize the list of candidates. The examination announce the results of the examination announce the results. 

Village level workers and S.E.O. workers are exempted from the examination. Regularization of the appointment. They are in the service since 8 years or 10 years. The regularize the appointment. There are a total of 25 vacancies in the Public Service Commission. A total of 15 vacancies in the purview of the Commission. There are 8 candidates exempt. Out of which 8 are from the exempt. Exempt candidates failed to appear for the examination. PSC results are announced. Exempted candidates were recruited among the candidates. There are 21 candidates for the examination. No. of posts 50—Qualifications of candidates M.A., B.A. (Hons), B. L., B. Com., Inter, S.S.C., Matric,—20. Only exempted candidates were recruited.
Discussion:

Officers of the Industries are essential either as Secondary Grade Commissioners or third grade Commissioners. It is desirable to compromise on preferential treatment to the advantage of candidates of the districts, to apply the principles of the Constitution of India. Consultation is required.

The Government did not, however, agree with the suggestion made by the Commission and issued final orders as originally proposed by them on the ground that it would not be equitable as only a few candidates residing at Hyderabad could acquire the qualification and yet preference over non-diploma holders, to the disadvantage of the candidates from the districts.
Discussion


The political background is as follows: Since 1947, there has been a significant change in the political climate of the state. The SSLC exam was conducted for the first time in 1956, with 1100 candidates passing out of 3000. The pass percentage was 600 out of 1000. The pass percentage was around 10%. The SSLC exam was abolished in 1960-61.

In 1962, the SSLC exam was reintroduced, with 21 candidates passing out of 300. The pass percentage was 15%. The SSLC exam was abolished again in 1963.

It is obligatory and they must have to be taken back. The exempted candidates must be qualified to qualify for SSLC. It is obligatory and they must have to be taken back.

For more information, please refer to the Home Department.


Discussion

The Commission while recording its concurrence for the continuance of these temporary appointments up to the end of June 1962 requested the Government to take immediate steps to make regular appointments before the expiry of the aforesaid date. In four cases the Government accepted the advice of the Commission and in the other two cases their decision was not communicated to the Commission up to the close of the year under report.

As noted in the previous report the Government Departments do not send all the relevant records while referring a case to the Commission for its advice, thereby causing delay in the disposal of the case.

CASES RELATING TO THE RANT OF INJURY PENSIONS AND GRATUITY

The Government accepted the advice of the Commission in four cases and their decision in the other two cases was not communicated to the Commission up to the close of the year under report.

RECRUITMENT TO THE POSTS OF ASSISTANT CONSERVATOR OF FORESTS IN THE ANDHRA PRADESH FOREST SERVICE

The competitive examination for selection of one candidate for the post of Assistant Conservator of Forests in the Andhra Pra
Pradesh Forest Service was held in December 1962. 15 applications were received of which 11 were referred to the written examination. Only 2 candidates obtained qualifying marks and were called for the oral test. One candidate was recommended for appointment.

The House then adjourned till Half Past Eight of the Clock on Friday, the 20th August 1965.