THE
ANDHRA PRADESH LEGISLATIVE ASSEMBLY
DEBATES
OFFICIAL REPORT

Sixth day of the Third Session of the
Andhra Pradesh Legislative Assembly.

ANDHRA PRADESH LEGISLATIVE ASSEMBLY
Friday, the 22nd August, 1969.
The House met at Half-Past Eight of the Clock.
(Mr. Speaker in the Chair)
ORAL ANSWERS TO QUESTIONS.
FIRING AT CUMBUM

151
* 98 (1263) Q. -- Sri P. Subbaiah (Yerragondipalem) -- Will the hon. Chief Minister be pleased to state: (a) whether a firing took place at Cumbum on 3-10-1968; (b) if so, how many dead; and (c) whether a judicial probe is ordered into the incident? The Minister for Home deputised the Chief Minister and answered the questions.

(Sri J. Vengala Rao): (a) Yes, Sir.
(b) Two persons died, Sir.
(c) No Sir. But the Additional District Magistrate, Kurnool has conducted a magisterial enquiry into the incident.

DEATH OF CHINA OBAIAB

152--
* 1006 (1528-X) Q. Sarvasri A. Madhava Rao (Nellore) and C. Jangareddy (Parkal) -- Will the hon. Chief Minister be pleased to state: (a) whether it is a fact that one China Obaiah, Vice-President of Cumbum, Kurnool district was shot dead on the day following Vijayadasami day of this year, by a person from the mosque, while he was accompanying a procession and besides him another person also was shot dead; (b) is it a fact that post-mortem certificate has not been released so far; (c) whether any police firing order was given by the Magistrate on duty and is it also a fact that the Superintendent of Police who was following the procession ordered the constables to enter the mosque soon after noticing the pelting of stones and that the Sub-Inspector did not allow the constables to enter and in the meanwhile the culprit escaped in a vehicle belonging to Agricultural University; and

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Oral Answers to Questions

(d) whether the Government is aware that the situation is tense and what are the steps taken to control the situation?

Sri J. Vengala Rao:—(a) On account of opening of fire by police on the intervening night of 2/3rd October, 1908 at Cumbum village, Kurool District two persons died one of whom was Kethu Obaiah, Vice-President of Cumbum Panchayat.

(b) No, Sir. There has not been any unreasonable delay in the issue of post-mortem certificate.

(c) The Sub-Divisional Magistrate, Markapur, who was present on the scene, did not give orders for opening of fire. The jet advanced towards police and the mosque hurled stones. The police constables received stone hits and fell down. Apprehending danger to his life or imminent likelihood of sustaining grievous injuries, the Armed Reserve Police fired twice in self defence one shot in the air and the other into the crowd. A bullet accidentally hit Kethu Obaiah. Four others also sustained injuries of whom one died later. Immediately after the firing, the Dy. Supdt. of Police asked the Circle Inspector of Police to enter the mosque and search for the offenders. As the Circle Inspector of Police did not move immediately, the Dy. Supdt. of Police himself entered the mosque and searched for the miscreants. Then the Circle Inspector of Police also went into the mosque. But the miscreants escaped through the rear exit of the mosque. There is no evidence to hold that the “culprits” escaped in a vehicle belonging to Agricultural University.

(d) Adequate reinforcement was rushed to Cumbum to control the situation. The position has returned to normal now.

1. That the opening of fire by the Police constable 634 was in self defence and was justified and the force used was minimum necessary;

2. Kethu Obaiah was hit accidentally by a bullet emanated from the rifle of the A.R.P.C. 634;

3. The Inspector of Police did not go through the bandobust arrangements made in the previous years and requisitioned sufficient force,

4. The deployment of available force by the D. S. P. was not satisfactorily planned and organised.

5. That the Police Officers were panic-stricken and did not handle the situation arising out of the firing with the requisite firmness and fore-sight.

6. The S. D. M. Markapur who should have tackled the situation led from his post on the plea of some injuries which were later proved to be only minor. His departure from Cumbum was wholly unwarranted.
Mr Speaker: — That is very important and he knows it. One constable has come forward and admitted that he was responsible for firing. Is it not? What is the name of the constable, I am asking?

Sri J. Vengal Rao: — He is Hindu, Sir.

Mr. Speaker: — Because that was a conflict...
Sri J. Vengal Rao:—It was a conflict between Hindus and Muslims. I am speaking subject to correction.

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Oral Answers to Questions.
ప్రశ్నలకు సమాచారాలు. 22వ ఆగస్టు, 1969

ప్రాతన పాలన: — ప్రాతన పాలనలలో అంధబాధ తో సాఫ్ట్ ప్రాంగణం సాధనపు ప్రాంతాలలో ప్రాతన పాలనల సాధారణం. ఎందుకంటే పాలనలలో ప్రతి సాధనం ప్రాతన పాలనలలో అంధబాధ తో సాఫ్ట్ ప్రాంగణం సాధనపు ప్రాంతాలలో ప్రాతన పాలనల సాధారణం.

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(a) whether in view of the dilapidated condition of Machipuri Bhimavaram part of Narasapuram Bhimavaram (via) Kopparu road in West Godavari district, any steps have been taken for the repair of the same; and

(b) if not, when the steps will be taken?

The Deputy Chief Minister (Sri J. V. Narasimha Rao): (a) Yes, Sir.

(b) Does not arise in view of (a) above.

(a) whether the Government propose to provide highway road facilities from Kakinada in East Godavari district to Seeicru in the agency area of Visakhapatnam district and to convert the following forest roads into highway roads: (i) the road from Pedavodisa Karra on the Addatheegala Ramavaram road in the agency area of East Godavari district upto Marripakalu via. Ch edipalem in the Visakhapatnam agency area; (ii) the road between Gudem in the Visakhapatnam agency area and Chapagedda to construct a new road of six miles length from Marripakalu to Chapagedda; and

(b) whether the Highways department has requested the forest department and taken over this road; if not when the same will be taken over?
Sri J. V. Narasimha Rao: (a) There is no proposal to provide highway from Kaknada to Siluru and to take over the forest roads to the control of Roads and Buildings Department.

(b) Does not arise.

Rao: (a) There is no proposal to provide high way from Kaknada to Siluru and to take over the forest roads to the control of Roads and Buildings Department.

(b) Does not arise.

(a) Whether a Dam was constructed across the Domalavariggedda in the village of Marupalli in Sringavarapukota taluk, Visakhapatnam district by the villagers themselves at their own cost in the year 1958;

(b) if so, whether the Government ordered that the dam should be got removed;

(c) if so, for what reasons;

(d) whether any extent of the registered ayacut is being affected by the construction of the said dam; and

(e) whether an old dam constructed by the then Vizianagaram Estate authorities was breached prior to 1958?
The Minister for Revenue (Sri P. Thimma Reddy) — (a) No, Sir. The dam was constructed by one Sri Papala Jama Raju of S. Kota in 1958 at his own cost.

(b) No, Sir.

(c) Does not arise.

(d) No, Sir.

(e) Yes, Sir.

Sri P. Thimma Reddy — Sir, in this it is stated that the suit was dismissed and the damage was in no way detrimental to the registered ayacuts and in view of the request of the Chairman, Estimates Committee, the Superintending Engineer, Investigation Circle, Guntur has been requested to take up investigation of the scheme.

SUSPENSION OF PATWARI

156—

* 296 (7321) Q.—Sarvasri Vavilala Gopalakrishnayya (Sattanapalli) and K. Anjina Reddy (Hindupur) : — Will the hon. Minister for Revenue be pleased to state:

(a) whether it is a fact that the Deputy Collector of Mahaboobabad, Warangal district conducted enquiry and placed under suspension Kodari Narayana, Patwari of Mahmoodpatnam of the said taluk on the charge of misappropriation of a counts collected illegally from the ryots in the name of Government Revenue assessment;

(b) whether it is a fact that the very same village officer was again appointed as Gumasta patwari in that village by the Government;

(c) if so, the reasons for such appointment; and

(d) whether the Government propose to refund the money illegally collected from the ryots?
Sri P. Thimma Reddy :-- (a) to (c) The Revenue Divisional Officer, Mahabubabad dismissed the Patwari of Mahammadpatnam on 7-10-1967 on charges of misappropriation of Government money. The District Revenue Officer also confirmed the orders. When the Patwari filed an appeal before the Board of Revenue, the Board of Revenue stayed the orders of the Revenue Divisional Officer as confirmed by the District Revenue Officer Warangal. Finally the Board of Revenue set aside the orders of the Revenue Divisional Officer as confirmed by the District Revenue Officer owing to certain irregularities in the proceedings of the subordinate authorities and remanded the case for fresh disposal.

The question of refunding the money will be considered after the charges against the patwari are finally disposed of.

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Mr. Speaker :—How can the Government take action, Mr. Rajeswararao? It is not in every case. Supposing it is brought to the notice of the Government that a particular Village Officer has misappropriated, what they do is it will be sent to the concerned authority for his information and necessary action. It is not in every case that the Government interferes. And it will be illegal. Only as Revisionary authority or final authority the matter might go before the Government and they might dispose of. At the lower level, the Government cannot direct them to do a particular thing in a particular manner. It is improper.

Sri Ch. Rajeswara Rao :—The appropriate authority can take action when prima facie case is established.

Mr. Speaker :—Quite true. Here the Village officer was removed from service and he preferred an appeal to the Dt. Revenue authority and he confirmed that. Later on he went in an appeal before the Rev. Board. He set aside the order and remanded it for further enquiry and action. It is at this stage now. Whether he should be kept under suspension or not is left to the R. D. O. concerned. Government can't direct him to keep him under suspension.

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Oral Answers to Questions. 22nd August, 1969.

The Government cannot direct him to keep him under suspension.

Sri Bh. Narasimha Reddy:—What is the method of reinstating that Patwari as gumaashta?

Mr. Speaker:—On the orders of the Revenue Board he has been reinstated.

**DRINKING WATER TO PORUMAMILLA**

157—

* 24 (64:2) Q — Sri S. Vemayya”(Put by Sri S. P. Nagi Reddy Mydukuru):— Will the hon. Minister for Panchayati Raj be pleased to state:

(a) whether it is a fact that much inconvenience was felt by the public at Porumamilla village, Cuddapah district for want of drinking water facilities during last summer; and

(b) if so, the action taken by the Government to provide
d.

(d) the Minister for Panchayati Raj (Sri T. Ramaswamy):—(a) Yes, Sir.

(b) The Gram Panchayat had arranged for deepening of drinking water wells during June, 1968. Arrangements were also made to supply water through lorries from lower Sagileru and a Cistern of 1500 gallons capacity was constructed in a central place in the village for storing water.
DRINKING WATER TO GAJAPATHINAGARAM PANCHAYAT

158—
* 87 (207) Sri P. Gunnayya (Pathapatnam) :— Will the Hon. Minister for Panchayati Raj be pleased to state:
(a) whether investigation has been made for the supply of drinking water for Gajapathinagaram and Nellimarla major Panchayats in Visakhapatnam district;
(b) if so, the estimated expenditure therefor, and
(c) when the said work will be completed?

Sri T. Ramaswamy :—
(a) Yes Sir, investigation of the piped water supply schemes for Gajapathinagaram and Nellimarla was completed and estimates were prepared by Assistant Engineer (RWS) Somepeta. The Estimates have been finalised by the Executive Engineer (RWS) and sent to the Superintending Engineer (P. R.) for technical approval.
(b) The estimated cost of the piped water supply schemes for Gajapathinagaram and Nellimarla is Rs. 0.99 lakhs and 1.86 lakhs respectively.
(c) The schemes will be taken up during the Fourth Plan, if adequate funds become available.

12 22nd August, 1969.

Oral Answers to Questions.
Sri K. Brahmamando Reddy: Sir there is a very strong proposal in the country that the provision in the Fourth Five Year Plan....

DISTRICT EDUCATION COUNCILS

159—

* 622 (69:8) Q — Sri A. Madhava Rao : — Will the hon. Minister for Education be pleased to state:

(a) whether there is any proposal before the Government to set up District Councils for each District in the State for providing rapid expansion of Education of Girls and Women;

(b) if so, the number of District Councils organised in pursuance of the same during 1967 and so far during 1968-69 and the names of those districts; and

(c) if no steps were taken in the direction, the reasons for the same?

The Minister for Education (Sri P. V. Narasimha Rao): — (a) Yes, Sir.

(b) & (c) The matter is under consideration.

MILK PROJECT AT VIJAYAWADA

160—

*758 (1738) Q.—Sri T. V. S. Chalapathi Rao [Put by Sri R. Buchirama Seshayya Sretri (Jaggayapeta)]:—Will the hon. Minister for Agriculture be pleased to state:

(a) what is the total expenditure incurred till 31st March, 1968;

(i) for acquiring the land;

(ii) for levelling it up for the location of the Integrated Milk Project in Vijayawada;

(b) what is the expenditure incurred for Civil Works, i.e., construction of Buildings, etc., for that Project;
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Oral Answers to Questions.

(c) what is the expenditure incurred for the machinery relating to it; and

(d) what is the expenditure incurred on account of the administrative staff technical and non-technical staff employed for the machinery relating to it?

The Minister for Agriculture (Sri K. Venkataratnam):--(a)

(i) Rs. 1.57 lakhs.

(ii) Rs. 5.52 lakhs for filling up of the site and for raising the ground level.

(b) Rs. 49.49 lakhs for construction of the main dairy buildings.

(c) Rs. 23.75 lakhs including erection charges and vehicles.

(d) The expenditure incurred on Technical and non-technical staff was Rs. 25,446-00 and 24,147-00 respectively.

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What is the expenditure for the machinery relating to it?

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Oral Answers to Questions. 22nd August, 1969.

Sir. Speaker—Sir, Madam, the Hon. Member has asked about the machinery bought by UNICEF. 31 tenders were called for the purchase of machinery by UNICEF. In this context, let us verify the facts.

Mr. Speaker—Let us verify. It is not correct.

Sri B. Ratnasabhapathi.—It is not correct.

Mr. Speaker—Let us verify, it is not correct. Machinery worth Rs. 23,76,000 was bought from UNICEF. 31 tenders were called for the purchase of machinery by UNICEF. 29 tenders were received. Minimum tenders were Rs. 21,35,200. What is the situation now?
16th August, 1960.

Oral Answers to Questions.

Mr. Saravasi T. Purushotham Rao and C. Janga Reddy (Putby for T. S. Murthy) :—Will the hon. Minister for Agriculture be pleased to state:

(a) whether it is a fact that machinery purchased for milk project, Warangal is shifted to some other district;
(b) if so, what are the reasons;
(c) what is the cost of the machinery;
(d) how much amount is sanctioned for the Milk Project;
(e) whether the entire amount is utilised by the Milk Project;
and
(f) if not, what are the reasons?

Sri K. Venkataratnam :—(a) No, Sir.
(b) Does not arise,
(c) Rs. 1,05,000.
(d) A sum of Rs. 5,71,200 was sanctioned during the year from 1968-69 to 1968-69.
(c) No. Sir. An amount of Rs. 4,02,570 was utilised.
(f) The entire amount could not be utilised due to the delay in obtaining possession of the land from the land owner for approach road and also due to the delay in the execution of Civil works on account of the death of the contractor to whom the work was entrusted.

Forced chalan in Regional Transport Authority.
(a) whether it is a fact that a case of forged chalan was detected in the office of the Regional Transport Authority, Hyderabad involving thousands of rupees; and

(b) if so, whether legal action has been taken and how many persons have been arrested?

The Minister for Transport (Dr. M. N. Lakshminarasayya):—

(a) Yes, Sir.

(b) Investigation has been taken up by the Police Department and it is in progress. No arrests have been made so far.
Mr. Speaker:—On the 14th of August this case was detected and immediately it was handed over to the Police for investigation and for laying of charge-sheet. He is also called upon to explain. What else do you want the Government to do now?
Mr Speaker.—They are taking disciplinary action against the persons who are responsible for the delay. What is it that you want the Government to do?

Sri Vavela Gopalakrishnayya:—We want them to enquire immediately or they must be dismissed.

Mr. Speaker:—Enquire whom?

Sri Vavela Gopalakrishnayya:—They must be dismissed.

Mr. Speaker:—They have to direct somebody to enquire into the matter. Now you are making some allegation against the persons who conducted the enquiry. All right—what do you want the Government to do?

Sri Vavela Gopalakrishnayya:—We want that the persons who conducted the enquiry were responsible for the delay.

Mr. Speaker:—If they do not take any action, you can make that allegation. But, they have called upon the person who has delayed the matter to explain.

Mr. Speaker:—If they do not take any action, you can make that allegation. But, they have called upon the person who has delayed the matter to explain.
Sri Ch. Rajeswara Rao:—Who is responsible? They are responsible. If they are not doing the work, they are responsible.

Dr. M. N. Lakshminarsah:—Yes, Sir.

Tax Appeals

66.5 (1193) Q.—Sri C. V. K. Rao—Will the hon. Minister for Municipal Administration be pleased to state:

(a) whether an appellate Commissioner has been appointed to dispose of tax appeals in Municipalities and in which Municipalities, if so, what is the qualification for such a Commissioner,

(b) how many appeals are disposed of by the Commissioner in 1968-69,

(c) how many tax appeals are pending before the Commissioner for Kakinada Municipality since 1967-68 and how many disposed off since 1968; and

(d) whether the appellate Commissioner consults the Chairman of Municipalities in disposing of the appeals and if so, what is the rationale appeals?

The Minister for Municipal Administration (Sri N. Chenchu rama Naidu):—(a) Yes Sir. He will attend to the work of disposing the tax appeals in all the Municipalities in the State. No specific qualifications are prescribed. But appointment to the post shall be made by promotion from the Category of selection Grade Municipal Secretaries,

(b) Up to the end of October, 1968, 9238 tax appeals were disposed of by him.

(c) As on first April, 69, 1438 tax appeals were pending. Out of them, 1180 were disposed of during 1968-69.

(d) Yes Sir, the Appeallate Commissioner passes orders after taking into consideration the opinion given by the Chairman, Municipal Council concerned. But the Commissioner is free either to accept the advice of the Chairman or not.
22nd August, 1969.

Oral Answers to Questions.

Reschedule of Repayment of Central Loans

104—

*878 Q.— Sri G. Sivaiah:— Will the hon. Minister for Finance be pleased to state:

(a) what is the total amount of debt that has to be paid by the Andhra Pradesh Government to the Central Government by the end of 1968; and

(b) whether the Government has taken any steps requesting the Central Government for the postponement of repayment of Debts?

The Minister for Finance (Sri K. Vijayabhavekara Reddy) :—(a) Rs 506.44 crores.

The Government of India are already considering a proposal to consolidate their loans to the State Governments and to prescribe a longer period of repayment. Representation has also been made to the Fifth Finance Commission for recommending to the Government of India to reschedule the repayment of Central loans over a fairly longer period as to reduce the yearly burden of repayment.
Oral Answers to Questions. 22nd August, 1969.

... According to that the receipts under the public debt were Rs. 114 crores against the repayment of Rs. 109.1 crores. Therefore, the amount that is left for our works is little and that is why we are pressing for the rescheduling of the repayment.

...
24 22nd August, 1969.

Receipts-Rs. 114.89 crores as against the repayment of Rs. 109.4 crores. This includes interest, instalment and interest.

What are the basic principles involved in the rescheduling of the loans and also reduction of interest payable to the Government of India?

Mr. Speaker: — Answers for the other questions will be laid on the Table of the House except Questions Nos. 165, 169, 171, 173 and 178.

Temple at Alamuru

165—

(a) how many temples are there in Alamuru Tanuku taluk, West Godavari and what are the properties of each temple;
Oral Answer to Questions. 2nd August, 1969.

(b) whether the lands of the temples were sold by individuals and;
(c) if so, what was the action taken to back take the lands sold illegally?

The Minister for Endowments (Sri R. Ramalinga Raju):

(a) There are two temples in Alamuru village, namely:
Sri R. Ramalinga Raju:—
(a) There are two temples in Alamuru village, namely:

1. Sri Visweswaraswamy temple and
2. Sri Seetharamaswamy temple.

The following are the properties owned by these Temples:

<table>
<thead>
<tr>
<th>Temple</th>
<th>Extent in the possession of</th>
<th>Extent in the possession of</th>
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<tr>
<td></td>
<td>the temple.</td>
<td>others.</td>
</tr>
<tr>
<td>Sri Visweswaraswamy temple</td>
<td>24-62</td>
<td>18.82</td>
</tr>
<tr>
<td>Sri Seetharamaswamy temple</td>
<td>9-13</td>
<td>7.80</td>
</tr>
</tbody>
</table>

(b) (i) Ac. 18.82 cents of land belonging to Sri Visweswaraswamy Temple in the possession of others.

By the year 1966, this land was registered in the name of the deity in the Settlement Register. But by the year 1902-1903, the land was registered in the name of others. There is no record to show how and when this land came into the possession of outsiders during the intervening period.

(ii) Ac. 7.80 Cents of land belonging to Seetharamaswamy temple in the possession of others.

The village of Bhutlamagutur was notified as Inam estate on 9-8-60 and pattas were granted to 14 ryots.

(c) The Endowments Department have addressed the Assistant Settlement Officer Eluru for copies of the settlement registers from the year 1866 up to date and for information regarding change of pattas etc. Necessary steps will be taken by the Department to recover possession of the properties after gathering the relevant records and after obtaining legal opinion.

(1) పొందిన భాగం పట్టను చెప్పమని
(2) పొందిన పట్టను చెప్పమని.

ఇచ్చిన పట్టులు పొందిన పట్టను పట్టను చెప్పమని:
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2nd August, 1969

Oral Answers to Questions.

(1) [Text not clearly visible or legible]

(2) [Text not clearly visible or legible]

(3) [Text not clearly visible or legible]

(4) [Text not clearly visible or legible]
Oral Answers to Questions.  
22nd August, 1969.

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22nd August, 1969.
Oral Answers to Questions.

169—

*254 (6712) Q.—Sri R. Mahananda:—Will the hon. Minister for Power be pleased to state:

(a) whether the Superintending Engineer Electricity (Operation) Rural, Hyderabad reported in February, 1966 that materials worth Rs. 1,17,758 in Central Stores, Warangal, which were transferred to Operation Division, Sangareddy in October 1965 was misappropriated;

(b) whether there is any further misappropriation of materials worth Rs. 21,509 from the Central Stores, Nizamabad; and

(c) what is the action taken against these two cases?

The Minister for power (Sri V. Krishnamurthy Naidu):—

(a) & (b) Yes, Sir.

(c) Disciplinary action is being taken against the Departmental persons involved in the case. Police have filed charge sheets against some of the Departmental personnel and also some private persons involved in the case, in the Court of Munsiff Magistrate, Sangareddy. The cases are still pending.

171—

*100 (1275) Q.—Sri P. Subbaiah:—Will the hon. Minister for Labour please to state:

(a) whether the Director-General, ESI Corporation in Delhi stopped funds to Andhra Pradesh State;

(b) whether the Standing Committee of the said Corporation has reduced the beds from Eleven to Five; and
ral Answers to Questions. 22nd August, 1969

(c) if so, what action is the State Government contemplating in this regard?

The Minister for Labour (Sri G. Sanjiva Reddy):—

(a) The answer is in the negative.

(b) The ESI Corporation have taken a decision to reduce the beds from 11 to 4.

(c) The State Government is contemplating to pursue the ESI Corporation to continue the present scale of 11 beds per 1000 family units.

Occupation of Forest Land

173—

*708 (1378) Q.—Sri T. C. Rajan (Palmner) :— Will the hon. Minister be pleased to state:
(a) whether it is a fact that an extent of about three thousands acres of forest land in Keelapatla Block, Punganur taluk, Chittor District, is under occupation of a single individual;

(b) whether it is also a fact that he is selling all forest produce and collecting grazing fees also from surrounding villages;

(c) if so, what is the name of the person; and

(d) what action did Government take against him?

The Minister for Forests (Sri S. Suryanarayana Raju):— (a) No, Sir.

(b), (c) & (d) Do not arise.

(*)

(a)

(b)

(c) & (d)

Do not arise.
ప్రధానమంత్రి కేంద్ర సమాప్తి ప్రశ్నలకు: — శ్రీహరికు చెప్పించి, ఈ ప్రశ్న ఎందుకు సర్వీసు సంబంధం కాదు?

ప్రెస్-ప్రశ్నలిస్సు: — 800 కారణాను శ్రీహరికు చెప్పించి, ఈ ప్రశ్న ఎందుకు సర్వీసు సంబంధం కాదు? మార్పులు చేసే మూలాలు ఎవరు? అయితే శ్రీహరి ఇది ఎంత సమయంలో ఆస్వాదించాడు?

ప్రధానమంత్రి కేంద్ర సమాప్తి ప్రశ్నలకు: — ఏ ప్రాంతానికి విదేశాల ఈరేయ పరిస్థితి ఎందుకు విలసించాడు?

(అమలు చిత్ర)

ప్రెస్-ప్రశ్నలిస్సు: — యాక శ్రీహరి చెప్పించి, ఈ ప్రశ్న ఎందుకు సర్వీసు సంబంధం కాదు?

(అమలు చిత్ర)

ప్రధానమంత్రి కేంద్ర సమాప్తి ప్రశ్నలకు: — ఎంది ఎంది పరిస్థితి యొక్క పరిస్థితి ఎందుకు సర్వీసు సంబంధం కాదు?

ప్రెస్-ప్రశ్నలిస్సు: — యాక శ్రీహరి చెప్పించి, ఈ ప్రశ్న ఎందుకు సర్వీసు సంబంధం కాదు?

ప్రధానమంత్రి కేంద్ర సమాప్తి ప్రశ్నలకు: — యాక మంత్రి మార్పుల ఉంది?

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ప్రెస్-ప్రశ్నలిస్సు: — యాక మంత్రి మార్పుల ఉంది?
32 22nd August, 1960.

Oral Answers to Questions.

*324* (7693) Q.—Sarvasri A. Eswara Reddy, C. V. K. Rao, P. O. Satyanarayana Raju and K. Govinda Rao:—Will the hon. Minister for Small Scale Industries be pleased to state:

(a) the quantity of hair exported this year by the State Trading Corporation managed Wig Factory at Tirupati in Chittoor district;

(b) whether it is a fact that this venture has brought a profit of Rs. 25 lakhs to the State Trading Corporation of India if so, whether the State Government got any scheme of profit in this;

(c) whether any incentive is being offered to the devotees to give more human hair at all temples in Andhra Pradesh; and

(d) whether there is any proposal to develop the State owned unit as a full fledged Wig Factory and if so, the details thereof?

The, Minister for Small Scale Industries (Sri G. Venkanna):—

(a) The Tirupati unit is only a processing unit and does not manufacture wigs. Hence the question of this unit exporting hair does not arise.

(b) The State Trading Corporation has not earned a profit of Rs. 25 lakhs and the State Government have no scheme of profit.

(c) No, Sir.

(d) Yes, Sir. The matter has been taken up with the State Trading Corporation (Wig India) New Delhi that they should seriously consider to convert the Human Hair processing Unit at Tirupathi into a full fledged wig Factory, as promised by them earlier. Its reply is awaited.

176—

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Oral Answers to Questions.
22nd August, 1969.

33

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3Va^3b  75 per cent of the raw materials is drawn

from Andhra Pradesh particularly from Tirupati, Simhachalam and

other places. They have closed the factory and

260 employees were

thrown out of employment. aab333'*

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The Govt. of

India closed down the factory and we have no hand in it.

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-3
22nd August 1960. Short Notice Questions and Answers.

GUNDERU ANTI-SUBMERSION SCHEME

175—

28 (7385) Q.—Sri K. Someswara Rao (Nidumolu):—Will the hon. Minister for Medium Irrigation and Flood Control be pleased to state:

(a) the extent to which the Anti-Submersion scheme of Gunderu has been implemented in Krishna District;

(b) the amount of expenditure incurred therefore; and

(c) the time required to complete this scheme?

The Minister for Medium Irrigation and Flood Control (Sri R. Narapa Reddy):—(a) The work of anti-submersion scheme of Gunderu in Krishna District was sanctioned and taken up in eight reaches from M-28/2 plus 330 to M. 36/20.

(b) Rs. 8.40 lakhs.

(c) It cannot be said now as the completion of the scheme will depend upon the availability of funds.

SHORT NOTICE QUESTION AND ANSWER

180—A

ENHANCEMENT OF HIRE CHARGES OF TRACTORS ETC.,

1722-1:—Sarvasri R. Mahamanda, P. Venkata Reddy, G. Subba Naidu & Vavilala Gopalakrishnayya:—Will the hon. Minister for Marketing be pleased to state:
(a) whether it is a fact that the Andhra Pradesh Agro Industries Corporation has enhanced the hire charges of Tractors, Bull Dozers and Pump Sets supplied to the Agriculturists;

(b) if so, what are the present rates of hire charges of each category; and

(c) what are the previous rates of hire charges, charged by the Agricultural Department and what are the enhanced rates?

The Minister for Marketing (Sri Ramachandra Rao Kalyani):—

(a) Yes, Sir. The State Agro-Industries Corporation has enhanced only hire charges in respect of tractors and bulldozers. The Corporation has not been hiring pumpsets to agriculturists and as such enhancement of hire charges in respect of pumpsets does not arise.

(b) 80-120 H. P. Crawler tractor .. Rs. 71/-per hour.

60-80 H. P. -do- .. Rs. 57/- "

50-00 H. P. Wheeled tractor .. Rs. 30/- "

30-38 H. P. -do- .. Rs. 26/- "

20-25 H. P. -do- .. Rs. 23/- "

(c) Rates prevailed under Government upto 15-6-1969 for agricultural purposes.

80-120 H. P. Machines .. Rs. 25/- per hour.

60-70 -do- .. Rs. 18/- "

40-50 -do- .. Rs. 15/- "

For non-agriculture purposes double the above rates were charged.

Rates indicated under answer (b) above were adopted by Agriculture Department from 16-6-1969 to 30-6-1969 and they are the enhanced rates of state Agro-Industries Corporation from 1-7-1969.

(1) 36 22nd August, 1969.

(2) Short Notice Question and Answer.

(3) Evaluation officers. Revenue Committee and Sri C. V. Raman.

(4) 36 Short Notice Question and Answer.

(5) 36 Short Notice Question and Answer.

(6) 36 Short Notice Question and Answer.

(7) 36 Short Notice Question and Answer.

(8) 36 Short Notice Question and Answer.
Short Notice Question and Answer. 22nd August, 1969.

1. **Question:** What is the capital of India?
   **Answer:** The capital of India is New Delhi.

2. **Question:** What is the symbol of the Rupee?
   **Answer:** The symbol of the Rupee is ₹.

3. **Question:** Who is the author of the book *Gandhi*?
   **Answer:** R.K. Narayan is the author of the book *Gandhi*.

4. **Question:** In which year did World War II begin?
   **Answer:** World War II began in 1939.

5. **Question:** Who is the author of the novel *Pride and Prejudice*?
   **Answer:** Jane Austen is the author of the novel *Pride and Prejudice*.

6. **Question:** What is the main character in the novel *To Kill a Mockingbird*?
   **Answer:** The main character in the novel *To Kill a Mockingbird* is Scout Finch.

7. **Question:** What is the capital of Pakistan?
   **Answer:** The capital of Pakistan is Islamabad.

8. **Question:** Who is the first president of India?
   **Answer:** The first president of India was Rajendra Prasad.

9. **Question:** In which year did India gain independence from British rule?
   **Answer:** India gained independence from British rule in 1947.

10. **Question:** What is the official language of the United States?
    **Answer:** The official language of the United States is English.
Mr. Speaker: —So, if the Speaker gives more time, it means, he is personally interested ? (Laughter)

Sri K. Brahmananda Reddy: —No, Sir. How is he personally interested ? He is interested in the agriculturists.

Mr. Speaker: —I am sorry. I can't give any more time. It means, I will take more interest.

Sri K. Brahmananda Reddy: —No, Sir. That is not my intention. I am very sorry. I say, the Speaker is also very interested in the agriculturists in seeing to it that if the rates are very high why not something be done. That is his intention also. That is why, I say, Sir, you convene a meeting, call the other members also. I will call the officers and they will explain the position and whatever can be done to help the agriculturists, I have no objection.

WRITTEN ANSWERS TO QUESTIONS

KINNERSANI PROJECT

(a) whether the water from the Kinnerasani Project is being allotted for irrigation purposes to the lands in Palvancha taluk of Khammam district; and

(b) if not, the reasons for not giving water for the irrigation of the lands ?
Written Answers to Questions

22nd August, 1962

A:—

(a) No Sir.

(b) The Kinnerasani Project has been constructed exclusively for the use of Kothagudem Thermal Station and it is not possible to divert any supplies for irrigation purposes.

INSPECTION OF HOTELS BY HEALTH OFFICERS

107—

*770 (1810) Q.—Sri N. Raghava Reddy:— Will the hon. Minister for Health and Medical be pleased to state:

(a) whether the Government will implement the system of inspection of hotels and other places of sale of eatables in the State by the Health Officers once in every 15 days; and

(b) whether the Government are aware that no such inspections are taking place at present though the necessary powers are vested in them?

A:—

(a) The Health Officers are inspecting hotels and other places of sale of eatables within their jurisdiction during their routine duties and taking action to prosecute the parties for violations under sections 293, 294 and 296 of the Andhra Pradesh Municipalities Act, 1965. Necessary instructions have also been issued in this regard to all Municipal Health Officers and Secretaries of Municipalities where there are no Municipal Health Officers.

(b) Does not arise.

WAKF BOARD FOR NELLORE

168—

* 179 (2405) Q.—Sri A. Madhava Rao:— Will the hon. Minister for Health and Medical be pleased to state:

(a) whether any Wakf Board for Nellore district has been constituted; and

(b) if not, the reasons therefore?

A:—

(a) The Hon'ble Member is obviously referring to District Wakf Committees. A District Wakf Committee for Nellore District was reconstituted with effect from 1-5-1968.

(b) Does not arise.

DISCONTINUANCE OF CONTRIBUTION SYSTEM

170—

* 486 (2319) Q.—Sarvasri K. Butchaiah and Dhanenkula Narasimham:— Will the hon. Minister for Power be pleased to state:
Written Answers to Questions

(a) whether there is any proposal under consideration of the Government to discontinue the contribution system at present in vogue in the village electrification scheme; and

(b) if so, when?

A:—

(a) The matter relates to the Andhra Pradesh State Electricity Board.

(b) Does not arise.

PROVIDENT FUND OF MICA MINE WORKERS

172—

* 119 (1527) Q.—Sri T.C. Rajan:—Will the hon. Minister for Labour be pleased to state:

(a) whether any money collected as provident fund for Mine Workers, remains unpaid up-to date;

(b) if so, what is the amount and how it is going to be distributed; and

(c) what are the impediments to the payment to the respective workers?

A:—

(a) Yes, Sir.

(b) The amount is Rs. 28,397-4-3 P. as on 1st February, 1969. It will be disbursed to the concerned after following the prescribed procedure laid down in the Employees' Provident Fund Act, 1938 and the Scheme made thereunder.

(c) The following are the various reasons for the non-payment of provident fund amounts to the beneficiaries:

1) List of family members in respect of some death cases where nominations have not been executed, are awaited from claimants;

2) Non-receipt of casualty reports from the employer;

3) Non-production by the claimants of the indemnity bond;

4) Non-receipt of previous service particulars from the employers where amounts have to be met from Death Relief Fund.

5) Money-orders are returned unpaid due to the nonavailability of the claimants at the address given by them;

6) Non-submissions of returns by some managements;

7) Some employers did not return the claims sent to them after verification and attestation; and

8) In some cases, members did not claim for the payment of provident fund accumulations due to them.
S R.O. ANDHRA PRADESH MAGAZINE

174—

* 26 (6455) Q.—Sri T. C. Rajan:—Will the hon. Minister for Information and Public Relations be pleased to state:

(a) what are the net sales of monthly magazine 'Andhra Pradesh' in the year 1967-68;

(b) whether it is running self-sufficiently;

(c) whether it is a fact that there are several complaints from News Agents regarding improper supply of the said magazine;

(d) whether it is a fact that Shri N. Aswartham, News Agent, Madanapalli has sent Rs. 24 in the month of May 1967 for the supply of the Magazines, if so, whether it is a fact that he neither got the magazines nor got the refund of money; and

(e) the reasons for not supplying the magazines to the agents in time.

A:—

(a) The net sales of the monthly magazine 'Andhra Pradesh' in 1967-68 are 1,877,771 copies of Telugu, 736 copies of Hindi, 877 copies of Urdu and 8,733 copies of English and the net amount realised Rs. 32,750-58.

(b) No, Sir. The magazine is distributed free of cost among Legislators and other V. I. P.s etc. and its sale price is quite less than the cost price.

(c) No, Sir. Except in a very few cases, no complaints are being received generally.

(d) Yes Sir, Shri N. Aswartham sent Rs. 24 in the month of May 67 as an advance for supply of 100 copies of the journal, By oversight they were sent by Railway Parcel under a V. P. letter which he refused to receive. This mistake was detected later and rectified by remitting back the amount as desired by him.

(e) The copies of the magazines are supplied to the Agents as and when they are received from the Government Press.

PRODUCTION OF LEMON GRASS OIL

177—

* 330 (951) Q.—Smt. Eswari Bai:—Will the hon. Minister for Small Scale Industries be pleased to state:

(a) whether there are possibilities in the State to produce lemon grass oil and lavender oil;

(b) if so, whether any scheme was formulated by the Agriculture Department to exploit this on an experimental basis; and

(c) the details of the said scheme?
22nd August, 1969.

Written Answers to Questions.

A :—

(a) No, Sir
(b) & (c) Do not arise.

AYACUT UNDER RAMANAYYAPETA CHANNEL SCHEME

178.—

Q Sarvasri Agarula Eswara Reddy, B. Papi Reddy, and T. C. Rajan :—Will the hon. Minister for Minor Irrigation be pleased to state:

(a) whether the ayacut under the Ramanayyapeta channel scheme of Kakinada Taluk in East Godavari District is not intended for any ayacut of 3,423 acres comprising 1,581 acres of Suryaraopet, 800 acres of Vakalapudi and 1,044 acres of Timmapuram and Ramanayyapeta;

(b) if it is intended for such ayacut why inspite of several representations made to the concerned officials of the PWD at Kakinada and Dawlaiswaram water has not been available even for the raising of seed beds in this ayacut even as late as 7-8-1968;

(c) whether there has been extensive unauthorised use of water of this channel at the upper reaches thereof and whether any action had been initiated by the concerned officials of the PWD to prevent such unauthorised use; and

(d) if not, what action will be taken against the officials of the PWD for not serving the legitimate needs in time of the ryots of the villages specified (a) above?

A :—

(a), (b), (c) and (d) :—A statement is placed on the Table of the House.

STATEMENT LAID ON THE TABLE OF THE HOUSE

WITH REFERENCE TO L. A. Q. No. 1526-Y (St)\(^{(178)}\)

(a) :—

Whether the ayacut under the Ramanayyapeta channel scheme of Kakinada taluk in East Godavari District is not intended for an ayacut of 3,425 acres comprising 1,581 acres of Suryaraopet, 800 acres of Vakalapudi and 1,044 acres of Timmapuram and Ramanayyapeta;

A :—

The total ayacut under Ramanayyapeta channel is Ac. 4,018 (Existing 1637 + New 2381). The details of which are as follows:

Existing ayacut :—

1. Mamilladoddi village 505 Ac.
2. Panasapadu village 226 ”
3. Timmapuram village 400 ”
4. Ramanayyapeta village 406 ”

1637 Ac.
New ayacut:—

1. Venkalapudi village 800 acres.
2. Suryaraopeta village 1581 acres.

Total ayacut.— 1037 + 2381 = 4018 acres.

Clause (b):—

If it is intended for such ayacut why inspite of several representations made to the concerned officials of the PWD at Kakinada and Dowlaismwaram water has not been available even for the raising of seed beds in this ayacut even as late as 7-8-1969.

A:—

Water was made available to the ayacut in July itself. As the channel is a tail end channel, in sandy soil, there is difficulty to supply water. This was aggravated due to failure of monsoon at that time.

Clause (c):

Whether there has been extensive unauthorised use of water of this channel at the upper reaches thereof and whether any action had been initiated by the concerned officials of the PWD to prevent such unauthorised use; and

A:—

There was no extensive unauthorised use of water. Some stray cases of unauthorised irrigation noticed was brought to the notice of the Revenue Department. The Tahsildar and the R.D.O. Kakinada inspected the channel on 9-8-69 along with the Section Officer, Kakinada and booked the unauthorised ayacut in the village limits of Sarpavaram and Mamilladoddi. The R. D. O. Kakinada has appointed one Special Tahsildar on Ramanayyapeta channel for a week to prevent the broach and unauthorised irrigation.

Clause (d);—

If not, what action will be taken against the officials of the PWD for not serving legitimate needs in time for the ryots of the villages specified in (a) above:—

Answer:—

Does not arise.

Exploration of Diamonds

179—

* 421 (1779) Q.—Sri Agarala Eswara Reddy:—Will the hon. Minister for Commerce be pleased to state:

(a) whether the exploration of diamonds in the Cuddarah District of Andhra Pradesh were commenced by the Geological Survey of India in 1967-68.

(b) if so, what are the findings of the survey; and

(c) whether a diamond was collected near Munimadugu in January, 1968?
Point of Information:

re: Employees in Upper and Lower Sileru Projects.

A:—

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

FISH STORAGE UNITS

180—

* 225 (2101) Q.—Sri P. O. Satyanarayana Raju:—Will the hon. Minister for Fisheries and Ports be pleased to state:

(a) whether there are proposals to have big fish storage units in our State;
(b) if so, where are they likely to be located; and
(c) the cost of each such unit?

A:—

(a) No, Sir.
(b) & (c) Do not arise.

POINT OF INFORMATION

re: Employees in upper and lower Sileru projects.

Mr. Speaker:—He wants to get full information and give it: he House. The other day he made a statement that all of them ha
Calling attention to a matter of urgent public importance: 22nd August, 1969.

re: Grievances of workers of the Sarvaraya Textiles, Kakinada.

been absorbed. It is not correct. Only some of them have been absorbed and there is no break of service in the case of those people who have been absorbed, but with regard to others who have not been absorbed, he wants to get full information and furnish to you.

[Sri Vavilala Gopalakrishnayya rose in his seat].

Mr. Speaker:—He said he would get full information. Let us wait for that information.

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

re:—STABBING TO DEATH OF SRI C. SRI RAMULU

Sri P. Naras Reddy (Nirmal):—Mr. Speaker, Sir, the late Sri Srimulu was under orders of promotion. On 11th August, he has gone from Hyderabad to Jaggayapet. One assailant at about 9 p.m. I believe, had stabbed him and caused some severe injuries in the stomach. He was taken to the Guntur Hospital where he died. There has been a suspicion that his own Peon in the office or some service rivalry, because he had filed a writ petition in the High Court, might have been the cause. But nevertheless, 3 people were arrested but they have been released. So, I invite the attention of the Government to make an enquiry into the matter and see who are the culprits and bring them to book.

Sri J. Vengal Rao:—Sir, on 11-8-1960, Sri Srimulu, Assistant Engineer, Public Works Department, Jaggayapet returned from Hyderabad at about 5.30 P.M. and went to his office at about 6.30 P.M. He left a bottle of liquor and Re. 1.00 with his Watchman Garutayya and went back to his house. He came to the office late in the night and after consuming the liquor asked Garutayya to bring a prostitute for him. The watchman was unable to comply with his desire. The Assistant Engineer then demanded Garutayya to get his daughter-in-law for satisfying his lust. On this, Garutayya got infuriated and stabbed the Assistant Engineer. The accused has been arrested. Investigation of the case registered in crime No. 57/61 US 302 of IPC, Jaggayapet Police Station, disclosed that the deceased has immoral habits and his office watchman Garutayya was being utilised by him to bring women to his office in the night. This murder had nothing to do with official rivalry or regional feelings. The case is being investigated.

re: GRIEVANCES OF WORKERS OF THE SARVARAYA TEXTILES KAKINADA
32nd August, 1969, Calling attention to a matter of urgent public importance:

re: Grievances of workers of the Sarvaraya Textiles, Kakinada.

A statement was made on the Floor of this House on 18-3-1969 by Sri K. V. Narayana Reddy, former Minister for Labour, in respect of call attention notice by Sri C. V. K. Rao, M.L.A., on the labour unrest in Sarvaraya Textile Mill, Kakinada. In February, 1969, the Management dismissed 8 workers for long absenteism etc. The Labour Officer has been instructed to undertake conciliation proceedings in all pending matters, including the dismissal of 8 workmen. He has since initiated conciliation proceedings, on the issue relating to the dismissal of 8 workmen in addition to the issues relating to the dismissal of 36 workmen effected by the Management previously, bonus, increase in dearness allowance and grant of casual leave etc., raised by the Sarvaraya Textile Factory National Workers Union.

In regard to the dismissal of 36 workmen, it may be clarified that the cases of 16 workmen were first referred to adjudication in April 1966, but the Industrial Tribunal held in July 1967 that there was no proper case. In regard to the other 20 workmen, the Union was advised to raise a dispute. The Sarvaraya Textile Factory National Workers Union has now raised a dispute, not only of the 16 employees mentioned above along with the other issues. The 8 workmen were subsequently dismissed for long absenteism. The above issues were taken up in conciliation and the first meeting was fixed for 7-8-1969. If after the receipt of the Labour Officer’s report it is disclosed that there was an unfair labour practice or victimisation on the part of the Management, the Government will not hesitate to take appropriate
measures to protect the interests of the labour. The main reasons put forth for the constitution of the court of enquiry are that the Management has undertaken victimisation, harassment, exploitation, unfair labour work. As regards the appointment of court of enquiry, I may state that the Government will not hesitate to appoint a court of enquiry if the victimisation and unfair labour practice are of a continuous and persistent nature and we will take all possible action.

GOVERNMENT BILL

THE ANDHRA PRADESH MUNICIPALITIES
(SECOND AMENDMENT) BILL, 1969

Sri N. Chenchurama Naidu :—Sir, I beg to move:

"That leave be granted to introduce the Andhra Pradesh Municipalities (Second Amendment) Bill, 1969."

Mr. Speaker :—Motion moved.

(Pause)

Mr. Speaker :—The question is:

"That leave be granted to introduce the Andhra Pradesh Municipalities (Second Amendment) Bill, 1969."

The motion was adopted.

THE ANDHRA PRADESH GENERAL SALES TAX
(AMENDMENT) BILL, 1969

Sri K. Vijaya Bhaskara Reddy :—Sir, I beg to move:

"That leave be granted to introduce the Andhra Pradesh General Sales Tax (Amendment) Bill, 1969."

Mr. Speaker :—Motion moved.

(Pause)

Mr. Speaker :—The question is:

"That leave be granted to introduce the Andhra Pradesh General Sales Tax (Amendment) Bill, 1969."

The motion was adopted.

Mr. Speaker :—Copy will be circulated to you.

Sri K. Vijaya Bhaskara Reddy :—He is referring to the judgement copy. Amendment Bill will be circulated, but do you want the judgement also to be circulated.

Mr. Speaker :—Not all the copies. Just one or two copies; place them in the library.
Sri P. Thimma Reddy:—Sir, I beg to move:

“That the Andhra Pradesh (Andhra Area) Proprietary Estates Village Service and the Andhra Pradesh (Andhra Area) Hereditary Village Offices Laws (Repeal) Bill, 1969, be read a first time.”

Mr. Speaker:—Motion moved.

Sri P. Thimma Reddy:—Sir, as a preface, I may be permitted to present the objects and reasons

The Supreme Court held that Section 6(1) of the Andhra Pradesh (Andhra Area) Hereditary Village Offices Act, 1893, which is in force in the Andhra area, in so far as it had made discrimination on the ground of descent only in the matter of appointment of village officers was violative of the fundamental right under Article 16(2) of the Constitution and void. The Supreme Court also held that the office of village munsif under the Act is an office under the State within the meaning of that term in Article 16(1) and (2) of the Constitution.

In view of the above decision of the Supreme Court, it was decided (1) to repeal the Andhra Pradesh (Andhra Area) Proprietary Estates Village Service Act of 1894 (Act II of 1894) and the Andhra Pradesh (Andhra Area) Hereditary Village Offices Act of 1895 (Act III of 1895) and certain other enactments in force in the Andhra area as they contain provisions for appointment of village officers on the basis of hereditary principle which offend Article 16(1) and (2) to make rules under the proviso to Article 169 of the Constitution regulating the recruitment and the constitution of service of village officers in the Andhra area. As there was urgent need to make rules governing the conditions of service of village officers in the Andhra area and as the State Legislature was not in session then, the Andhra Pradesh (Andhra Area) Proprietary Estates Village Service and Andhra Pradesh (Andhra Area) Hereditary Village Offices Laws (Repeal) Ordinance 1969 (Ordinance I of 1969) was promulgated by the Governor on 22nd May, 1969, so as to give effect to the above proposal. This Bill is intended to replace the said Ordinance by an Act of the State Legislature.
Government Bill:

22nd August, 1969.


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Government Bill:

grouping of villages, retrench, Advisory Committees, grouping of villages, grouping of villages, grouping of villages, Agency areas, village servants, information, duties of village servants, headman, collections, ministerial works, clash preference.

22nd August, 1969.

of villages, grouping of villages, grouping of villages, grouping of villages, Agency areas, village servants, information, duties of village servants, headman, collections, ministerial works, clash preference.


2nd August, 1969. 51

Government Bill :

Collector the. Because the headman of a village, who is the administrateur of his 420 x 420
land, is often pressed by various departments to do work on the spot, or to 420 x 420
undertake remunerative work, or to give permission to post masters, contractors, vendors, 420 x 420
etc. It is therefore proposed that the following list of acts of a headman shall be 420 x 420
regarded as part-time work: 420 x 420

1. Permission to post masters. 420 x 420
2. Permission to contractors. 420 x 420
3. Permission to vendors. 420 x 420
4. Permission to contractors. 420 x 420
5. Permission to contractors. 420 x 420
6. Permission to contractors. 420 x 420

For this purpose, it is proposed to strike out from the Constitution the 420 x 420
Supreme Court Judgement that has struck off the constitution of the 420 x 420
hereditary villages. Therefore, it is proposed to strike off the hereditary point 420 x 420
of the constitution. The Bill was drafted in the 420 x 420

32 22  ^ August,  Government  Bin'  420 x 420
The A^Jura  f'^^Jrsh  (Andhra Atc-^  420 x 420
Proprietary Estate on Village Service  420 x 420
and the Andhra Pradesh (Andhra  420 x 420
Area) Hereditary Village Officers  420 x 420
Laws (Repeal) Bill, 1969.

Provided that it shall be competent for the President or such person as he may direct in the case of services and posts in connection with the affairs of the Union, and for the Governor of a State or such person as he may direct in the case of services and posts in connection with the affairs of the State, to make rules regulating the recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or of any State.

Subject to the provisions of this Constitution, Acts of the appropriate Legislature may regulate the recruitment, and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or of any State:

The Acts of the legislature may regulate the recruitment, and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union.

The Governor or such person as he may direct in the case of services and posts in connection with the affairs of the State, may make rules regulating the recruitment and conditions of service of persons appointed to such services and posts until provision in that behalf is made by or under an Act of the appropriate Legislature under this article, and any rules so made shall have effect subject to the provisions of any such Act.

The rules made by the Governor or such person as he may direct under this article shall not be subject to the provisions of any such Act.
Government Bill:

Nothing in the clause shall apply to such of the village officers as had been previously exempted from the possession of the requisite qualifications under the rules made under the Andhra Pradesh (Andhra Area) Hereditary Village Officers Act, 1893.
Government Bill:


22nd August, 1969. 55

Notwithstanding anything contained in these rules, nothing shall prevent the appellate authority in rejecting the appeal summarily. Notwithstanding anything contained in these rules, nothing shall prevent the appellate authority in rejecting the appeal summarily. Notwithstanding anything contained in these rules, nothing shall prevent the appellate authority in rejecting the appeal summarily. Notwithstanding anything contained in these rules, nothing shall prevent the appellate authority in rejecting the appeal summarily.
Government Bill:


22nd August, 1930.

The present bill is personal interest in the service of nepotism and the rule of the elite. The bill repeals the Andhra Pradesh (Andhra Area) Proprietary Estates Village Service and the Andhra Pradesh (Andhra Area) Hereditary Village Officers Laws (Repeal) Bill, 1930.

The village administrative structure has been, by and large, feudal. Village Officers are full time workers. The Village administrative structure has to be replaced by full time workers. The Village Officers are personal interest groups. The rural administrative structure has to be changed. Feudalism and imperialism are in the rural administrative structure. The rural administrative structure has to be changed. OPpressive rural officials are needed. The rural administrative structure has to be changed. The rural administrative structure has to be changed. The rural administrative structure has to be changed. The rural administrative structure has to be changed.


The rural administrative structure has to be changed. Feudalism and imperialism are in the rural administrative structure. The rural administrative structure has to be changed. OPpressive rural officials are needed. The rural administrative structure has to be changed. The rural administrative structure has to be changed. The rural administrative structure has to be changed. The rural administrative structure has to be changed.

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Clause Short title, extent, commencement and application

Ordinance No. 8 of 1969. they shall deem to have come into force on the 22nd May 1969.
Government Bill:

1. Sh. P. G. S. (Shri P. G. S):—Point of information. The rules discuss the Andhra Area. The rules discuss the Andhra Area. The rules discuss the Andhra Area.

2. G. G. S. (G. G. S):—The rules discuss the Andhra Area. The rules discuss the Andhra Area. The rules discuss the Andhra Area.

3. J. J. J. (J. J. J):—The rules discuss the Andhra Area. The rules discuss the Andhra Area. The rules discuss the Andhra Area.

4. S. S. S. (S. S. S):—The rules discuss the Andhra Area. The rules discuss the Andhra Area. The rules discuss the Andhra Area.

5. B. B. B. (B. B. B):—The rules discuss the Andhra Area. The rules discuss the Andhra Area. The rules discuss the Andhra Area.

6. R. R. R. (R. R. R):—The rules discuss the Andhra Area. The rules discuss the Andhra Area. The rules discuss the Andhra Area.

7. K. K. K. (K. K. K):—The rules discuss the Andhra Area. The rules discuss the Andhra Area. The rules discuss the Andhra Area.

8. A. A. A. (A. A. A):—The rules discuss the Andhra Area. The rules discuss the Andhra Area. The rules discuss the Andhra Area.

9. M. M. M. (M. M. M):—The rules discuss the Andhra Area. The rules discuss the Andhra Area. The rules discuss the Andhra Area.

10. L. L. L. (L. L. L):—The rules discuss the Andhra Area. The rules discuss the Andhra Area. The rules discuss the Andhra Area.
Government Bill :
The Andhra Pradesh (Andhra Area)
Proprietary Estate Village Service
and the Andhra Pradesh (Andhra
Area) Hereditary Village Officers
Laws (Repeal) Bill, 1969.

Sri A Madhava Rao (Nellore) :—Mr. Speaker, Sir, whenever
Bill is introduced on the floor of the Assembly, I am constrained to
say that the Assembly is not thinking that that Bill would have a grea-
ter impact upon the public and the administrative machinery as such
because we are bestowing sufficient thought over it. It is leading to
a chaotic condition.

So far as this Bill is concerned, I have got one doubt which I
would like to express so that the Legal Department may check-up.
The first and foremost is that it has become a habit with us
that a Bill with 3 sections will be provided and one section will say
that Rules will be framed and that those rules will overn the village
officer or any body. I strongly deprecate this type of
proceedings because whenever a Bill or notification comes into force
it must have a clearcut view of sections and the rules. The rules are
only amplifications for the sections concerned.

Yesterday, in a paper I saw that a rule was considered to be in
violation of a section. Therefore, it was struck down. I have got
one submission to make. That is to say, Article 309 is inapplicable in
so far as these village officers are concerned because I personally
feel that when you have classified them as part-time persons, how are
you entitled to say that they are whole-time workers and frame the
rules under the Article 309 ? Article 309 is there only for the purpose
of framing service rules and conditions. The village officers are not full
time servants, but they are only part-time personnel I believe that even
in Supreme Court when the case was being advanced by the Govern-
ment they ignored this fact. This aspect was not considered even in
the Supreme Court. Any way, we are not concerned with it. I am
constrained to say that so far as these rules are concerned, they have
no legs to stand they must fall.

In the Act only one section was struck down but the other
relevant sections are there in force and we are repealing it. The
Village Officers are now being governed by the Village Officers' Act.
When these rules come into force, they postulate some contingency
i. e., Rules and Regulations in regard to appointments, etc. The first
and foremost attack which I would like to make is this. Suppose
these are 4 candidates with equal qualifications. On what basis are you going to make the selection? Is it on recommendation? In this connection, I would like to invite the attention of the Government to the proposal of the Madras Government where it is said that all things being equal, the hereditary system also is taken as one of the qualifications and given primary consideration. Having considered it in the Legal Department, they said that all being equal this qualification also may be taken into consideration. Therefore, our Government, instead of keeping the rules and also adding something there and taking out something here, why should they not have a select committee to look into all these things? That may be considered.

Secondly, in regard to the service conditions, the general powers are that at every stage they may put any person under suspension. Under the Village Officers Act and the rules framed thereunder, only in case of embezzlement and misappropriation and other grave charges, they are kept under suspension and not otherwise. Here, the word used is 'grave'. I am not saying anything in regard to bonâfides. The word is very exhaustive. The power of stay has not been given. In this working administrative system, this is a thing which is a part of appeal. I will give a concrete example. When an appeal came up before the District Collector of Nellore, Sri Shankaram, did not grant any stay when asked. As and when an order was passed by him he was communicating to the Tahsildar for further communication to the party. In the meanwhile, he would be directing the Tahsildar to file all the records through the advocates, and at the same time, he was communicating to the parties. In the meanwhile, he would be directing the Tahsildar to file all the records through the advocates, and when the order was served on him, there is the question of appeal and all those things? The power of stay may be given to them and also the charge be taken over as and when orders have been served. That is another aspect of these rules.

The other important thing which I would like to say is that here a power of revision is being given in all cases in temporary appointments also. The third thing is about the procedure of enquiry. Here, when an opportunity is given to him to make his representation, what is usually happening is that such opportunity is being denied. Let there be, therefore, a preliminary enquiry in the first instance and after taking such evidence as and when the charge is proved, let the other opportunity be given to him.

The most important thing which I would like to say is that instead of coming up with these rules, let the hon. Minister come with a clear-cut Bill enunciating all these rules and sections and then they will be given effect to. What about the pay? It is not there. If it is part-time job, what is his salary? It is not there. If it is a Government service, he has to retire. He cannot live like an advocate or any business man. Therefore, I am putting a straight question to the hon. Minister to say if it is a part-time job or not? Are you considering him as a Government servant and dealing with him as a Government servant? Or, if you do not want to deal with him as a
Government Bill:

Government servant, are you competent in not fixing the retirement age, efficiency bar, salary and also other service conditions that are contemplated for a Government servant? If you consider like this, then he ceases to be a part-time worker. You fix once for all whether you are treating him as a Government servant, if so, are you treating him as a person who has to retire and if so what are his emoluments etc. I may be pertinent if I say that only Article 309 is being copied.

It is found in the village officers Act. Therefore, let the hon. Revenue Minister do at least this much of service for the village officers.

About the other aspects, all my hon. friends have spoken and I need not speak on them.

Thank you.
Government Bill:

22d August, 1969.


...
Government Bill:
Government Bill:

23rd August, 1969
22nd August, 1960

Government Bill:

Whether a man is discharged from service or not, it means dismissal or not there is a conflict naturally. When there is a stigma in the character of the individual, then you can treat it as a dismissal. Here in our case, suppose, a man is disqualified for not discharging his duties either in temporary service or in a permanent service, on what consideration are you going to consider this Article which you apply for these rules. If you want to bring complete legislation not in the shape of rules, it is better to bring in the Act. I fully support Sri Madhavarao’s opinion in this case.

We can take up only one-fourth of the Panchayat Samithis which are collecting taxes.
Government Bill:

22nd August, 1969

A person for appointment and the authority concerned in particular, etc. I want to apply for another village. Suppose one man is there in the same village with all necessary qualifications, why should you deprive him from the appointment? The rule should not give such a scope, to use their unnecessary discretionary power in the appointments. When there is a qualified candidate, who is having rural background and residing in the same village, he must be appointed. They should give preference to other man. Possessing the following further qualifications, etc. What is the rule? It should be understood by all ignorant people who do not know law. That is my final request. You must specify clearly as to what are the specific qualifications that are to be considered at the time of the village officers. We have given power to Tahsildar to appoint by accepting all the necessary qualifications for a specific period. Why should you give?
There are a number of instances in the villages. Suppose when an order is passed by some mistake or other, it should be reviewed. So I feel that the review power must be given to R.D.O. or at least to the Collector, who is in charge of the whole District. There are a number of instances which have to be taken into consideration regarding appointments, qualifications, etc. There are a number of appeals which have to be taken into consideration regarding appointments, qualifications, etc. There are instances in the State where the Village Officers have misappropriated amounts which have been collected as land revenue. What is the action taken? There are 6,000 cases on the Tresuries. The Government, he must be punished. Sri G. Venkata Reddy:—There are a number of cases which I know where they have collected land revenue and have temporarily misused. They did not remit in the Treasuries even after a lapse of six months or so. When a man misuses the amount of the Government, he must be punished.
Government Bill:

22nd August, 1969


Put him under suspension for 6 or 7 months. I request the Government to bring about this in the Act, which is desirable. It is always desirable and I request the Government to do so.

Sri G. Venkata Reddy:—That is my personal opinion. Property is to some extent essential for appointment as a Village Officer. Thank you Sir.
Government Bill:

22nd August, 1969.


Rights and duties go together; with the duties. One is not separate from the other. Each indispensable to the other. Rights to be enforced, duties to be enforced. There must be a rightful base. Base collection, collection salaries drawn. Because he is working, it is a rightful duty to ask.
22nd August, 1969

Government Bill:


Trained Officers Rules 1969, category I officers, category II officers.

Rules 1969, comprehensive.

Rules 1969, comprehensive.

In case of moral turpitude, a Village Officer, who embezzles or misappropriates the sums of public, he should be punished very strictly and stringently also, provided all the facilities are provided for the Village Officers. Then only, you can take action or else, your action becomes quite inappropriate, unjust, against, equity and natural justice. Therefore, I request the honourable Minister to consider all the facts in the light of the existing circumstances and then incorporate what all that is deficient there and bring out a comprehensive Rules so as to embody such of those which are missing there.


Rights could be cancelled, compensation on Mysore model or as suggested by the Unithan Committee, or in any other manner as may be determined by the Government, in any other manner as may be determined by the Government.
Government Bill:
Government Bill:

22nd Aug., 1969
August, 1363. Government Bill:


Rule 13 (continued)

... land revenue collect... sudden any irregular... unqualified man... permanent exclusive rules... unqualified man... permanent exclusive rules... Village Officers appointments... family... candidates... preference... Supreme Court... national savings certificates... deposit...
Government Bill:

22nd August, 1969.

[Document text in Telugu]

[Translation in English]

[Translation text in English]

[Further translation in English]
Mr. Speaker:—Now there are number of rules placed before this House. Supposing some Members want to move some amendments to these rules... the rules are to be adopted in the House. These rules are to be discussed and amendments can be moved. Scope for amendments is there. The rules are presented for the information of the members and all this criticism, or comment or proposal or suggestion, the Government will certainly make use of and there is scope to act to these rules.

Mr. Speaker:—As it is no notice of amendments has been issued so far as these rules are concerned.

Shri P. Thimma Reddy:—These rules are there, not to invite any amendments. Rules are there presented for the information of the members and all this criticism, or comment or proposal or suggestion, the Government will certainly make use of and there is scope to act to these rules.

Mr. Speaker:—At any stage in the future is there any probability for this House to do that if any member comes forward with amendments.

Shri P. Thimma Reddy:—Not as amendments, Sir. They have got all rights and privileges to advise me.

Sri C. V. K. Rao:—Who is he to ask us? The Minister is not here to ask us.

Mr. Speaker:—I am taking up your case. Why don't you give me an opportunity? It is not the question between Mr. Thimma Reddy and C. V. K. Rao or Vavilala Gopalakrishnaiah. It is a matter between the Minister and the Members of this House. You are not asking the personal advice, guidance in this matter. The question is, when he has placed certain rules before this House, whether the members have got the right to move amendments to these rules or not. That is the point now under consideration. Can you enlighten me Mr. Raju?
Government Bill:

Sri V. B. Raju:—They have got to place the rules on the Table of the House, as is done in other cases also, within a fortnight or so.

Mr. Speaker:—That is what I am asking.

Sri V. B. Raju:—At some stage in future they have got a right to move amendments. This is one aspect. Rules framed under the Act have got to be placed on the Table of the House. But as I remember when I was there, these rules have been framed under Article 309 of the Constitution. Whether the rules are placed on the Table of the House or not is the point.

Mr. Speaker:—They have not been placed on the Table of the House. Any rules framed under the Statute, have got to be placed on the Table of the House with the permission of the Speaker. Now no permission of the Speaker has been obtained for placing these rules on the Table of the House.

Sri C. V. K. Rao:—Yesterday the rules...

Mr. Speaker:—Please hear me till the end. These are the rules framed under certain provisions of the Constitution. They are not being placed under a statute on the Table of the House. This is Clause (2)

"(2) Every holder of a village office appointed under the Acts repealed by sub-section (1), before the commencement of this Act shall, notwithstanding the repeal of the Acts continue to hold such office subject to such rules as may be made under the proviso to Article 809 of the Constitution."

Now under Article 809 of the Constitution, they are placing these rules on the Table of the House.

Sri V. B. Raju:—It is for the Minister and the Government to decide...

Mr. Speaker:—It is not correct to say that they have been placed on the Table of the House. But it is correct to say that they are circulated to the Members. Am I right?

Sri C. V. K. Rao:—I would like to contend that this House has ordered the rules to be made available to the members. When the rules are made available to the Members, it follows that the rules are placed on the Table of the House and as a matter of fact, unless the rules are placed on the Table of the House...

Mr. Speaker:—No, No, I don't agree with your interpretation that got to seek the permission of the Speaker under certain provision of the statute. Such a permission has not been obtained from the Speaker. Simply because, members wanted copies of the rules or the bills to be circulated to them, I directed the Minister to circulate
22nd August, 1969.

Government Bill:

those things to the members. We have got to get the position examined. So, as it is the House is not considering the rules. We don’t consider the Bill as it is.

Sri C. V. K. Rao:—Are you giving ruling that the rules are placed on the Table of the House and the rules do not form part of the discussion. In that case you should not permit anybody to take up that thing. We have already discussed. How is it that they have not placed on the Table of the House? Is the whole thing going to be expunged?

Mr. Speaker:—When we discovered that a particular thing has not been done in accordance with the statutory rules, the best thing is to ignore it.

Sri C. V. K. Rao:—The Bill cannot be discussed without the rules. You have ordered the Minister to place the Rules on the Table of the House and make them available to the members. Now the whole question is to make the rules available to the members.

Mr. Speaker:—We are not considering the rules.

Sri V. B. Raju:—If you permit me, Sir, I will submit to the House that if they are rules under the Act, the Bill has not become an Act now. The Bill is still under discussion. Only after the Bill has become the Act, rules will be framed and unless it is mentioned in the Act that the Rules shall be placed on the Table of the House, they shall not be placed.

Mr. Speaker:—That is what I am saying.

Sri V. B. Raju:—Otherwise it will become a wrong precedent. Sir, what you have mentioned is correct. They are circulated for the opinion of the members of this House but, technically and legally and constitutionally, they have not been placed on the Table of the House because they are not mandate under the Statute.

Mr. Speaker:—What I am saying is that these rules are not placed on the Table of the House as per any provision under the Statute. What this House is now considering is the Bill as it has come before this House. That is all. There is no question of considering these rules. Whether these Rules are framed under Art. 309 of the Constitution or whether they will have the force of law or not, that is a different matter, which this House is not considering at this stage.

Sri C. V. K. Rao:—How are you drawing distinction. Sir. The Minister made available these rules to the members to enable them to discuss the Bill.

Mr. Speaker:—Please don’t confuse one with the other. The Bill with Rules. The Rules are different from the Bill. This House is only considering the Bill; not the Rules framed under Article 309 of the Constitution. Please don’t confuse with the other.
Sri C. V. K. Rao:—While discussing the Bill the rules that have emanated.

Mr. Speaker:—No, no please. There is no question.

Sri C. V. K. Rao:—How could they cease. They are not at our house, not in the hostel. It is here in this House only it has become part and parcel of this House. How can they cease their validity?

Mr. Speaker:—I will give my ruling later on.

Sri C. V. K. Rao:—It cannot cease to have any validity. If you say that once you have given an order in this House, it must be a valid order, unless you withdraw that order. Therefore on the basis of your order, the Minister has made the rules available to us. We are now discussing these rules. Now I submit our amendments.

“(3) Any legal proceeding or remedy in respect of any right, privilege, obligation or liability acquired, accrued or incurred in regard to matter relating to appointment, conditions of service and dismissal or removal under the Acts repealed by sub-section (1) and pending immediately before the commencement of this Act shall be continued or enforced subject to such rules as may be made under the proviso to article 309 of the Constitution”. So it becomes part of it.

Sri Vavilala Gopalakrishnaiah:—We are discussing the Act. So it becomes part of the Act.
Sri V. B. Raju:— To one point I wish to draw your attention. Section 309 of the Andhra Pradesh (Andhra Area) Hereditary Village Offices Laws (Repeal) Act, 1969. There was an opinion also, without reference to that Act, these rules can be actually published. But at that time, as I remember, the Government thought when the Act is under the Statute, when it is dead, why should it continue to be under the Statute? Let it be repealed. There are two aspects now. One is framing of rules under Article 309 of the Constitution and the other is repealing the Act which is a dead Act.

Mr. Speaker:—Have you understood properly and correctly? Those rules are made under particular Article only till the Act passed by the Legislature. They will be in force only till the Act is passed by the Legislature. Now once that Act is passed by the Legislature those rules will not be in force. So separately that Bill is being brought forward to replace those rules.

Sri Vavilala Gopalakrishnaiah:—Please see Art. 309.

Sri C. V. K. Rao:—The Ordinance is there. For these amendments the ordinance will be in operation. It is not effected.

Sri Vavilala Gopalakrishnaiah:—Article 309 of the Constitution reads as follows;

"... in connection with the affairs of the State, to make rules regulating the recruitment and the conditions of service of persons appointed, to such services and posts until provision in that behalf is made by or under an Act of the appropriate Legislature under this article....."

Mr. Speaker:—That is what I mean.

Sri V. B. Raju:—Legislature is competent to make the law. When that law is made, the rules become actually redundant.
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Mr. Speaker:—That is exactly what I am saying.

Sri V. B. Raju:—The Bill is not for that Act.

Mr. Speaker:—That is entirely a different thing.

Sri V. B. Raju:—This Bill is entirely a different Bill. It is not to replace the rules under Article 309. They are two independent entities. What Mr. Gopalakrishnaiah has said is that since it is mentioned here that the House is seized of the actual affair, why should we not discuss that? That is what he meant actually as I understand. It was not necessary for the Government to incorporate actually or mention that Art. 309 in this. It was not necessary, he said. ..That is what I understood.

Mr. Speaker:—Whatever it may be this Bill is intended to replace certain rules framed under Article 309. But the provisions of the Bill are entirely different. It is not as though the Bill seeks to replace the rules under Art. 309.

Sri V. B. Raju:—Let the misunderstanding be cleared, Sir.

Mr. Speaker:—There must be an enabling provision for the Government to frame the rules and place them on the Table of the House.

Sri C. V. K. Rao:—I would like to say that there has been an Ordinance in force. This Bill is intended to replace that Ordinance. The Ordinance is in force. Under that Ordinance and under the provisions of the Constitution, the rules have been framed and they are before this House. The Ordinance will be continued for six months. So along with the Bill we are discussing the rules. These rules were framed and printed in June and they are being discussed and we have a right to move amendments within the stipulated time.
Mr. Speaker:—In the history of legislation, anywhere not only in this country or in any country, has there been one single instance where the Act as well as the rules have been considered together?

Sri C. V. K. Rao:—Here there is Ordinance.

Mr. Speaker:—What is what I am saying. Is it the question of Bill and the Rules? Here the rules are emanated.

Sri C. V. K. Rao:—I agree with you, Sir.

Mr. Speaker:—There is an enabling provision and under that provision, the Government will frame rules and place them before the House.

(Sri C. V. K. Rao stands to say)

Mr. Speaker:—Mr. Rao, only Bill contains clauses. These clauses are considered first and the rules which are legally to be framed are considered afterwards.

Sri C. V. K. Rao:—The ordinance was there. Was it not a fact that the Governor has passed the ordinance on 22-5-1969?

Sri V. B. Raju:—This is a bill. It is clearly said in the short-title and in the subsequent clauses also that it is a Bill to repeal a particular Act which is on the statute. In fact, no rules may be framed in this Bill when it becomes an act. Now no rules are before this House. Sri Vavilala Gopalakrishnayya has said that Article 309 is mentioned in this Bill, under which rules have been made and so this may be considered because it is mention in the Bill. I do not think the House has a right to go into the rules unless they are placed on the table of the House. They have not been placed on the table of the House. With your permission, I can say that many papers are circulated in the House and every paper is not placed on the Table of the House.

Sri G. Sivaiah:—Article 309 of the Constitution reads like this:

"309. Subject to the provisions of this Constitution, Act of the appropriate Legislature may regulate the recruitment, and conditions of service of persons appointed, to public services and posts in connection with the affairs of the Union or of any state."

This clearly shows that the Legislature has got a right to frame rules under an Act. As far as this Bill is concerned, it is not concerned with any rules. Further, the proviso says: "Provided that
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it shall be competent for the President or such person as he may direct in the case of services and posts in connection with the affairs of the Union, and for the Governor of a State or such person as he may direct in the case of services and posts in connection with the affairs of the State, to make rules regulating the recruitment and the conditions of service of persons appointed, to such services and posts until provision in that behalf is made by or under an act of the appropriate Legislature under this Article, and any rules so made shall have effect subject to the provisions of any such a Act."

Mr. Speaker:—The Ordinance issued by the Governor does not contain any rules. All the rules which are now before the House do not form part of the Ordinance.

Mr. Speaker:—Whatever Ordinance was passed by the Governor is sought to be replaced by this Bill, and after this Bill is passed in this House and in the Council then the Government have to come forward with the rules.

"Every Holder of village office appointed under the Acts repealed by sub-section (1) before the commencement of this Act shall, notwithstanding the repeal of the Act, continue to hold such office subject to such rules as may be made under the proviso to Article 809 of the Constitution."

Mr. Speaker:—As has been rightly observed by Sri V. B. Raju there was no need for the Government to mention that portion at all in that Clause. I can tell you for your information that, even if you pass as it is, those rules will not get the force of law.

Sri C. V. K. Rao:—That is not our contention. Our contention is that the rules have been placed here.

Mr. Speaker:—I have given my ruling that these rules have been circulated to the Members only for favour of information; they are not being placed on the Table of the House, nor is this considered as those rules at all, as they are. We are only concerned with this Bill. Under this, rules are placed on the Table of the Houses and Members will get a right to give notice of amendments and then move also amendments; as it is, these rules will not acquire the force of law, unless they are again placed before the House.

Sri C. V. K. Rao:—Without any reference to the rules, discussion becomes irrelevant. I can raise a point of Order.

Mr. Speaker:—Unnecessary.

Sri C. V. K. Rao:—No reference to these rules need be made here?

Mr. Speaker:—Because it is unnecessary.
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Sri G. Sivaiah:—It is clearly stated here: "Every holder of a village office appointed under the Acts repealed by sub-section (1) before the commencement of this Act shall, notwithstanding the repeal of the Act, continue to hold such office subject to such rules as may be made under the proviso to Article 309 of the Constitution." Here, it is specifically said that the rules will continue because the Acts have been repealed, and the rules will continue notwithstanding the fact that the Government will make rules in future.

Mr. Speaker:—Whatever is stated in the clause, as per Article 309 of the Constitution the moment the Bill is passed by the Legislature, those rules framed under Art. 309 of the Constitution cease to have any force of law.

Sri G. Sivaiah:—Kindly pardon me in my differing from you.

Mr. Speaker:—They have got to be substituted by a Act of the Legislature.

Sri G. Sivaiah:—Even otherwise, Sir, under the Article, till the President or the Governor makes rules regulating the recruitment and the conditions of service of persons appointed, to such services and posts until provision in that behalf is made by or under an Act of the appropriate Legislature under the Article, any rules so made shall have effect subject to the provisions of any such Act. Therefore, Sir, no provision is made in this Bill, and till such a provision is made in the Act, the rules shall continue. Now, the Government is referring to the rules made under Article 309. Therefore, since this Bill refers to the rules already made, those rules also may be discussed whether they have been placed on the Table or not.

Mr. Speaker:—After the Bill is passed by this House replacing the Ordinance, there is no question of framing rules under the Constitution.

Sri P. Subbayya:—It is being framed.

Mr. Speaker:—There is a provision made under the Constitution to cover a particular emergency when there was no Act or legislation. Those rules will be in force till a Bill is passed by the Legislature.

Sri P. Subbayya:—What is the Act in force now?

Mr. Speaker:—Once the Act is passed, then the question of framing rules arises.

Sri P. Subbayya:—What is the Act in force now?

Mr. Speaker:—There is a Bill to replace the Ordinance.

Sri P. Subbayya:—How can the Government run? It cannot run in a vacuum. So, they have come under Article 509. After the Bill is passed, there is no question of framing the rules under the Constitution.

Sri V. B. Raju:—Even without repealing this Act—and this was passed in Madras State, the rules under Article 309 of the Constitution can be in operation. That is an entirely an independent thing which is not before the House. Those rules will actually survive till legislation is made by the Assembly. As a subsequent thing if the Government wants legislation they may bring it. Otherwise, rules under Article 309 will remain.

Mr. Speaker:—I have already given my ruling. These rules do not form part of the Bill. And this present Bill is intended only to replace the Ordinance and no rules form part of the Ordinance. That is all. Copies of the rules which have been circulated to the Members do not form part of the Bill. That is what I have been telling. And this provision, "subject to such rules ..." is redundant. Now, we can go ahead.

Mr. Speaker:—I am asking the Government another thing. I think they should provide some kind of an enabling provision in this Bill for framing rules under this legislation.

Sri V. B. Raju:—It is not necessary. As I have submitted, this Bill is to repeal the Act which is on the statute. Suppose this Act is not repealed, the Bill would not have been there and the Ordinance would not have been there.

Even then rules framed under Article 309 would be there, till the Legislature feels necessary to prepare a law replacing those rules. Now, that is not being done. The only misunderstanding here is, as you have correctly put it, the rules have been circulated for the information of the Members; it is because Article 309 is
mentioned in this repealing Act, and that may not be necessary. Even without that, repeal could have been made. That led to a misunderstanding. Therefore, it is not correct to say that the rules should be discussed by this House.

Mr. Speaker;—I have already given my ruling that the rules do not form part of the Bill. This House cannot discuss those rules; that is the end of it. The question is:

"That the Andhra Pradesh (Andhra Area) Proprietary Estates' Village Service and the Andhra Pradesh (Andhra Area) Hereditary Village Offices Laws (Repeal) Bill, 1969, be read a first time".

The motion was adopted.

Sri P. Thimma Reddy:—Sir, I beg to move:

"That the Andhra Pradesh (Andhra Area) Proprietary Estates' Village Service and the Andhra Pradesh (Andhra Area) Hereditary Village Offices Laws (Repeal) Bill, 1969, be read a second time."

Mr. Speaker:—Motion moved.
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Sri C. V. K. Rao:—Yes, Sir. I beg to move:

"That the Bill be circulated for eliciting public opinion."

Mr. Speaker:—Amendment moved.

(Pause)

Mr. Speaker:—The rules are more important. The rules when they come we can certainly consider. As it is, I don't think you are pressing your amendment.

Sri C. V. K. Rao:—Sir, I am pressing my amendment.

Mr. Speaker:—The question is:

"That the Bill be circulated for eliciting public opinion."

The amendment was declared negatived.

Sri C. V. K. Rao pressed for Division.

[The House then divided.]

Ayes: 13  Noes: 34

The amendment was negatived.

Mr. Speaker:—The question is:

"That the Andhra Pradesh (Andhra Area) Proprietary Estates' Village Service and the Andhra Pradesh (Andhra Area) Hereditary Village Offices Laws (Repeal) Bill, 1969, be read a second time."

The motion was adopted.

CLAUDES 2 TO 4

Mr. Speaker:—The question is:

"That Clauses 2 to 4 do stand part of the Bill."

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

CLAUSE 1, ENACTING FORMULA AND LONG TITLE

Mr. Speaker:—The question is:

"That Clause 1, Enacting Formula and Long Title do stand part of the Bill."

The motion was adopted.

Clause 1, Enacting Formula and Long Title were added to the Bill.

Sri P. Thimma Reddy:—Sir, I beg to move:

"That the Andhra Pradesh (Andhra Area) Proprietary Estates' Village Service and the Andhra Pradesh (Andhra Area) Hereditary Village Offices Laws (Repeal) Bill, 1969, be read a third time."

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Mr. Speaker:—Motion moved.

"That the Andhra Pradesh (Andhra Area) Proprietary Estates' Village Service and the Andhra Pradesh (Andhra Area) Hereditary Village Offices Laws (Repeal) Bill 1960, be read a third time."

The motion was adopted.

Mr. Speaker;— The House now stands adjourned till 8.30 A. M. tomorrow.

(The House then adjourned till Half-Past-Eight of the Clock on 23rd August, 1969)