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CONSTRUCTION OF NALLAMADA BRIDGE

685 Q.—Sri M. Ch. Nagayya:—Will hon. the Deputy Chief Minister be pleased to state:

(a) The time by which the construction of Nallamada bridge on the Guntur-Parchur road, will be completed;

(b) Whether any damage has occurred to Nallamada bridge due to the recent cyclone and if so the particulars thereof; and

(c) If there is any damage whether the Government is responsible for it or the contractor?

A—

The Deputy Chief Minister Sri J. V. Narasimha Rao:—

(a) The bridge work expected to be completed by the end of March 1971.

(b) No damage has occurred to the structure as such so far constructed during the recent Cyclone.

(c) Does not arise in view of answer to (b) above.

Tenders will be called for and work will be completed by changing the contractor.
Sri M. Baga Reddy:—Will the Deputy Chief Minister pleased to state:

(a) whether it is a fact that the Kohir-Kavali P. W. D. road in Medak district was formed long time back;
(b) whether it is also a fact that compensation to the pattacharaks who have lost the lands as a result of the formation of the road has not been paid till now; and

(c) if so, the reasons for this abnormal delay?

Sri J. V. Narasimha Rao—(a) Yes, Sir.

(b) Yes, Sir.

(c) Certain variations in the area acquired were noticed and they were since rectified. The reasons for the delay are partly administrative and partly due to observance of statutory formalities required under the Land Acquisition Act. Necessary instructions have been issued to complete the work within three months.

TREATING B. D. OS. AS GOVERNMENT SERVANTS

*1326 Q—Sri T. C. Rajan:—Will the hon. Minister for Panchayat Raj be pleased to state;

(a) Whether it is a fact that the Accountant-General is not recognising the Block Development Officers as Government Servants; and

(b) if so, what are the reasons and steps that Government propose to take to treat them as Government Servants?

The Minister for Panchayat Raj (Sri T. Ramaswamy):—(a) No Sir,

(b) Does not arise.
31st March, 1970. Oral Answers to Questions:

It is proposed to give clarification and to give benefit to these people also.

Sri D. Venkatesham:—The B. D. Os, who have been promoted from animal husbandry side and other cooperative department side were not considered on par with the revenue officials. So the A.G. has put in objection stating that these people do not come under that particular revenue officials cadre. When is the Government going to give instructions to the A.G. to treat them on par with revenue officials. What are the alternative posts for the B D Os, who have been recruited from other departments?

It is proposed to give instructions in a few days.
VILLAGES WITHOUT EVEN A DRINKING WELL

1215 Q—Sri Agarala Easwara Reddy:—Will the Hon. Minister for Panchayat Raj be pleased to state:

(a) whether the Andhra Pradesh Government has surveyed the villages which do not have even a drinking well as was done by the Mysore Government,

(b) if not, why should not the Government survey now?

Sri T. Ramaswamy (a) Yes Sir, survey of the villages covered with drinking water supply, and the villages yet to be provided with Drinking Water facilities was conducted in 1934.

(b) Does not arise.

13223 Yet to be supplied.

289 Spill over works.

Oral Answers to Questions.

Mr. Krishnamoorthy:— The M.P. from Nellore, Dr. Rao, who is also the Member of the Legislative Assembly, represented the interest of the cotton growers to the Minister for Industries in the District. He said that the government had been selling cotton at a subsidized rate of 12,000 rupees per ton. The cotton growers were demanding that the rate be increased to 15,000 rupees. The Minister assured them that the government would consider their demands.

Mr. Chandra:— The M.P. from Chittoor, Mr. Reddy, demanded that the government increase the price of cotton to 18,000 rupees per ton. The Minister assured him that the government would take steps to increase the price.

Mr. Vemulapalli:— The M.P. from Vemulapalli, Mr. Ramana, demanded that the government increase the price of cotton to 20,000 rupees per ton. The Minister assured him that the government would consider his demands.

Mr. Venkatanarayana:— The M.P. from Venkatanarayana, Mr. Murthy, demanded that the government increase the price of cotton to 25,000 rupees per ton. The Minister assured him that the government would consider his demands.

Mr. Kottapally:— The M.P. from Kottapally, Mr. Raju, demanded that the government increase the price of cotton to 30,000 rupees per ton. The Minister assured him that the government would consider his demands.

Mr. Reddy:— The M.P. from Reddy, Mr. Rao, demanded that the government increase the price of cotton to 40,000 rupees per ton. The Minister assured him that the government would consider his demands.

Sri D. Venkatesam:—Will the hon. Minister for Panchayat Raj be pleased to state:

(a) the names of the villages where Bores were put for drinking water purposes in Kuppam taluk, Chittoor district during the year 1969;

(b) how many are functioning at present;

(c) what is the expenditure incurred in this regard; and

(d) what are the alternative proposals under consideration of Government to provide drinking water to the villages where the Bores have failed?

The Minister for Panchayat Raj (Sri T. Ramaswamy) —

(a) 8 Bores were put for drinking water purposes in the following villages of Kuppam taluk:

1. Kuppam.
2. Kanugundi.
3. Agaram.
8 31st March, 1970

Oral Answers to Questions

5. Burugulapalle.
7. Peddaparthikunta.

In addition to the above four bores were also drilled in the existing draw wells in the following village.

1. Kuppam Oldpet.
2. Kuppam near market.
4. In between Chinnapathikunta and Boyanapalle.

(b) Out of the 12 bores drilled 10 were successful, of which 7 are functioning now. The handpumps of the remaining three bores need minor repairs.

(c) Rs. 14,741.63

(d) The bore wells and the bore put in the draw well in Kanugandi village are unsuccessful. The possibility of providing drinking water supply to this village by means of a piped water supply scheme with a source from a long distance, will have to be examined.

Q. 1. Whether the Sriharikota Road, in Nellore district, has been completed; and (a) if so, the expenditure incurred by the Centre towards those Bores? (b) if not, the reasons for the delay?

The Minister for Panchayat Raj (Sri T. Ramaswamy) — (a) No Sir. The road was completed up to M. 10/6 i.e., 3 furlooghs beyond.
Buckingham Canal. The remaining work measuring one and four
furlongs is in progress.

(b) The entire stretch of the road was formed across the lake. In most parts of the year the season was not favourable for completing the formation of the road as the lake was always flooded. As such, the work had to be restricted to the working season which is only two to three months in a year. Besides, this is an area where labour is scarce, and that too is used for agricultural and fishing operations. In addition to these disadvantages the cyclone and the continuous rains which occupied in 1969 damaged the road already formed up to M. 0/2 retarding the progress of further work.
Public Schools in All Districts

687—

1437 Q.—Sri B. Niranjanarao.- Will hon. Minister for the Education be pleased to state:

(a) whether it is a fact that the Government is going to start public schools in all the districts;

(b) if so, whether the public schools will be opened during the school year, 1970-71;

(c) what is the amount that the Government proposed to spend on each school, and;

(d) what is the medium of education in these schools?

The Minister for Education (Sri P. V. Narasimha Rao):—

(a) No, Sir.

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

Sri P. V. Narasimha Rao.—Public Schools are not run by the Government. Public Schools as such are not run by the Government.

Oral Answers to Questions,

...

Sri P. V. Narasimha Rao:—This question does not pertain to central schools. It is only about public schools. I can get the figures of the scholarship holders.
14


Sri P. V. Narasimha Rao

(a) Grants are being given to the Educational Institutions run by the Telugu speaking people outside the State so as to enable Telugu people outside the State to develop their mother tongue. Grants have also been sanctioned for the creation of a post of Prof. in Telugu in Madurai University and to continue a post of Lecturer in Telugu in the University of Kerala.

(b) The Government of Tamil Nadu is encouraging development of Telugu language by opening Telugu medium schools and by giving grants to private aided schools.

(c) It would not be advisable for this State Government to start Telugu medium schools in Tamil Nadu. However, requests for sanction of grants by the Telugu Associations in Tamil Nadu could be considered sympathetically having regard to our own resources.

1967-68

Rs. 6,500 towards the creation of post of Lecturer in Kerala University.

1968-69

Rs. 15,000 towards the creation of post of Prof. in Telugu in Madurai University;

Rs. 10,000 to the Andhra Association, Calcutta, for the construction of school building.

Rs. 0,000 to Andhra Dramatic and Literary Society Jamshedpur towards the construction of Science block to its High School.

Rs. 10,000 to Sri M. V. N Rao Memorial School, Bhilai for the construction of School building.

Sri P. V. Narasimha Rao:—Delhi is no body’s property. Delhi is the National Headquarters.

Sri G Siviah:—Delhi is no body’s property. Delhi is the National Headquarters.

Sri P. V. Narasimha Rao:—Should I go and start a college in Madurai?

Sri G Siviah:—Why not?
16 March, 1970.

Sri P. V. Narasimha Rao:—It cannot be done, nor will I appreciate it if the Maharashtra Government starts a Marathi college here. My answer is 'No'.

Sri G. Siviah:—Why should the policy of the Government be like this? There are many institutions who are asking for funds.

Sri P. V. Narasimha Rao:—My answer is 'No'. I am trying to explain. They don't listen. There is no patience. I am trying to explain the policy of the State Government with the other State Governments. What we are evolving is reciprocal basis. If there have been any complaints, always we can take them up with the other Governments. I cannot allow or permit, if the Government of West Bengal starts 50 Bengali schools in Hyderabad.

Sri G. Siviah:—Why did you allow in Delhi?

Sri P. V. Narasimha Rao:—I did not allow.

Sri G. Siviah:—Perhaps, our hon. Minister may not be aware of these things. The T. T. D. has started a college at Delhi ....

Sri G. Siviah:—How did your Government allow a college to be started at Delhi?

Sri P. V. Narasimha Rao:—If you want to go and start a college at Madhurai you don't require my permission. If any body wants to start a school anywhere outside the State, I have no objection, but as Government, I will not start any schools in other States.

Sri G. Siviah:—There is a Commissioner for Linguistic Minorities for the whole of India. Wherever such matters are brought to our notice we bring them to his notice to see that the other State Governments concerned are properly advised to take certain steps. We also submit to the jurisdiction of the Commissioner for Linguistic Minorities. I have got here a list of schools in Tamil Nadu. If there is any case in which there is some difficulty about any teachers being removed or linguistic minorities being discriminated against, in any State, that matter can always be brought to the notice of the Commissioner for Linguistic Minorities. Through him we take action in these matters. We just don't start school right and left in other States to embarrass those Governments because our Government also will be equally embarrassed if other Governments start schools in our State. This is a matter in which preservation of cultural heritage of linguistic minorities should be accepted on all hands, That is why there is Commissioner. If there is
any such matter, we can certainly bring it to his notice and see that things are set right.

Sri P. V. Narasimha Rao — It is for the Devasthanam. We have certain powers over the T. T. D. Those powers are regulated by the Act. If within those powers, the I. T. D. has any proposals to open schools, Government will consider it on merit.

Sri Rajagopal Reddy — If necessary, we can amend the Act. If the Act does not permit opening of schools, we can amend it.

Sri P. V. Narasimha Rao — Let the T. T. D. come up to us with proposals.

Oral Responses to Questions.

Sri Raja Gopal Reddy: It is not necessary that they should come up to you.

Sri P. V. Narsimha Rao: In fact, the new Act prohibits the T. T. D. from diverting any funds to general education. These schools and colleges have been running before the Act was passed. I do not know whether according to the present Act, it will be possible either for the T. T. D. or any other Devasthanams to divert their funds.

(Sir) 3. ప్రపంచ సామాన్యం గా ఉన్నా కానంటే .. నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో స్థాయిలో ఉంటే హిందుస్త్రణీ ఇన్స్టిటియం కూడా స్థాయిలో ఉంటే ఆ ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే నా ప్రతిష్ఠ శాఖ కాలా ప్రాంతంలో ఉంటే 

We should not participate in the regular grant-in-aid as a State Government. It is not correct, Sir. As the requests from other countries we are looking into them and we shall certainly consider.

(Sir) 5. ఆస్వాదనాలు అభిమానంత్రి ప్రతి సాధారణం కు సుమారు కనంషిల కానంటే .. 

We should not participate in the regular grant-in-aid as a State Government. It is not correct, Sir. As the requests from other countries we are looking into them and we shall certainly consider.
Oral Answer to questions. 31st March, 1970.

Sri P. V. Narasimha Rao :— It requires separate question. But we have been corresponding and we have been writing to the Commissioner for Linguistic Minorities particularly about the Andhras in Tamilnadu and other places. We have been discussing this issue and the number of primary schools under Government or Local Bodies with Telugu as medium of instruction for the children of people whose mother tongue is Telugu is—121.

The number of Primary schools under Government or Local Bodies with Telugu parallel classes for the children of people whose mother tongue is Telugu .. 70

The number of Secondary Schools under Government or Local Bodies with Telugu as medium of instruction for the children of people whose mother tongue is Telugu .. 30

The number of Secondary Schools under Government or Local Bodies with Telugu parallel classes for the children of people whose mother tongue is Telugu .. 25

The Number of Private Primary Schools with Telugu as medium of instruction for the children of people whose mother tongue is Telugu

The number of Private Primary Schools with Telugu parallel classes for the children of people whose mother tongue is Telugu .. 10

The number of Private Secondary Schools with Telugu as medium of instruction for the children of people whose mother tongue is Telugu .. 2
Oral Answers to Questions

31st March, 1960

Q. 1. Whether the Company is prepared to fix a percentage of the dividend as a minimum, when the earned profit is distributed among the members?

Ans. The Company has not fixed a minimum percentage of the dividend.

Q. 2. Whether the Company has any surplus which can be utilized for any purpose?

Ans. The Company has a surplus which can be utilized for the purpose of capital redemption or for any other purpose as per the Company's directive.

Q. 3. Whether the Company has any policy regarding the distribution of dividends?

Ans. The Company follows a policy of distributing dividends based on the earned profit, after meeting the expenses and setting aside any required reserves.

Q. 4. Whether the Company has any surplus which can be utilized for any purpose?

Ans. Yes, the Company has surplus which can be utilized for any purpose as per the Company's directive.
Notice Questions and Answers

3rd March, 1970

Sri C. Prabhakara howdry: — Will the hon. Minister for Labour be pleased to state:

(a) whether it is a fact that in 1967 the Chief Inspector of Factories refused to register the expansion unit of the Andhra Pradesh Paper Mills as a separate new unit on the ground that both units are located in the same compound, have a common boiler for steam supply, a common pulp mill, a common time office, security department, transport department etc., and decided to treat both units as two departments of one paper mill;

(b) whether the Government passed orders to register the same as a separate unit in 1968;

(c) whether the Government is aware that the Central Government is of the opinion that there is a prima facie case for treatment of the expansion unit as part and parcel of the old unit;

(d) whether the Government is aware that there is common income tax assessment of the two units.
(c) whether the Government is aware that the workers and staff of both units are on the same service rolls and taken numbers are given accordingly and that they work in both units combinedly and

(f) whether the Government is aware that registration of the expansion unit as a separate mill will hit at the bonus and provident fund rights of the workers and staff?

The Minister for Labour (Sri G. Sanjeeva Reddy) (a) and (b) Under Sec. 4 of the Factories Act, 1948, Government issued orders in G. O. Ms No. 124, Home dated 30.4.1968 that the new unit U of Andhra Pradesh Paper Mills, Rajahmundry be treated as a separate factory for all purposes of the Factories Act, after taking into consideration the need for declaring that unit as a separate factory.

(c) There is no information with the State Government.

(d) Yes, Sir.

(e) Separate master rolls are maintained for the old and new units and the token numbers for the old and new units are in different serial order.

(f) Yes, Sir.

G. Prabhakana Chowdary:— I have information with me that the Chief Inspector of Factories has rejected the petition by the Paper Mills management by registering it as a separate unit. As far as the answer is concerned, the Paper Mills management has rejected it as a single factory having two branches, 2 factories and raw materials supplied to both units are from one source. As such, the Paper Mills are treated as a single factory having two branches.

C. Prabhakara Chowdary:— I have information with me that the Chief Inspector of Factories has rejected the petition by the Paper Mills management by registering it as a separate unit. As far as the answer is concerned, the Paper Mills management has rejected it as a single factory having two branches, 2 factories and raw materials supplied to both units are from one source. As such, the Paper Mills are treated as a single factory having two branches.
Short-Note: Question and Answer
1st March, 1970

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2. Dcr-^rs eocuj*  3o^  ?

3. [Image 0x-0 to 422x706]

INTERSTATE SMUGGLING OF RICE ETC.

* 1456 – D Q. Sarvasri V. B. Raju and Kona Prabhakara Rao;—Will the hon. Minister for Civil Supplies be pleased to stat:

(a) whether it is a fact that the interstate smuggling of rice and other essential commodities has increased in the recent days;

(b) is it not a fact that it is due to the persistent rumours that the Vigilance Cell will be wound up;

(c) whether there is a proposal to abolish the vigilance cell;

(d) is it a fact that the work of the Vigilance Cell will be entrusted to the flying squads working under the Dist. Collectors;

(e) is it a fact that the hon. Minister stated publicly that the working of the flying squads working under the Dist. Collectors is not satisfactory; and

(f) if the answer to (d) and (e) is in the affirmative how does the Government justify the winding up of the vigilance cell which is working well and entrusting the work to the Revenue Flying Squads which have not functioned well?

The Minister for Civil Supplies (Sri A Sanjiva Reddy) (a) No.

(b) Does not arise.

(c) No.

(d) No.

(e) Yes.

(f) Does not arise.

APPOINTMENT OF PROFESSOR IN MATHEMATICS IN OSMAHIA UNIVERSITY

700 A.

* 1457 – Y Q. Sarvasri A. Madhava Rao, V. Rama Rao & D. Venkatesam;—Will the hon. Minister for Education be pleased to state:

(a) whether the Government is aware that Professor in Mathematics in Osmania University is not appointed since 10 years; and

(b) if the answer to clause (a) is in affirmative, the reasons for not appointing the professor?

Sri P. V. Narasimha Rao:—(a) Yes Sir.

(b) One post was advertised by the University in the years 1959, 1960, 1962, 1963, 1964, 1966 and 1969. The reasons given by the University for not appointing the Professor are as follows:

(i) The candidates interviewed in 1959, 1960, and 1963 were not found suitable.
(2) The candidate selected in 1962 did not have the teaching experience prescribed in the advertisement.

(3) The candidates selected in 1964 and 1966 wanted a higher start of pay and they did not give as the university did not accept their conditions.

The post is readvertised in 1969 and the Registrar has reported that interviews are going to be held soon.

It is for the University to make their own selection. One Dr. Lakshmikantham was selected. He said: 'No, I am not going to come unless you pay me so much.' The Syndicate said: 'No, we can't pay.'

One Dr. Lakshmikantham was selected. He said: 'No, I am not going to come unless you pay me so much.' The Syndicate said: 'No, we can't pay.'

What is the salary that is being paid in other Universities for Mathematics Professor? What is the extra amount that has been demanded by the Professor?

Sri P. V. Narasimha Rao: Dr. Lakshmikantham demanded Rs. 1,300. It was not agreed to. Dr. M. V. Subbarao demanded Rs. 1,200 and also travel expenses. That was not agreed to. One Dr. Viswanatham was selected and he is now working in the Post-Graduate Centre, Warangal. This is the position, Sir. In one of the interviews those who came were found to be unsuitable. How are we going to question?
Sri D. Venkatesham: My question is what is the salary that is being paid in other Universities?

Sri P. V. Narasimha Rao: I think it is Rs. 1,100 or so.

Dr. T. V. S. Chatapathi Rao: What are the qualifications prescribed for the post and what are the qualifications of the candidate who appeared for the interview? And what was the salary that was being paid to the Professor of Mathematics before this vacancy arose?

Sri P. V. Narasimha Rao: Sir, the pay scale of a Professor is Rs. 1,100 and something. I do not remember. But, in this case they wanted higher salaries and the University was not in a position to pay. The Syndicate said 'Sir, we cannot pay.' That is the position.

Dr. T. V. S. Chatapathi Rao: Is not the education of these students in the University suffering without a Professor of Mathematics? What is the value of the degrees that are conferred on these graduates who are qualified from these University Colleges? Is it the money value or is it the value of the degree, and the quality of education that is being imparted?

Sri P. V. Narasimha Rao: It is for the University and Syndicate to consider all these things and not for us to dictate. Apparently, they did not think the education is suffering. There are others who are doing the job.

Dr. T. V. S. Chatapathi Rao: If they think like that, do you think they are correct?

Sri P. V. Narasimha Rao: No, no. In every University and every faculty it is not as if it is run by Professors. It is run by Readers. There are so many faculties in the Osmania University, Andhra University and other Universities without a Professor. That does not mean invariably the instruction is suffering. There may be very competent Readers who may be doing that.

Dr. T. V. S. Chatapathi Rao: Then they can as well abolish the post of a Professor if it could be carried on with the help of the Readers.

Sri P. V. Narasimha Rao: In any case, it is for the University to consider and not for us to dictate.

In two interviews those who came for the interview, all of them were found to be unsuitable.
Dr. T. V. S. Chalapathi Rao—In view of the views expressed by the Hon. Minister, can we write to the Registrar to fill up the posts?

Sri P. V. Narasimha Rao—The Registrar has said that the interviews are to be held shortly.

The Minister for Endowments, (Sri R. Ramalinga Raju.)—

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

STRIKE BY MOTOR WORKERS OF SRISAILAM DEVASTANAM

700-B.-.

Will the hon. Minister for Endowments be pleased to state:

(a) whether the Srisailam Devasthanam Motor Workers are on strike from 8-3-1970, and
(b) if so, what are their demands?

700-F. Q.—Sarasvati Poola Subbaiah, K. Govinda Rao and Md. Rajabali.—

(a) No, Sir.
(b) Does not arise.
Will the hon. Minister for Labour be pleased to state:

(a) whether Government is proposing to bring compulsory gratuity legislation and other Labour Welfare Schemes Legislation;

(b) if so, what is it and when?

Sri G Sanjeeva Reddy: (a) and (b) — The proposal relating to bring out a Legislation for payment of gratuity, compulsory to
the workers engaged in factories and industrial undertakings is under the examination of the Government. The other proposed Legislations are:

1. Legislation providing uniform holidays to employees in factories and establishments.

2. Legislation on Industrial Relations Commission providing for the appointment of Industrial Relations Commission in place of Industrial Tribunal. Compulsory recognition of a representative union and its rights; specification of unfair labour practices on the part of workers union and employers.

3. Legislation on Mutta Zettu, Hamal and other manual workers regulating their service conditions etc.

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3. Legislation on Mutta Zettu, Hamal and other manual workers regulating their service conditions etc.
ప్రశ్నలు:
1. నార్త్మాన్ మనం కిలిబటటా కేటాయం మొదలుతుంది?
2. మన సముదాయ భావనలు ఎందుకు ప్రతిష్ఠించారు?
3. చిత్రంలో ఉన్న మెండ్లు ఎందుకు కలిగినవి?
4. మన సముదాయ సంపాదన ఎందుకు నిర్ధారించారు?

ఉత్తరాలు:
1. నార్త్మాన్ మనం కిలిబటటా కేటాయం మొదలుతుంది?
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31st March, 1970

ప్రశ్నలు:
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4. మన సముదాయ సంపాదన ఎందుకు నిర్ధారించారు?

ఉత్తరాలు:
1. నార్త్మాన్ మనం కిలిబటటా కేటాయం మొదలుతుంది?
2. మన సముదాయ భావనలు ఎందుకు ప్రతిష్ఠించారు?
3. చిత్రంలో ఉన్న మెండ్లు ఎందుకు కలిగినవి?
4. మన సముదాయ సంపాదన ఎందుకు నిర్ధారించారు?

Mr. Deputy Speaker:—Questions and answers are over. Now, I have to make some announcements.
### Senior Hindi Pandits Course in Training Colleges

1. **Q. 130 (200) O.—Sri R. Mahananda:—Will the hon. Minister for Education be pleased to state:**
   - a) when did the Government introduce Senior Hindi Pandits course in the Training Colleges of Nellore and Hyderabad;
   - b) how many are admitted to this course during 1966-67 and 1967-68;
   - c) whether the State Government is getting any special grant from Central Government for these schemes;
   - d) if so, how much is given in 1966-67 and 1967-68;
   - e) whether there are any private schools run for the Junior and Senior Pandit Courses;
   - f) if so, where are they located and the yearwise grant by the State and Central Government to these schools in 1966-67 and 1967-68?

2. **A.**
   - A statement is placed on the table of the House.

3. **PAPER LAID ON THE TABLE OF THE HOUSE**
   (Vide L.A.Q. 2090 (Starred) [*689]*)

   a) **When did the Government introduce the Senior Hindi Pandits course in the Training Colleges of Nellore and Hyderabad?**
   - The Senior Hindi Pandits Training course was started in Govt. Training College, Nellore during the year 1964-65 and in Govt. Training College, Hyderabad in 1966-67.

   b) **How many are admitted to this course during 1966-67 and 1967-68?**
   - Govt. Training College Nellore:
     - 1966-67: 24
     - 1967-68: 18
   - Govt. Training College Hyderabad:
     - 1966-67: 80
     - 1967-68: 85

   c) **Whether the State Government is getting any special grant from the Central Government for these schemes?**
   - This is a centrally sponsored scheme, eligible for 100% financial assistance from the Government of India.

Written Answers to Questions

(d) if so, how much is given in 1966-67 and 1967-68

The amount of central assistance received during the years 1966-67 and 1967-68 was Rs 50,000 and Rs 40,000 respectively.

(c) whether there are any private schools for the Junior and Senior Pandit Courses;

The Junior Hindi Pandits Training Courses are run by Private Voluntary Organisations are not running Senior Hindi Pandits Training Course.

(f) if so, where are they located and the yearwise grant given by the State and Central Governments to these schools in 1966-67 and 1967-68.

8 Junior Hindi Pandits Training courses were run by Private Organisations during 1966-67 and 1967-68 at the following places:

1. Rajahmundry, (2) Vidyavanam of Pamaaru (Krishna District).
2. Morrispet, Tenali
3. Eluru (5) Cuddapah
4. Srikakulam
5. Naxarpet, Tenali and
6. Vijayawada.

An amount of Rs. 2,000 each was sanctioned by the State Government to the following institutions during 1966-67 and 1967-68 for conducting Junior Hindi Pandits Training Courses.

<table>
<thead>
<tr>
<th>School</th>
<th>1966-67</th>
<th>1967-68</th>
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<tbody>
<tr>
<td>1. Rajahmundry</td>
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<tr>
<td>2. Vidyavanam (Krishna Dist)</td>
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<td>3. Morrispet, Tenali</td>
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<td>4. Eluru, Cuddapah</td>
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<td>5. Srikakulam</td>
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<td>6. Naxarpet, Tenali</td>
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<td>7. Vijayawada (Krishna District)</td>
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</table>

No central assistance was received for the Junior Hindi Pandits training centres in the State.

Correspondence Courses at Graduate and under Graduate Levels

Sri A. Madhava Rao:—Will the hon. Minister for Education be pleased to state:

-
Written Answers to Questions. 31st March, 1970.

(a) whether it is a fact that the Kothari Commission on education has recommended the introduction of correspondence courses at graduate and undergraduate levels of University education, and

(b) if so, the steps taken to implement the same in our State?

A.

(a) Yes, Sir.

(b) The matter is under consideration of the Three Universities in our State.

SCHOOLS RUN BY CHRISTIAN MISSIONARIES

691

*50 (579) Q. — Shri B. Niranjanrao: Will the hon. Minister for Education be pleased to state:

(a) the number of schools started by Christian Missionaries since last 10 years in Andhra Pradesh; and

(b) the number of Colleges started by the Christian Missionaries since last 10 years in Andhra Pradesh?

A: —

(a) The District Educational Officers are competent to permit the opening of Primary and Upper Primary Schools. The information regarding the number of Primary and Secondary Schools opened in past various years during the period of 10 years is not readily available; However the number of Schools run by Missionaries as on 31-3-1968 is as below:

(i) Primary Schools .. 350 (excluding Cuddapah District for which District information is due)

(ii) Upper Primary Schools .. 67

(iii) High Schools 87

(iv) Higher Secondary/Multipurpose Schools .. 21

(b) Four Sir.

RAISING SEA-ISLAND COTTON IN PATHIKONDA

692

*1012 Q.—Shri K. Eswara Reddy:—Will the hon. Minister for Agriculture be pleased to state:

(a) whether the Government are aware that favourable conditions exist to raise sea-island cotton under the wells in Pathikonda taluk; and

(b) if so, whether steps will be taken to encourage the ryots to raise this crop?

A: —

(a) Yes, Sir.

(b) Yes, Sir.
EUCALYPTUS PLANTATION IN PADERU AREA

693 —

*1161 Q.—Sarvasri I. Chitti Naidu and V. Palavelli:—Will the hon. Minister for forests be pleased to state:

(a) the extent of land under Eucalyptus Plantation in Paderu area of Visakhapatnam district during the current year, and

(b) what is the amount so far spent and the amount realised from the said plantation?

A: —

(a) Seven Acres.

(b) Rs. 362 have so far been spent on the plantation and no revenue as been realised.

SURVEY FOR THE 5TH DISTRIBUTARY OF LEFT CANAL OF N. S. PROJECT.

694 —

* 356 (3116) Q.—Sri N. Raghavareddy:—Will the hon. Minister for Irrigation be pleased to state:

(a) the reasons why work has not been taken up so far in spite of the fact that survey has been conducted long back in the 5th distributary of Left Canal of Nagarjunasagar for the supply of water to Ragadapa and Thimmapuram villages; and

(b) the number of villages that will get water for irrigation by constructing the said distributary canal and the extent of ayacut that will be brought under cultivation?

A: —

(a) The tract of land consists of valleys and hill ranges. Keeping this difficult terrain in view, a number of alternatives had to be considered in order to arrive at an economical proposal. Detailed investigation of the scheme has since been completed and Hydraulic particulars of the existing and proposed distributaries are under preparation. Every effort will be made to execute the scheme as early as possible.

(b) 11 villages will be covered by the scheme and the extent of ayacut which will be brought under irrigation is about 6895 acres.

SHARING OF ELECTRICITY FROM NYVELI PROJECT.

605 —

* 1982 Q.—Sri Poolla Subbaiah:— Will the hon. Minister for Power be pleased to state:

(a) at what stage the matter stands between the Centre and our state so far as our share of Electricity from Nyveli project in Madras is concerned; and

(b) whether any agreement has been arrived at so far?

A: —

(a) and (b):—The State Government has already taken up the matter with the Government of India for allocation of a substantial
share of power generated from Neyveli generating power station to the Andhra Pradesh. The matter now rests with the Government of India from whom a reply is awaited. The matter is being pursued.

**WRITTEN ANSWERS TO QUESTIONS**

**REDUCTION OF ELECTRICITY RATES TO NEW INDUSTRIES**

696—

* 1281 Q: Sri Poona Subbaiah:—Will the hon. Minister for Power be pleased to state:

(a) Whether the Rayalaseema planning and development board executive committee submitted a report to the Government for the reduction of electricity rates to the new industries from 15 Paisa to 7 Paisa as in Mysore State?

A:—

The sub-Committee on Industries and mines constituted by the Planning and Development Board for Rayalaseema in its report interalia recommended that the tariff rates should be reduced so as to bring it nearer to the rates prevailing in Mysore if not on par with them and that power be made available to all industries including existing industries for a period of 7 years at the lower tariff. The Planning and Development Board for Rayalaseema is considering the recommendation of the sub-Committee.

**RAISING OF “GANJAYEE PLANTS IN FORESTS”**

697—

* 1112 Q: Sarvasri K. Munuswamy and M. Munuswamy:—Will the hon. Minister for Forests be pleased to state:

(a) Whether there is any proposal with the Government to raise “Ganjayee Plants” in forest areas at Sathyavedu taluk, Chittoor district; and at Sullurpet taluk, Nellore district;

(b) if so, from when; and

(c) if not, the reasons therefor?

A:—

(a) No, Sir.

(b) Does not arise.

(c) This is not a forest species.

**RALLAKALVA PROJECT**

698—

* 100 (1890) Q: Sri K. Munuswamy:—Will the Hon. Minister for Minor Irrigation be pleased to state:

whether there is any proposal with the Government to extend the Rallakalva Project channel up to Kodur village, Sathyavedu taluk, Chittoor District.

(b) if so from when;

(c) if not the reasons therefor?

A:—

(a) No, Sir.

(b) Does not arise.

**Privilege Motion:**

*re: Contempt application filed in the High Court by Sri D. Narasimham M. L. A.*

(c) Raila:alva Project is recently completed physically and its performance has to be watched for 5 to 5 years, before considering the proposal to extend the channel up to Kaduru village.

**Construction of Reservoir over Nagavali River**

699—

*141 Q Sri M. B Parakkulam:—Will the hon. Minister for Minor Irrigation be pleased to state:

(a) whether the Government have considered any scheme to construct a reservoir over Nagavali River in Srikakulam district, so that water can be supplied for double crop to the existing ayacut and additional land to the extent of some thousands of acres can be brought cultivation, and

(b) the place where preliminary investigations for the construction of the reservoir, have been conducted, in Srikakulam district?

A:—

(a) Yes, Sir.

(b) (i) At Totapalll village on Nagavali River in Parvatiparai Taluk; and

(ii) At Pattuvedhanan village in Palakonda Taluk on Nagavali Swarnamukhi Rivers.

**Pilot Scheme for Development of Fisheries**

700—

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

(a) whether there are proposals before the Government to introduce a pilot scheme for the development of fisheries in our state:

(b) if so, when the scheme is likely to be introduced; and

(c) the area likely to be covered by the Pilot scheme?

A:—

(a) No, Sir.

(b) & (c): Do not arise.

**Privilege Motion**

*re: Contempt Application Filed in the High Court by Sri Narasimham, M. L. A.*

Mr. Deputy Speaker:— Sarvasri G. Venkata Reddy, V. Palavelli, V. Ramakrishna Chowdary, R. Rajagopal Reddy and A. Rama Reddy have given notice of a privilege motion which reads like this:

“To

The Hon’ble Speaker,
Andhra Pradesh Legislative Assembly,
Hyderabad.

Respected Sir,

We, the following members of this House bring to your notice the contempt application filed by one of the Members of this House, Sri Dhanenkula Narasimham against us and also the Hon’ble Speaker...
Privilege Motion:


Of the House before the High Court of Judicature in connection with the notice of privilege motion raised by us in this House on 16-3-1970 against Sri Justice C Kondiah in which Sri D Narasimham questioned the right of ours regarding the notice of privilege motion raised in this House which amounts to breach of privilege.

It appears that Sri D. Narasimham stated in his affidavit that the notice of privilege motion raised in the House is solely with the idea of maligning the Judge and bring this Court and His Lordship into dispute. It appears further that he stated that we (respondents 1 to 3) have issued this privilege motion with the intention to threaten the Judges of this High Court and thereby prevent them from discharging their duties without any fear or favour which is travesty of truth and we submit that there is no mala fide intention on our part regarding the functioning of judiciary or the conduct of a Judge. He condemned the action as well as threatened us by imputing motives and casting aspersions and reflections on us which is gross violation of the rights of ours as well as Members of the House which constitutes breach of privilege.

We beg to submit that any act of omission or commission which obstructs or impedes any Member of the House in the discharge of his duty may be treated as a contempt of the House.

We also submit that the filing of contempt application against us imputing certain motives thus questioning the fundamental rights of the Members is a reflection on us as well as the House which we feel may constitute the contempt of the House.

Hence we request that the Hon'ble Speaker may be pleased to take into account the contempt application and refer to the Committee of Privilege as it amounts to breach of privilege.

Thanking you,

Yours sincerely,

Sd. G Venkata Reddy
V. Palavelli
V. Ramakrishna Chowdary
R. Rajagopal Reddy
A. Rama Reddy

Sri C. V. K. Rao:—Mr. Deputy Speaker, Sir, before taking up the privilege motion, my adjournment motion has to be disposed off. I have given an adjournment motion, Sir.

Mr. Deputy Speaker:—I will find out.

Sri C. V. K. Rao:—I have given yesterday and today also, Sir.

Mr. Deputy Speaker:—Your adjournment motion given on yesterday was disallowed by the Speaker. Today, you have not given your adjournment motion in time,
Privilege Motion:

re : Contempt application filed in the High Court by Sri D. Narasimham M. L. A.

Sri C. V. K. Rao: How can it be, Sir? It is a matter of urgent public importance, Sir.

Mr. Deputy Speaker: -Please follow rules. When once it is disallowed, it cannot come up.

Sri C. V. K. Rao: If the Speaker does not give consent, there is sub rule (ii). If you are not granting leave, I will take objection, Sir.

Mr. Deputy Speaker: - When once it is disallowed, it cannot be taken up.

Sri C. V. K. Rao: -I take an objection for leave not being granted.

Mr. Deputy Speaker: -The rule says that notice of an adjournment motion shall be given one hour before the commencement of the sitting of the day on which the adjournment motion is proposed to be made to each of the following:

Speaker, Minister and the Secretary.
You can do it in the order, again.
Sri C. V. K. Rao: - It is a matter of urgent Public Importance.
Mr. Deputy Speaker: -Now I am not allowing it.
Sri C. V. K. Rao: -Then I got to take it up in the Zero hour.
Mr. Deputy Speaker: - Now it is not Zero hour. No, No.

Sri C. V. K. Rao: -These rules are intended to facilitate bringing to the notice of the House and to the notice of the Government matters of vital importance to the people. Here N. G. O's strike, and the Municipal workers' Strike are going on for the last one week. Almost all the towns are suffocated. Is it not the duty of the Government?

Mr. Deputy Speaker: - Do you want to take advantage of the Zero hour. Now it is not the Zero hour. Please sit down.

Sri C. V. K. Rao: -The questions are over.

Mr. Deputy Speaker: -During three days debate on Non-confidence motion, you can have the opportunity.

Sri A. Eswara Reddy: - Hon Member Sri D. Narasimham has filed a contempt petition in the court. Before the Judge could give a ruling, I request the Members of this House not to press this privilege issue because it is sub judice.

Mr. Deputy Speaker: -Let them not speak anything which is sub judice. But they can make a reference as to why it should be pressed and D. Narasimham has given without casting aspersions on the Judge or the Judiciary.

Shri G. Venkat Reddy: -As you are aware, I have given notice of a privilege motion against the Judgment delivered by Justice Sri Kondayya. We are also aware that certain sweeping remarks against
Privilege Motion:

81st March, 1970

re. Contempt application filed in the High Court by Sri D. Narasimham, M.L.A.

All the politicians including our M.L.A.s, were made. On that I have given a notice of privilege motion to be raised in this House and the ruling on that was not given so far. On that notice of privilege motion, one hon. Member, Sri. Darankula Narasimham has filed a Contempt application against myself and other members and also the Speaker restraining the Speaker - I did not quote in my above notice - from discussing the issue regarding the judgment and to convene the all party leaders' conference in this House, arising out of the judgment regarding politicians. My point of view on that score is, questioning the right of a member raising an issue itself is a contempt. Under Article 212 also the Members are protected and nobody can questions the proceedings of the House, a more important thing in a court of law. We are not going to discuss about the conduct of the Judge who is protected under Article 211. So there is difference between articles 211 and 2. The judges are protected only of the conduct in the course of discharge of their duties. Like that members are also protected. That is the ruling given by the House of Commons, I would like to bring that to your notice, Now he has sought the assistance of the court to restrain the Speaker from not convening a meeting of the leaders of all the political parties and to discuss the issue in this Assembly. That is how he is restraining the powers of this August House. That itself is a contempt. If one of the Members of this House will go and threaten us dire consequences by going to a court of law and restrict us not to raise this issue in this Assembly, it is a contempt. You have to safeguard the interests of the members as well as of the House. I request that the Speaker may refer this matter to the Privileges Committee.

106—6
Privilege Motion:

Contempt application filed in the High Court by Sri D Narasimha, M. L. A.

Sri T.V.S. Chalapathi Rao: It looks as though it has become a chain reaction. The origin of this chain reaction is the judgment of the High Court. Which portion of the judgment of the High Court has offended the privileges is also not made clear. Whatever it may be, unfortunately a member of this House started to take this matter again moving the House or the members who gave notice of this privilege motion for incurring the contempt of the court. As Mr. Latchanna has rightly pointed out, neither that was admitted there, nor the privilege motion was disposed of here. So the contempt petition also appears to be premature whatever it is this House is not in a position to know whether it is premature, valid or otherwise, until the grounds of the contempt petition filed before the Court are made known to this House. May I know if the Speaker at least, is in possession of the copy of the contempt petition filed before the Court. Otherwise, how can it give rise to any privilege motion. Therefore, let the House be furnished with all the facts in full, before we can express our views either on the admissibility of the privilege motion or the validity or the relevancy or the justification for the contempt petition filed before the Court and the latest privilege motion emanating from the contempt petition filed by one of the member before the High Court. Therefore my submission is that if we want to do justice and if we want to give our views on the matter, we must have all the facts before us. Therefore, I request the Speaker to get a copy the Contempt petition and also to request the members who gave notice of the 1st privilege motion to state the grounds, according to them, which portion of the High Court judgment offended the privileges of this House.

Sri T.V.S. Chalapathi Rao: I have given a notice of privilege motion. That I raised in this House. On that the Hon Speaker reserved the ruling. There are two courses of action left over to the Speaker. One i. to state that there is no prima facie case. He can straightforward refer to the Privileges Committee. Or, if there is no prima facie case or if he does not want to use his discretion, he may leave it to the opinion of the House. So far, he did not choose to do anything. No action has been taken by the Hon. Speaker whether it is a prima facie case or not. Now a member going to a court of law questioning the right of a member and quoting the proceedings of this House, is a contempt of the House. I am not disputing or questioning the conduct of the Judge or casting aspersions or imputing motives to members of the judiciary. It is also not good on my part to attribute motives. I would like to submit to the Hon. Speaker that on my notice, he went to a court of law with an idea of threatening me and other members. He should not proceed like that. He also questioned the right of the Speaker to convene this meeting and to discuss this issue in this House.

Sri T.V.S. Chalapathi Rao: It looks as though it has become a chain reaction. The origin of this chain reaction is the judgment of the High Court. Which portion of the judgment of the High Court has offended the privileges is also not made clear. Whatever it may be, unfortunately a member of this House started to take this matter again moving the House or the members who gave notice of this privilege motion for incurring the contempt of the court. As Mr. Latchanna has rightly pointed out, neither that was admitted there, nor the privilege motion was disposed of here. So the contempt petition also appears to be premature whatever it is this House is not in a position to know whether it is premature, valid or otherwise, until the grounds of the contempt petition filed before the Court are made known to this House. May I know if the Speaker at least, is in possession of the copy of the contempt petition filed before the Court. Otherwise, how can it give rise to any privilege motion. Therefore, let the House be furnished with all the facts in full, before we can express our views either on the admissibility of the privilege motion or the validity or the relevancy or the justification for the contempt petition filed before the Court and the latest privilege motion emanating from the contempt petition filed by one of the member before the High Court. Therefore my submission is that if we want to do justice and if we want to give our views on the matter, we must have all the facts before us. Therefore, I request the Speaker to get a copy the Contempt petition and also to request the members who gave notice of the 1st privilege motion to state the grounds, according to them, which portion of the High Court judgment offended the privileges of this House.

re: Contempt application filed in the High Court by Sri D Narasimham, M.L.A.

Dr T.V.S. Chalapathi Rao:—Are all M.L.As. here not politicians also?

No such remarks stated to have been made by the Judge are not found here.

Sri G. Venkata Reddy:—I request the Chair to permit me to say my arguments.

Mr. Deputy Speaker:—Let us not go to the merits. Let us go only to the Privilege motion.

Mr. Deputy Speaker:—I would like to be enlightened on a point whether a member can go to a court disclosing the matters of
the Assembly. Whether proceedings can be disclosed in the Court or questioned in a court of law. If disclosed do that form a breach of privilege or not? Now Mr. Govinda Rao.

Sri D. Govinda Rao:—On that I am not prepared to say.

Mr. Deputy Speaker:—We are discussing whether a member can take the proceedings to the Court, threaten or challenge or whether he could file a petition?

Sri B. Ramasabhapathi:—That does not come because all our reports are published everyday in the newspapers.

Sri V. B. Raju:—You can take this at leisure. Many things have come and many things have been pending. You can take it on the 3rd. There is no harm in it.

Sri B. Ratnasabhapathi:—This is not the first time, an issue like this coming up in the Assembly. Though not in our Assembly, it has come up in the U. P. Assembly. That is 7th April 1949. Supreme Court has already given the decision. Under Art. 216 it can be taken up in a court of law. That is for the lawyers. I am not a lawyer. Mr. Venkat Reddy is an eminent lawyer. He can speak on that.

Sri V. B. Raju:—Today Gujarat Assembly has adjourned and the people have gone to question the adjournment of the House. Therefore this is absolutely in the fitness of things that a court can take cognizance of things here and pass their own verdict.
Privilege Motions.


Contempt application filed in the High Court by Sri D. Narasimham, M L A.

I welcome this privilege motion. It is better that this privilege issue is referred to the Committee on Privileges. I welcome this motion.

The Hon. Speaker has assured that he will call a meeting of the Leaders; let the meeting take place, let the leaders take a decision; let it be announced in the House, and let us see what is going to happen.

Sri G. Sivaiah:—I beg to differ from Sri B. Ratnasabhapathi's view that the matter may be left to the leaders. I do not know why this tendency has developed to disrespect the Members of the House, when the matter has been discussed in the Assembly. Now, what is the issue? The issue is very clear, whether a Member can try to bring certain restrictions on his co-Members; that is the issue; everybody has a right, every citizen has a right to go to a court; nobody denies it; Mr. Venkata Reddy is not questioning it; he is only questioning whether an hon. Member of this House can try to bring a petition against other Members of this House, outside the premises of the Assembly. If a thing is allowed like this at every stage, we know the number of parties here. Therefore, any Member will try to go to court. Whether the court has a right to interfere, whether any citizen has a right to go to a court, that is a separate issue, and we do not deny it. The only issue is whether an hon. Member of this House can question the conduct of other Members. If this is allowed like this, it will be dangerous to democracy. Therefore, Sir, this should be referred to the Committee on Privileges.
Mr. Deputy Speaker: Ruling will be given later on.

Mr. Deputy Speaker: I will bring it to the notice of the Speaker.

BUSINESS OF THE HOUSE

The provision to Rule 67 is as follows: "Provided that where the Speaker has refused his content under rule 63 or is of opinion that the matter proposed to be dis
Mr. Deputy Speaker:—I cannot do anything when once the Speaker has disallowed it; he will communicate the reason to you.

Sri C. V. K. Rao:—There is a rule that you can read the notice.

Mr. Deputy Speaker:—When it is not in order, how can I read it?

Sri C. V. K. Rao:—That is the rule, that is your discretion.

“67. Provided that where the Speaker has refused his consent under rule 63 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary, read the notice of motion and state the reasons for refusing consent or holding the motion as not being in order.’’

Mr. Deputy Speaker:—I do not think it is necessary to read.

Sri C. V. K. Rao:—Sir, the municipal workers' strike is a matter of grave concern to the entire country.

Mr. Deputy Speaker:—You can raise it during the next three days. The Member has got the opportunity to discuss.

Sri C. V. K. Rao:—It is not the discretion of the Chair to say that I can discuss it or not.

Mr. Deputy Speaker:—I have not allowed it and I will not read it.

Sri C. V. K. Rao:—The same thing I was promised and I was not permitted to discuss.

Mr. Deputy Speaker:—I told you a number of times that the Speaker has disallowed it. I do not think it is necessary to read it.

Sri C. V. K. Rao:—I have got to vehemently protest. Sir, the N. G. Os. and the municipal workers' strike is an issue of major importance on which we have been struggling. We cannot permit the Government to function at this rate. Therefore, I have got to vehemently protest. You don't even read this, Sir, What is the alternative left to us? I protest and walk out, Sir.

(So saying, the hon. Member Sri C. V. K. Rao staged a walk-out)

Sri B. R. Ratasabhapathi:—You can disallow the adjournment motion. But, at least it must be read out. That is the procedure. Now, every day a new situation is arising. We are not questioning your ruling of disallowing it. But, every day new situation is arising because of the strikes and the attitude of the Government. So it has to be discussed. The urgency of the situation is such that it should be discussed. Anyway, you have given the ruling and we accept it.
4T M-i'di, Cusmc^ of th Hou^e, Member to read out his motion and just say a few words. Either reserve the ruling for the next day or disallow it the same day. But, you must allow the Member to make a statement because the urgency of the situation has to be emphasized.

Mr Deputy Speaker: That subject is already over.

Mr. Deputy Speaker: Mr. Deputy Speaker: That subject is already over.

The House should know what we have given notice for and under what circumstances you have disallowed it. You kindly read the motion. If you are not going to permit us to speak, at least please read it out and then disallow it.

Mr Deputy Speaker:—The concerned Minister is not available.

Sri R. Rajagopala Reddy:—The Minister must be called for and he must be made to answer. All other matters we have discussed are not as important as this. The Chair should call for the concerned Minister and make him answer. This matter cannot be easily brushed aside.

(At this stage, the Deputy Speaker rose to speak from the Chair)

Dr. T. V. S. Chalapathi Rao:—I rise on a point of order.

Mr. Deputy Speaker: I am on my legs. Please resume your seat.

In this way we cannot continue. I know the Hon'ble Speaker, the Members and myself too, are feeling very difficult to maintain the prestige of this House. The Hon. Member Sri C. V. K. Rao wanted that I should read the adjournment motion. I said, it is irregular and cannot be read. (Interruption) please bear with me. He protested and walked out of the House. Then by protesting and walking out of the House the matter has been closed. Now, other members say
that I should read it, and that I should not form a new convention. The hon. Member who has given notice and who has insisted on reading it has walked out of the House and now it is taken up by the other Members.

Sri Pragada Kotaiah:—I have also given notice of a similar motion and it is there.

Mr. Deputy Speaker:—They say that the motion should be read. That matter is closed by protest and walk-out. I cannot on any account reopen it. If he wants he can give notice of another adjournment motion and as a matter of fact any other Member can give such notice, and it will be taken up tomorrow.

Sri Pragada Kotaiah:—My adjournment motion is there.

Mr. Deputy Speaker:—I will find out.

Mr. Deputy Speaker:—There is one adjournment motion given notice of by Sri Satyanarayana Raju and others yesterday. I will read the motion.

This involves rules. The House is interested to see that the rules are not violated, not only by the Members but also by the Chair. The Chair must also see that the rules are not violated.

Mr. Deputy Speaker:—The adjournment motion given notice of by Sri C. V. K. Rao was disallowed and the reasons will be communicated to the Member; his notice was not in order and therefore it was not read out.

Dr. T. V. S. Chalapathi Rao:—Has it been communicated to him?

Mr. Deputy Speaker:—That will be communicated to him. What Mr. C. V. K. Rao raised is today's motion; it is irregular; how can it be on the agenda?

Sri C. V. K. Rao:—I also gave notice yesterday. I wanted to read out yesterday's notice.

Mr. Deputy Speaker:—Today's notice not being regular, it will not be read out.

Sri C. V. K. Rao:—If you want to read yesterday's notice, I have no objection.

Mr. Deputy Speaker:—You never insisted on that.
Mr. Deputy Speaker :—You say if necessary.

Mr. Deputy Speaker :—Sri P. Kotiah wanted and I am reading out The adjournment motion given notice of by members may kindly be perused. The notices relate to the N G Os. strike since 25th March on the issue of G O No. 92 Finance Accounts Dept., dated 27-3-70 stopping the payment of salaries to the staff on strike for the month of March 70. Now the Speaker says that the subject matter of adjournment by members was discussed on the 27th. This was informally raised and discussed more than once on the floor of the House. Also members have an opportunity of referring to this during discussion for 3 days from 31st on the Vote of No-Confidence Motion. Hence disallowed.

Mr. Deputy Speaker :—I will read it. Under Rule 64 notice is given. After nearly a week of state-wide strike situation of the employees, the Government instead of resolving the dispute with its employees, teachers and municipal workers by amicable negotiated settlement has been aggravating the situation by its further vindictive measures by its order to stop the payment of salaries to the employees and adopting unreasonably adamant attitude which is leading to the prolongation of the state-wide strike and hence it has become an urgent matter of public importance.” Mr. Rao, the same ruling which was just read out in the case of Sri P. Kotiah, is applicable to you also.
Point of Information:

Additional water-supply to K. C. Canal.

Zero hour is the time. Zero hour goes a convention to the Speaker allow fifteen minutes. The members should cooperate.

If the no-confidence motion is urgent, the notice is to be given fifteen minutes. The members should cooperate.

Superintending Engineer sends a telegram urgently.
52 31st March, 1970.

Point of Information: re: Additional water supply to K. C. Canal.


notice to C E Secretary Tungabhadra Board correspondence

Telegram to C E Secretary K. C. Canal, notice to C E Secretary Tungabhadra Board correspondence.

Chief Engineer must be rushed to the spot. Sri S. Sidda Reddy: Not only a telegram was given, not only letters were written, I have instructed the Chief Engineer yesterday to send Superintending Engineer to the Dam to contact the Secretary to get more water.
point of Information:

re: Additional water-supply to K. C. Canal.


"Regarding Thurpu Thotapallem social boycott affair, situation aggravated, surpanch took custody of cattle of christians, security of Ha ians doubtful, petitions given to Tahsildar and police. Please take immediate action, otherwise great loss to the poor sections."

Concerned Minister.

Additional call attention motion disallow Telegram.
Slst March, 1970.

Point of Information:

re: Additional water supply to K. C. Canal

So, I will send this to him.

 även the details. — You can share this with me. (I will share it with you. car
omitted) as I will send this to him.

A copy of the same is enclosed.

Your best regards,

[Signature]

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(To be continued on next page.)
Motion:

31st March, 1970

re: No-Confidence in the Council of Ministers


Mr. Deputy Speaker:—Report presented

GOVERNMENT BILLS


The Minister for Labour (Sri G. Sanjeeva Reddy):—Sir, I beg to move; “that leave be granted to introduce the Andhra Pradesh Factories and Establishments (National, Festival and other Holidays) Bill, 1970”

(Pause)

Mr. Deputy Speaker:—Motion moved.

Mr. Deputy Speaker:—The question is;

“that leave be granted to introduce the Andhra Pradesh Factories and Establishments (National, Festival and other Holidays) Bill, 1970”.

The motion was adopted.

MOTION

re: No-Confidence in the Council of Ministers.

(Adjourned for the day.)
Motion:

No Confidence in the Council of Ministers.
Motion:

57

re: No-Confidence in the Council of Ministers.

March, 1970.

106—8

Motion:
12: No-Confidence in the Council of Ministers.

The rate of growth in per capita income is 21 per cent. The cost of living index is 21 per cent. The budget has been framed to meet this situation. Average rate of growth of per capita income is 21 per cent. Average rate of growth of per capita income is 21 per cent. The budget has been framed to meet this situation.

Agriculture income, tax, technical sections, agriculture sector surplus touches. Land revenue's recharge touches. Economists touch. Resources touch.
No-Confidence in the Council of Ministers.


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60 31st March, 1971.

Motion: re: No Confindence in the Council of Ministers.

P.D. Act 1937. Sec. 316. The P.D. Act 1937 provides for two categories of Ministers: (a) Ministers of State and (b) Ministers of Congress. The Act also provides for the appointment of Ministers on the recommendation of the President. The Act further provides that the Ministers shall be responsible to the President and the Council of Ministers.

The motion is moved by Mr. S. V. R. Reddy, a member of the Congress Party, and seconded by Mr. S. N. Mukherjee, a member of the Opposition.

The motion is of great importance as it deals with the question of confidence in the Council of Ministers. The Congress Party has been in power for a long time and has been accused of mismanagement and corruption. The Opposition is demanding a vote of confidence to demonstrate its strength and to bring about a change in the government.

The debate on the motion is expected to be lengthy and heated, as both sides are determined to prove their points. The outcome of the motion is uncertain, and the decision will have a significant impact on the political landscape of the country.
Motion:  
re: No Confidence in the Council of Ministers.


Land reforms: A. H. P. J. 

Home Minister note dated March 1970: "Tensions in the rural area resulting from the widening gap between the relatively affluent farmers and the large body of landless workers may increase in the coming months and a bad agricultural season could lead to an explosive situation."

Motion on: No-Confidence in the Council of Ministers.

Mrs. V. V. Erandhi, Member of the Assembly, moved that Mr. V. V. Erandhi, Member of the Council of Ministers, be removed from office. She alleged that the Council of Ministers had failed to carry out the policies and programmes of the Government as outlined in the Budget Speech. She further stated that the Council of Ministers had not been able to control the rising costs of living and had not taken adequate steps to improve the economic situation.

Mr. V. V. Erandhi, Member of the Council of Ministers, replied that the Council of Ministers had been working hard to implement the policies of the Government. He denied the allegations made by Mrs. V. V. Erandhi and stated that the Government was committed to improving the economic situation of the country.

Mr. V. V. Erandhi, Member of the Council of Ministers, moved that Mrs. V. V. Erandhi be removed from office. He alleged that she had failed to carry out her duties as a Member of the Assembly.

Mrs. V. V. Erandhi, Member of the Assembly, replied that she had been working diligently to represent the interests of her constituents. She denied the allegations made by Mr. V. V. Erandhi and stated that she was committed to serving her constituents.

The Assembly was adjourned without a decision being made on the motions.
Motion: No-Confidence in the Council of Ministers.

81st March, 1970

TheMotion read:

re: No-Confidence in the Council of Ministers.

Respectfully submitted for consideration,

The Hon'ble Members present.

The motion was moved by

[Signatures]

Seconded by

[Signatures]

The Motion was carried by a majority of

[Signature]

The motion was adopted.

[Signature]

Moved by

[Signature]

Seconded by

[Signature]

The motion was unanimously approved.

[Signature]

Moved by

[Signature]

Seconded by

[Signature]

The motion was rejected.

[Signature]

Moved by

[Signature]

Seconded by

[Signature]

The motion was defeated.

[Signature]

Moved by

[Signature]

Seconded by

[Signature]

The motion was withdrawn.

[Signature]

Moved by

[Signature]

Seconded by

[Signature]

The motion was tabled.

[Signature]
Motion :
re : No-Confidence in the Council of Ministers.
Motion: No-Confidence in the Council of Ministers.

Motion:
Re: No-Confidence in the Council of Ministers.
Motion:


In: No-Confidence in the Council of Ministers.

The Andhra Pradesh Housing Board is not a private employer but a public institution; this is the dissent note which the officers have written. This is a duly constituted authority vested with adequate public funds and powers to acquire lands for providing housing facilities.

Finding that their favourites have not secured sufficient number of marks to get selected, majority of the members have come forward to the stage that each member should have a discretionary quota. If this is accepted it would amount to acceptance of spoil system instead of the objective marks system which has been accepted by the Board as a matter of policy. The Board by a majority has now made the allotments giving the go-by to an objective method and introducing a system based on extraneous considerations.

It was not approved by the Government so far; that system was followed regarding selection; so I would like to clarify the position.

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Motion

14: No-Confidence in the Council of Ministers

...

Motion: No-Confidence of the Council of Ministers.

Sri S. Jaipal Reddy:—It is very unfair on the part of the hon. Member to equate the majority on this side with what he calls brute majority and I would request the Speaker to call upon the member to withdraw that term.

Dr. T. V. S. Chalapathi Rao:—Is the present majority elected by the people.

Sri S. Jaipal Reddy:—It is a reflection that members on this side are blindly following.

Sri V. B. Raju:—Sri Jaipal Reddy has been elected by a majority of the people from Katvakurthy constituency.

Sri S. Jaipal Reddy:—In a similar capacity Mr. Raju also.

Sri V. Palavelli:—What Mr. Raju has said amounts to saying that democracy is brutal. I request the hon. member to withdraw the word ‘brute’

(Voices of “Expunge from the records”)

Sri V. B. Raju:—No expunging. I know parliamentary practice. I think I am perfectly correct when I say that Sri Jaipal Reddy does not know. If it comes to that, I am a fighter and I do not yield.
It is the etiquette of the House that unless the member yields the other member shall not interrupt. There is no question of clarification when I am not prepared to yield; he has no right. I want the protection of the Chair. When a member is speaking unless he obliges to sit and yields the other member cannot interfere. Referring to Sri Jaipal Reddy) He should know discipline; he is a Secretary of the party. Madam, we are witnessing what the Ruling Congress is. Democratic politics, Madam, is a non-violent war.

Sri V. Palavelli — What is 'Natakam'

Sri V. B. Raju — If I am throwing bricks, he can throw stones. Why should he lose patience? I assure him I won't intervene. In democracy the first pre-requisite is tolerance for the opponent's point. If that element is missing there is no democracy. Madam, I charge that this is not a majority Government; this is a minority Government.

It is formal democracy that we want to preserve in this country.
Motion: No-Confidence in the Council of Ministers.


Motion:—That this House expresses No-Confidence in the Council of Ministers.

1. Sir, may I say that the actions of this Government are disgraceful. The Government is responsible for the welfare of the people. The activities of the Government are not in the interest of the people. The people are unhappy with the Government. The Government is not functioning properly. The Government is not paying attention to the problems of the people. The Government is not taking steps to improve the welfare of the people. The Government is not taking steps to improve the economy of the country. The Government is not taking steps to improve the education system.

2. Sir, I would like to say that the Government is not functioning properly. The Government is not paying attention to the problems of the people. The Government is not taking steps to improve the welfare of the people. The Government is not taking steps to improve the economy of the country. The Government is not taking steps to improve the education system.

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March, 1970.

re: No-Confidence in the Council of Ministers.

I have deep felt sympaties actually for them. I'm expressing from the bottom of my heart—both for those who are in office and those who wield power—those who are in office and those who wield power—Democracy is actually a reflection of the inherent urges within which come to the surface on one's own volition through good conventions, good traditions, good behavior of particularly those who are in office and those who wield power—Laik Ali was a decent gentleman. I had personal acquaintance with him. He was also an Engineer, but he could not survive—On one side Razakars, the Nizam and other forces were working at that time—Laik was reminded of the situation; Sri Brahmananda Reddy's plight is the same. Are they political elements; are they party candidates?

I was physically present when Laik Ali was ruling. Laik Ali was a decent gentleman. I had personal acquaintance with him. He was also an Engineer, but he could not survive. On one side Razakars, the Nizam and other forces were working at that time—Laik was reminded of the situation; Sri Brahmananda Reddy's plight is the same. Are they political elements; are they party candidates?
Motion:
No-Confidence in the Council of Ministers.


I want to remind you this is not an oligarchy. In the name of democracy there should not be oligarchy.

Motion:

re: No-Confidence in the Council of Ministers.

"The rat has a sense."
Motion: No-Confidence in the Council of Ministers.


Mr. Thimma Reddy:—Sir, have you got an order?

Mr. Speaker:—Order. Mr. M. Reddy, do you have an order?

Mr. M. Reddy:—Sir, he has no law and order. He always tells replies for Law and Order, as Mr. Thimma Reddy replies for Land Revenue. He has got it.

Let us not assume too much of importance when there is no importance. He has no law and order. He always tells replies for Law and Order, as Mr. Thimma Reddy replies for Land Revenue. He has not got it.
Motion: re: No-Confidence in the Council of Ministers.

March, 1970.

Today it is one man show in the State. It is Mr. Brahmananda Reddy. He will be a very great man the moment he leaves Andhra Pradesh. I do not want to prejudge it. This is my last speech and I am making it clear irrespective of how they receive and what actually others means about me.
Motion:

re: No-Confidence in the Council of Ministers.


Mr. Speaker:—I should say, better avoid these things.

Mr. Speaker:—Only saying that let us not deal with the personal things.

Mr. Speaker:—I am only saying that let us not deal with the personal things.

Sri V. B. Raju:—I do not go into such things.
Mr. Speaker:—I am only saying, let us not deal with the personal things.
Motion:

re: No-Confidence in the Council of Ministers.

When he assumes responsibility for and order for the protection of the people, the innocent...
Motion: re: No-Confidence in the Council of Ministers.

I am against strictures against individuals. We shall always address as Government and it should be addressed as Opposition.

re: No-Confidence in the Council of Ministers.

...
1st March, 1970.

Motion:

re: No-Confidence in the Council of Ministers.

In a democracy what is permanent? It is dialogue Sir. Let us talk and come to a conclusion. We will be grateful in history to him, including myself. I am also prepared to go to jails if this is put forward. In democracy nobody is indispensable. But the solution should be there. If he is capable of, let him take the initiative. If he feels diffident and hesitant because of his personal identification, let him step down because it is a long term.
Motion:

re: No-Confidence in the Council of Ministers.


V. B. was the MLA. He was a thorn in the government's side. He disrupted the proceedings, demanded the speaker's resignation, and succeeded in getting the council into an interruption.

M. was the speaker. He was trying to control the situation. He was总数是 83.

The motion was passed unanimously. The council was dissolved.

V. B. was subsequently arrested for his involvement in the unrest during the council's proceedings.
Motion:

re: No-Confidence in the Council of Ministers.

84 31st March, 1970.

Motion:

re: No-Confidence in the Council of Ministers.

84 31st March, 1970.

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re: No-Confidence in the Council of Ministers.

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re: No-Confidence in the Council of Ministers.

84 31st March, 1970.

Motion:

re: No-Confidence in the Council of Ministers.
Motion

re : No-Confidence in the Council of Ministers.

31st March 1070.

In reference to the earlier discussions on the Council of Ministers, it appears necessary to bring to the attention of the members the current scenario of employment and its implications. The unemployment rate has shown a significant increase, leading to dissatisfaction among the populace. Attempts to satisfy the demands of the employment sector have been unsuccessful. The current state requires immediate action to ensure a stable employment scenario.

Moreover, the existing policies and laws need to be reviewed. The existing structural framework is inadequate to cater to the requirements of the workforce. A comprehensive strategy is required to address the root causes of unemployment. Further, the role of the private sector in creating job opportunities must be emphasized. A balanced approach is necessary to ensure a sustainable employment scenario.

The situation demands immediate interventions to address the current challenges. A coordinated effort by all stakeholders is imperative to create a conducive environment for employment. The importance of education and skill development cannot be overstated.

In conclusion, the gravity of the situation cannot be ignored. Immediate action is required to mitigate the impact of unemployment. The welfare of the citizens depends on this. A collaborative approach is essential to ensure a stable and prosperous future for the populace.

Motion:

re: No-Confidence in the Council of Ministers.

Motion: 'State with in the State' as an Opinion record.

Mist: No-Confidence in the Council of Ministers.
Motion:

re. No-confidence in the Council of Ministers.


Motion: 31st March, 1970. 37

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No confidence in the Council of Ministers—as the ends of the matter.

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Housing Board Member &c. &c. there ends the matter.

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88 31st March 1970.

Motion:

Re: No-confidence in the Council of Ministers.

The Honorable Member [name] raised a point of order regarding the conduct of the meeting. The Speaker intimated that the point of order would be dealt with at a later stage.

The Honorable Member [name] moved a motion for the no-confidence vote against the Council of Ministers. The motion was seconded by the Honorable Member [name].

The motion was discussed at length, with various Members expressing their views. The Speaker ruled that the motion was in order and it was put to the vote.

The motion was carried by a majority vote of [number] to [number]. The Council of Ministers was thereby dissolved.

The Honorable Member [name] expressed his satisfaction with the decision. He stated that the dissolution of the Council of Ministers was long overdue and that it was high time that the country had a new team of Ministers who could take the country forward.

The motion for the no-confidence vote was thus carried by a majority vote, leading to the dissolution of the Council of Ministers.

re: No-confidence in the Council of Ministers.

Motion

re: No-confidence in the Council of Ministers.

Mr. Jagadeesan raised the following Motion: "I move that the Council of Ministers be held no-confidence, "

The Council of Ministers...

Mr. Jagadeesan moved the Motion, seconded by Mr. Jagadeesan. The Council of Ministers was...
GOVERNMENT BILL


Mr. Deputy Speaker in the Chair


Mr. Deputy Speaker in the Chair,

Mr. K. Madhava Rao:- I entirely agree with our friend Sri K Govinda Rao. That has got a lot of bearing on the present Bill. As you may recollect, in 1968, I had seen it happen. There is a precedent also when Sri Kaleswara Rao garu was the Speaker. I happened to see it happen.

Mr. K Govinda Rao:- I entirely agree with our friend Sri K Govinda Rao. That has got a lot of bearing on the present Bill. As you may recollect, in 1968, I had seen it happen. There is a precedent also when Sri Kaleswara Rao garu was the Speaker. I happened to see it happen.

(The House then adjourned to meet at Four of the clock.)

(The House reassembled at Four of the clock.)

Government Bill:

It will be really helpful.

Sri A. Madhava Rao:—Here in the Bill it is said 'that Section 2 shall be deemed to have come into force on 1st August, 1968.

Sri K. Vijayabhaskara Reddy:—Whatever the Members wish to say, let them say, Sir.

Mr. Deputy Speaker:—Hon. Members want a copy of the judgment.

Sri K. Vijayabhaskara Reddy:—As has been stated by Sri K. Govinda Rao, Sri Madhava Rao is a very senior advocate. He has his own library and he should have looked into it in his own library.

Sri Ch. Rajeswara Rao:—Members must be supplied with all relevant papers concerning the amending Bill.

We have a library. This Bill is notified some months back and all these things should have been looked into. This is a very important Bill from our point of view and we have given sufficient time to the Members.

Sri K. Vijayabaskara Reddy:—Every case goes to court and how may Judgments could be placed on the Table of the House?

Mr. Deputy Speaker:—I think yesterday the Members have made some observations.
1st March, 1970

Government Bill:
The Andhra Pradesh General Sales Tax
(Amendment) Bill, 1969.

Sri T. V. Raghavulu : Mr. Deputy Speaker, Sir, from the Bill supplied to the Members, I have gone through the Statement of Objects and Reasons and I am made to understand that this Bill is introduced to get over the difficulties pointed out by the judgment of the High Court. It is just enough if the hon. Member seeking to introduce this Bill kindly enlightens the House on the relevant portion of Section 11 and the repercussions that have arisen on the judgment delivered by the High Court. It is not necessary to insist upon the judgment being placed on the Table of the House.

According to the earlier decision, “he is deemed to be as many dealers as there are principals and that therefore the total turnover of the petitioners in respect of other principals could not be computed for assessing them when in fact the turnover of each one of the principals was below the nontaxable limit of Rs. 10,000/-. According to the earlier decision, "he is deemed to be as many dealers as there are principals and that therefore the total turnover of the petitioners in respect of other principals could not be computed for assessing them when in fact the turnover of each one of the principals was below the nontaxable limit of Rs. 10,000/-".

‘There are two points. The Legislature in amending section 11 has only sought to fix the liability of the agent who has the power to effect the sale on behalf of the principal and the Legislature has therefore acted within the ambit of the power conferred by item 34 of List II of Schedule VII of the Constitution of India.

(3) That the Legislature has power even while amending the procedure section to make a provision for variance of tax liability under the charging section and to the extent that the charging section and the procedure section must be read together. Hence, there is no conflict between Section 8 and section 11 of the Act.

(4) That an agent who sells goods on behalf of principal is a dealer just in the same manner as the principal is a dealer in respect of the same goods. Section 11 is seeking to apply the incidence of tax definitely between the same class of persons in that where the principal employs an agent the agent will be taxed irrespective of whether the principal is liable or not. But no tax liability attaches to the principal in respect of transactions entered into by him directly if the turnover is less than Rs. 10,000.

This is ex facie hostile discrimination which is neither reasonable nor has it any nexus between the classification of the objects sought to be attached.

This is the difference, Sir.
Sri K. Govinda Rao:—Legislative body is the highest body. The House is the supreme Legislative Body in our State. The House is the supreme Legislative Body in our State. The House is the supreme Legislative Body in our State.

We do not want it to be questioned. We do not want all that. We want that the Finance Minister should certainly collect sales tax on jaggery. We have absolutely no objection. Provided that the tax or penalty assessed or levied on or due from the Agent may be recovered by the assessing authority from the principal instead of from the Agent. This is a new movement. For what? He has not done 12 years back. Are we helping the Government in any way by some defective legislation?

... absolutely not. We had a licence holder. If we had a licence holder, we could have saved 2½ years. We have lost our licence holder. 68, 69, 70, we lost the tax. We are going to lose for another 2 1/2 years; I am going to tell you.

Mr. Deputy Speaker:—Is he a licence holder?
Sri K. Govind Rao:—No; no. He is not a licence holder. He is not a dealer at all. Now he is made a dealer according to this Bill.

Mr. Deputy Speaker:—Now he is made a dealer. As they are giving retrospective effect, he ought to have been a licence holder.

Sri K. Govind Rao:—I am coming to it. I will explain the position.

Mr. Deputy Speaker:—Originally it was referred to an Advisory Committee and they were discussed there.

Sri Vijaya Bhaskara Reddy:—It was discussed many times.

Sri K. Govind Rao:—You are perfectly correct. But I was a helpless member.

Mr. Deputy Speaker:—I wanted a clarification.

Sri K. Govind Rao:—Not that. I have also got a grievance. I want to express the grievance. You have very rightly pointed out. This what is said here constitution. No person shall be convicted on any offence except for a violation of law in force at the time of the commission of the act charged as offence nor be subjected to a penalty greater than which might have been inflicted under the law in force at the time of the commission of the offence.

Mr. Deputy Speaker:—18.

106—13
Government Bill:

Sri K. Govinda Rao:—Supposing I have not collected. Supposing I have collected and not paid at that time. What will happen.

Mr. Deputy Speaker:—What I understand is, they are recovering it as arrears and not as penalty.

Sri K. Govinda Rao:—If supposing he does not pay what happens He is in a position to pay. What can you do according to this Bill? Does that amount to hostile discrimination again? Is it not liable to be questioned in a court of law?

For the purposes of sub-section (i) the burden of proving that no tax was collected under the principal Act in respect of any sale refused to subsection (1) or in respect of portion of the turnover relating to such sale shall be on the dealer affecting such sale.
Government Bill:


Sri K. Vijayabaskara Reddy:—Where is the point of order? Hon. member can take up in the debate and give suggestion.

Sri Ch. Rajeswara Rao:—A Bill which transgresses the article enshrined under the Constitution is a Bill which should be questioned under point of order.

Mr. Deputy Speaker:—Read that particular Article of the Constitution which you have quoted. He was quoting Article 20. You are quoting Article 14.

An Hon. Member:—He was referring to retrospective effect. You are referring to the three categories.

Sri Ch. Rajeswara Rao:—Article 20 is a new point.

Mr. Deputy Speaker:—Either Article 20 or Article 14.

Sri Ch. Rajeswara Rao:—Both the Article read together.

Mr. Deputy Speaker:—Why not read Article 14?

Sri Ch. Rajeswara Rao:—"The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India." This piece of legislation.

Mr. Deputy Speaker:—So, the State shall not deny to any one equality before the laws.

Sri Ch. Rajeswara Rao:—That is one aspect. Or the equal protection of laws.

Mr. Deputy Speaker:—Even then? Does it mean discrimination. Does it mean denying equality before the laws?

Sri Ch. Rajeswara Rao:—There are two laws. Two types of laws are being adopted. In the same enactment, two methods are adopted to discriminate the citizens of the same category, of the same production, of the same turnover.

Mr. Deputy Speaker:—By legal method?

Sri Ch. Rajeswara Rao:—Yes.

Mr. Deputy Speaker:—The law is being enacted today. That law will apply to every citizen.
Sri Ch. Rajeswara Rao:—This piece of legislation is discriminating principal having the same turnover and doing the same business.

Mr. Deputy Speaker:—Let us read the Article. It says, 'The State shall not deny to any person equality before the law'. When this piece of legislation is enacted, it will be the same for Rajeswara Rao; for Madhava Rao also, it will be the same.

Sri Ch. Rajeswara Rao:—But Madhava Rao is getting the benefit.

Mr. Deputy Speaker:—Denial is together, so far as I understand: I am not an Advocate myself.

Sri A. Madhava Rao:—It is not that way. What Mr. Rajeswara Rao is driving at is: suppose a particular agent collected the amount and that amount is paid over to the Government: in that event that agent has got the benefit of it. Suppose there are certain agents who have not collected anything from the principal those persons are not having anything at all. Therefore, we are having two types: one type is having or enjoying special discrimination whereas the other is not on having.

Mr. Speaker:—Whether it is good or bad is another points. Under the constitution, whether it is permissible or not that is the point which he is raising.

Sri A. Madhava Rao:—Under the Constitution, what is required is there should not be discrimination between two types of persons as such. Now, the two types of persons are...

Mr. Deputy Speaker:—One type is, who has paid, no refund.

Sri A. Madhava Rao:—One type is those persons who have collected the tax, paid it over to the Government: that amount can be recovered by the agent from the principal. Whereas in the other case, where the agent has not collected from the principal, there is no liability cast upon. 

Commission Agent is responsible for the collection of tax from the principal and is entitled to a commission. The Armenian principal is not responsible for the payment of tax if the agent has not collected it.

Mr. Deputy Speaker:—They will ask for those who have not collected.

Mr. Deputy Speaker:—Those that have not collected, they will be asked.

Mr. Deputy Speaker:—They are not empowering the agent to collect from the principals. Anyway it is for the Minister to look into the case.

Mr. Deputy Speaker:—There is discrimination on the Point of order raised, he has enlightened us. He says there is discrimination under Art 14 of the Constitution.

Mr. Deputy Speaker:—There is discrimination on the Point of order raised, he has enlightened us. He says there is discrimination under Art 14 of the Constitution.

Mr. Deputy Speaker:—The Andhra Pradesh General Sales Tax (Amendment) Bill, 1969.

He can adjust, he can adjust.
Mr. Deputy Speaker:—Constitution says it is the essential provision. Mr. Advocate General points out the provisions of the Constitution are violated. Mr. Deputy Speaker: We will also have to be enlightened how there is discrimination under Article 14 of the Constitution.

Mr. Advocate General:—Constitutional violation.

Mr. Deputy Speaker:—Constitutional violation.
The Andhra Pradesh General Sales Tax
(Amendment) Bill, 1969.

The Andhra Pradesh General Sales Tax
(Amendment) Bill, 1969.

After the two judgments the position is: it has gone back to 1963.

It is better to seek his advice now. Suppose we pass this bill and when
it goes to the High Court, the High Court strikes it down, then it reflects
on us all very badly, and I do not want to be one among them to have
that bad reflection. It is therefore better to hear the Advocate-General
and have his advice.

Sri K. Vijaya Bhaskara Reddy:—Why should we take cognisance
of all that. Better to seek the advice of the Advocate-General, as we also
know a little about law. It is better to seek his advice now. Suppose we pass
this bill and when it goes to the High Court, the High Court
strikes it down, then it reflects on us all very badly, and I do not
want to be one among them to have that bad reflection. It is therefore
better to hear the Advocate-General and have his advice.

Sri G. Sivayya:—Many changes have taken place within a
period of 15 years. There is a dispute now. It is better to seek the
advice of the Advocate-General, as we also know a little about law.
It is better to seek his advice now. Suppose we pass this bill and when
it goes to the High Court, the High Court strikes it down, then it reflects
on us all very badly, and I do not want to be one among them to have that bad reflection. It is therefore
better to hear the Advocate-General and have his advice.

Sri K. Vijaya Bhaskara Reddy:—Why should we take cognisance
of all that. It is better to refer it to the Advocate-General
and we hear him.

Sri A. Madhava Rao:—In law, there is no discrimination between
Government and individual. But the Government seek to have
Sri K. Vijayabaskara Reddy: —This is a fundamental thing—whether the legislature has the right to revalidate? That has been answered by so many decisions of Courts. Hon Member is not talking on that aspect. On that you can give a ruling, Sir. I say there is no point of order.

Sri G. Sivayya: —Before you give your ruling, it is better to have the advice of the Advocate-General, Sir.


Mr. Deputy Speaker:—The amendment is an improvement.

Sri G. Venkata Reddy:—Definitely. Another thing I would like to enlighten on the point raised by Sri Rajeshwara Rao. re-discrimination under Art—14 of the Constitution. My point of view is that the Act which was originally passed in 1937 was struck down in 1968, so far as Sec.11 was concerned. First they did not take the plea at that time. The Act itself was declared to be unconstitutional and it was struck down under Article 14. Exempting the jaggery people, Rs. 10,000. On that, they said it is discrimination. That normally will go now by this amendment. So far as discrimination under Article 14 is concerned, it will not come into the picture, when we are going to amend, as per the Judgement given in 1968 by the High Court striking down the relevant provision of the Act; and this amendment itself is sufficient, so far as Article 14 is concerned.

Mr. Deputy Speaker: —The amendment is an improvement.

Sri G. Venkata Reddy: —Definitely. Another thing I would like to point out is this: to overcome the difficulty that arose on account of the Judgement, we are bringing the law. For the reason that the High Court will strike the enactment down in future and so for that reason we should not enact this legislation,—that is not a correct view. Government also is very careful in dealing with tax. Government is not prepared to lose 1 ½ crores. It is a loss to the state exchequer.

Sri A. Madhava Rao:—When Venkata Reddy answers, he must answer also the points raised by us. Now the point raised by us is this: when an agent or a principal.

Sri K. Vijaya Bhaskara Reddy:—It is not to satisfy Mr. Madhava Rao or Venkata Reddy. It is for the hon’ble Chair to satisfy itself. There cannot be a course of arguments between the two members.

Sri A. Madhava Rao:—Sri Venkata Reddy must be in a position to answer. The point raised by us is this: when an agent has paid the amount, he is entitled to recover from the principal. What is one point. The other thing is, when they have not paid, they have been absolved from the liability. That is discrimination.
have not referred to the discrimination of Rs. 10,000 etc. referred to by Sri Venkata Reddy. The point of discrimination raised is this, and we want to be answered for that point that we have raised.

Mr. V. V. Raghavulu:—The point raised by Mr. Madhava Rao is that the responsibility of the agent on behalf of the principal does not cease and despite this amendment he is entitled to recover the amount from the principal. I am not going to dispute that point. But the thing is this: In this connection, we should not forget one basic fact, namely, that he is not the agent of one X or Y principal only. He is agent for several principals. That is the distinction: unfortunately we seem to be labouring under that erroneous conception. The agent who sells jaggery is agent for several principal producers. That is one thing we cannot afford to forget and this amendment is sought only to get out of that difficulty. That has arisen on account of the recent judgment striking down Section 11 of the amending Act of 1968. It is in order and there is no point of order.

Sri A. Madhava Rao:—I think it is my duty to bring it to the notice of Sri Venkata Reddy and Sri Raghavulu and also to the notice of the Chair. Now the point raised by us is not the one which Mr. Raghavulu has stated. What we are saying is a particular agent or a principal when they have not collected the amount and have not paid the same to the Government. What is the remedy provided? Are they being absolved? Is it not discriminatory? Now you are providing a provision to absolve yourself from the responsibility to repay in view of the High Court's judgment.

Mr. Deputy Speaker:—So far as I understand, the basic principle or idea behind is to collect the amount. One who has collected and has already paid—there is question about that category. One who has collected from the principal, they are collecting it. One who has not paid at all they are regularising it as the judgment. Therefore, it does not violate Article 14 of the Constitution.

Sri A. Madhava Rao:—Regularisation, I can understand. Suppose there is a provision in the Act whereby he is entitled to recover now as I understand it, but it is not that.

Mr. Deputy Speaker:—Anyway, it is not an irregularity.
Sri Ch. Rajeswara Rao:—I am afraid, I have not made my point clear.

Mr Deputy Speaker:—You have made it clear. Several members have enlightened me. I have tried to do what thinking I could on the point. I think it is in order. Sri Govinda Rao will continue the discussion. On the point of order, I have given my ruling that it does not violate Article 14.

Sri K. Vijayabhaskara Reddy:—All the suggestions he wants to give, he can give now.

Sri K. Govinda Rao:—Let us have one or two sittings on 2nd evening or 3rd evening and let us discuss it fully. I am making my humble suggestion. It is for the Government to accept or not to accept. It is for them. Whether it offends Article 20 or Art. 14 or something else. Whether it is for the Government to accept or not. I request you to advise him to see that some small committee is appointed. After all you have lost for 2 years; you have lost for 12 years. Therefore, there is nothing you will lose if some time is given. If the Government accepts we are prepared to give all suggestions.

Sri K. Vijayabhaskara Reddy:—It is for the House to discuss. What is it to be discussed?

Mr Deputy Speaker:—From the House shall we have a Committee of Members?

Sri K. Vijayabhaskara Reddy:—No, Sir. That is not possible. It is a very simple thing.

Sri K. Govinda Rao:—They are not going to concede.
Government Bill:


1st March, 1970.

Sri Ch. Rajeswara Rao:— With due respect to my colleague, Mr. G. Venkata Reddy, I venture to take objection to the point he raised. He has not cast any aspersions. His intention is only to finish the discussion early....

Sri Ch. Rajeswara Rao:— We are raising fundamental points.

Mr. Deputy Speaker:—He is anxious to finish it earlier. He does not cast any aspersions. His intention is only to finish the discussion early....

Sri Ch. Rajeswara Rao:—I want you to impress upon our friends to see that these constitutional lacunae are corrected...

Mr. Deputy Speaker:—He had heard that point. He said he was not going to concede.

As per the High Court judgment the Government must be in a position to repay the amount or they must go in appeal or they must bring in legislation like this. So, there is no question of postponing this amendment.

Mr. Deputy Speaker:—What Mr. Govind Rao wanted was that the House should sit again on the 2nd....

Sri K. Vijayabhaskara Reddy:—When was the Bill notified, Sir?

Mr. Deputy Speaker:—His request is, for two days let us thrash out some of the points...

Mr. M. B. :—The court has held that the person who, according to the provisions of the new Act, is deemed to have committed the offence, while according to the old Act which is annulled by the High Court he has not committed any offence. Therefore, it goes against the principles of natural justice: he is deemed to have committed the offence, while according to the old Act which is annulled by the High Court he has not committed any offence. Therefore, it goes against the principles of natural justice.


Sri K. Vijaya Bhaskara Reddy: Are you going to give a guarantee that after what all you said it is going to be allowed. If a person by an enactment has certain rights, and if he feels that they are not properly looked after by us, we have provided for appeals and revisions and all that. We want every person to take advantage of that.

They are normal things that go on.

Sri K. Vijaya Bhaskara Reddy:—Is it general or specific? Let individual hon. Members give suggestions on this. The point of order has been ruled out.

Dr. T. V. S. Chalapathi Rao:—We do not want to be a party to this kind of hasty legislation, ill-thought-of legislation, which is going to involve Government as well as the State in endless litigation. What useful purpose will be served?

Mr. Deputy Speaker:—Earlier, Mr. Buchirayudu and Mr. Govindarao made a reference and requested to extend the time.

Sri K. Vijayabhaskara Reddy:—An hon. Member cannot think of it. Just because somebody has given a memorandum he cannot say we have not taken care of all this. We have examined in detail, we have examined thoroughly and we have taken all steps.

Dr. T. V. S. Chalapathi Rao:—Have you not made a similar statement in 1965? Have you not made a similar statement in 1963? I was a member of the Select Committee, Sir, in 1963. We were satisfied then. The Advocate-General was also summoned on one occasion and we were assured that everything was in order even if the matter went to the Supreme Court. I was a member of the Select Committee then. I am making a statement of fact. What happened. Even your Tribunal has struck it down. So, why should we take up hasty legislation involving not only the Government but the unfortunate members who are producers and also the agents and that too for a period of 7 years.

Sri K. Vijayabhaskara Reddy:—On the basis of the information he has got from outside the House...
Dr. T. V. S. Chalapathi Rao:—My respectful submission to the Government is this. Let them not go ahead again on the assurance that they have rectified all the defects pointed out by the High Court. If they have done it well and good. We are not in a position to question it because I am myself not a lawyer, but I am satisfied, Sir that it is opposed to the principles of natural justice. I am myself not a lawyer, but I am satisfied, Sir that it is opposed to the principles of natural justice.

Sri P. Subbaiah:—Point of order. My point of order is totally different. It is this, Sir, pure and simple.

Sri K. Vijayabhaskara Reddy:—It is a matter of detail. How is it a point of order?

Sri P. Subbaiah:—It is a constitutional point. It is clearly a violation of the constitution. I am arguing my case. Let him hear and rebut it. So clearly it is a constitutional point. I am arguing my case. Let him hear and rebut it. How is it a point of order?

Sri P. Subbaiah:—I am reading it. So clearly it is a constitutional point. I am arguing my case. Let him hear and rebut it. How is it a point of order?

Sri P. Subbaiah:—Please hear me. "Protection in respect of conviction for offences". I am now seeking protection.

20 (1). No person shall be convicted of any offence except for violation of a law in force when at the time of the commission of the act charged as an offence nor is subject to a penalty greater than that which might have been inflicted under the law in force at the time of the commencement of the offence." So, Sir, the offence commences only after the commencement of the Act. In this particular case when has the Act come into force? When it has received the assent of the Governor only it has come into force. How can this Act empower the Government to collect it from 63 onwards? Is it not clearly violative of the Constitution. If you kindly see the Article, it is an offence earlier from 63 onwards.
Mr. Deputy Speaker:—The offence begins only when he violates the present amendment.

Sri P. Subbaiah:—That is correct.

Mr. Deputy Speaker:—The present amendment empowers the Government by legislation to take it as an offence from the earlier period...

Sri P. Subbaiah:—When is he violating?

Sri K. Vijayabhaskara Reddy:—Just because he has not gone through the whole process and he is going through that today, why should he press the government.

Mr. Deputy Speaker:—I gave my ruling on this very thing, You may not have been here.
Government Bill:

The Andhra Pradesh General Sales Tax
(Amendment) Bill, 1969.

Mr. Deputy Speaker: There is nothing irregular because they are regularising the old things which were struck down by the Court.

Sri A. Madhava Rao: The view expressed by the hon. Chair is liable to be reconsidered.

Mr. Deputy Speaker: They are collecting from 1968 and they are demanding it to day. If they don't pay to day the offence begins.

Sri A. Madhava Rao: The point is that retrospective effect cannot be given with regard to an offence.

(Mr. Speaker in the Chair)

We are not going to impose any new condition except as it existed in 1968.

It is clearly violative of Article 20 (1).
Mr. Speaker:—Government has come forward with this Bill on account of the decision of the High Court. Am I right?

Sri K. Vijayabaskara Reddy:—Yes, Sir.

Mr. Speaker:—It is only to regularise the position. There is no point in trying to raise this issue now. When a similar Bill was passed last time in 1958, this particular question was raised. The same question was raised and I gave my ruling. If you want, I will get that ruling now itself. The question is whether they are going to give retrospective effect in respect of penal consequences.

The point is to see that an Act cannot have retrospective effect so involve any penal consequences on any person. A number of authorities were quoted. This point was raised and discussed at length by this House and on the same issue ultimately I gave my ruling. Not one member but several members raised this issue. I will get that ruling. Is it on the same point that the High Court struck down? If the High Court has struck down on the same point there is no point in introducing the same again. It is not the amount that is concerned. It is principle that is involved that we are concerned with. Irrespective of the amount, the principle involved is whether we can give retrospective effect by imposing penal consequences. That is the point. This point was raised and if I remember right, Supreme Court decisions were also quoted.

Mr. Speaker:—If the hon. Deputy Speaker has already given a ruling, do not put me to the necessity of again revising it. It won't be proper.

Mr. Speaker:—On the point raised by Mr. P. Subbiah and Mr. K. Govinda Rao, is it?

Sri K. Vijayabaskara Reddy:—The hon. Deputy Speaker gave the ruling on the point of order raised by Mr. Rajeshwara Rao.
Government Bill:


That has gone to the Court. That has been struck down. They made certain observations. I have got a copy of the judgment.

Mr. Speaker:—I may tell you another thing. So far as hon. members are concerned, they have got a right to say that particular is against the Constitution or against the decision of the High Court or Supreme Court. You can give a notice of amendment. The second thing is, if you ask me to decide on the legal position, it is rather a complicated thing for the Speaker. We are only concerned with the point whether a Bill is admissible at all, according to the Rules. If the members of the legislature feel that a particular clause is against the spirit of the Constitution, you can give notice of an amendment. I suppose if it is passed like that again, the courts will have an opportunity to interfere.

Sri K. Govinda Rao:—We want to avoid that contingency. As and when they go to court of law and they strike down again, they want to give retrospective effect.

Mr. Speaker:—That is why the hon. members can certainly give notice of amendments. If the amendment is not accepted, here, and if that amendment is accepted in High Court, you succeed. Not here, but in some other place. On every clause to say whether it is in order or not, I think it is not the province of the Speaker. If you feel that a particular clause is illegal, give notice of an amendment. There is no question of your raising a point of order and the Speaker giving a ruling.

Sri K. Govinda Rao:—As an experienced lawyer, you can...

Mr. Speaker:—As an experienced lawyer, I never go through the clauses. It is not my province. I only see whether it is according to the rules for introduction of the Bill. That is all.

With a view to rectify the defects pointed out by the High Court in 1956, the Government proposes to offend the principles of natural justice. According to this, by making it retrospective a person is deemed to have committed an offence. Government in their objects say that there is a liability of Rs. 1 crore. To avoid this refund they are bringing this amendment.

Mr. Speaker:—I am not here to decide points of law. I am only concerned with the question of admissibility of introduction, whether they have violated the rules. Beyond that it is not for me to decide. Even the other day you raised a point as to whether the Presidential Order is in order or not. You said that it was unconstitutional. I am not here to decide constitutional points. You say it is not in order. I am not concerned with the Constitutional point. I am only concerned whether the Bill is introduced as per rules.

Dr. T.V.S. Chalapathi Rao:—When it goes a fourth time to the court, does it not reflect on the House which is presided by a great Speaker like you who is an eminent lawyer? That is why we are anxious.

Mr. Speaker:—Whatever the decision of the High Court might be, any number of times, it is not a reflection on the Speaker.

Dr. T.V.S. Chalapathi Rao:—Not on the Speaker alone, on the House also.

Sri K. Vijayabhaskara Reddy:—Not on anybody.

Mr. Speaker:—After all, there is nothing personal about it. The High Court may say you are right or they are right. It is all a question of interpretation of the law.

Sri K. Vijayabhaskara Reddy:—We see that in the Bills injustice is not done at any level.

Mr. Speaker:—Generally either myself or anybody occupying the Chair do not take the trouble of going through the contents of the Bill. We are only concerned with the introduction. So far as the other things are concerned, if there is really a complicated thing, and if you raise a point and if you want me to honestly give a legal opinion, I must study the whole thing. The position of the government, is that because the High Court struck down the particular section, amounts running to some crores of rupees are stuck up with some middle men.

Sri K. Govinda Rao:—It is stuck up with the government.

Mr. Speaker:—With whom is the amount collected lying now?

Sri K. Govinda Rao:—It is stuck up with the business people.

Mr. Speaker:—How much with the business people, approximately?

Sri K. Vijayabhaskara Reddy:—Approximately it may be Rs. 1 crore with the Government and a similar amount with the businessmen.

Mr. Speaker:—As per the High Court decision, this amount has been illegally collected. The position is that Rs. 1 crore is with the business people and another crore of rupees with the Government. Now the position is about the question of refunding it. It is a question
of refunding. If this Bill is not passed, Government have no right to keep that amount with them, nor have the business people.

Sri K. Vijayabhaskara Reddy:—It is collected from the business people.

The position is that the top man from whom this amount has been exacted is deprived; he cannot get back that amount; it is impossible for him to get the amount refunded.

Sri Pragada Kotaiah:—This is an illegal act committed by this Government and they want to legalise the illegal act by passing this legislation. Is it a good Government?

Mr. Speaker:—In your opinion the Government is not good not only on this but on any other issue.

Sri Pragada Kotaiah:—Here it is a case where the Government have secured illegally the amount and the High Court has given a judgement. Now they want to legalise the illegal act by passing this legislation. Is there any justification for it?

Sri K. Vijayabhaskara Reddy:—We are only acting with the power of the Legislature.

We will have to pay immediately.

Mr. Speaker:—This is not the only legislation in which such things are being done. I just ask ‘What about Nationalisation of Banks Act?'

(Interruptions)

Government Bill:

Mr. Speaker:—Last time for 3 or 4 days it was discussed that they sat there and came to a decision. It is not for me to direct what the Government should do; it is for them.

Sri Y. Venkata Rao:—Why cannot they seek the advice of the Advocate General.

Sri K. Vijayabhaskara Reddy:—It is not a question of taking advice of Advocate General; we have consulted the legal experts; we have taken all precautions and come before the House.

Sri C. V. K. Rao:—The Advocate General may be asked to come to this House and explain the position. In 1963 they brought it out and it was being passed in 1968; it is amended and it may have been according to law and as such in order to be on the right side, with caution and judicial mind we may proceed with this. Let the Government call the Advocate General and explain the position as to the implication of this. The Government has said “The High Court of Andhra Pradesh has recently struck down the provision in the amended section 11 in so far as it seeks to make the agent primarily liable as if the liability is independent of his representative character on the ground that it comes within the vires of Article 14.
Government Bill:  


of the constitution and is discriminatory." That is the position which the Government has understood from the High Court's judgment and then the Government makes this observation. The High Court has however held that in so far as the agent's liability which is co-extensive with that of the principal is concerned section 11 is valid. Now how far is that true? For the simple reason that the Government makes an observation we cannot take it that it has been read properly the judgment. Let the copy of the judgement be given and let the advocate General come here, and explain the position.

Sri K. Vijayabhaskara Reddy:—All these things have been discussed.

Sri C.V.K. Rao:—It has become a controversial piece of Legislation for the last 7 years After all the Government wants to avoid payment of one crore of rupees.

(At this stage the Speaker went into the proceedings of the House when the provisions of the Bill were discussed at length during last session.)

Mr. Speaker:—Both Mr. Govinda Rao and Sri Rajasabhapathi raised the same point "Failure to pay taxes involves penal consequences; there is no doubt that the question is by giving retrospective effect to an Act failure to pay tax which was not an offence at that time, but an offence now would impose penal consequences. Failure to pay tax if it becomes due under the law and if any body fails to pay is also criminal, etc." Whether retrospective effect can be given to a particular statute and then make a person liable for an offence which was not an offence at that point of time— all that was considered. It went on for 3 or 4 days; it was not decided on that day.

Mr. Speaker:—The same point was raised by the members. The next day for want of quorum the House could not decided this issue. Again there was discussion about other matters which were not connected with the Bill. But again the same point was raised, but nothing was decided ultimately. The Chief Minister also participated in the discussion.
Mr. Speaker:—With regard to retrospective effect of certain clauses which involve penal consequences last time when this Bill was taken up that point was raised by the member. (To the Chief Minister) Can you enlighten us?

Sri K. Brahmananda Reddy:—Even now there is no penalty; for not having paid then, now there is no criminal penalty proposed.

Mr. Speaker:—The Chief Minister also agreed on the same day on the point raised by Mr. Govinda Rao so far as retrospective effect is concerned, he conceded that it will not be made applicable to the people who had failed to pay previously, but only in future.

Sri A. Madhava Rao:—That is not found here in this present Bill, sir.

Mr. Speaker:—On the point raised by Mr. Govinda Rao the Chief Minister conceded; it is there in writing. Whatever it may be, on principle it is conceded. As far as I am able to see from the proceedings, on principle it is conceded that it should not be applicable to acts of omission in the past. (To Sri Madhava Rao) You want that to be made clear?

Sri A. Madhava Rao:—Yes.

They made certain observations. “...The amendment as can be ascertained from what took place in the Assembly before amendment of section 11 actually became law, originally it was intended to amend only the charging section 5 by adding proviso making dealers retrospectively liable to tax at the rate of 8 paise irrespective of the turnover; no exception could therefore have been taken for that amendment if it had been enacted because it is always open to the Legislature to withdraw an exemption in respect of all or any of the dealers...” This is an observation which had been made by the Court; this is not the issue at stake; it is not fully discussed, it is not pursued because the main Act was struck down and therefore it was not pursued.
Government Bill


This Legislature has power to re-validate the whole thing. All those points have been examined and we have taken care. We have provided for appeals and revisions; they can go and avail of them. We have taken care to see all the aspects. We pass legislation to the best of our judgment.

We request the members not to put any more obstacles but allow the passage of the bill.

Sri K. Govinda Rao:—In all humility, what is the harm for the Government if it is delayed by two days: They have lost tax for two years for making a wrong legislation.

Mr. Speaker:—I am only requesting to postpone and then consider. Postpone till June.

Sri K. Vijayabhaskara Reddy:—The Bill was introduced in the House two or three months back; it was notified and every opportunity was given to everybody; there is no necessity for postponement again now. The implications are notified in the Bill itself.

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Mr. Speaker:—To scrutinise the whole thing carefully.

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Dr. T. V. S. Chalapathi Rao:—We are only trying to see that ultimately it may not be again struck down by the High Court if the Chief Minister mistakes that we are obstructing us. We are only trying to see that ultimately it may not be again struck down by the High Court if the Chief Minister mistakes that we are obstructing us.

Mr. Speaker:—There is no necessity for anybody to misunderstand. They want postponement till tomorrow evening. They want to study the entire thing.

Sri K. Vijayabaskara Reddy:—Sir, the Bill was notified.

Sri K. Brahmananda Reddy:—Tomorrow, we thought that there should not be any evening meeting the Bill has been before the public, before the Assembly members for quite a long time. It has not been incorporated; if that is incorporated there is some meaning.

(The Hon. Speaker referred to the pendings on the previous occasion when discussion took place on this Bill.)

Mr. Speaker;—Here we see—“on this issue members of the Communist Party led by Mr. Govinda Rao left the Assembly”.

Mr. Speaker:—I do not like every member asking questions and the Minister answering every member. This is the first reading; if you want to have discussion, I am not objecting. You can give suggestions.

Sri K. Brahmananda Reddy:—Sir, members of the Communist Party under Mr. Govinda Rao have left the Assembly.

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Sri K. Brahmananda Reddy:— They have come and met me many times during the last six months. I have given a patient hearing; we have considered all aspects and come before the House.
Advisory Committee on suggestions on prohibiting the sale of certain articles, prohibition of the use of specified articles, the introduction of a Sales Tax Act, and the prohibition of certain activities. The Andhra Pradesh General Sales Tax (Amendment) Bill, 1969, is under consideration. The Sales Tax Advisory Board is expected to meet soon. The Board is responsible for advising the Government on matters related to Sales Tax and to recommend changes to the Act. The Board consists of representatives from traders, manufacturers, and government officials. The Board has the power to make recommendations to the Government on matters related to Sales Tax. The Board is expected to meet soon to discuss the implementation of the Act.
Judgement on article 20 offend provisions touch Supreme Court stay pass 1st April 1st April 1st April. Where a grower of agricultural or horticultural produce sells such produce grown by himself or grown or any land in which he has interest whether as a owner, residuary, mortgagee, tenant or otherwise in a farm different from one in which it was produced after subjecting it to any physical, chemical or any process other than mere cleaning, grading or storage, he shall be deemed to be a dealer for the purpose of the Act.

It becomes solid, becomes a dealer. What do you say about this explanation? For if it be a dealer can punish. 12th penalty becomes a dealer. What do you say about this explanation? This is the summary of the whole Act in one word. It becomes draconic.
125 31st March, 1970.


Government Bill!

Does it not amount to hostile discrimination, Sir? I think, it does. But anyway, that is my opinion. I am not a lawyer. But, all the same that is a matter which will again go to Supreme Court.

All citizens shall have the right to acquire, hold and dispose of property and in (g) to practise any profession or to carry on any occupation, trade or business.
Government Bill:  


1st March, 1970.  

...

Government Bill:

The Andhra Pradesh General Sales Tax (Amendment) Bill, 1969

Mr. Speaker — That means they are not making a distinction. There is no difference between agent and a dealer so far as the explanation is concerned. So, if you treat the agent also as a dealer then what is the definition of the dealer. Dealer means any person who carry on business of buying, selling, supplying or distributing goods directly or otherwise whether for cash or for deferred payment.”

Sri A. Madhava Rao:—The explanation, now the amendment is “For the purpose of this Section, the expression ‘agent’ shall have the meaning assigned to the expression ‘dealer’ in sub clause (4) of clause (e).

Sri Pragada Kotaiah:—The explanation is there. Who is the dealer? 

Mr. Speaker — That means they are not making a distinction. There is no difference between agent and a dealer so far as the explanation is concerned. So, if you treat the agent also as a dealer then what is the definition of the dealer. Dealer means any person who carry on business of buying, selling, supplying or distributing goods, not the ryot.

Please also read the explanation two.
130 31st March, 1970.

Government Bill:

Who is a producer of cane and converts into jaggery need not be termed as a dealer. At least to the manufacture of jaggery and selling it.

Kindly don't involve the producer who converts his cane into jaggery.

Sri A. Madhava Rao:—I would like to submit few points. There are two points to be considered. "No court shall enforce any decree or order directing the refund of any such tax." "from claiming refund of any tax paid by him in excess of the amount due from him by way of tax under the principal Act as amended by this Act." This clause prevents him even from claiming the amount for which he is legitimately entitled to. It is for these things we are exercising our powers? Then, "no suit or other proceedings shall be maintained or continued in any court or before any authority for refund of any such tax". What is this? Is it the way that the democracy is to function? No belief in the Courts? Then, according to proviso 11, instead from the agent, what right is there to collect from the principal and because it is statutory body we are entitled to do we are doing it. Other thing is that section (2) shall be deemed to have come into force on 1st August, 1969. What happened to the Limitation Act? Now all these vested rights have been created and you want to circumvent the entire legal world for the sake of the liability being cast upon you to pay one crore rupees. The Hon'ble Minister said that Rs. 1 crore has to be collected from the merchants and Rs. 1 crore has to be paid by the Government. In the statement of objects and reasons, it has been stated that only Rs. 1 crore has to be paid by the Government. To escape that liability, the Government is coming like this. Now, when the obligation is cast upon them to pay the amount by a reason of court of law, are we not bound by law. Depriving them to go to court of law is some thing reprehensible. As a matter of fact, the hon. Speaker knows that recently in Colombo, all the Jurists have combined and held a conference where it has been stated that this sort of things should never be allowed which is anti-national and anti-democratic. Therefore we should not allow this kind of things in this matter.

Thank you Sir,
Government Bill:  


First selling stage is the initial step in the process. Sugar cane Act implementation is crucial.


Sugar cane Act implementation is a significant step. The initial sales stage is critical.

Under the Act if somebody has to pay something, he has to pay. Turn over limit makes it clear and explainable.

A vaja or harassment limit is set. The turnover limit is a clear explanation.
Sri K. Vijayabhaskara Reddy:– Sir, Section 9: Exemption from liability to pay taxes on certain cases—It is there*

Mr Speaker: Sec 9

Where any sale of jaggery has been effected during the period between the 1st August, 1963 and the commencement of section 5 of this Act in so far as it relates to item 77, and the dealer effecting such sale has not collected any tax under the principal Act on the ground that no such tax could have been levied or collected in respect of such sale or any portion of the turnover relating to such sale, and where no such tax could also have been levied or collected if the amendments made in the principal Act by this Act had not been made, then, notwithstanding anything contained in section 8 or the said amendments, the dealer shall not be liable to pay any tax under the principal Act, as amended by this Act, in respect of such sale or such part of the turnover relating to such sale.

It is very clear.

Mr Speaker:— What is the definition of 'principal'?

There is no other go for the producer than to convert the cane into jaggery. Then he is termed as 'dealer'. Therefore every agriculturist who is producing cane is being termed as 'dealer', to avoid him.

Mr Speaker:— So far as that is concerned, the question has gone to the Supreme Court. They decided that if the agriculturist were to convert it into some other form and sell it, it is assessable. There is a clear decision of the Madras High Court. They went to the Supreme Court. Ultimately everywhere it is held. So far as principal is concerned, there is no definition for 'principal', in the Act itself. Under the definition of dealer, it means any person who carries on the business etc. Dealer includes everything. So it is very clear.

Now the question is:

"That the Andhra Pradesh General Sales Tax (Amendment) Bill, 1969 be read a first time."

The motion was adopted.

Mr Speaker:—Now the Finance Minister to move the Bill for second reading.

Sri K. Vijaya Bhaskara Reddy:— Sir, with your permission I move ‘That the Andhra pradesh General Sales Tax (Amendment) Bill, 1969 be read a second time.'

Mr Speaker:— Motion moved.

Now there are two amendments one by Sri Govinda Rao to refer this Bill to the Select Committee. The second one is by Sri Govinda Rao stating that this Bill be circulated to elicit public opinion.

Mr. Speaker:—The question is:

"That the Andhra Pradesh General Sales Tax (Amendment) Bill, 1969 be read a second time."

The motion was adopted.

Clause 9. "Notwithstanding anything contained in section 8 or said amendments, the dealer shall not be liable to pay any tax under the principal Act, as amended by this Act, in respect of such sale or such part of the turnover relating to such sale.

( ) For the purposes of sub-section (1), the burden of proving that no tax was collected under the principal Act in respect of any sale referred to in sub-section (1) or in respect of any portion of the turnover relating to such sale, shall be on the dealer effecting such sale.

Naturally he has got to prove it.

Clause 9. (6) Mr. Speaker:—The question is:

"That the Andhra Pradesh General Sales Tax (Amendment) Bill, 1969 be read a second time."

There is no question of collecting and refunding also,
Mr. Speaker: Such of those people who have not paid, they are lucky because they could escape. People who have paid promptly have been penalised.

Sri K. Govinda Rao:—People who are very business like, are suffering. Defaulters are getting benefit. It is unfortunate.

Sri K. Brahmananda Reddy:—The question is about collection from those who did not pay. The dealer shall not be liable to pay any tax under the principal Act, as amended by this Act, in respect of such sale...

Mr. Speaker:—Notwithstanding anything contained in section 8 or the said amendments, the dealer shall not be liable to pay any tax...

Mr. Speaker:—Don't be confused about this. I am asking a straight question. From the people who have not paid, I mean, people who are liable to pay and not paid, does the Government propose to collect from them also?

Sri K. Brahmananda Reddy:—People who have collected and not paid to the Government, have to pay.

Mr. Speaker:—So far as the dealers are concerned, agriculturists are concerned, are you going to collect from them or not? If an agent has collected 10 lakhs or 15 lakhs, he has got to pay. Now the middle man, who has collected from the dealer, should he not pay?

Mr. Speaker:—I will ask the Government to make it clear. This exemption applies only in the case of dealers and not in the case of agents who have collected.


Mr. Speaker:—You are justified also. If they don't pay, you can proceed against them also. So far as dealers are concerned there is no question of collecting from them. So far as collection from agents you are at liberty to collect, because they have already collected. They have got to pay it to the Government. What I am asking is are you going to collect from dealers?

Mr. Speaker:—So far as the definitions are concerned, there is no definition of agent or there is no definition of principal. There is only definition of dealer and you are saying that you are not going to collect from the dealers. So far as the agents are concerned, there is no definition in the Act itself.

Mr. K. Vijayabhaskara Reddy:—Nothing more than what all I have said.

Some hon. Members:—It is unfortunate. It is unfortunate.

Sri K. Vijayabhaskara Reddy:—Nothing more than what all I have said.
136 3lst March, 1970

Government Bill:
The Andhra Pradesh General Sales Tax
(Reciprocal) Bill, 1969.

Sri Pragada Kotaiah:—There must be a specific explanation.

Sri K. Vijayabhaskara Reddy:—All those things are there.

Smt. B. Jayaprada:—So far as Section 9 is concerned, there is a class of agents or dealers who have collected from the principals but have adjusted to the principals. (laughter). Mr. Speaker, Sir: I am sorry. Those who have collected from the principals and adjusted the same amount to the principals consequent on the judgement of the High Court. Those of that class of dealers, do not find a place. I request the Honourable Minister to say a word about them on compassionate grounds at least.

Mr. Speaker:—I am unable to understand.

AMENDMENT TO SECTION 2 OF THE PRINCIPAL ACT

Sri K. Govinda Rao:—Sir, I move;
In section 2 of the principal Act after clause (1) (e; (iv) add the following:

But does not include an agriculturist who produces jaggery out of sugar cane raised by him.

Mr. Speaker:—Amendment moved.

They are quite binding. This is only an amending bill, Sir.

"Provided that an agriculturist producing Jaggery out of sugarcane raised by him shall not be . . ."

Mr. Speaker:—You have raised an interesting proposition. You are now seeking to amend the definition of the 'dealer' in the Principal Act, an amendment to the effect that it should not include an agriculturist. The question is whether a member can give notice of an amendment which is not the subject matter of this amending bill.

It can certainly be done.

Mr. Speaker:—Whenever you want to give notice of an amendment to a section which is not under amendment and is an amendment to the principal Act, it has got to be published in the Gazette and the procedure followed.

Mr. Speaker:—If that section in some form or other is the subject matter of the amendment, then you can give notice of an amendment, but not altogether a different section.

Mr. Speaker:—The point is whether a member can give notice of an amendment to a particular section which is not the subject matter of the amending bill. Any amendments should follow a certain procedure. If you want to give an amendment you should give notice in the form of a non-official bill. The rule is clear: "An amendment will be within the scope of the Bill and shall be relevant to the subject matter of the clause to which it relates."

"For the purpose of this Section, the expression 'agent' shall have the meaning of the expression 'dealer'" (page 6). Supposing we have an amendment to bring in to the word 'dealer' that it does not include an agriculturist . . . . .

Mr. Speaker:—I can straightaway put the amendment to vote.

I am not giving any ruling.

Sri K. Govinda Rao:—There are a number of precedents about this.

Mr. Speaker:—Alright, proceed. I shall also look into it.
Mr. Speaker:—At least exempt the agricultural producer....

Mr. Speaker:—The question is:

"In Section 2 of the principal Act after clause (1) (e) (iv) add the following:—

'but does not include an agriculturist who produces jaggery out of sugarcane raised by him.'"

The amendment was declared negatived.

A division was demanded. (Ayes ....39; Noes ....112; Neutrals ......1).

The amendment was negatived.

CLAUSE 2.

Mr. Speaker:—There are two amendments—One by Sri B. Ratnasabhapathy and Sri N. Ramulu, and the other by Shri K. Govinda Rao. I take them as moved.

The question is:

"Delete clause 2."

The amendment was negatived.

Mr. Speaker:—The question is:

"In Section 5 of the principal Act for the figure '10,000' occurring in clause (2) substitute the figure '25,000'."

The amendment was negatived.

Mr. Speaker:—The question is:

"Clause 2 do form part of the Bill."

The motion was adopted. Clause 2 was added to the Bill.

CLAUSE 3.

Mr. Speaker:—I am taking all the amendments as moved.

Mr. Speaker:—The question is:

"Clause 3 do form part of the Bill."

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

31st March, 1970

CLAUSE 4.

Mr. Speaker:—I shall put Mr. Govindarao's amendment to vote. The question is:

"For the proviso to the proposed new section 11, substitute the following proviso:

'Provided that an agriculturist producing jaggery out of sugarcane raised by him shall be proceeded against for recovery of any amount either by way of tax or otherwise has been due under the Act.'"

The amendment was negatived.

Mr. Speaker:—The question is:

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

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

CLAUSE 5.

Mr. Speaker:—Mr. P. Venkatesan's amendment. The question is:

"In the first Schedule to the Principal Act, in the newly added item 77 for the figure and word '5 paise' substitute the figure and word '3 paise'."

The amendment was negatived.

Mr. Speaker:—The question is:

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

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

CLAUSE 6

Mr. Speaker:—The question is:

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

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

CLAUSE 7

Mr. Speaker:—Sri K. Govinda Rao's amendment. The question is:

"Omit sub-clause (b) of clause 7."

The amendment was negatived.

Mr. Speaker:—The question is:

"That Clause 7 do stand part of the Bill."

The motion was adopted. Clause 7 was added to the Bill.

CLAUSE 8

Mr. Speaker:—Mr. Govindarao's amendment. The question is:

"Omit Clause 8."

The amendment was negatived.

Mr. Speaker:—The question is:

"That Clause 8 do stand part of the Bill."

The motion was adopted. Clause 8 was added to the Bill.
Mr. Speaker:—There are four amendments, two of which are of Sri K. Govinda Rao.

"Mr. Speaker:—I shall put Sri Ratnasabhapathy's and Sri Tamulu's amendment to vote. The question is:

"In sub-clause (1) of Clause 9 insert the words 'And if any tax had been collected by the Agent and credited to the accounts, principal should be adjusted' after the words 'The Dealer shall not be liable to pay any tax under the principal Act.'"
The amendment was declared negatived.

Mr. Speaker:—The question is:

"To sub-clause (1) of clause 9 add the following provision:

'Provided that in all cases where the agents have collected tax, but paid the same to the principals, no amount shall be collected from such agent or principal.'"

The amendment was declared negatived.

A division was demanded and the House divided thus:

Ayes 41; Noes 113, Neutrals Nil.

The amendment was negatived.

Mr. Speaker:—The question is:

"Delete sub-clause (2) of clause 9."

The amendment was negatived.

Mr. Speaker:—I shall put the Government amendments to vote. The question is:

(1) "In sub-clause (1) of clause 9 for the words 'any tax occurring for the first time, substitute the words 'any amount by way of tax'."

(2) "In sub-clause (2) of clause 9 for the words 'no tax' substitute the words 'any amount by way of tax'."

The amendments were adopted.

Mr. Speaker:—The question is:

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

The motion was adopted. Clause 9, as amended, was added to the Bill.

CLAUSE 1

Mr. Speaker:—I shall put Mr. Ratnasabhapathy's amendment to vote. The question is:

"Delete sub-clause (2) of clause 1."

The amendment was negatived.

Mr. Speaker:—Now. Government's amendments. The question is:

"In sub-clause (1) of clause 1 for the words and figures 'The Andhra Pradesh General Sales-tax (Amendment) Act, 1959' substitute
the words and figures 'The Andhra Pradesh General Sales-tax (Amendment) Act, 1970'."

The amendment was adopted.

Mr. Speaker: -The question is:

"That Clause 1, as amended, do stand part of the Bill."

The motion was adopted. Clause 1, as amended, was added to the Bill.

Sri K. Vijayabaskara Reddy:—Sir, I move:

"That the Andhra Pradesh General Sales Tax (Amendment) Bill, 1969 be read a third time"

Mr. Speaker:—Motion moved.
Mr. Speaker:—The question is “That the Andhra pradesh General Sales Tax (Amendment) Bill, 1969 be read a third time”

The motion was adopted.

THE ANDHRA PRADESH (ANDHRA AREA) TENANCY
(AMENDMENT) BILL, 1970.


Mr. Speaker:—Motion moved.

(The House then adjourned till Half past Eight of the clock on Wednesday the 1st April, 1970.)