ANDHRA PRADESH
Legislative Assembly Debates
OFFICIAL REPORT

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1973
THE

ANDHRA PRADESH LEGISLATIVE ASSEMBLY

PRINCIPAL OFFICERS

Speaker: Sri R. Dasaratharama Reddy

Deputy Speaker: Sri Syed Rahmat Ali

Panel of Chairmen: 1. Sri Kaza Ramanadham
2. Sri Baddam Yella Reddy
3. Sri M. Yellappa
4. Dr. (Mrs.) Fathimunnisa Begum

Secretary: Sri G. Ramachandra Naidu.

Assistant Secretaries: 1. Sri M. Ramanadha Sastry
2. Sri P. Ranga Rao
3. Sri E. Sadasiva Reddy
4. Sri V. K. Viswanath
5. Sri Poornananda Sastry
6. Sri K. Satyanarayana Rao
7. Sri R. N. Sarma
ANDHRA PRADESH LEGISLATIVE ASSEMBLY

Wednesday, the 5th February, 1975.

The House met at Half-Past Eight of the Clock.

(Mr. Speaker, Sri R. Dasaratharama Reddy, in the Chair)

ORAL ANSWERS TO QUESTIONS

Declaration of Srikakulam, Warangal and Khammam Districts as disturbed areas

61—

* 4703 Q.—Sri C.V.K. Rao (Kakinada):—Will the Chief Minister be pleased to state:

(a) whether Government has declared the areas of Srikakulam, Warangal and Khammam districts as disturbed areas and police camps were set up there; and

(b) if so, for how long and the annual expenditure involved?

The Chief Minister (Sri J. Vengal Rao):—(a) Yes, Sir. The Government have declared certain areas of Srikakulam, Warangal, Khammam and Karimnagar Districts as disturbed areas and temporary police camps were set up wherever necessary.

(b) The duration of each camp at a particular place depended on the need for such camps with reference to the activities of Extremists in the area and differed from place to place. The annual average expenditure was Rs. 29,00,390/–

Sri C. V. K. Rao:—I consider this is a sheer waste of public fund. What is the purpose of the Government in creating such emergent situations with an objective of suppressing attitude? It is a shame for the democratic Government prevailing in this Country. So, will the Chief Minister take steps to decamp all these police camps?

* An asterisk before the name indicates confirmation by the Member.
5th February, 1975.

Oral Answers to Questions.

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3. To the Minister of Defence—?

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65. To the Minister of Defence—?

67. To the Minister of Defence—?

69. To the Minister of Defence—?
Oral Answers to Questions.

Sri A. Sreeramulu:—He is now for suppression of the people's rights.

Sri J. Vengal Rao:—Not people's rights.

Sri A: Sreeramulu:—I want to know what exactly is this disturbance? When this started? How long will this continue? What is the provision under which these areas were declared as disturbed areas?

Sri J. Vengala Rao:—There is an Act of 1948. i.e., The Suppression of Disturbances Act, 1948.

Sri A. Sreeramulu:—I did not have the full answer. What is the nature of disturbance? When did this start? What is the provision? How long is likely to continue? He has answered about the provision.

Oral Answers to Questions.
Oral Answers to Questions.

90  5th February, 1975.

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Oral Answers to Questions. 5th February, 1975.

Sri C.V.K. Rao:—Now, I request the Chief Minister to see that this Government will be a civilised Government.

Mr. Speaker:—Don't make any request. You please put the question.

Sri C.V.K. Rao:—I demand that the Chief Minister has got to see that this State has got a civilised Government and not a brutal Government. He says that 4 to 5 fellows are responsible. If 4 to 5 fellows are responsible what is it that they are responsible? Who are they? Is the Government such an incompetent Government, bankrupt Government, not able to catch hold of them and then declare 4 areas as disturbed areas and why should they oppress and suppress the innocent people. Therefore, I want that the Chief Minister should not possess that kind of police psychology and get away from it.

Sri C.V.K. Rao:—I demand that the Chief Minister has got to see that this State has got a civilised Government and not a brutal Government. He says that 4 to 5 fellows are responsible. If 4 to 5 fellows are responsible what is it that they are responsible? Who are they? Is the Government such an incompetent Government, bankrupt Government, not able to catch hold of them and then declare 4 areas as disturbed areas and why should they oppress and suppress the innocent people. Therefore, I want that the Chief Minister should not possess that kind of police psychology and get away from it.
92 5th February, 1973 Oral Answers to Questions.

Sri P. Jaipal Reddy.—It is said that this menace is extended in Kurnool District also. Has the Government taken note of it? If so what are the steps taken.

High-Handed Behaviour of Public Servants in Cuddapah

62—

*4557 Q.—Sri V. Srikrishna:—Will the Chief Minister be pleased to state:
(a) whether any representation dated 19-4-1974 was received by the Collector, Cuddapah from Sri Kokatan Venkata Reddy of Kopparti Village, Cuddapah district against the Inspector of Police Cuddapah (Urban) and Munsiff Magistrate about the high-handed behaviour of the two public servants on 1-4-1974; and
(b) if so, whether any enquiry was conducted and the results of the same?

Sri J. Vengal Rao:—(a) Yes Sir.
(b) An enquiry into the allegations contained in the petition was conducted by the Deputy Superintendent of Police, Cuddapah and the allegations were not held proved.

Permission for Double Riding on Bicycle in all the Towns in the State

63—

*5271 Q.—Sri M. Nagi Reddy (put by Sri V. Sri Krishna):—Will the Chief Minister be pleased to state:
(a) whether the Government have issued orders that two persons should be allowed to ride on a single bicycle in twin cities considering that it is the common man's means of transport;

(b) if so, whether there is any proposal with the Government to apply this order to other cities also in our state;

(c) if so, when the orders will be issued; and

(d) if not, the reasons therefor?

Sri J. Vengal Rao:—Yes, Sir. Orders were issued that Prosecutions of persons by Police for double riding on bicycles may be suspended with effect from 22-8-1974. This exemption applies to the entire State and not merely to twin cities.

Sri Syed Hasan:—In addition to this, minor offences such as line crossing of cyclists’ may be done away with.

Sri J. Vengala Rao:—All these are under consideration.
5th February, 1975.

**Oral Answers to Questions**

**Q. Sri Syed Hasan (Charminar):** Will it be considered before the close of this Session?

**Sri J. Vengala Rao:** As soon as possible.

**Q. Sri D. Krishna Reddy (put by Sri N. Srinivasulu Reddy):** Whether the Minister for Agriculture be pleased to state:

(a) Whether it is a fact that International Crops Research Institute has been set up at Patancheru, Hyderabad.

(b) if so, the number of employees in all categories in that institute; and

(c) the number of employees belonging to the Andhra Pradesh and other States category-wise in that Institute?

The Minister for Roads and Buildings (Sri Ch. Venkata Rao) deputized for the Minister for Agriculture) :—(a) Yes, Sir.

(b) The Institute is purely a research organisation and it employs research staff and support staff according to special needs which vary from time to time in accordance with the charter of the organisation.

(c) There are only two categories of staff, international Research staff and support staff. The recruitment for the International staff is on world wide basis including India depending on the merits of the Scientist. So far as the support staff is concerned, at present, all of it is Indian and most of it from Andhra Pradesh.

Sri A. Sri ramulu :—Sir, is there any change regarding portfolios?

Mr. Speaker:—This is with the permission of the Chair.

Sri C. V. K. Rao:—The Chief Minister took Mrs Indira Gandhi Prime Minister to Patancheru where crops and poultry are in existence. He would have advised her to go to Bihar.

Mr. Speaker:—I could not follow the question.

Sri C. V. K. Rao:—Does the Minister know English or ....

PARTIAL DECONTROL OF CHEMICAL FERTILIZERS

65—

*5571—Q.—Sri Nallapareddi Sreemivasul Reddi :—Will the Minister for Agriculture be pleased to state:

(a) whether there is any proposal to decontrol thirty per cent of the stocks of chemical fertilisers allotted to the state; and

(b) if so, when will the proposal come into effect?

Sri Ch. Venkat Rao Clause (a):—No, Sir:

Clause (b): Does not arise.

Dealers are asked to supply fertilisers to farmers.

Sri. Ch. Venkat Rao:—Sir, I beg to say that when a certain percentage of the stocks of chemical fertilisers allotted to the state are decontrolled, the dealers are asked to supply them to farmers.

Sri. B. Venkata Rao:—The stocks allotted to the state are decontrolled.
Oral Answers to Questions.
5th February, 1975.

(ప్రాంగణ శ్రేణి):

(1) ప్రశ్నలు తోంది కనిపించబడింది. సంస్థ ప్రధాని తోంది ప్రశ్నలను తీసినా, అంశాలు ప్రాంగణ ఉపాధ్యాయులు తీసిన ప్రశ్నలను తీసి వచ్చిన చివరి ప్రశ్నలు ఎంచుకోవండి?

(2) ద్యవస్యాం శాఖ యొక్క వేదిక వుంటే ఇంటి యొక్క విభాగాలు ఎంచుకోవండి. ద్యవస్యాం వ్యవసాయ పరిధిలోని ఈ పరీక్షలు ఎంచుకోవండి.

(3) మామురు నుంచి అంగుళాంతరం లో కాంతిల నియంత్రణ ఎంచుకోవండి. మామురు నుంచి నియంత్రణ సంస్థకారు ఎంచుకోవండి.

(4) సిద్ధాంతాలు సంపాదించడానికి సంస్థ మాధ్యమాల మరియు ప్రశంఖల ప్రాంగనాల ప్రాంగణాలు ఎంచుకోవండి.

ఎంపానిలాంతర ప్రశ్నలు:

(1a) సంస్థ ప్రధాని తోంది ప్రశ్నలను తీసినా, అంశాలు ప్రాంగణ ఉపాధ్యాయులు తీసిన ప్రశ్నలను తీసి వచ్చిన చివరి ప్రశ్నలు ఎంచుకోవండి?

(2a) ద్యవస్యాం శాఖ యొక్క వేదిక వుంటే ఇంటి యొక్క విభాగాలు ఎంచుకోవండి. ద్యవస్యాం వ్యవసాయ పరిధిలోని ఈ పరీక్షలు ఎంచుకోవండి.

(3a) మామురు నుంచి అంగుళాంతరం లో కాంతిల నియంత్రణ ఎంచుకోవండి. మామురు నుంచి నియంత్రణ సంస్థకారు ఎంచుకోవండి.

(4a) సిద్ధాంతాలు సంపాదించడానికి సంస్థ మాధ్యమాల మరియు ప్రశంఖల ప్రాంగనాల ప్రాంగణాలు ఎంచుకోవండి.
9.10 a.m. Mr Speaker:—I shall consider.

Sri Syed Hasan:—While issuing Distribution Cards, money is being collected. Under what head it is credited and what is the total amount collected?

Sri Syed Hasan:—It is a common compliant in Andhra.

Sri J. Vengal Rao:—There is no distinction as to Andhra or Telangana.
Oral Answers to Questions. 5th February, 1975.

WATER SUPPLY TO CUMBHU TANK IN GIDDALUR TALUK

67—

*4802-M Q.—Sarvasri M. Nasir Baig (Markapur) and G. V. Anjaneyasarma (Satthenapalli):—Will the Minister for Medium Irrigation be pleased to state:

(a) whether there is any proposal pending with the Government for augmenting water supply to cumbhum tank in Giddaloor taluk in Prakasham district; and

(b) if so, the stage of the proposal?

The Minister for Medium Irrigation (Sri V. Krishnamurthy Naidu).

(a) No, Sir.

(b) Does not arise.

This is Srirangapatnam. It is a costly affair. We cannot say about diversion to Srisailam, unless Krishna Water Award is finalised.

URBAN AREA (PROHIBITION ON ALIENATION) ACT, 1972.

68—

*4145-Q.—Sri Nissankara Rao Venkataratnam:—Will the Minister for Revenue be pleased to refer to the statement made on 1–2–74 in reply to the call attention motion regarding exemptions from the A.P. Vacant Lands in Urban Area (Prohibition on Alienation) Act, 1972 and state:

(a) whether the rules for exemptions and relaxations under the said Act were communicated to the District Collectors;
The Minister for Revenue (Sri P. Narsa Reddi):—

(a) Rules relating to the grant of exemptions by the Collectors have been communicated to them. No rules regarding relaxations have been issued.

(b) The rules regarding exemptions were communicated to the Collectors on 22-8-1972. The rules deal with the conditions and procedure relating to grant of exemptions upto certain limits by the Collectors in respect of the urban lands required for educational, scientific, Industrial, Commercial and other purposes.

(c) No Sir.

General Exemption (1) under proviso (2) of sub-Sec. 7 of the Act:

"The Collector may exercise the power delegated therein, subject to the following conditions:

The land proposed for exemption is not required for any public purposes. The value of the total urban immovable property of the vendor does not exceed Rs. 3 lakhs, the vendor will be put to hardship, if exemption is not granted.

The Collector can exercise this power in the Urban Area in the State other than the limits of Municipal Corporation of Hyderabad, Vishakhapatnam, and Vijayawada in vicinity exceeding 15 kilometers in the local limits of those Municipalities."
There will be speculative business right through. Our purpose of imposing urban ceiling is where there is necessity then only exemption should be given not for speculative purposes.

Sri P. Narsa Reddy:— Ordinarily under Act the Registration Authority is responsible for any lapse. *Sir, we can insist filing of the declaration by the person who wants to sell as to when this house was constructed and the assessment has been levied. Then only, we will do that.

Sri S. Jaipal Reddy (Kalwakurthi):— In this passing prohibitive legislation I would like to know as to what are the specific purposes that can be served by this legislation. The Government is not so far eager to explain as to how the purpose of ultimate ceiling of urban property can be served by this piecemeal legislation?

*Sri P. Narasa Reddy:— In the hope that the Central Government would bring in a comprehensive legislation in the entire country, both the Assembly and the Council had passed resolutions empowering the Central Government to pass this legislation 2½ years back. Now the purpose of this legislation is quite evident. We want to restrict alienations at a large scale so as to curb greater amassing of immoveable properties and see that there are certain limitations imposed so that the land in areas where it is very much in scarcity to be equitably distributed to those who are in greater need.

Sri S. Jaipal Reddy:— The Government should think of legislating prohibition in regard to total property in the urban areas. What is the point in imposing prohibition only on vacant lands? This will only stand in the way of development of the cities, extenuating the problem of housing which is already assuming alarming proportions.

*Sri P. Narasa Reddy:— Ceiling on total properties to an individual in the urban areas is under contemplation of the Government. That would be brought sooner. But we cannot just waive this very important piece of legislation where vacant lands, as the Hon'ble Speaker and the Members are aware, are subject to much speculative business, depriving the very poor and the needy to get certain square yards for their use. Government is always looking in getting sufficient space for construction. It would serve many purposes. It would not only benefit the poor and the needy but it would also serve the purpose of other development purposes to be carried on by the Government.

Sri S. Jaipal Reddy:— Will the Government come forward with the legislation in regard to the total property in the city during the present Session? Secondly, why not the Government notify such urban areas which the Government can use and release the remaining lands from the scope of this legislation?

*Sri P. Narasa Reddy:— To bring in such a legislation is desirable. But whether it is practicable to bring it within this Session is a thing to be thought of. To demarcate the lands which are sufficient for the weaker sections and allow the other lands to be sold, there cannot be a yardstick as such, because the number of the needy persons are more than the number of the persons who are all right.

Sri C.V.K. Rao:— The Government has brought about this piece of legislation with a good intention to provide house-sites to the weaker sections. Can the Government tell me, this legislation being in the Statute Book for some time how much vacant land is there? Whether the vacant land in the hands of the speculators and monopolists is there and whether the Government is taking any steps in that regard?

*Sri P. Narasa Reddy:— The object of that legislation is only for that. If there can be a few cases where monopolies might have got away by selling them and getting exemptions, as Mr. Srikrishna has said, the object of this legislation is to give adequate property, i.e., make available lands in urban areas which are very much needed.
for a greater number of people. Regarding the land can it be possible for me to tell in all urban areas? We are making surveys in all these places.

Sri P. Narasa Reddy:—I am sorry. The imposition of a ban not to sell lands within 12 or 15 Kms. with in the urban area is for the purpose of a scheme for industrialisation in our State. Once we allow such sales, there can be speculative business. When we want it for individual purposes and other purposes like the Central University or Colleges, it is not possible for the Government or for any Institution to get these lands.

Sri P. Ramachandra Reddy:—Sir, by passing this Act some small towns having 15 to 20 thousand population are also covered. Specially in Medak district there are such towns. Whether the Government would consider giving exemption to such of the towns havings population of less than 25,000 under the provisions of this Act?

Sri P. Narasa Reddy:—Sir, it is not a question of population of any particular village. It is a question to what extent the Government has prohibited for the purpose of industrialisation around urban areas. Because as the Hon. Members are also aware industries are prone to be set up in all the urban areas. They won't go to the villages. Wherever there are hard cases within the belts, the Collectors have been empowered to give exemption to the villagers and landholders to the extent of properties worth Rs. 3 lakhs. What more they want.
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Oral Answers to Questions.

Mr. Speaker:—There is a separate question coming under 341. It will be discussed.

Sri S. Jaipal Reddy:—Sir, the Government appears to be conflicting with this legislation which is prohibitive and temporary. It has been in force for the last two years and we do not know how long it will be in force. As yet the Government does not know as to the total area of the land that is available and as to the total area the Government needs. I understand the difficulty involved in this. Has the Government made any attempt in this direction? The second question is the Hon. Minister said that he did not have the particulars to bring forward the legislation in regard to comprehensive property during the present session. I only propose prohibitive legislation. I did not propose comprehensive legislation. Therefore, there should not be any difficulty whatsoever. It is a matter of few hours.

Sri P. Narasa Reddy:—Sir it is not that the Government is not aware as to how much urban area land is available. For all big cities, the information is there. I only said that it is not possible for me to give the information just now. On the contrary we have set up survey parties, to survey all the areas in big urban towns so that we can have specific idea as to the manner in which we have to deal with this land.

Mr. Speaker:—That legislation, he said he is considering.

Sri S. Jaipal Reddy:—The Government has not so far been able to assess its needs in regard to the areas and he has not explained the real difficulty in bringing forward a comprehensive prohibition in regard to the properties in the urban areas. That was the problem of urban ceilings will be solved.

(Sri S. Jaipal Reddy rose to speak)

Mr. Speaker:—I am sorry. I have already given you many opportunities. Kindly sit down.

Sri S. Jaipal Reddy:—Sir, my honour is involved in this. Kindly permit me. The Minister has said as to why the Members are getting excited so much over the imposition of prohibition in regard to the vacant lands and wondered how much we would be excited if there were to be total prohibition. On the contrary we are pleading for it. It is the Government which is hesitating to do it, Sir.
Oral Answers to Questions. 5th February, 1975. 105

It is nowhere useful for dwelling purposes. They are low-lying paddy fields. Will the Government consider to exempt them?

Sri P. Narasa Reddy:—The paddy fields in urban areas if they are within the limits of Rs. 3 lakhs and if it is for housing purposes and all that, as we visualised there would be no difficulty. But if that property is cumulatively, if that landholder has got more than the proposed ceiling, then there is difficulty for giving permission.

Sri P. Narasa Reddy:—We have impressed upon the Central Government to bring this legislation very soon. Hon. Members are probably aware that even last time we proposed in the Agenda this Urban Ceiling Bill as one of the bills to be brought. Now, we can try to impress upon the Central government the matter of urgency so that a comprehensive legislation may be brought.
Mr. Speaker:—I think some time back the Chief Minister stated that if the Central Government brings forward the Legislation or not, the State government itself would undertake it.

Mr. Speaker:—That information will be given as far as the first thing is concerned. Then they will consult the Central Government.

Mr. Speaker:—Under this Act we have all owed them...
SUIT FILED BY VIJAYAWADA MUNICIPALITY AGAINST A.P. ELECTRICITY BOARD.

(a) whether it is a fact that Vijayawada Municipality has filed a suit against the Government of Andhra Pradesh and A. P. S. Electricity Board for recovery of compensation payable on account of take over of Vijayawada Municipal Electricity Undertaking;

(b) if so, the stage of the suit;

(c) what is the stamp duty and Advocates fees paid so far;

(d) whether it is a fact that the original Account nature of the suit is converted and consequently stamp duty is to be paid one half crores of rupees, which will entitle the Advocates claim fee on that basis; and

(e) whether there are any compromise proposals pending for settlement of the dispute between the Municipality and the Government with a view to avoid loss of huge amount of public funds?

The Minister for Power, (Sri G. Raja Ram):—(a) Yes Sir. For fixing compensation for its electrical undertaking acquired by the Government.

(b) The suit filed by Vijayawada Municipality has been transferred to the High Court as there are several constitutional points to be decided. The High Court passed an order on 8-3-1972 upholding the contention of the Board regarding the Court fee and directed the Vijayawada Municipality to pay the deficit court fee of Rs. 1,04,915. Against this order of the High Court, the Vijayawada Municipality has gone in an appeal to the Supreme Court. The Supreme Court has stated the further proceedings by the High Court. The question relating to the payment of Court fee is pending in the Supreme Court.

(c) No stamp duty has been paid by the Board, as the suit was filed by the Vijayawada Municipality.

(d) No Sir, As the Vijayawada Municipality has not paid the stamp duty as required under section 24 (d) of the Court Fees Act the Board while bringing the fact to the notice of the Court has requested that the suit be dismissed.

(e) Yes Sir.
Sri A. Sreeramulu:—The Minister for Power says that he has nothing to do with the Minister for Municipal Administration. Is it not the collective responsibility of the Ministers. How can one Minister say that he has nothing to do with the other? Is it not the joint responsibility?

Mr. Speaker:—Joint responsibility is when decisions are taken. Ultimate responsibility is that of the Cabinet.

Sri A. Sreeramulu:—The question is when it is placed on the Order paper, it is the duty of the entire Cabinet to get information and give concrete answers. He says that it does not belong to him. When a supplementary question is put, why he says about the Municipal Minister?

Sri C.V.K. Rao:—Whether the Ministers are fighting each other just like cocks.

Sri V. Srikrishna:—The Minister for Municipal Administration and the Minister for Power can sit together.

Sri G. Rajaram:—On two occasions attempts were made to settle the issue after the matter went to court.

Mr. Speaker:—The Chief Minister is confident that a settlement would soon be arrived at.

Sri A. Sreeramulu:—According to my information, for all this confusion and crisis, one Special Officer is said to be responsible. The Minister for Municipal Administration is present here and whether he will see who is responsible for this issue and creating confusion.

Sri Challa Subbarayudu:—This is an issue pending for the last 10 years before the constitution of the Electricity Board. Now the suit is in between the board and the Municipality. Recently after taking charge, Mr. Rajaram and myself had preliminary discussions with the Chairman of the Electricity Board. We will see that the issue is settled amicably.

GOLD MINES AT BHADRAMPALLI

* 5641 Q.—Sri B. Basappa (UraVakonda):—Will the Minister for Excise be pleased to state:

(a) whether the Government will undertake research work and examine the gold mines which were excavated and discarded during the British Regime at Bhadramapalli near UraVakonda in Anantapur district; and

(b) if so, when the same will be taken up?

The Minister for Excise (Sri V. Purushothama Reddy):—

(a) No Sir.

(b) Does not arise.

34—4
9-50 a.m.,

Q. M. Venkat Rao:—Will the Chief Minister be pleased to state:

Whether the Government decided to bring in legislation to provide immunity to the press reporters in the State in the matter of reporting the proceedings of the State Legislature as in Lok Sabha and Rajya Sabha?

Sri J. Vengal Rao:—It is under active consideration of the Government.

STATEMENT PLACED ON THE TABLE OF THE HOUSE WITH REFERENCE TO L.A.Q NO. 3588 (STARRED) GIVEN BY SRI VANKA SATYANARAYANA, M.L.A. POSTED FOR 5-2-1975 FOR FURTHER SUPPLEMENTARY

IMMUNITY IN RESPECT OF PRESS REPORTING OF PROCEEDING OF THE STATE LEGISLATURE

Parliament has enacted the Parliamentary Proceedings (Protection of Publication) Act, 1956 for the purpose of conferring immunity from civil or criminal liability in respect of publication in the Press of substantially true reports of proceedings of either House of Parliament. A copy of this enactment is appended.

There is no similar enactment conferring immunity in respect of Press reporting of proceedings of the State Legislature. Thus, while the publication of a substantially true and faithful report of proceedings in the House of Legislature in the press, does not constitute contempt of the House, the fact that the words "complained against" were privileged when they were uttered in the Legislature will not confer any privilege in respect of publication of these words so far as the criminal law of the land is concerned.

The Government of India have requested the State Governments to consider the question of enacting State Legislation similar to the Parliamentary Proceedings (Protection of Publication) Act, 1956 for the purpose of conferring immunity from civil or criminal...
liability in respect of Press-reporting of the proceedings of the State Legislature. This matter is now under active consideration of the State Government and details of similar laws if any passed in other States, are being obtained.

THE PARLIAMENTARY PROCEEDINGS (PROTECTION OF PUBLICATION) ACT, 1956 ACT NO. 24 OF 1956

AN ACT TO PROTECT THE PUBLICATION OF REPORTS OF PROCEEDINGS OF PARLIAMENT

(26th May, 1956)

Be it enacted by Parliament in the Seventh year of Republic of India as follows:—

1. SHORT TITLE AND EXTENT

(1) This Act may be called the Parliamentary Proceedings (Protection of Publication) Act, 1956.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

2. DEFINITION

In this Act "newspapers" means any printed periodical work containing public news or comments on public news, and includes a newsagency supplying material for publication in a newspaper.

3. PUBLICATION

(1) Save as otherwise provided in sub-section (2) no person shall be liable to any proceedings, civil or criminal, in any court in respect of the publication in a newspaper of a substantially true report of any proceedings of either House of Parliament, unless the publication is proved to have been made with malice.

(2) Nothing in sub-section (1) shall be construed as protecting the publication of any matter, the publication of which is not for the public good.

4. ACT ALSO TO APPLY

The Act shall apply in relation to reports or matters broadcast by means of wireless telegraphy as part of any programme or service provided by means of a broadcasting station situated within the territories to which this Act extends as it applies in relation to reports of matters published in a newspaper.

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Sri A. Sreeramulu:—This issue is pending since 1956 ever since the State was formed. Mr. Vavilala Gortho Krishnaiah also brought an official Bill on that subject. It is time the Chief Minister should expedite and see at least that a small Bill can be introduced before the end of the session, so that some amenities can be given to Press Reporters.

Sri C.V.K. Rao:—Regarding immunity, it is stated that they were not conferred any privilege in respect of the publication so far as the criminal law of the land is concerned.

(1) Room with telephone is provided in the Assembly building for the use of the accredited correspondents of the press during the meetings of the Assembly.
Passes for the admission to the Press Gallery are issued to each Press Correspondent to cover the Proceedings of the House.

One set of papers laid on the Table each day, is supplied to the Correspondents.

A set of answers to starred question etc. is supplied to them after question hour is over.

Sri A. Sreeramulu:—I am glad because that was the question put by me. This question came up the other day about their facilities. I want to know who is giving these Press Gallery passes. Whether there is any Accreditation Committee? I think it is the Hon. Speaker that will have to do that. Who is giving those passes to press reporters?

Sri J. Veegal Rao:—The Assembly Secretariat and Secretary will give. We have nothing to do with it.

Mr. Speaker:—They apply to the Speaker. There is a Short Notice Question circulated. It is postponed to 7-2-1975.

ANNOUNCEMENT

Time for receipt of amendment to A.P. Commercial Crops (Special Assessment) Bill, 1975

Mr. Speaker:—I have to announce to the House that the amendments to the Andhra Pradesh Commercial Crops (Special Assessment) Bill, 1975 (as reported by the Select Committee) will be received up to 9 A.M. tomorrow, the 6th February, 1975.

BUSINESS OF THE HOUSE

Mr. Speaker:—That has been disallowed. I will discuss later on.

Sri C.V.K. Rao:—The liberty of the people is being affected in this indiscriminate manner. Such things are happening. What is the purpose we serve as legislators. There must be purpose. Men are
being vindictively treated. This is an august body sitting here and when
I give 341 notice it is disallowed. In zero hour we are free and I have
the right 341 is not intended to give a handle to the executive to
throw it out. When a person who is bringing particular justified
matter before the public and the legislator is being hauled up and
harassed and searches are being made behind our legislators' quarters,
I don't know how you are being directed. Let not the office inter­
fere with 341.

Mr. Speaker:—I will look into the matter.

Sr. M. Omker:—what about my 341 notice, Sir.

Mr. Sepaker:— I will look into it.

Sri A. Sriramlu:—341 is a substitute for the zero hour where
there will be an opportunity for ever member to raise a matter of
urgent public importance. Since it has become difficult for Ministers
to answer Rule 341 has been introduced. I request you to be a little
more liberal in dealing with the notice of 341. They are intended to
elicit information urgently on a matter of public importance.

Mr. Speaker:—I will try to be as liberal as possible.

Mr. Speaker:—With regard to the wrestling I have not allow­
ed. I said the Police have taken immediate action. Lathi-charge was
complained.

Sri Vanka Satyanarayana: After stabbing incident, there was
lathi-charge. We should be informed of it.

Mr. Speaker:—I will inform you.

Mr. Speaker:—I shall discuss on that and try to be as liberal as
possible.

Mr. Speaker:—I said that I shall be very liberal. I shall try
to do it.

Sr. N. Venkataramnam:—Before I get into this Call Attention,
I want to say about 341. This hon. Chair knows that in order to
help the members the zero hour had been removed and in its place
341 was introduced. We are giving 341s and it is being disallowed in
the office. When 341 was given, the member may be given an oppor­
tunity to explain it. Afterwards that can be decided whether to allow
it or disallow it.

Mr. Speaker:—I will examine this matter and try to be as
liberal as possible, so that the members may be effective in these
matters in the House.
CALLING ATTENTION TO MATTERS OF PUBLIC IMPORTANCE

re: Indiscriminate Levy of Paddy on the Ryots


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Indiscriminate Levy of Paddy on the Ryots

The honorable Government of the State of (State Name) has been brought to the notice of the House that indiscriminate levy of paddy on the ryots is being carried out in various parts of the State. The ryots are being subjected to undue pressure and harassment by the revenue collectors in the name of paddy tax. The ryots are being compelled to deliver paddy even at a time when they are in need of it for their own consumption. The ryots are also being subjected to physical and mental torture.

The House is advised to take appropriate steps to stop such unfair practice and to ensure that the ryots are not subjected to any undue pressure or harassment.

The House is also advised to direct the revenue collectors to issue clear and specific instructions to them to levy paddy only when it is necessary and at a fair price.

The House is further advised to conduct an inquiry into the matter and to take necessary action against the persons responsible for such unfair practices.
5th February, 1973
Calling Attention to: Matters of Urgent Public Importance

re: Indiscriminate Levy of paddy on the ryots.

10-10 a.m.

The Hon'ble Member raised the following question:

Q 185. Mr. K. S. Khanna asked:

What was the amount of paddy purchased by the Government, the money realised and the amount of subsidy paid thereunder at the rate of Rs. 1.40 per quintal during the last three years in respect of the purchase of paddy at a rate of Rs. 1.40 per quintal?

The Hon'ble Member said:

Mr. C. M. P. Chowdary explained:

The Hon'ble Member requested that the Government should purchase paddy at a lower rate of Rs. 1.40 per quintal.

The Hon'ble Member said:

The Hon'ble Minister for Agriculture and Allied Industries replied:

The Government had planned to purchase paddy at the rate of Rs. 1.40 per quintal during the current year. The amount of paddy purchased and the money realised would be announced by the Hon'ble Minister for Finance in his Budget Speech.
Calling Attention to Matters of Urgent Public Importance:
re: Indiscriminate Levy of paddy on the ryots.

Sri A. Sriramulu:— Sir, I am opposing this levy system. I am opposing only the way in which it is levied. It is irrational and unscientific. For example, a cultivator who cultivates 2 1/2 acres of land need not give any levy. But if the cultivator cultivates 2 acres and 58 cents, he has to give levy at the rate of 3 bags per acre. I want to know what is the rational in fixing this rate of 3 bags per acre. My second Point is on what basis 3 bags per acre has been fixed? Is it taking into consideration the cultivator's expenses, his consumption
Calling attention to Matters of Urgent Public Importance:

re; Indiscriminate Levy of paddy on the ryots.

or the possible market surplus? After collection of this levy, is it not the duty of the Government to see that local requirements are met first? There is no point in simply taking the levy and dumping it in the Food Corporation of India godowns for export. There are people depending upon the local production. We do not know ultimately where this stock is going from the Food Corporation of India godowns. I want to know (1) What is the rationale in prescribing 3 bags per acre? (2) What are the principles applied in collection of this levy from every cultivator who owns more than 2-1/2 acres? These are the two points on which the Hon'ble Minister may give clarification.

Sri Challa Subbarayudu:—Sir, there is a fixed procedure for fixation of demand and collection of levy. It is not correct that levy is imposed indiscriminately. Cultivators cultivating less than 2-1/2 acres with paddy are exempted from levy. Cultivators cultivating 2-1/2 acres and more under paddy will be attract'ed by producers' levy. The rate of paddy levy fixed for kharif 1974-75 season is as below.

<table>
<thead>
<tr>
<th>Under major irrigation source</th>
<th>Under other sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-1/2 acres to 5 acres.</td>
<td>3 qts. per acre</td>
</tr>
<tr>
<td>Above 5 acres up to and inclusive of 10 acres.</td>
<td>4 qts per acre</td>
</tr>
<tr>
<td>Above 10 acres</td>
<td>5 qts. per acre.</td>
</tr>
</tbody>
</table>

The Andhra Pradesh paddy levy Order provides for exemption in case yield of Paddy in any whole survey number of recognised subdivision is less than 3 quintals per acre. Besides owing to seasonal conditions or other natural calamities or due to any circumstances beyond the cultivators if the Collector is satisfied that it would not be reasonable to require the cultivators in any area to sell to Government the specified quantity of paddy, he may suo moto or on an application made by the cultivators reduce the quantity of paddy or totally exempt from levy. In view of these provisions the Collectors will exempt the cultivators from the levy or reduce the levy to be collected. Even after harvest of the crop sufficient stocks of paddy are not arriving into the market and big cultivators are hoarding the stocks with the result the open market prices have gone up. According to the Andhra Pradesh Paddy and Rice Requisitioning of Stocks Order, the Collectors have powers to requisition the stocks if they re in excess of the requirements of the cultivators. The Collectors are using the powers sparingly and judiciously.
Calling Attention to Matters of Urgent Public Importance:
re: Indiscriminate Levy of paddy on the ryots.


Attention is invited to the Indiscriminate Levy of paddy on the ryots. The objections of the ryots have been considered and it has been decided to promote the following:

1. The levy of paddy should be reduced to 5%.
2. The levy of paddy should be restricted to the area where the ryots are found to be in distress.
3. The levy of paddy should be subject to the prior approval of the State Government.

The amendments have been approved by the Government and will be implemented forthwith.

10.20 a.m.

(Signed)

[Signature]

[Name]

[Position]

The Collector is fully competent and fully empowered.

3rd February: The Collector informed the information about the harvest. The Collector informed that the harvest was abundant. The Collector informed that the government has announced the distribution of paddy. The Collector informed that the distribution of paddy would be done on the 25th. The Collector informed that the distribution would be done in collaboration with the Government of India. The Collector informed that the distribution would be done in a fair manner. The Collector informed that the distribution would be done in a transparent manner. The Collector informed that the distribution would be done in a just manner.

The Collector informed that the distribution would be done in a fair manner. The Collector informed that the distribution would be done in a transparent manner. The Collector informed that the distribution would be done in a just manner.
Calling Attention to Matters of Urgent Public Importance: Indiscriminate Levy of paddy on the ryots.

Mr. Speaker:— If it is 2 acres 60 cents?

Mr. Speaker:— The question asked is why not exempt for 2 1/2 acres?

Mr. Speaker:— I will invite your attentions to the Rules that there is no provision for discussion on a Call Attention Motion.

Rule 78 says:—

"A member may, with the previous permission of the Speaker, call the attention of a minister to any matter of urgent public importance and the Minister may make a "brief statement" or ask for time to make a statement at a later hour or date.

(2) "There shall be no debate on such statement at the time it is made."

Now, therefore there shall be no debate. The practice, and precedent and the way in which the Rule is understood so far and enforced is that only those Members who have given the Call Attention Motion alone will be allowed to put a question by way of clarification, and other Members will not be allowed to put any question. Otherwise it turns into a Question Hour.

Sri C.V.K. Rao:— In that case the Rules.......

Mr Speaker:— We may discuss to amend these Rules, that is a different matter. You give a notice for that. But now no more questions will be allowed.

Sri C.V.K. Rao:— There are discretionary powers with the Hon. Speaker. Where there is an emergent matter of public importance, and where the minds of members are agitated, you can exercise your discretionary powers.

On previous occasions it was so used. For a privilege motion you were kind enough to give opportunity to the ones who were not signatories to the Privilege Motion.
5th February, 1975. Calling Attention to Matters of Urgent Public Importance:
re: Indiscriminate Levy of paddy on the ryots.

Mr. Speaker: - So far this has been the practice. If the Hon'ble Members want that this Rule should be revised, that can be done. Even in Parliament I think, if 15-20 Members give notice to a Call Attention, the number has been restricted, for the time to be used for other items.

Sri C.V.K. Rao: - You may kindly verify whether or not, in Parliament such as those Members are also allowed who are not signatory to a Call Attention Motion.

Mr. Speaker:— I will get it done, and let the House know, if there is any such provision.

Sri C.V.K Rao:— Your predecessor had ruled that the Minister's statement would be an elaborate one.

Mr. Speaker:— No, no, the Rule says, "The Minister may make a brief statement" not an elaborate one. It has to be brief,

Sri C.V.K. Rao:— Another point Sir, your predecessor had ordered to give us a typed copy of the statement which he was going to make.

Mr. Speaker:— I will examine all these things and see that these are made effective.

Mr. Speaker:— That is a different aspect.

Mr. Speaker—It will be very difficult for me to exercise.

Mr. Speaker—It will be very difficult for me to exercise.
Mr. Speaker:—We will examine de novo and may recast the Rules.

Mr. Speaker:—This Call Attention is postponed to 7-2-1975. It seems the Health Minister has sustained some minor injury. He sought my permission for postponement and granted.

Mr. Speaker:—We will examine de novo and may recast the Rules.

Mr. Speaker:—This Call Attention is postponed to 7-2-1975. It seems the Health Minister has sustained some minor injury. He sought my permission for postponement and granted.
Calling Attention to Matters of Urgent, Public Importance

re: Abolition of Cotton Marketing Yard at Guntur
Calling attention to Matters of Urgent Public Importance:
re: Abolition of Cotton Marketing Yard at Guntur.

The Minister for Marketing (Sri P. Mahendranath) :—Sir,
Cotton is a notified commodity under the provisions of Andhra Pradesh (Agricultural Produce and Livestock) Markets Act. Therefore, its purchase and sales are to be effected through the regulated market.

Cotton is grown extensively in Guntur and Ongole Districts. In order to intensify the buying activities and thereby to stabilise the prices. The Agricultural Market Committee, Guntur passed a resolution and introduced compulsory auction sales, after providing the basic amenities like storage godowns, auction platforms, internally roads, ryots rest house, drinking water facilities in the market yard.

In order to avert the slump in cotton market, the Secretary, Food and Agriculture Department convened a meeting on 8-11-1974 with the representatives of Cotton Corporation of India for entering the market. The Cotton Corporation of India had agreed to purchase through regulated market yard.

As a result of sale of cotton kappas in the Market yard, producers could secure competitive prices, besides availing the advantages of correct weighment, prompt payment and dispensing with the need for payment of brokerage charges.

Compulsory sales of cotton in regulated market at Guntur was therefore, introduced only with the object of benefitting the producers-sellers. The allegation that there are no rudimenting facilities available at the market yard is not correct. It is also not a fact that the sale of cotton in the Market yard was introduced for the benefit of commission agents since the sales are effected by the market committee directly without the media of commission agents.

The resolution said to have been passed by the Zilla Parishad, Guntur was not received either by the Market Committee or by the Director of Marketing. As regards the mass procession to the Collector, so far no report has been received from him.
Calling attention to Matters of Urgent Public Importance:
re: Abolition of Cotton Marketing Yard at Guntur.

Mr. Speaker;—That is not a point of order. The point of order must refer to violation of a rule.

The allegation that there are no rudimentary facilities available at the market yard is not correct, he said. The market yard is well equipped with all necessary facilities.

(Sri M. Yellappa in the Chair)
The Minister for Revenue (Sri P. Narasa Reddy) :-

Sir, with your permission, on behalf of the Chief Minister I beg to lay on the Table a copy of the Andhra Pradesh Land Reforms...

(2) Amendment made to the A.P.P.S.C. Regulations 1963

The Minister for Revenue (Sri P. Narasa Reddy) :—

Sir, with your permission, on behalf of the Chief Minister I beg to lay on the Table in compliance with the requirements of clause (5) of article 320 of the Constitution of India, the amendment made to the Andhra Pradesh Public Service Commission Regulations 1963, under the proviso to Clause (3) of that article and published in the Notification issued in G. O. Ms. No. 768, General Administration (Services-A) Department, dated 25-11-1974.

(3) Amendment to the A. P. Hindu Marriages Registration Rules 1955.

The Minister for Revenue ((Sri P. Narasa Reddy) :—

Sir, with your permission, on behalf of the Chief Minister, I beg to lay on the Table copy of the notification issued under G. O. Ms. No. 970, Home (General-A) Department, dated 29th June, 1974 containing amendment to the Andhra Pradesh Hindu Marriages Registration Rules, 1955 under sub-section (3) of the Hindu Marriages Act, 1955.


The Minister for Revenue ((Sri P. Narasa Reddy) :—

Sir, again with your permission, on behalf of the Chief Minister, I beg to lay on the Table a copy of Report of the Commission of Inquiry on Nagarjunasagar Right Canal—Perubhotlapalem Deep Cut Contract required under Sec. 3(4) of the Commission of Inquiry Act, 1952.
Papers laid on the Table. 5th February, 1975.

Mr. Chairman:—There is already a ruling to the effect that it should be signed by the concerned Minister.

Mr. Chairman:—So, the Minister concerned will reply as to why there is omission in this.

Sri P. Narasa Reddy:—Sir, I will have to verify, if there is any lapse, we will rectify.

Mr. Chairman:—It is a clear omission.

Sri C.V.K. Rao:—Sir, this is the report of the Commission of Enquiry. What has the Minister to find out? It is not the duty of the Commission of Enquiry to sign its report?

Sri V. Srikrishna:—Mr. C.V.K. Rao:—has misunderstood. Sri Srinivasul Reddy is talking about the memorandum that is placed on the file of the House along with the Report of the Commission of Enquiry. Sri Srinivasul Reddy has raised a pertinent point. It is unsigned.

Sri C.V.K. Rao:—The report of the Commission of Enquiry is there and another thing, the memorandum also is there.

Along with the Report of the Commission of Enquiry, a memorandum has also been given. My question is should I take it that the Commission of Enquiry places a Memorandum? It cannot be. It is the Minister responsible for this. If the Minister, the concerned Revenue Minister says "I do not know. I will find out". It is not fair. Since he is placing, he is responsible. If he is not placing, who is it that is presenting this? Is it the Director of Printing and Stationery? On these things, the Minister has to answer on a query made by Sri Srinivasul Reddy.

Sri A. Sriramulu:—Point of order, Sir. There are rulings given, that unauthenticated documents cannot be placed on the Table of the House. We do not know how it is being placed by the Minister on the Table. It is absolutely improper to place it unauthentically on the Table. Kindly give us your ruling.

Sri P. Narasa Reddy:—I have not placed the Memorandum on the Table. I have only placed the Report of the Commission of Enquiry signed by Sri Alladi Kuppuswamy.

Sri C.V.K. Rao:—The Minister says, he only placed the Report of the Commissioner of Enquiry.
Papers laid on the Table.

Sri P. Narasa Reddy:—The Memorandum is part and parcel of the Report. If the Members feel that the Memorandum should also be signed, it is a different matter.

Sri C. V. K. Rao:—Point of order, Sir. The first para of the Memorandum reads like this—"In accordance with Section 3 (4) of the Commissions of Inquiry Act, 1952, this Memorandum is placed before the State Legislature containing the particulars of action taken on the Report of the Commission of Inquiry on the ‘Nagarjunasagar Right Canal-Perubhotalapalem Deep cut contract.’ Therefore, the Government has already taken some action. The Minister says, the Memorandum is part and parcel of the Enquiry Report. So, there is contempt of the House. The hon. Minister says that the Memorandum is part and parcel of the Report of the Commission of Enquiry. It is totally unjust and unfair and violation of rules.

Sri P. Narasa Reddy:—I said ‘I would rectify. If there are any lapses, we would rectify. If there are any suggestions you can give. But casting aspersions.....

Sri A. Sreeramulu:—How can there be end of the matter? We have to follow certain rules. In the first part, he said he did not place it on the table of the House. Later he said it is part and parcel of the report. I invite your attention to page 60, there it is attested by JUSTICE Alladi Kuppuswamy, Evidently, this Memorandum should also have been attested by the Secretary, Minister or somebody. Several rulings have been given by the hon. Speaker that authenticated documents should not be placed on the table of the House.....

Sri P. Narasa Reddy:—I categorically said if there is any lapse I will rectify. If that has not satisfied the Member, I am sorry.
Sri C. V. K. Rao:—There is no authentication on the Memorandum. The Minister says that he has not placed it on the Table. If it is said that they do not know about this Memorandum, how has it come on the floor of the House. We have got to go in detail with that matter. If it is only the Commission Report, Justice Alladi Kuppuswamy cannot place it but the Government have to place it. Since the Government has placed it along with the Memorandum without signature, the Government has committed a breach of privilege. Number of rulings have been given by hon. Speaker about this matter asking the Ministers to place documents on the table of the House by attesting the signatures.

It is the Minister that must place a paper on the Table and sign it. On previous occasions, number of rulings are there. So, it amounts to a breach of privilege.

Mr. Chairman:—You are correct to some extent. The Minister promised that he will look into the matter.

Sri V. Sreekrishna:—A separate paper is laid on the Table of the House. This document was also not signed. It is an irregularity. It is put by the Public Works Department, Projects Wing. It should be rectified. There are rulings previously. It is the Minister that must place a paper on the Table and sign it. On previous occasions, number of rulings are there. So, it amounts to a breach of privilege.

Mr. Chairman:—You better come up with a notice.

Sri Vanka Satyanarayana:—For discussion you please fix up time. Under the rules it is the property of the House. When the members demand discussion, the Speaker can fix the time and date.

Mr. Chairman:—Why cannot you come up with a motion?

Sri Vanka Satyanarayana:—On such an important subject, it should come from Chair. Of course we are ready to give but it would be good if you do suo motu.

Mr. Chairman. If your motion comes up, we will give due consideration.

Sri V. Sreekrishna:—There is no authentication on the Memorandum. The Minister says that he has not placed it on the Table. If it is said that they do not know about this Memorandum, how has it come on the floor of the House. We have got to go in detail with that matter. If it is only the Commission Report, Justice Alladi Kuppuswamy cannot place it but the Government have to place it. Since the Government has placed it along with the Memorandum without signature, the Government has committed a breach of privilege. Number of rulings have been given by hon. Speaker about this matter asking the Ministers to place documents on the table of the House by attesting the signatures.
Government Motion:

CONSTITUTION OF THE COMMITTEE ON
PUBLIC UNDERTAKINGS

Sri P. Narasa Reddy:— On behalf of the Chief Minister (Sri J. Vengala Rao) I beg to move:

"That the Members of this House do proceed to elect in the manner required by Rule 278 of the Rules of Procedure and Conduct of Business in the Andhra Pradesh Legislative Assembly, twelve members from among their number, to be members of the Committee on Public Undertakings for a period of one year."

"That this House recommends to Legislative Council that they do agree to nominate four members from Legislative Council to be on the Committee on Public Undertakings of this House for a period of one year"

Mr. Chairman:—The question is:
"That the Members of this House do proceed to elect in the manner required by Rule 27 of the Rules of Procedure and manner of Conduct of Business in the Andhra Pradesh Legislative Assembly, twelve members from among their number, to be members of the Committee on Public Undertakings for a period of one year."

"That this House recommends to Legislative Council that they do agree to nominate four members from Legislative Council to be on the Committee on Public undertakings of this House for period of one year."

The Motion was adopted.

ANNOUCCEMENT

Mr. Chairman:— In accordance with regulation made by me for conduct of Elections according to the principle of proportional representation by means of single transferable vote, I fix the following programme of dates for elections to the Committee on Public Undertakings.

1. The last date for making nomination: 1-30 P. M. 7-2-75
2. The date for scrutiny of nominations: 11-00 A. M. 10-2-75
3. The last date for withdrawal of candidature: 1-30 P. M. 12-2-75
4. The date on which a poll shall if necessary, be taken: 10-00 A. M. 14-2-75

in the Committee Room of the Assembly Buildings.

STATUTORY RESOLUTIONS AND THE A. P. LAND REVENUE (ADDITIONAL WET ASSESSMENT) BILL, 1975. (Discussion-contd.).
11-20 a.m.

Mr. Speaker in the Chair:

...
Statutory Resolutions and the A. P. 3th February, 1975

Land Revenue (Additional Wet Assessment) Bill, 1975.

Sri P. Narasimha Reddy:— Hon. Member Mr. C.V.K. Rao has quoted me very wrongly, Sir. I never said that I have not read paper. I also never said I don't know about the writ petition. I never said I don't know that the matter is pending. It is a fact that the Ordinances have been challenged in the Court. I only said that the retail notice has not been received by the Government; neither a stay is received nor any such thing. Because the writ petition is pending, we shall not postpone the discussion. That is my submission. He did not quote what I have said.

Mr. Speaker:— Apart from the facts, the point that is now raised and that has to be decided by me is, whether after a writ petition has been filed in respect of a bill that is pending before the House, that has been introduced or has come up for discussion; whether we are affected by the principle of sub judice and whether we are prohibited from taking up discussion on this matter. This matter has come up before the House. As you are aware, immediately when a bill is here it is open to somebody else to say that bill itself is not right. One point as far as the High Court is concerned, it is only concerned when a law is passed. Ordinance is a law. therefore, it is open to any person to go to High Court and challenge the ordinance, because, it is a law: though its duration is limited. As far as the bill itself is concerned, I don't think it is open to the High Court to take into consideration about the legality of a bill; unless the bill becomes a law it is not capable of being questioned in a court of law.

Sri C.V.K. Rao:— Ordinance also is a law.

Mr. Speaker:— Ordinance is a law.

Sri C.V.K. Rao:— A particular piece of legislation is law by virtue of the powers imposed on the Governor by promulgating it as an Ordinance. That is being challenged in the court. I am challenging that also on the floor of this House. Supposing I get a majority and get it passed while it is being discussed in the court. The court has got to give a decision. Before that, the Legislature is giving a decision already. Supposing I will. Already I am discussion that thing. Before the court is to give decision, this ordinance must be disapproved. Is there not a conflict between the Legislature and the Judiciary. You have to give your guidance on that Point also.

Mr. Speaker:— The practice and Procedure of Parliament says it a bill seeking to replace an ordinance discussed in the House or withstanding the fact that Ordinance has been challenged in the
court of law and that the court has issued the ruling. This is a thing where the ordinance has got a limited duration and before the ordinance expires there are certain actions provided under the Constitution itself. One is, a resolution by any Member of the House seeking the disapproval of the ordinance. The second thing is the Governor that has issued the ordinance itself, can withdraw it. The third thing is, if the Government wants to replace it by a bill, then they will have to introduce the bill and get the law enacted. When these things are in the House the mere fact that a person has challenged the ordinance or whatever is pending in the High Court does not in any manner provide the House from going into the discussion. Therefore, we can discuss here certainly, even though that it is challenged (either the ordinance or the bill) and the matter is pending in the Court.

Sri C.V.K. Rao; — It suits my purpose.

Mr. Speaker: — Another point was raised yesterday, because, in this case an ordinance has been issued. Subsequently a bill has been filed. When the bill was filed, the point raised was whether it is absolutely necessary and binding on the Government to issue a statement explaining the circumstances under which the Government was compelled to issue an ordinance when the bill was introduced in the House or when the matter has been referred to Select Committee. On this matter I require to draw your attention to the procedure in Lok Sabha. Yesterday also, I mentioned incidentally that I have heard also such a procedure, a duty and an obligation before the House. This is what the Rules of Procedure and Conduct of Lok Sabha refers to the rule No. 71.

11-30 a.m.

Whenever a Bill seeking to replace an ordinance with or without modification is introduced in the House, there shall be placed before the House along with the Bill, a Statement explaining the circumstances which has necessitated immediate legislation by ordinance. That is the first stage. First an ordinance has come and later the Bill has come. Even then there is an obligation upon the Government along with the Bill, they must make a statement explaining the circumstances which had necessitated immediate legislation by ordinance. Secondly, whenever an ordinance which embodies wholly, or partly or without modification, provisions of the Bill pending before the House or has made a statement explaining the circumstances which have necessitated legislation by ordinance, it shall be laid on the table of the House at the commencement of the Session following the promulgation of the ordinance. These two situations are met and there are clear directions in the Parliament that whenever such a situation arise, it is obligatory on the part of the Government when the Bill is being placed before the House, to make a statement on the circumstances that compelled the Government to issue the ordinance even before the matter has been brought before the House or the circumstances which compelled the Government to issue an ordinance when a bill is already before the Select Committee. These are the Parliamentary Rules.
UNDER RULE 159 (PAGE 50) OF RULES OF PROCEDURE AND
CONDUCT OF BUSINESS IN THE A.P. ASSEMBLY.

1. "As soon as possible after the Governor has promulgated an
ordinance under clause (1) of Article 213 of the Constitu-
tion printed copies of such Ordinance shall be made avail-
table to the members of the Assembly.

2. Within six weeks from the re-assembly of the Assembly,
any member may, after giving three clear days' notice to
the Secretary to the Assembly, move a resolution disappro-
ving such Ordinance.

3. If such a resolution is passed by the Assembly it shall be
forwarded to the Council with a message asking for its
agreement."

That is all we have got. Therefore, as far as our rule is con-
cerned, it has not copied the rules that is now available before the
Parliament and the rule is blank. Therefore, however desirable it
may be, however proper it may be, it cannot be said that
they have violated any existing rule of practice. But I consider it
always desirable for the Government while coming forward and when
such a situation arises, they should also make a brief statement.

In regard to the present point of order, I should say that there
is no obligation on the Government to do it but it is desirable and
if necessary we may also amend the rules and bring it in confirmity
with the rule that is prevailing in the Parliament, in order to see that
the Government would be required to place such a statement on the
Table so that the Assembly might be informed the special circumstance
under which the Government is obliged to issue an ordinance.

Sri A. Sriramulu:—Sir, I have another point. Even according
to our own rules, this Bill must be accompanied by a financial
Memorandum. Financial Memorandum, as I can understand, should
give an estimate of recurring and non-recurring expenditure involved.
But here the financial memorandum says, it may be necessary to ap-
point additional or special staff for specific periods in addition to the
existing staff of the Revenue Department in the districts to attend to
the works specified in Clause 4 of the Bill. It is not possible to es-
timate at this stage, the exact expenditure that may have to be
incurred for the above purpose out of the consolidated Fund. What
exactly, is the meaning of the Financial Memorandum? If the Govern-
ment cannot estimate what exactly is going to be the additional
recurring and non-recurring expenditure, does it serve the purpose of Financial Memorandum at all? I quote an instance of Lok Sabha. Page 415 of Kaul and Shedkar "In the case of State Financial Corporation Amendment Bill 1956, the Financial Memorandum attaches to the proof copy of the Bill was incomplete as it did not give an estimate of recurring and non-recurring expenditure involved in the case the bill was passed into law." The Minister was asked to furnish a detailed statement giving the particulars of recurring expenditure. The Memorandum was, however, printed and circulated to the Members. When the revised financial Memorandum was received, it was circulated to the Members so the Speaker was pleased to direct the Minister to furnish a detailed estimate of expenditure. In this case, our financial memorandum was silent, and they have only fulfilled the technical formality and two sentences have been written in the form of financial memorandum.

Sri C.V.K. Rao:—Under Rule 92 of Rules Procedure and conduct of Business in the Andhra Pradesh Legislative Assembly it is clearly stated. I am supporting my friend Mr. A. Sriramulu. A financial Memorandum should be placed, under the rules, a part from the procedure adopted in the Parliament which is also a guideline to us. Under Rule 92 it is stated that "every Bill involving expenditure shall be accompanied by a financial memorandum which shall invite particular attention to the clause involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law." Here this is a Bill involving an expenditure. It cannot be said that this is not a Bill involving expenditure. Therefore, it should be accompanied with a financial memorandum. Therefore, the Government erred in this aspect.

Mr. Speaker:—It appears to be fair to say that the Government did not file it at the proper time. Every Bill involving expenditure shall be accompanied by a financial memorandum. This Bill was introduced in the House on 1st August, 1974. It is at that point of time, that this objection should have been taken and brought to the notice of the House. That stage has passed.

Sri A. Sriramulu:—Sir, this is to replace the Ordinance with the report of the Select Committee.

Mr. Speaker:—But this is in continuation of the Bill that has already been placed before the House on 1st August, 1974. That Bill which was before the House when it was introduced should not have and which did not.
Mr. Speaker:—It was moved and it was referred to the Select Committee. Therefore it is a second stage. Before the ordinance was passed, I find this was introduced first in this House. The matter has been referred to the Select Committee and the matter is pending before the Select Committee. During the recess, the House has been prorogued and the ordinance was issued. Am I right?

Mr. Speaker:—It may be necessary to appoint additional staff in addition to the existing staff of the Revenue Department in the Districts. Therefore the wording is ‘it may be necessary’.

Mr. Speaker:—The statement here is, that ‘it may be necessary to appoint additional staff in addition to the existing staff of the Revenue Department in the Districts. Therefore the wording is ‘it may be necessary’.”

Sri A. Sreeramulu:—With such an ambiguity, they want to pass a piece of law giving all sorts of ambiguous statements. If a Member...
wants to know what exactly is the expenditure on account of this measure and if the Department says it is not possible how can this House pass the Bill? They want to take the House easy and want to push this Bill through. I cannot comprehend what is the difficulty in calculating the expenditure.

Sri C.V.K. Rao:—Under the Rules it is binding. They cannot say that they are not in a position to estimate the expenditure.

Rule 92 says:

"Every Bill involving expenditure shall be accompanied by a financial memorandum which shall invite particular attention to the clauses involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law."

Therefore, it cannot be after the Bill is passed into law. They cannot escape and run away. The word used is 'shall'. The Government may even now prepare it and place before the House. It cannot take shelter under their incapacity. They must come forth. Therefore, I request the Chair to direct them to prepare and place a memorandum.

Sri P. Narasa Reddy:—Under this Bill, we have, as the honourable Members have read out, shown in the memorandum that we are not able to make an estimate of expenditure; that we are going to carry the work with the existing staff. The honourable Members, I hope, do not want the Government unnecessarily recruit more staff and spend more and burden the already over-burdened exchequer.

We said, that we may, if there is any necessity, if there is any excess work in any particular area, consider to appoint staff. But as such, there is no necessity to employ additional staff because the normal staff would carry out the work. Therefore, we did not show any particular expenditure.

Mr. Speaker:—If you are not definite that you would employ additional staff, then it say. But if you have any possibility you can estimate and say.

Sri P. Narasa Reddy:—Sir, the assessment shall be made on land which would get water for certain number of months. There are other perennial lands. It is subject to notification and appeals. We cannot estimate right now as to what would be the estimate of work involving a particular area. If there is any particular area involving greater amount of work, then we may appoint some personnel. It is unnecessary
right now. There is a light of appeal for every ayacutdar. Unless we come to definite conclusions, we cannot off-hand say that we will have to incur so much of expenditure. We are confident that we may carry on which the existing staff. In case, in any particular area, the workload is heavy, some staff may be employed.

Sri N. Venkatratnam:—Sir, it is mandatory, there is no escape. The discussion is based also on the fact as to how much the Government is going to spend, what is the expenditure it wants to incur. A difficulty may arise in future also. Whatever is not included in this Bill, the Government cannot ask for a grant of expenditure.
from this House, because it did not indicate at the time when the Bill was introduced.

As Hon'ble Member Sri Rangadas has pointed out it is a probable expenditure, it may be more or less. As such there is no difficulty for the Government to bring forward a financial memorandum with estimated expenditure.

Mr. Speaker:—When a Bill is being introduced Government must satisfy itself whether it involves expenditure or not. It is open to the Government to hold that the Bill does not involve expenditure and that is a categorical statement and in such a case it need not be accompanied by any financial memorandum; otherwise every Bill involving expenditure shall be accompanied by a financial memorandum drawing particular attention to the clause involving expenditure and also give an estimate of the recurring and non-recurring expenditure involved. In case the Bill is passed into law. I think that is proper and correct. It may be only an estimate but that must be given to the House. As has been suggested by Mr. Rangadas even now it is not too late. It is not as if they are insisting that the discussion should be postponed. This could be given tomorrow. I think that will satisfy requirements.

Sri P. Narasa Reddy: While I assure that the Speaker's ruling will be obeyed, I submit that the expenditure that we have to incur in the implementation of this Act could only be visualised when it is to be implemented. Now it is not possible because lands under various notified sources are liable to tax and appeal is provided at various stages at the Tahsildar level, R.D.O's level, Board's level and Government's level. Unless we know the definite work-load it would be premature for us now to say that so much staff would be required for implementation and so much expenditure would be there. So we cannot visualise now. There is a thinking that in certain areas the existing staff can manage. Therefore we are not in a position right now to say what would be the expenditure unless we go into the implementation of the Act and unless we know the work-load. In particular areas it is not possible for the Government to come to a definite conclusion as to the expenditure likely to be incurred—either recurring or non-recurring at this stage. It would only just be forecast which may or may not be correct because where the normal revenue collection goes on this would also be done. Where the work-load is heavy as a result of the implementation of this Act at such points we will have staff. How can he say just now in which particular district or area so much staff may be required. Unless we are definite it is not possible for us to give a definite proposal before the House.
Land Revenue (Additional Wet Assessment) Bill, 1975.

11-50 a.m.

...
Whenever the Government proposes to levy additional tax, certain basic and fundamental aspects will have to be studied and examined as far as I can understand the working of any administrative set-up. Firstly, the area of operation—what is it that we are doing, what are the areas covered by this particular taxation measure? Secondly, what is the amount that we are likely to get from this measure and what additional staff do we need. If this much cannot be comprehended this administration is not worth its salt. There is no question of taking shelter under something. This is a very simple thing and an assessment is possible. If only the officers have taken a little care and if our Minister looks into this particular provision, the word "shall" has been used; it has not been used for the fun of it. You have been pleased to give a ruling and it is for the Government to abide by that ruling.

Mr. Speaker:— That is my view. Every Bill involving expenditure has to be accompanied by a financial memorandum. The Government has got a right to decide when they introduce a Bill whether it is going to involve them in expenditure or not. If they think that it does not involve any expenditure there is no need for a financial memorandum. But if they have got any doubt whether ultimately when the Bill is passed into law and enforced it is likely to make the Government incur expenditure, I think they must give an estimate. Therefore I think it is correct. Therefore the Minister will give such a statement tomorrow—a rough estimate.

Sri A. Sriramulu:— Now I shall continue my speech on the resolution which I moved yesterday.

Sri C.V.K. Rao:— You were pleased to say that I would be permitted to move the resolution which I have given notice of.
Mr. Speaker:— That will come next. After Mr. Sriramulu moves you can move and speak. If that is the same thing you can move.

Sri C.V.K. Rao:— Sir, this is my resolution under Rule 7 "In view of the fact that a Select Committee is being constituted for Andhra Pradesh Land Revenue (Additional Wet Assessment) Bill and that report has to be discussed by this House, the promulgation of an ordinance on Andhra Pradesh Land Revenue Additional Wet Assessment on 10-12-74 is contrary to the principles of democratic functioning and hence calls upon the Advocate General to be summoned to the House and that the said Ordinance be disapproved by this House."

Sri A. Sriramulu:— Sir, I have moved this resolution to preserve and protect democratic principles and democratic institutions—not that I shall be able to get this resolution passed by this House. I am fully conscious of the fact. This resolution represents the anger of the small farmer against the authoritarian attitude of the Government. This resolution also reflects the enlightened public opinion of the State that the Government is going ahead with erratic measures of administration. Whenever they need money they come forward with a Bill; they do not know what exactly is the money that is needed. They also do not know what amount of money they are likely to get on account of a particular taxation measure. Regarding this particular Bill, they do not know the expenditure involved; they also do not know the amount they are likely to get on account of this measure. They have not stated anywhere in the Bill. This the erratic, indiscreet and autocratic way in which most of the taxation bills are being moved in this House depending upon the majority, the brute majority, and steam-roller majority. Thus they are getting everything rubber stamped by this House. Otherwise I cannot understand why there should be piecemeal taxation. In the last session there were 6 Bills; now there are 3 more Bills. When we agree with the imposition of tax we must know what exactly is the need for that tax; what is the financial position of the State and are the existing taxation laws properly enforced. These are questions to be thoroughly studied, to make an accurate assessment of revenue and expenditure instead of coming before the House with piecemeal taxation measures by driblets and administering a sort of a palliative or sedative on the Legislature to get its final seal of approval. This is what is happening. That is way this reflects the resentment of the enlightened public against the attitude of the Government in bringing the taxation measures. Let me ask the Government whether they have effectively enforced the taxation Acts that are in force.
For example, take sales-tax. Can the Government tell me with an amount of accuracy or certainty that there are no leakages in sales-tax. In the last session I have quoted, in the neighbouring States of Madras, and Mysore for every 1 point income in the State income the increase in sales-tax has been of the order of 1.8%; it is not so in our State. If only the Government tries to plug the loopholes in the implementation of the existing taxation Acts and if only the Government is able to gear up its enforcement machinery, sales-tax alone will yield not less than Rs. 15 crores. That is my assessment. As an ordinary member I have been able to make an assessment; the Government is not able to make that assessment. There has been tardy enforcement of the sales-tax laws. Then comes the Excise Act. A contractor was telling me that he pays Rs. 1,20,000 as mamool every month; he is a contractor for 3 big towns. You can just imagine how much mamool is being paid by the numerous contractors. The contractors are not interested in paying these mamools. On account of the lacunae in the Excise Act, these things are happening; according to the Excise Act there should be only a certain number of licensed shops for every town-say 50. The contractor cannot manage to supply arrack unless he opens 150 shops; the balance become unlicensed shops. Government can at least say that when he opens additional shops he must pay the licence fees under proper application but Government does not do anything to cover the lacunae in the Excise Act and these contractors are obliged to pay such fantastic amounts. What exactly has the Government done to secure effective enforcement of these taxation laws.

Now I come to the betterment levy. This has been in force in the State right from 1956. This is a tax imposed on land-owners. Whenever big projects are taken up the value of the land goes up and a particular land costing Rs. 200/- goes up to 5,000/- after the benefits come to the land. On such lands the betterment is levied. This Act has been in force for nearly 17 to 18 years but nothing more than Rs. 90 lakhs has been collected. In several cases notifications have not been issued because there is no coordination between the Revenue Department and the Public Works Department. And when this Government has not been able to effectively enforce any of the provisions of the taxation Acts which are already existing, what exactly is the luxury of the Government coming forward with an ordinance arbitrarily imposing additional levy? That is why I say this is a resentment. This resolution reflects the resentment of the enlightened public opinion against this attitude of the Government.
Now, Sir, to consider any taxation measure we should also see how the Government is spending moneys; there has been a lot of mismanagement if, not swindling—if I may use that word. I am firmly of the view there has been a lot of financial mismanagement in regard to the affairs of our State. Take Public undertakings for example.

For example, we have invested Rs. 350 crores in public undertakings. Even if you get a marginal return of profit at 10% on the investment we have made, every year we must get Rs. 35 crores. But in reality, we are only piling up loss on account of these public undertakings. There is not even a return of 4% on the investments made. What action has the Government taken to streamline the working of the public undertakings to secure the reasonable return on the investments made.

Coming to Co-operative institutions, Sir, perhaps that is the centre where the highest level of mismanagement prevails, and where a lot of money is swindled. According to the recent statement of our own Chief Minister Co-operative institutions in the State have incurred a total loss of Rs. 10 crores. What efforts have been taken by the Government to see that the persons responsible for this loss are hauled up? Government is not prepared to do it because the Government depends upon the patronage of those men who are responsible for this fraud and swindling. While this was so, the Government has given a guarantee so that the Co-operative can borrow to the tune of Rs. 25.61 crores. Here, it will be the Government that will ultimately shell down the funds from its exchequer and not the Co-operative institutions. This is financial mis-management. I am only quoting one or two illustrative examples. There are hundreds of cases of corruption, bungling, swindling, terrible mis-management in regard to scarce money that the ordinary people of the State are contributing to the exchequer of the State. This Government has a special bias in favour of rich people. That is evident in this Bill.

In regard to taxation, the basic concept, the first basic concept is that there must be equity and equitable distribution of the tax burden. This Government never thinks of equitable distribution of tax burden and have special bias in favour of rich. I will quote one or two examples. One is Sir Silk. The Government has given a loan of Rs. 2 crores and 8 lakhs to Sir Silk. If interest is to be calculated according to the terms of the agreement, it comes to Rs. 178 lakhs. According to the agreement, for every 6 months, if the Company does not pay interest, you will have to compound the interest and interest will have to be calculated once in every 6 months with compound interest. Our
Government is very liberal and magnanimous and shown concession to this Sir Silk. They have not complied with that particular clause of compounding interest.

Second thing is Ferrow Alloys. There is a House Committee Report that is placed on the Table. Nearly to the tune of Rs. 2 crores, they said 'No' to Government. Perhaps they have got instruments like, Courts, Politicians, Administrators. All these people, they go to the assistance and aid such big monopolist concerns.

Finally, I quote a very telling example of the bias of this Government towards top. That is regarding betting tax. We have got a Race Club. Few days ago, our Chief Minister was answering a question whether the Government has an idea to abolish these race courses. Government would not have any such idea. Government is very much interested. Most of the people in Government have delight and take pride in running the Race Club. This Race Club collected on behalf of the Government betting tax, something like a sales tax. I shall read an observation made by the Accountant General—"Under the provisions of the Constitutions of India all revenue received by State should form part of the Consolidated Fund of the State and expenditure therefrom should be authorised by the Legislature.

Totalisator and betting tax Rs. 40,15,000
Betting tax Rs. 35,73,000
Totalisator tax Rs. 4,41,000

The taxes collected by Race Club on behalf of the Government between 1961-71 were not credited to the Consolidated fund of the State. In respect of these years, without authorisation from the Legislature, the betting tax collections retained by the Club were treated under an executive order as loan granted to the Club carrying no interest."

The tax collected by Race Club should immediately be credited to the Government. If at all the Government want to donate or give a charity, Government is at liberty to do so but that should go in the form of expenditure. This Race Club is a super Government. Most of the men of the Government will be there enjoying the facilities provided by this Race Club. For the retention of the collections with the Club, perhaps the Government had so much consideration for this poor concern for holding weaker sections, for upliftment of Harijans, Scheduled Castes and Scheduled Tribes and all those wonderful platitudes and phrases that are being talked day in and day out. This is a fitting example: for mis-use of authority, bias in favour of the rich, and luxurious way in which the Government continues to have its financial affairs. That is why people resent this particular taxation measure.
That is why enlightened public opinion of the State is against the arbitrary imposition of ordinance and the way in which the taxes have been collected without fairly explaining the position.

Coming to land revenue, the most ancient and most anachronistic tax system in India, I have not come across anybody supporting the land revenue structure in India. So many Economists they gone into this question. Even Prof. Kaldor, who was specially invited to examine our tax structure said - "This is highly regressive measure". I do not know how our Government is looking into it. This Government does not take any interest in it.

Just few minutes ago, a Minister said that estimate of expenditure cannot be done now. It cannot be done for all times. It will not be done because there is no interest. Nobody asks for to do it. That is the indifferent, callous and irresponsible manner in which they have been managing.

Land revenue is decades old, if not centuries old. I must say it is centuries old also; Land revenue is decided after settlement operations. Soil is tested, soil is classified and after classification of soils, its fertility is decided and similar lands are grouped. After doing grouping, experiments are conducted to estimate the out-turn of particular crop. Mostly, in regard to wet lands, paddy is adopted as standard grain. You estimate out-turn of particular group or particular classification of soil in a particular area and to convert that total out-turn into money value, you take the average of prices of the preceding 25 years. Our Government may say prices have terribly raised and after all what is that the agriculturists can pay. To convert this grain value into money value, you have to take average of prices that were prevailing during the past 25 years, preceding that particular date or time of settlement, taking the rainfall, nearness to the town, marketing facilities, roads and other factors into consideration. While fixing the cost of the produce, you will have to deduct 25% towards transport and merchants' profit. You have to allow cultivation expenses. Then, final share of the Government in that produce has to be decided. This system of settlement of land revenue has been done in the years 1890 and 1910 and the rates of settlement can be revised after 20 or 25 years, by doing re-settlement. This is the principle involved in fixing the land revenue on any land either wet or dry land. Unfortunately, there has been no re-settlement at all after 1910. Later, when the first Congress Ministry came in to office, in 1937-39, it came to the conclusion that land revenue should be altogether abolished at least to the extent of 10 acres. Since they have an idea of abolition of land revenue on small holdings they did not think of any resettlement.
operations. Just as my friend Srikrishna says, several election manifestoes were given and we cannot even remember the Election Manifesto of 1955. In 1962 in our State, an arbitrary Bill was passed doubling the land revenue on both wet and dry land. That was challenged in the Supreme Court. The Bill which was passed by this House was struck down by the Supreme Court on some points. Again in 1967 another Act has been passed. It means in 1967 the land revenue has been increased by 100% and within a short period of 6 to 7 years our Ministry is coming with a proposal to increase net assessment by 100%. It does not matter. You can increase. I am not opposed to taxation. Let not Government think that I am opposed to taxation. You will have to impose taxes. But the incidence of taxes should be equitable. There will be a man who can afford to pay and a man who cannot afford to pay. You have to make a distinction. Prof. Shaw says like this on the Indian tax system:- “Richer classes escape relatively with much lower burden even though their ability to bear or evade such burden is much greater while the poorer classes who cannot escape from such burdens have to be the lion’s share of the burden with less than the lamb’s capacity to shoulder them.” This is the observation made by Mr. Shaw.

Dr. K. N. Raj, doyen of Indian Economics made the following observation on the land taxation system in India: “In devising the system of direct taxation of agriculture, it is necessary to ensure that relatively better off sections pay proportionately more out of their income and wealth so that there is a reasonable degree of progression in the tax. The principle of progression has not governed the land revenue and taxes on agriculture. Since there is no perceptible progression in the incidence of surveys and land revenues and since other taxes levied on agriculture are relatively light, income earners belonging to the higher strata pay less than those incomparably strata deriving their income from non-agricultural sources.” This is very scientific and modern observation made by Dr. K.N. Raj and in this Bill there is absolutely no element of progression. Small farmers owning 50 cents or 1 acre or 2 acres will have to pay double assessment while a man of 8 to 10 acres also pays double assessment. This is most irrational, illogical and unscientific levy on wet assessment that has been contemplated. I only wish to give one suggestion to the Government. If the Government is prepared to receive it in the spirit in which it is offered, it would be alright. A garland maker does not destroy the flower plants while a charcoal maker destroys the trees. I want to know whether our Ministry wants to play the role of garland maker or the charcoal maker. If they are prepared to push through this particular Bill in this present form, they will be prepared to play...
role of char-coal maker de troying the small pea'entry owning less th'n 5 acres of land. So, I am now appealing to this House to accept my Resolution disapproving this Ordinance. If only the Party does not issue a whip, I am sure, my resolution will be carried. Unfortuna­
tely, in our democratic se up, even on su h vital matters like this, whip will be served. If it is lef to the conscience of Members, I am sure, my resolution will be approved. So, I appeal to the conscience of Members of this Hous: to see justness of this particular Resolution arbitrary character of this Ordinance and also illogical, unscientific way in which the taxation has been conceived.

Thank you, Sir.
5th February, 1975.


12.30 p.m.

Land Revenue (Additional Wet Assessment) Bill, 1975.

In Clause 2, there is an Explanation which reads like this: "Explanation — The expression 'rain-fed tank' means a tank which derives supply of water from a source other than a river." But the word 'river' was not defined either in the Act or in the Rules. Therefore there is a need for defining this word "river".

In Clause 2(6) of the Bill it is mentioned like this—"Government source of irrigation" means any source of irrigation which is owned or controlled by the Government or constructed or maintained by them but does not include a rain-fed tank which ordinarily supplies water for a period of less than eight months in a fasli year;" So far as Telangana region is concerned, there is no record to say very clearly as to which tank supplied water for less than 8 months. A clarification has to be given as to how the word is going to be interpreted as far as Telangana region is concerned.

I would invite your attention to clause 3 sub clause (1), which reads as follows:—"In respect of every wet land in the State held
by a pattadar and served by a Government source of irrigation, there shall be levied and collected by the Government from the pattadar for every fasli year commencing on the last day of July, 1974..." The Government has issued ordinance on 10th of December, 1974. It is not even 30 days from the date of enforcement of the Ordinance if the period today is reckoned up to this it is being implemented in Telangana for collection of double wet assessment. Thus there is needless hardship to the people. There is a provision that within 30 days of publication of the lists, objections can be filed by aggrieved cultivators. Even this 30 days period not yet over the collections were started. There should have been postponement in Telangana area. If you refer to clause 9, you will know about it. There are two aspects. (1) preparation of the list and 2, publication under sub clauses 1 and 2 within 30 days. Under clause 9, a notification is to be issued by the Revenue Board with regard to Government irrigation sources. These two things have not yet been done. Yet collection is being made. I have already drawn the attention of the Hon'ble Minister to this aspect that double the wet assessment is being collected in Nizamabad district in violation of these specific provisions of the Act. Even if there is a publication of the list there is an opportunity for the aggrieved person to file objections within 30 days and also file appeal before the Revenue Divisional Officer and then the Collector. Therefore, any hasty collection of land revenue, not only go against the provisions of the Act, but would also result in the hardship. Since I have already mentioned that there is no proper record maintained with respect to Government irrigation sources, providing irrigation for less than 8 months. Therefore, the Hon'ble Minister may kindly clarify as to how this is going to be determined by the Revenue Board and what guidelines are being issued by the Government in this respect? About the publication of lists etc. We must notice that since it has not been made clear that the publication of the list is very important. Because the moment the lists are published, it is taken to be true and binding on the cultivators. Therefore, it is to be published in such a manner as to give sufficient notice to all the cultivators in the village. It is also necessary that it should be published in Telugu language and the lists have to be displayed in the Panchayat office and Chavadi and in such other places as to give sufficient notice to the cultivators. Therefore mode and manner of publication of the list has to be clarified. The Hon'ble Minister may kindly clarify about the word river, publication of list of sources providing less than 8 months of supply of water in Telangana region and the modes and manner and publication of lists by Thasildars and other matter mentioned by me.

Thank you.

5th February, 1975


[Text in Telugu script]

(Sri K. Ramanadnam in the Chair)

12-30 p.m.

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Mr. Speaker:—Now the Members may move their amendments.

Sri C. V. K. Rao:—Sir, I beg to move:
“That the Bill be circulated for the purpose of eliciting opinion thereon.”

CLAUSE 2

Sri N. Venkataratnam:—Sir I beg to move:
In sub-clause (c) of Clause 2 delete the following:
which ordinarily supplies water for a period of less than eight months in a fasli year.

CLAUSE 3

Sri M. Omkar.—Sir, I beg to move:
In sub-clause (1) of clause 3 add the following after the words “from the pattadar.”

“who owns more than 5 acres.”

Sri P. Janardhan Reddy:—Sir, I beg to move:
In sub-clause (1) of clause 3 for the words “one hundred per-cent” substitute the words “fifty per cent.”

Sri P. Janardhan Reddy:—Sir, I beg to move.
Add the following at the end of sub-clause (2) of clause 3.
“Collection of additional land revenue will be collected after re-survey and settlement of the land.”

CLAUSE 11

Sri N. Venkataratnam:—Sir, I beg to move:
Add the following at the end of Clause 11.
“Unless gross injustice is done either on question of law or fact.”

Mr. Chairman:—Amendments moved.

Sri N. Venkataratnam:—Sir, I beg to move:
Mr. Chairman:—Amendments moved.

Sri N. Venkataratnam:—Sir, I beg to move:

Sri N. Venkataratnam:—Sir, I beg to move:
Statutory Resolutions and the A. P. 5th February, 1975. 189
Land Revenue (Additional Wet Assessment) Bill, 1975.

1. The resolution: — The resolution is as follows; the same is to be presented to the House for approval.

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Government source of irrigation means any source of irrigation which is owned or controlled by the Government or constructed or
maintained by them but does not include rain-fed tank which ordinarily supplies water for a period of less than 8 months.

"Wet land" means land registered as wet, single crop wet, or double crop wet or compounded double crop wet or special rate wet land in the land revenue accounts of the Government or assessed as such but does not include a wet land which is registered in the land revenue accounts of the Government as being irrigated under any well, spring channel, etc. Local authorities registered the area as 13,42 acres.

1967 9 acres

1968 12 acres

1969 10 acres

1970 13 acres

1971 15 acres

1972 17 acres

1973 19 acres

1974 21 acres

1975 23 acres
The expression 'irrigated' means irrigated from any source whether Government or private—

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162 5th February, 1975. Statutory Resolutions and the A. P.
Land Revenue (Additional We

*\[\text{Telugu text starts here.}\]

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(1) செயல்பாடு: — முன்னெடுத்து சொன்னாக்கிய சொதடக்காரம். எடுத்துக்காட்டி செயல்பாட்டுக்காரன் பதிவு செய்யப்பட்டது.

(2) இசை சான்றிவலை: — கருத்தில் அளவாயம் மட்டும். மற்றும் இப்பிற்கு வளர்ச்சி பெறவும் மற்றும் தன்மை உருவாக்கத் தொடங்கும் பகுதியை விளக்கும் வாயில் காட்டுவது. மன்னர் இந்த சடையுறுக்கு வழியாகச் சொல்ல வல்லும் போதும் முன்னேறும் செயல்பாட்டுக்காரனை விளக்கும் வாயில் காட்டும் வேளாண்மை என்றால் வெளிப்படையாக அறிவோம்.

(3) செயல்பாடு: — இந்த விவரம், என்ன என்னென்று இருக்கின்றது?

(4) இசை சான்றிவலை: — பரவலாயம் புது வளர்ச்சி. போன்ற எடுத்துக்காட்டி சொல்லும் போதும் தன்மை உருவாக்கும் வழியே தொடங்கும் வாயில் காட்டும் வேளாண்மை என்றால் வெளிப்படையாக அறிவோம்.

(5) செயல்பாடு: — என்றால், மற்றும் இந்த விளக்கம் அல்லது என்றால் வேளாண்மை என்றால் வெளிப்படையாக அறிவோம்.

Mr. Chairman:—The House now stands adjourned to meet again at 8.30 A.M. to-morrow.

(The House then adjourned to meet at 8-30 A.M. on Thursday, 1-33 p.m. the 6th February, 1975)