THE ANDHRA PRADESH
Legislative Assembly Debates
OFFICIAL REPORT
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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. Ramadhendra 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
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THE
ANDHRA PRADESH LEGISLATIVE ASSEMBLY DEBATES
OFFICIAL REPORT

Tenth day of the Fourth Session of the
Andhra Pradesh Legislative Assembly

ANDHRA PRADESH LEGISLATIVE ASSEMBLY
Friday, the 7th February, 1973.
The House met at Half-past Eight of the Clock.
(Mr. Speaker, Sri R. Dasaraharama Reddy, in the Chair)

ORAL ANSWERS TO QUESTIONS

PROHIBITION OF GOVT. SERVANTS FROM BECOMING MEMBERS OF
POLITICAL PARTIES

81—

*479:Q. (V) Q.—Sri Sultan Salahuddin Owaisi (Yakutpura) :—
Will the Chief Minister be pleased to state

(a) whether the Supreme Court has recently held that Government servants cannot be prohibited from becoming members of political parties and if so, the gist of this decision;

(b) whether it is a fact that the State Government have taken action against certain members of the Jama at-e Islami for their alleged contravention of Rule 19 (1) of the APCS (Conduct) Rules, 1964;

(c) if so, the validity of such an action in view of the recent Supreme Court ruling;

(d) whether the IGP, the DTA, the Directors of State Archives and Animal Husbandry have taken different course of action for the same allegation of membership of the Jama at;

(e) the details of these cases; and

(f) the reasons for diversified actions by responsible officers of the same Government and the manner in which the Government propose to set right these matters?

The Chief Minister (Sri J. Vengala Rao) :—(a) No such decision has been brought to the notice of the Government.

(b) Yes, Sir.

(c) Does not arise.

* An asterisk before the name indicates confirmation by the Members

J No. 36 281
(d), (e) and (f): Action was initiated against 2 U. D. Cs in the Police Department, but subsequently dropped. In the Treasuries and Accounts Department, the punishment of stoppage of increment for a period of one year was imposed on the Second Accountant. In the State Archives Department the penalty of withholding promotion for a period of 5 years was imposed on a lower division clerk. In the Veterinary Department, a Veterinary Live Stock Inspector was dismissed from service: but the High Court has stayed further proceedings in this case. The action taken in each case depends upon the facts, circumstances and existing factors of that case.

Sri A.Sri Ramulu (Eluru):—The point to be decided is the character of the jamait-Islamai whether it is a religious organisation, social organisation or philanthropic organisation. Has the Government made up its mind to find out the character of Jamait Islamia? (2)

The Chief Minister says that he is not aware of the judgment of the High Court. I am wondering how the Department is not briefing him on this point?

Sri A.Sri Ramulu:—They might have referred to Supreme Court Judgment but is it not the duty of the Department concerned to bring
to the notice of the Chief Minister? Should he not be fully equipped with the information. I read from the Judgment of Mr. Justice Chinnapa Reddy; let the Chief Minister follow and tell how far the action of the Government is justified and legal. Referring to the Police report, the Judge said: 'Does it mean that only true believers in political party for the time being are entitled to public employment?' Mr. Chinnapa Reddy posed further question; 'Is public employment reserved for the cringing and craven?'

Sri C.V.K. Rao:— The answer is 'yes'.

Sri A. Sri Ramulu:— These are the observations of the learned Judge of the High Court.

Mr. Speaker:— This is the recent Judgement of Mr. Justice Chinnapa Reddy.

Sri A. Sri Ramulu:— I did not get answer to my question. About the judgment it is all right. The Government has initiated action against the employee. You must come to our rescue.

Sri A. Sri Ramulu:— But all these things are going to be struck down by Court. But does it do credit to the Government to drive the employees to go to the Courts and get redressal? It is not correct. It is the duty of the Government to understand the acts, legal position and act accordingly. Otherwise, Government cases to be civilized administration. What exactly Jamiat Islamia's character? Is it political organisation, social organisation or philanthropic organisation?

Mr. Speaker:— So far as the treatment given to them is concerned in view of the judgment, the matter will be examined by them. Because the reference is to the Supreme Court, I understand there is no recent reported judgment of the Supreme Court.

Sri A. Sri Ramulu:— There is one Supreme Court judgment. During October and November last year, Supreme Court held in a case where antecedents of an employee were verified. He was supposed to belong to a Marxist party and on that ground, he was not given employment. The Supreme Court held that it was improper. Having a particular belief or faith is not a bar for public employment. That is the judgment of the Supreme Court.

Mr. Speaker:— Earlier decisions of the Supreme Court were mere association and mixing, and they were not prohibited.
Sri A. Srimulu: The Chief Minister is contradicting his own statement.

Sri Ch. Prasurama Naidu (Parvathipuram): The one evidence is confused, not making a distinction between political activity and expression of political opinion. Voting itself is merely expression of political opinion. So will the Government be pleased realise that the activities of any person, as Member of a political party, are directly in conflict with his duties to carryout the policies of the Government.

Mr. Speaker: On the basis of the Judgment, it will be examined.
Sri A. Sreeramulu:—We are not advocating anarchy. We want democracy to survive. This is a question concerning nearly 25 lakh Government employees in the country.

In U.K. Government employees have been given complete freedom; they can be members of any political party and become office bearers. This they have done keeping in mind that a large army of men and women who seek Government service are not kept aloof from the realities. Will the Chief Minister allow that freedom to the employees. Even at this stage it is desirable to do away with this obnoxious restriction.
BENEFITS TO GOVt. EMPLOYEES ABSTAINED FROM SEPARATE ANDHRA AGITATION

82——

*4845 Q. Smt. T.E.S. Ananda Bai (Gannavaram). Will the Chief Minister be pleased to state:

(a) whether some of the state Government employees have abstained from the separate Andhra agitation,

(b) if so, whether they have been given some sort of benefits like promotions etc., as in the case of the Railway employees, and

(c) whether there is any proposal now in that respect to the State employees also?

Sri J. Vengala Rao:——

(a) Yes, Sir.

(b) & (c) No benefits like promotions have been given to the State Government employees who abstained from the separate Andhra Agitation; nor is there any proposal under consideration of the State Government to give such benefits. However, an ad-hoc lumpsum amount of Rs 50/- was sanctioned to such non-gazetted employees, as a cash award.
Sri C. V. K. Rao: —Can the Chief Minister dictate?

Sri S. Jaipal Reddy (Kalwakurthi):—Sir, the Chief Minister admitted that the State Government had given rewards to those who did not participate in the strike. When the Government conceded the fundamental right of an employee or worker to go on strike and from a trade union, I do not understand why any management including the Government should think of such measures as cash awards and incentives for those who did not join the strike.
Sri S. Jaipal Reddy:—My question has not been understood. I raised a fundamental question as to whether this is a correct procedure?

Mr. Speaker:—He said the practice was there; it was given previously.

Sri S. Jayapal Reddy:—I am not referring to the Government. I am referring to the very practice and principle. Why not the Government take a stand on the very principle?

BAN ON USING OF PESTICIDES ‘ALDRIN’ AND ‘DIELDRIN’

83—

*5748 Q.—Sri P.V. Ramana (Anakapalli):—Will the Minister for Agriculture be pleased to state:

(a) whether there is any proposal to Ban the use of pesticides aldrin and ‘dieldrin’ as they are considered to be a cancer hazards; and

(b) if so, the action taken there upon?

The Minister for Agriculture (Sri J. Chokkarao):—

(a) Yes, Sir. The Registration Committee constituted by Government of India has decided not to register the pesticides namely ‘Dieldrin’ in the country in view of its being toxic and hazardous to human beings and animals. But in respect of ‘Aldrin’ no such restriction has been made.

(b) In view of the above restriction the issue of licences by the Director of Agriculture for the manufacture and formulation of Dieldrin has been stopped.
SALE OF UREA BY THE V. V. S. SUGAR FACTORY, CHAGALLU

84—

*4791-(X)-Q. — Sarvasri A. Hanumantha Rao (Kovvur) and S. Venkata Rao (Gopalapuram) :—Will the Minister for Agriculture be pleased to state:

(a) whether it is a fact that Chagallu V.V.S. Sugar Factory is selling urea at the rate of Rs. 104-50 and Rs. 1-60 as an extra; and

(b) if so, whether the Government will issue orders to refund the extra amount collected by the factory?

Sri J. Chokka Rao:— Clause (a): M/s V.V.S. Sugars Limited Chagallu sold 388. 409 M.T. of Urea at revised rate from 21-6-74 to 30-6-74.

Clause (b): The Factory collected excess amount of Rs. 3,77,817 as an extra by sale at revised rates. The Factory refunded Rs. 3,72,768 to 2,22 farmers. A balance of Rs. 50,508 was still due to 41 farmers by 1-12-1974. The Assistant Director of Agriculture (Sugarcane Inspector) was made responsible to refund this amount also. In regard to the collection of 1.60 per bag by M/s V-V.S Sugars Limited no recorded proof is available.
Promotion of Dr. (Mrs) B. Sita by Relaxing the Rules

4798 (R) Q.—Sarasvati P. Govardhan Reddy (Munugode) K. Ramachander Rao, Ch. Kashaiah (Pawancha) Nallapa Reddy Sreenivas Reddy (Gudur) and K. Rangadass (Kollapur):—Will the Minister for Health and Medical be pleased to state:

(a) Is it a fact that through G.O. Ms. No. 227 Health dt. 31-1-63 Dr. (Mrs) B. Sita was exempted from the disqualifications by relaxing the rules and given regular promotion straight way;

(b) whether she was promoted in 1963 with retrospective effect from 31-10-61;

(c) if so, the reasons for the same;

(d) on what grounds exemption was made in her case while fixing up seniority through G.O. Ms. No. 1689 Health dt. 5-8-68

(e) is it a fact that through Memo No. 4000 IBBI/ 71-5 dt. 25-5-72 the seniority of Dr. (Mrs) K. Shakuntala Devi over Dr. (Mrs) B. Sita was upheld and gross injustice done to her was admitted;

(f) if so, whether the seniority of Dr. (Mrs) K. Shakuntala Devi was restored; if not why;

(g) is it a fact that Sri K. Rajamalli the then Chairman of the Telangana Regional Committee through his D.O.L No. 26 RCCP/73 date 25-7-73 addressed to the Governor, pleaded against the Government rejection of her case;

(h) when is she to retire from service; and

(i) whether the Government would give the financial benefit of the seniority of Dr. (Mrs) K. Shakuntala Devi before she retires?

The Minister for Health and Medical (Sri K. Rajamalli) :

(a) Yes, Sir.

(b) Yes, Sir.

(c) Dr. (Mrs) B. Sita who was senior most among Women Health Officers in the integrated list then existing had put in more service in the Public Health Department than other Woman Health Officers after acquiring D. P. H. qualification at the time of her promotion. So, the rules were relaxed in favour of this doctor as she had not put in the required 5 years service.

(d) The exemption granted to her in G.O. Ms. No. 227 Health dated 31-1-1963 was allowed to stand while fixing seniority in G.O. Ms. No. 1689/Health dated 5-8-1968 as Dr. B. Sita was the only Woman
Health Officer eligible for promotion as Assistant Director of Public Health (M.C.H.) which was reserved for ladies at the time of issue of Orders in G.O. Ms. No. 227/Health dated 31-1-1963.

(e) Yes Sir. But as per seniority fixed with reference to principles subsequently laid down by Central Advisory Committee and Government of India, Dr. A. Vigg had become senior both to Dr. Shakuntala Devi and Dr. Sita.

(f) No, Sir. The case was re-examined in the light of the representations received from the doctors to whom notices were served against reversion of seniority and the claim of doctor K. Shakuntala Devi was negatived for the reason mentioned in the answer under item (e) above.

(g) Yes, sir.

(h) She retired from service on 30-11-1974 on attaining the age of superannuation.

(i) In view of the answers for items (f) and (h), the question of giving financial benefit does not arise.

Sri A. Sriramulu:—Since the doctor has retired from service perhaps our supplementaries may not serve any purpose. Yet why should there be so much of complication in regard to a simple case of this nature and why this exemption was granted

*Sri K. Rajamallu:—As a matter of fact the exemption was not literally given. It was thought that she was the senior most person but when the whole question was examined, was not so and there were many people above her—Swarajya Lakshmi, Seeta, Sakuntala Devi, Vigg, and Saraswathi.

ISSUE OF PATTAS TO THE CULTIVATORS OF MINOR IRRIGATION TANKS UNDER NAGARJUNASAGAR AREA

86—

*4608 Q.—Sri Peter Paul, Chukka (Prathipadu):—Will the Minister for revenue be pleased to state:

(a) whether there are any proposal with the Government to issue pattas to the cultivators of Minor Irrigation tanks under the Nagarjunasagar area in view of the fact that there is no need of those tanks after the N.S. Project came into existence; and
Oral Answers to Questions. 7th February, 1973. 293

(b) if so, when they are likely to be materialised?

The Minister for Revenue (Sri P. Narsa Reddi):— (a) No, Sir.
(b) Does not arise.

If the water from the major project could be supplied to the ayacut under minor irrigation, then only we can abandon it. There would be considerable loss to the ayacut.
comes. The P.W.D. and revenue officials have inspected and we cannot authorise the Tahsildar haphazardly.

Sri P. Narasa Reddy:—There are about 9 tanks which have been abandoned. Under that there is no hitch; we are issuing pattas to the occupants who are found to be landless and who are Harijans giving priority to them. There is no hitch or difficulty in that matter.

Eksela is within the competence of the Tahsildar. With regard to permanent patta only the question arises.

Sri P. Narasa Reddy:—Under Left canal Yerragunta tank, Dandarigudem tank in Miryalaguda taluk, Mukundapur tank, Fatepur tank and Marrikunta tank in Huzurabad taluk, Annaramkunta tank, Jillarikunta tank and Marrikunta in Suryapet taluk and Jnana tank in Vinukonda taluk, Guntur district.
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REGULARISATION OF THE SERVICE OF CO-OP SUB REGISTRARS

87—

*4794 (O) Q.—Sri P. Janardan Reddy:— Will the Minister for Co-operation be pleased to state:

(a) whether the services of the ninety senior Inspectors who were promoted as Sub Registrars in the Co-operative Department in January, 1962 in Telangana area were regularised;

(b) if so, when; and

(c) if not, the reasons for such inordinate delay?

The Minister for Co-operation (Sri B. Subba Rao).—(a) Yes, Sir

(b) The services of 19 Co-operative Sub-Registrars were regularised on 24-7-1968, four Co-operative Sub Registrars were regularised on 23-7-63, fifty six on 9-10 1974 and 2 on 8-12-974.

(c) Does not arise.

88—

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102—
LOCATION OF ATOMIC POWER STATION IN NAGARJUNASAGAR AREA

(a) whether it is a fact that schemes and estimates have been sent to the Central Government for the location of atomic power station in the Nagarjunasagar Area in Andhra Pradesh;

(b) if so, the total estimate; and

(c) whether the Central Government have approved the same?

The Minister for Power (Sri G. Rajaram):—(a) No, Sir. (b) & (c) Does not arise.
Mr. Speaker:—In other States it is being produced. When compared to other forms of electricity, what is the cost?
Sri G. Rajaram:—I have no information.

...
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CLOSING OF OFFICE OF SPECIAL DY. COLLECTOR, KURICHEDU.

89—

*4999 Q:-Sri D. Rajagopala Reddi (Darsi):—Will the Minister for Public Works Department be pleased to state:

(a) whether it is a fact that the office of the Special Deputy Collector, Land Acquisition in Kurichedu, Darsi taluk, Prakasham district was closed from 30-6-64;

(b) the extent of land acquired by the said office till now and the extent yet to be acquired;

(c) the amount paid as compensation so far to the land acquired and the amount still to be paid;

(d) who will pay the compensation in the event of closure of the said office and when it will be paid;

(e) the reasons for closing the said office and the agency that will take over the acquisition of the land left over; and

(f) whether the services of the employees in the said office will be terminated and if so, the alternative methods adopted by the Government for absorbing the said employees?

Sri V. Krishnamurthy Naidu: —No Sir.

It is reopened on 12-8-1974.

(b) The extent of land acquired is 1040.67 Acres. The extent of land yet to be acquired is 3028.00 Acres.

(c) The compensation so far paid is Rs. 2,62,275-81. The amount still required for payment of land compensation is Rs.6,50,000/-.

(d) and (e)

There are no proposals to close the Unit. The compensation will be paid after passing of awards.

METRES FOR TESTING ARRACK

90—

*5111 Q.—Sri D. Krishna Reddy (Narsaraopet):—Will the Minister for Excise be pleased to state:

(a) whether it is a fact that metres for testing arrack are used in excise Department;

(b) whether it is also a fact that orders were placed for the manufacture of such metres with a company at Calcutta; if so, the cost of the same;

(c) whether the said metres are supplied to the Department and found to be defective and are lying idle still with the Department;

(d) whether there is any proposal to supply fool proof meters to the supervisory, staff; and
Oral Answers to Questions.

(e) if so, when

Sri V. Purushothama Reddy:—

(a) Yes, Sir,
(b) No, Sir,
(c) Does not arise.
(d) Yes, Sir.
(e) Shortly.

They are not doing. They are not doing. They are not doing.
Sri Syed Hasan (Charminar):—Till the introduction of such meters, whether the Government is satisfied that 100% purity exists in arrack?

Sri V. Purushotham Reddy:—How can I say?

Sri Syed Hasan (Charminar):—Till the introduction of such meters, whether the Government is satisfied that 100% purity exists in arrack?

Sri V. Purushotham Reddy:—How can I say?

Sri Syed Hasan (Charminar):—Till the introduction of such meters, whether the Government is satisfied that 100% purity exists in arrack?

Sri V. Purushotham Reddy:—How can I say?

(No Answer)
Oral Answers to Questions.

SUPPLY OF MODERN BREAD TO GOVERNMENT HOSPITALS

Q. No 4896: Sri D. Krishna Reddy (put by Nallapareddy Srinivasulu Reddy):— Will the Hon'ble Minister for Health and Medical be pleased to state:

(a) whether it is a fact that the Modern bread which is being manufactured by the Government of India undertaking and which is purchased on concessional rates, is not being supplied to the in-patients of the Government Hospitals in the State;

(b) if so whether the Government will consider to provide the same to the patients in view of the more hygienic and nutritive value of the bread?

Sri, K. Rajamallu.—

(a) & (b) Modern bread is being supplied to the following eight city Hospitals:

1. Mental Hospital, Hyderabad.
2. Sarojini Devi Eye Hospital, Hyderabad.
3. Fever Hospital, Hyderabad.
4. Maternity Hospital, Hyderabad.
5. Government Hospital, Sultanbazar.
6. E. N. T. Hospital.
7. Niloufer Hospital, Hyderabad.
8. M. N. J. Hospital, Hyderabad.

Regarding other Government Hospitals in the State, M/s Modern Bakers (India) Ltd. have expressed their inability to undertake the supplies to other Hospitals. If they are in a position to supply Government has no objection to purchase in the other hospitals also.
Oral Answers to Questions. 7th February, 1975.

* Sri K. Rajamallu:—I am sorry the Hon’ble Member has got very poor information. I have personally visited all the hospitals and the bread supplied to the hospitals is very good. Modern Bread is very good and I am trying that all the hospitals are being supplied with the modern bread.

*Sri Syed Hasan:—Is it a fact that modern bread is not being supplied to all the hospitals?

*Sri K. Rajamallu:—I do not agree with the Hon’ble Member.

*Sri Syed Hasan:—Is it a fact that Ex. Service men who are running a bakery have asked for the increase of rate of the bread they are supplying. Their request was not agreed to because they have not paid the bribe amount, the hospital authorities asked. That is why, the hospital authorities informed them that their request for the rate incharge would be considered if that amount is paid. But they could not pay the amount and the hospital authorities have not enhanced the rate with retrospective effect. Only after 4 or 5 months, the rate was increased. What do you say about this?

*Sri K. Rajamallu:—I have no information.
Sir K. Rajamallu:—I do not follow. What does she want to know?

Mr. Speaker:—The answer given by the Minister is that bread is being supplied to seven hospitals. The Member wants that Modern Bread should be given to other hospitals too.

Mr. Speaker:—She wants to know whether you would consider this request?

Sri K. Rajamallu:—I will, Sir.

S. N. Q. No. 6196-(P) Sarvasri M. Omkar, A. Sreeramulu, C. V. K. Rao, N. Srinivasulu Reddi, S. Papi Reddy and Smt. J. Eshwari Bai—Will Hon'ble the Chief Minister be pleased to state:

(a) whether it is a fact that one lady teacher by name Smt. Duvvoori Mari Bai working at Chavalu Palem School in Venkatachalam Samithi in Nellore District was raped on 10-12-1974 by one Medikonda Ramanaiah of Kanupooru village of the same district;

(b) whether it is also a fact that this matter was immediately reported to the Sub-Inspector of Venkatachalam Police Station;

(c) whether it is also a fact that even after this complaint the said Sub-Inspector did not take any action so far in this regard, and

(d) the action the Government now contemplate to take against the culprit who raped the lady teacher and also against the said Sub-Inspector?

Sri J. Vengal Rao:—(a) A complaint was made by Smt. Duvvoori Mari Bai at about 8 p.m. on 10-12-74 that rape was committed on her at about 6 p.m. on that day by one Sri Medikonda Ramanaiah. A case was registered in Cr. No. 67/74 u/s 376 IPC in Venkatachalam Police Station and the complainant-victim was immediately sent to Government Hd. Qrs. Hospital, Nellore for treatment. The medical examination report is awaited.
(b) Yes, Sir.
(c) No, Sir.
(d) The accused was arrested on 17-1-1975 and kept in remand. The investigation in this case has been completed and the case will be charge-sheeted as soon as the medical report is received. No action is contemplated against the Sub-Inspector.

The accused was arrested on 17-1-1975 and kept in remand. The investigation in this case has been completed and the case will be charge-sheeted as soon as the medical report is received. No action is contemplated against the Sub-Inspector.

36—4

**Sri A. Sreeramulu:** Has he been released on bail.

**Sri J. Vengal Rao:** He is on remand.

**Sri A. Sreeramulu:**—Has he been released on bail.

**Sri J. Vengal Rao:**—He is on remand.
S. N. Q. No. 6197-B/75-1 Q.—Sarvasri Ch. Parasurama Naidu, and P. Sriramamurthy—Will hon. the Chief Minister be pleased to state

(a) the rate at which different varieties of rice are sold by F.C.I.

(b) the rate at which each such variety is procured by the State and the rate at which it is made available by the State to F.C.I.

(c) what is the conversion ratio of paddy into rice and also the value of the bye-product the just and bran;

(d) the stage at which the proposal to set up a State Civil Supplies Corporation for foodgrains in Andhra Pradesh stands?

The Minister for Municipal Administration and Civil Supplies (Sri Challa Subbarayudu deputising the Chief Minister).

(a) Long short slender Rs. 179-19 per QtL.
Medium slender Rs. 165-54 per QtL.
Long Bold Rs. 150-05 per QtL.
Short Bold Rs. 144-93 per QtL.

(b) The procurement rates are:

<table>
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<tr>
<th>Paddy Variety</th>
<th>Procurement Rate (per Quintal)</th>
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<tbody>
<tr>
<td>Long short slender</td>
<td>143-38</td>
</tr>
<tr>
<td>Medium slender</td>
<td>131-11</td>
</tr>
<tr>
<td>Long Bold</td>
<td>121-38</td>
</tr>
<tr>
<td>Short Bold</td>
<td>115-78</td>
</tr>
</tbody>
</table>

There is no separate rate for procurement by the State Government and making available to F.C.I. The F.C.I. as agent of State Government procures at the above rates.

(c) Procurement prices of rice are fixed based on the procurement prices of paddy. For this purpose, conversion ratio of paddy into rice is taken at 67-23%, i.e., 100 quintals of paddy is taken at 67-23 quintals of rice. Rs. 2.50 per quintal of rice is added towards profit and milling charges. Apart from this purchase tax at 3 1/4% Market Fee at 1-2% are added. The value of bye-products derived in producing 1 quintal of rice roughly works out to Rs. 7 o Rs. 8.

(d) The Corporation has been registered and it expects to start functioning from Rabi season this year.

Sri Challa Subbarayudu:—The F. C. I. charges which are permissible now are:

- Long/Short Slender: Rs. 21
- Medium Slender: 20
- Long Bold: 19
- Short Bold: 18, 82

These are the overhead charges of F.C.I., in addition to those per quintal. This is the price of F.C.I., Economic Price & Equivalisation fund.

- Administrative charges Rs. 10-6
- State Sales Tax 1%
- Turnover 1/4%

procurement price and issue price at the godown.

If the honourable members want I give details of the overhead charges. Transport charges 3.75 for long and short slender; Long bold etc. 3.75. So also for other categories. So also R.M. charges, Rs. 7, storage charges Rs. 2 to 4, Transit and storage etc. for the categories..Rs. 2.5, 3.10, 2.85 and 2.75, F.C.I. Administrative surcharge Rs. 1.85 for all the categories. Interest at 12% for 6 months on all items and Gunny cost of Rs. 4.64. In all it come to Rs. 8 to 7.73.

As such these are practically the overhead charges which they are incurring. They are not making any profit out of it.
సహాయశర్య పరిశీలనకి ఉండాలి. ఇది సమయము లేదా సమయము తీయాలి?

ప్రపంచం పరిశీలనకు ఉండాలి. ఇది సమయము లేదా సమయము తీయాలి?

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Q1: Usually, I'm having trouble understanding the concepts. Can you provide a short notice question and answer?

Q2: I'm having trouble understanding the concepts. Can you provide a short notice question and answer?

Q3: I'm having trouble understanding the concepts. Can you provide a short notice question and answer?

Q4: I'm having trouble understanding the concepts. Can you provide a short notice question and answer?

Q5: I'm having trouble understanding the concepts. Can you provide a short notice question and answer?

Q6: I'm having trouble understanding the concepts. Can you provide a short notice question and answer?

Q7: I'm having trouble understanding the concepts. Can you provide a short notice question and answer?

Q8: I'm having trouble understanding the concepts. Can you provide a short notice question and answer?

Q9: I'm having trouble understanding the concepts. Can you provide a short notice question and answer?

Q10: I'm having trouble understanding the concepts. Can you provide a short notice question and answer?
Short Notice Questions and Answers. 7th February, 1975

Mr. Sriramulu: —Point of Order. The Minister is answering 9-50 a.m. our question on behalf of the Chief Minister. I want to know whether he is dealing with the subject because he is not having full knowledge of the subject and we are not getting adequate reply. He has been authorised only to answer the questions in this House.

Mr. Speaker: —He has been authorised only to answer questions in this House.
Sri A. Sriramulu:—He has no full information because of the fact that he is not dealing with the subject. Whatever information is furnished by the Department he is answering here. This is not in order.

Sri Challa Subbarayudu;—In fact it is the State Government which is liable. They act as our Agents. This practice has been continuing.

Sri A. Sriramulu;—I cannot understand whether this practice is followed for the entire session. We cannot accept, because this is highly irregular for one Minister asking another Minister to answer and some other dealing with the files. The Minister who answers here should be in touch with the day to day administration. I want to know whether the adhoc arrangement should be continued for the entire session.

QUALIFICATIONS PRESCRIBED FOR THE POST OF PROFESSOR OF SOCIAL AND PREVENTIVE MEDICINE

70-A—

S.N.Q. No. 6196R,—Sri V. Srikrishna, and Sri K. Ranga Rao:—Will the hon. Minister for Health and Medical be pleased to state:

(a) whether any academic qualification was prescribed by the Medical Council of India for the post of Professor of Social and Preventive Medicine;
Short Notice Questions and Answers. 7th February, 1975.

(b) whether a writ petition was filed by an aggrieved person in the High Court;

(c) whether court gave its judgement; and

(d) if so, the action taken thereon?

Sri K. Rajamallu: — (a) Yes, Sir.

(b) Yes, Sir.

(c) Yes, Sir. The High Court upheld the contention of the writ petitioner.

(d) Sir. The judgement of the Andhra Pradesh High Court dismissing the petition of the Government to appeal to the Supreme Court against its judgement has been received on 31-1-1975 by the Government. The case will be further examined.

Sri A. Sreeramulu: — What are the qualifications prescribed by the Medical Council of India, which guided the Government in this respect? Who is the aggrieved person; and whether Government has an discretion in the matter when the Judgement of the Court is available and specific. What is the necessity of the Government to re-examine the whole issue when Court judgement is there?

Sir, we are going to examine the whole thing.
Sri K. Rajamallu:— For the same reason, the Government is going to examine the whole case in view of the judgement of the Court.

Mr. Speaker:—What the Member wants is, whether the Government is considering to go in on Appeal to Supreme Court.

Sri K. Rajamallu:— That is also there.

Sri A. Sreeramulu:— Leave has been refused here. They have then to go in a Special Leave.

Sri K. Rajamallu:— Yes, we wanted to go to Supreme Court.

Mr. Speaker:— The Government may re-consider and can go to Supreme Court, if it wants to.

Sri A. Sreeramulu:— I wonder, even seeking Special leave is necessary when the matters are so clear;

Sri K. Rajamallu:— We may or may not go in Appeal.

Sri K. Ranga Rao.—What are the qualifications.

Sri K. Rajamallu:— The following are the qualifications prescribed in the Andhra Pradesh Public Health Rules for the said posts:

1. Must possess MBBS Degree

2. Diploma in Public Health from any Recognised University, or Madras DPH, or equivalent qualification.

3. Must have an approved service as Health Officer of not less than five years.

PROVIDED:

In the case of Telengna officers absorbed in Categories (2) & (3) Medical Department, as Class I or II officers, shall be treated as equivalent service as Assistant Director, Public Health and Health Officers respectively, for the purpose of these Rules;

PROVIDED FURTHER:

That Licentiates Holders L.M.P. & L.M,&S, with the additional Public Health qualification shall in exceptional and deserving cases also be eligible for promotion as Assistant Director Public Health.

QUALIFICATIONS RECOMMENDED BY MEDICAL COUNCIL OF INDIA.

1 M. D, in S. P. M. Special Preventive Medicine 2 State Medicine Speciality Board of Preventive Medicine U.S.A. M.D. Medicine Diploma in S.P.M.D.P.M.

3, M.R.C,P. F.R.C.P. in Public Health as Spl. Subject or equivalent qualification.
the whole question is under examination

*Sri Syed Hasan:—The judgement of the High Court is there! and it is binding.

Mr. Speaker:—He said, it is under examination.

Mr Speaker:—He says the question of appeal is there. Government may or may not go.

Mr Speaker:—I would tell you there are many judgements of a Full Bench of the High Court, which have been struck down by the Supreme Court.

Mr. Speaker:—The matter is under examination.

*Sri Syed Hasan:—We would like to know as to what was the issue on which the aggrieved party has gone to the Court and also the Government stand. Would they like to go to the Supreme Court?

Sri K. Rajamallu:—The issue is quite simple. He went to the court with the contention that injustice was done to him.

*Sri Syed Hasan:—Was he qualified for the post?

Sri K. Rajamallu:—We are examining all the qualifications whether he has all the qualifications or not. The whole question is under examination.
Mr. Speaker:—Yes. I am looking into it.

Sri C. V. K. Rao:—Kindly give permission. I will raise it.

Mr. Speaker:—Yes. I will look into it.

MATTER UNDER RULE 341

re: Filing of Declaration in Respect of Lands in Excess of Ceiling Limits.

Mr. Speaker:—Yes. I am looking into it.
Matters under Rule 341:

re: Filing of declarations in respect of lands in excess of Ceiling limits.

Sri P. Narsa Reddy:— Sir, under Section 9 of the Andhra Pradesh Land Reforms (Ceilings on Agricultural Holdings) Act. 1973, Government have issued a notification extending the period for filing declarations by persons holding land in excess of the specified limit up to 28th February 1975. The Rules under this Act have been published both in English and Telugu as early as in the first week of December 1974 in the Gazette and Declaration Forms both in English and Telugu have been made available in all Taluk Offices and in the offices of the Additional R.D.O., Land-Reforms. Instructions have been issued to Officers to furnish particulars of survey numbers, extents to all those who filed declarations. The question of declarants furnishing Taram and Bagana particulars does not arise as the form of declaration does not provide for furnishing of the same. The Declaration Form contains enclosures 1 to 6 in which the declarants have to furnish only the survey numbers, the extents, wet or dry in respect of all lands held by them either as owner or in any other capacity whatsoever. The declaration forms have been prepared in a simple form. There should be no difficulty for the persons concerned to fill in the same and file it in triplicate as required before 28th February 1975. If further extension is given, there will only be delay in the implementation of the ceilings Act as the Tribunals cannot start their work till the declarations are published and the reports are got verified and obtained under the rule. Therefore, there is no reason for any further extension of time.

* Sri P. Narsa Reddy:— Sir, under Section 9 of the Andhra Pradesh Land Reforms (Ceilings on Agricultural Holdings) Act. 1973, Government have issued a notification extending the period for filing declarations by persons holding land in excess of the specified limit up to 28th February 1975. The Rules under this Act have been published both in English and Telugu as early as in the first week of December 1974 in the Gazette and Declaration Forms both in English and Telugu have been made available in all Taluk Offices and in the offices of the Additional R.D.O., Land-Reforms. Instructions have been issued to Officers to furnish particulars of survey numbers, extents to all those who filed declarations. The question of declarants furnishing Taram and Bagana particulars does not arise as the form of declaration does not provide for furnishing of the same. The Declaration Form contains enclosures 1 to 6 in which the declarants have to furnish only the survey numbers, the extents, wet or dry in respect of all lands held by them either as owner or in any other capacity whatsoever. The declaration forms have been prepared in a simple form. There should be no difficulty for the persons concerned to fill in the same and file it in triplicate as required before 28th February 1975. If further extension is given, there will only be delay in the implementation of the ceilings Act as the Tribunals cannot start their work till the declarations are published and the reports are got verified and obtained under the rule. Therefore, there is no reason for any further extension of time.
Sri A. Sriramulu:— Sir, it is reported in the press that a Conference of Civil Supplies Ministers of the Southern Zone was held at Cochin on 4th February. No Minister from our State attended the Conference. An official attended the conference. To this Conference I am attaching some importance because certain decisions affecting our supply position are likely to be taken, by so many restrictions on movement of foodgrains we have been put to hardship in jawar, ragi etc. They are very well moving out of the State. Who this official is and what subjects are discussed in that Conference and were any decisions arrived at?

Sri A. Sriramulu:— What subjects were discussed.
According to Andhra Pradesh Paddy and Rice (Restriction on Movement) Order, 1970, the State is divided into 8 Blocks. The Blocks are:

I. Srikakulam and Visakhapatnam.
II. East Godavari.
III. West Godavari and Krishna
IV. Guntur.
V. Prakasam and Nellore.
VI. Cuddapah, Kurnool, Anantapur and Chittoor.
VII. Nalgonda and Khammam.
VIII. Warangal, Hyderabad, Nizamabad, Medak, Karimnagar, Adilabad and Mahboobnagar.

According to the recent amendment carried out in G. O. Ms. No. 52 Food and Agriculture (C.S.I.) Department dated 25-1-1975 Prakasam and Nellore districts have been declared as separate blocks during the period from 1st February to 30th April, each year. The Movement of only paddy and rice and its products is restricted from one block to another. There is no restriction on movement of other grains. Even prior to the recent amendment Nellore and Prakasam constituted one block and for movement of rice and paddy outside Nellore district except Prakasam without permit was prohibited. Now the restriction placed is also for movement to Prakasam.
7th February, 1975.

Matters under Rule 341 re: Restrictions on movement of paddy within the State.

Each year the contribution of Nellore District towards procurement has been more than Prakasam District. The following are the comparative figures of procurement in Nellore and Prakasam District.

<table>
<thead>
<tr>
<th>Year</th>
<th>Kharif (Figures in Rice tonnes)</th>
<th>Rabi (Figures in Rice tonnes)</th>
<th>Total (Figures in Rice tonnes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1971-72</td>
<td>3,777</td>
<td>3,944</td>
<td>7,721</td>
</tr>
<tr>
<td>1972-73</td>
<td>3,511</td>
<td>9,421</td>
<td>12,938</td>
</tr>
<tr>
<td>1973-74</td>
<td>21,478</td>
<td>1,477</td>
<td>22,955</td>
</tr>
</tbody>
</table>

**Nellore**

**Prakasam**

<table>
<thead>
<tr>
<th>Year</th>
<th>Kharif (Figures in Rice tonnes)</th>
<th>Rabi (Figures in Rice tonnes)</th>
<th>Total (Figures in Rice tonnes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1971-72</td>
<td>2,083</td>
<td>2,399</td>
<td>4,482</td>
</tr>
<tr>
<td>1972-73</td>
<td>4,291</td>
<td>1,309</td>
<td>5,600</td>
</tr>
<tr>
<td>1973-74</td>
<td>15,986</td>
<td>1,272</td>
<td>17,258</td>
</tr>
</tbody>
</table>

For the Kharif season 1974-75 the target of 53,000 tonnes (20,000 tonnes under Mill Levy and 33,000 tonnes under Producers' Levy) has been given to Nellore District whereas the target given to Prakasam is 25,000 tonnes (15,000 tonnes under Mill Levy and 10,000 tonnes under producers, levy).

There have been persistent representations from the Collector and the Millers of Nellore District that the paddy crop which is harvested in Nellore in February, is purchased in large quantities by the millers of Prakasam District, during February and March which happen to be off-season for Prakasam District, while the millers of Nellore district do not buy any stocks in Prakasam district in December and January when paddy harvest takes place in Prakasam District.

It was also represented that as a result of this large scale purchase by the millers of Prakasam District the prices of paddy in Nellore push up, with the result they cannot make purchases of paddy and they cannot compete with the millers of Prakasam District.

By keeping Nellore and Prakasam in one block the procurement is likely to suffer in Nellore which is given a heavy target compared to Prakasam and therefore Prakasam and Nellore districts have been declared as separate blocks during February to April each year.

re. Closure of 30 libraries by Krishna District Library Authority.

Mr. Speaker:—You can send it to the Secretary. You do not require my permission. Action will be taken.

re: Closure of 30 libraries by Krishna District Library Authority.
Dr. Ch. Devanand Rao :- I am neither ignorant nor innocent of these things. I just mentioned that these points were brought to my notice. And the resolution has been brought to my notice only through the press. But I am quite aware of the fact that there are certain difficulties.

re: Sale of 300 acres of land under the Nagarjunasagar ayacut in Nalgonda district.

Sri Vengala Rao made it clear that there could not be any question of amending the Land Reforms Act in the State which had come into force from the beginning of this year. "Sri Vengala Rao made it clear that there could not be any question of amending the Land Reforms Act in the State which had come into force from the beginning of this year."

re: Sale of 300 acres of land under Nagarjunasagar ayacut in Nalgonda District.
Point of Information: 7th February, 1975

Delay in placing Administration Reports on the Table of the House.

Sri C. V. K. Rao:—I have got something to bring to your notice, Sir. Under 341 I have been repeatedly putting the matter before you. Much discrimination is being shown to my motions. You are kind enough to ask the Members to explain their matters. Under 341, in this Session, I have given two 341 notices. I do not know under what delicate circumstances, my notices were rejected. It is a time factor. There is delay in placing the administration reports. That is an important thing and I have already brought to your notice on previous occasions. The Administration Report of 1968-69 was placed in the year 1975. It is a total irregularity. How are we to function? We have to function as efficient representatives of people. My 341 has been rejected. No material is placed before you. Is that the way we should be treated? Administration Report of 1971-72 was placed in 1975. This is how the Government is functioning. On this I have given a 341. Actually 341 is intended to give an opportunity to the Speaker. If it is simply pushed through from the office, it is a dangerous thing. Ultimately, it has been rejected. I have given one on 31st and another on 3rd February. I have also given notice that one Gentleman has produced a document with all sorts of things. That may be true or untrue. He is an educated man. His name is Mr. P. Narayana. He is an M.A. He has been arrested. Certain places have been searched including behind my quarters. I gave a notice under 341. I should be given an opportunity to explain the matter. What it is all about, I could have been given. But you have simply refused. I cannot cast aspirations. Who is responsible for this and what is going on. There is motivation behind it. Government must act in a fair manner. If it is not functioning, what is our responsibility? Is it not the responsibility on us to seek assistance of you? Along with others, I will give notice of 341. At the same time, discrimination is being shown towards me.

Mr. Speaker:—In regard to your first point, it was agreed that all the Ministers should place all their documents in proper time. They should not take too much time. There is another suggestion probably from Mr. Sreramulu that there should be a general direction to all the Ministers that all those lapses should be set right by 15th February. It is being informed to all the Ministers.
324 7th February, 1975.

Announcement: re: Extension of Time for nominations to the Committee on Subordinate Legislation.

Sri C.V.K. Rao:—That is with regard to G.Os. and orders,

Mr. Speaker:—Whether it is a G.O. or any thing, and the lapse is being pointed by the Hon. Members. It has been noticed as an irregularity and therefore the House suggested that all the lapses should be rectified by 15th of this month. In view of this, I have not accepted that 341 notice.

Sri C.V.K. Rao:—This a specific thing and that specific thing must be dealt with in a specific manner. This is about the Administrative Report not about the G.Os.

Mr. Speaker:—Because of the request of the Members, what I am suggesting is that I will give information to all the Ministers that there should not be any lapse and there should not be any delay in placing their reports before this House according to rules prescribed. That is why I have rejected your 341.

Sri C.V.K. Rao:—My notice is specific about 71-72, 72-73 Administration Report. Administrative Reports must be placed in time in the House. Whether the reports of 1973-74 and 1974-75 are available, with them?

Mr. Speaker:—If they are available, they will place it. If there is any lapse, we will take proper action.

Sri C.V.K. Rao:—Whether the Chief Minister would see that all the administrative reports be placed in this Session itself.

Mr. Speaker:—He has to place them. It is not of any willingness or any such thing. The reports would be placed. In regard to another matter you raised, probably it is under enquiry. I do not know what steps are going to be taken. No statement can be made at this stage.

Sri C.V.K. Rao:—Should not I be given an opportunity to explain the position.

Mr. Speaker:—Hereafter, I will give opportunity to Members to explain the matters, after specifying them.

Sri C.V.K. Rao:—What about mine Sir.

Mr. Speaker:—I will give another opportunity. We can discuss.

ANNOUNCEMENT

re: Extension of time for nominations to Committee on Subordinate Legislation.

10.40 a.m.
Mr. Speaker:—If the House agrees, I have no objection.

With the permission of the House, the time is extended for this also up till 12th February, 1975.

Calling Attention to Matters of Urgent Public Importance

re: Closure of the N.I.F.A. Confectionary Unit.

Mr. Speaker:—If the House agrees, I have no objection.

With the permission of the House, the time is extended for this also up till 12th February, 1975.

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

re: CLOSURE OF N. I. F. A. CONFECTIONARY UNIT.

Having been approached by the Director, Mr. S. S. V. Reddy, President of the Sugar Factory Employees Union, with regard to the closure of the unit by the Government of Nizam of Hyderabad, I am to inform you that the Government have carefully examined the matter and have held that the Nizam Sugar Factory is not having the profitability to the order. This is the position subject to the condition that it shall not be shifted from Hyderabad.

The Board of Directors have therefore decided to close down the unit. Our Board of Directors have therefore decided to close down the unit. We have received a communication from the Government of Andhra Pradesh stating that they are ready to take over the unit. The Government have received a communication from the Government of Andhra Pradesh stating that they are ready to take over the unit. It is desirable therefore that the Government take over the unit in order to save the employment of the workers.

It is desirable therefore that the Government take over the unit in order to save the employment of the workers.

[Signatures]
Calling Attention to Matters of Urgent Public Importance:

re: Closure of the N.I.F.A. Confectionary Unit.

326 7th February, 1975.

Calling Attention to Matters of Urgent Public Importance:

re: Closure of the N.I.F.A. Confectionary Unit.
Calling Attention to Matters of Urgent Public Importance:

re: Closure of the N. I. F. A. Confectionary Unit.

7th February, 1975.
7th February, 1975. Calling Attention to Matters of Urgent Public Importance:

re: Closure of the N. I. F. A. Confectionary Unit.

The Honourable Mr. Speaker,

I am calling attention to the matter of urgent importance which is the closure of the N. I. F. A. Confectionary Unit.

This matter has been brought to my notice by a number of constituents who have been affected by the closure. The N. I. F. A. Confectionary Unit has been in operation for several years and has provided employment to a large number of people. The company, however, has informed us that they are unable to continue operations due to financial difficulties.

I would like to urge the authorities to consider alternative measures to prevent the closure of this unit. It is important that we do not lose jobs and that the local economy is not further affected.

Yours sincerely,

[Signature]

[Name]

[Position]
Calling attention to Matters of 7th February, 1975. 329

Urgent Public Importance:
re: Closure of the N I F A Confectionary Unit.

Production of confectionary during the year was 145,993 M.T, as against 63,508 M.T. in the previous year. The notional profit earned during the year is Rs. 1,01,656 as against the notional profit of Rs. 59,783 in the previous year.
Calling attention to Matters of Urgent Public Importance:

re: Closure of the N I F A Confectionary Unit

11-10 a.m. 1974 7th February, 1975

1974 7th February, 1975

Calling attention to Matters of Urgent Public Importance:

re: Closure of the N I F A Confectionary Unit

11-10 a.m. 1974 7th February, 1975

1974 7th February, 1975

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re: Closure of the N I F A Confectionary Unit

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Calling attention to Matters of Urgent Public Importance:

re: Increased mosquito menace in the State

11.20 a.m.,

re: Increased Mosquito menace in the State.
Calling attention to matters of Urgent Public Importance:
re: Increased mosquito menace in the State.

Sri A. Sriramulu:—Sir, it is a very serious question, why my friend (Sri N. Srinivasul Reddy) has put it in a lighter vein. I think that is a sarcastic comment he has made.

I do not know, Sir, what is being done by the Department of Medical & Health. Practically no worthwhile activity is taking place.

I discussed this question of mosquito menace, with some of the Health Officials. They told me that D.D.T. has become ineffective and mosquitoes have developed immunity for the D.D.T. So, no amount of D.D.T. is likely to secure the desired results.

What exactly is the plan of the Health Department. If it is continued we do not know what would happen after two or three years. Whether the Health Department is giving any serious thought to this question, we do not know.

We want to know whether any Research has been taken up to find something else other than the D.D.T.to control and kill the mosquitoes. Whether Government is prepared to work out a sort of plan, a comprehensive one, to eradicate this menace.

Will the Hon'ble Minister give us the information?
334
7th February, 1975.

Calling attention to matters of Urgent Public Importance:

re: Increased mosquito menace in the State.
Calling attention to Matters of Urgent
Public Importance:
re: Increased mosquito menace in
the State.

...Malaria is transmitted by Anaphelis which breeds in clean water collections. Cluex Mosquito breeds in dirty water collections.

The National Malaria Eradication Programme was started in this State during the year 1958-59. The main procedure adopted was to take up indoor residual spraying with D.D.T. which will reduce the life span of Anaphelis mosquito thereby cutting off the possibility of spreading Malaria from one person to another. The scheme does not contemplate killing the mosquitos and reducing the mosquito nuisance but only reduce the life span which may result in reduction of anaphelis density. (The mosquito menace is mainly due to Culex). Out of 33.50 Units which are started in Attack phase, in 25.11 Units Malaria was completely eradicated by 1970. 6.29 Units entered the Consolidation phase which means that the transmission of Malaria was completely cut off. only 2.10 Units remained in Attack Phase. However, after 1970, the Programme suffered a set back mainly due to the inadequate provision of funds by the Government of India resulting in irregular payment of salaries to the staff and inadequate supply of insecticides and drugs. The reduced susceptibility of the anaphelis mosquito to D.D.T. is also suspected. In addition while Planning NM&P originally, the problem of Urban Malaria was not given due importance. To rectify these defects, the following steps have been taken:

(i) Urban Malaria Scheme has been sanctioned in the Municipal Corporation of Hyderabad and Vijayawada, Guntur, Visakhapatnam and Warangal Municipalities. In twin cities to Combat the mosquito menace, the Municipal Corporation is evolving a comprehensive scheme including possibly aerial spraying of some areas supplemented by house to house space spray and intensification of anti-larval measures. These measures will also reduce the density of the population.

(ii) By intensive tours of the concerned Officers, the field problems have been identified and the Government are taking steps to rectify the defects. In fact an addition allocation of Rs. 44.00 lakhs required for the Basic Health Services has been provided to avoid belated payment of salaries and T.A. and also to ensure prompt and efficient remedial measures.

*Sri K. Rajamallu:—The important diseases transmitted by mosquitoes are Malaria and Filariasis. Malaria is transmitted by Anaphelis which breeds in clean water collections. Cluex Mosquito breeds in dirty water collections.
(iii) The programme is being reviewed once in a quarter by a Committee under the Chairmanship of the Secretary, Health, Housing and Municipal Administration Department. The programme is being reviewed once in a quarter by a Committee under the Chairmanship of the Secretary, Health, Housing and Municipal Administration Department. The programme is being reviewed once in a quarter by a Committee under the Chairmanship of the Secretary, Health, Housing and Municipal Administration Department. The programme is being reviewed once in a quarter by a Committee under the Chairmanship of the Secretary, Health, Housing and Municipal Administration Department. The programme is being reviewed once in a quarter by a Committee under the Chairmanship of the Secretary, Health, Housing and Municipal Administration Department. The programme is being reviewed once in a quarter by a Committee under the Chairmanship of the Secretary, Health, Housing and Municipal Administration Department. The programme is being reviewed once in a quarter by a Committee under the Chairmanship of the Secretary, Health, Housing and Municipal Administration Department. The programme is being reviewed once in a quarter by a Committee under the Chairmanship of the Secretary, Health, Housing and Municipal Administration Department. The programme is being reviewed once in a quarter by a Committee under the Chairmanship of the Secretary, Health, Housing and Municipal Administration Department. The programme is being reviewed once in a quarter by a Committee under the Chairmanship of the Secretary, Health, Housing and Municipal Administration Department. The programme is being reviewed once in a quarter by a Committee under the Chairmanship of the Secretary, Health, Housing and Municipal Administration Department. The programme is being reviewed once in a quarter by a Committee under the Chairmanship of the Secretary, Health, Housing and Municipal Administration Department. The programme is being reviewed once in a quarter by a Committee under the Chairmanship of the Secretary, Health, Housing and Municipal Administration Department.

We cannot control it, Whatever amount of D. D. T. you use, it will simply go waste.
Calling Attention to Matters of Urgent Public Importance:

re Non-payment of salaries to the staff of Malaria Eradication Department.

Sri A. Srimulu:—I am bringing to the notice of the Minister a very serious question where hundreds of employees working in the Malaria Eradication programme and also other centrally sponsored schemes are affected.

These employees have not been paid their salaries for nearly six to seven months. I do not know the reason. But I would only request the Minister not to make this a sort of a habitual habit to appoint staff, make the men work and deny them of their salaries. I want a statement on this.

Sri K. Rajamallu:—Sir, under the Maintenance of National Malaria Eradication Programme there is one component of basic health service which was under Plan the Fourth Five Year Plan. This component is having a staff of 1002 basic health service, 714 Health Inspectors and 177 Laboratory Technicians have brought under non-plan from 1-4-74. The Government of India was providing inadequate amount of Rs 20 lakhs a year. In view of this past allotment...
of Rs. 20 lakhs for the State, it has also provided an amount of Rs. 20 lakhs even during the new year 1974-75 in G.O. dated 25-1-75 reappropriating a sum of Rs. 44 lakhs for basic health service. This is, the total amount of Rs. 64 lakhs has been provided which is adequate to cover the implementation of the scheme. Since there is Treasury control over the scheme, the Director of Treasuries and Accounts has now been requested to issue instructions to the District Treasury Officers to admit the pay bills of the staff.

Sri A. Sri Ramulu:—Congratulations. But will they get their salaries now?

Sri K. Rajamallu:—Yes, by all means.

PAPERS LAID ON THE TABLE


Sri K. Rajamallu:— (Minister for Health & Medicine):—Sir, I beg to lay on behalf of the Chief Minister: “a copy of the Ninth Annual Report of the Andhra Pradesh Vigilance Commission for the year 1973-74”.

(2) Amendments to the A.P. Motor vehicles Rules, 1964 under Sub-Section (2) of sec. 133 of motor vehicles Act. 1939.

Sri K. Rajamallu:— Sir, On behalf of the Minister for Agriculture & Transport I beg to lay: “a copy in each of the notification, issued under G. O. Ms. No 11049 Home (Transport-I) Departments dated 20-7-1974 and G. O. Ms. No. 1088 Home (Transport-I) Department, dated 1-8-1974 containing amendments to the Andhra Pradesh Motor Vehicles Rules, 1964 under sub-section (3) of Section 133 of Motor Vehicles Act 1939”.

(3) Notifications issued under Sub-sec (1) of Section 9 of A.P. Motor Vehicles Taxation Act, 1963.

Sri K. Rajamallu:— Sir, On behalf of the Minister for Agriculture & Transport, I beg to lay on the Table: under sub-section (2) of Section 9 of the A.P. Motor Vehicles Taxation Act, 1963, a copy in each of the notifications issued in the following G.Os. “under sub-section (1) of Section 9 of the said Act”.

<table>
<thead>
<tr>
<th>S. No.</th>
<th>G.O. Rf. No. &amp; Date.</th>
<th>Date of publication in the A.P. Gazette.</th>
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<td>1.</td>
<td>2104 Home (Tr. II)</td>
<td>29-8-1974</td>
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<td>2.</td>
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(4) Amendment to the A.P. Motor Vehicles Rules, 1964 issued under sub-sec. (3) of section 133 of Motor vehicles Act, 1939.

Sri K. Rajamallu:— Sir, On behalf of the Minister for Agriculture and Transport, I beg to lay on the Table:

"a copy of the notification issued under G. O. Ms No. 810, Home (Transport, I) Department, dated 5-6-1974 containing an amendment to the A. P. Motor Vehicle Rules, 1964 under sub-section (3) of Section 133 of motor Vehicles Act, 1939".

Mr. Speaker:—Papers laid on the table.

PAPER PLACED ON THE TABLE


Sri K. Rajamallu:— Sir, On behalf of the Chief Minister, I beg to place on the Table:

"a copy of the Report on the decisions of the Business Advisory Committee taken at its meeting held on 6th February, 1975",

Mr. Speaker:— Paper placed.

Sri A. Sriramulu:— On a point of order Sir, the Minister read out something which is not found in this order paper. Item 4 says "to relay on the Table of a copy etc". What is this relaying?

Mr. Speaker:—After it is laid, it must be there for 14 days during the working of the Assembly. Supposing the Assembly is adjourned and if it not laid, the rule says that it should be placed on the Table.

NON-OFFICIAL BILL


Sri E. Ayyapu Reddy:— Sir, I beg to move;

"That the Criminal Procedure Code (Andhra Pradesh Amendment) Bill, 1974 be taken into consideration".

Sri E. Ayyapu Reddy:—The House has given me permission to introduce the Bill last time. Subsequently I have given notice that the Bill be taken for consideration.

*Printed as Appendix on page No. 363.
Mr. Speaker:—I invite the attention of the Hon. Member to Rule 299: on the prorogation of a session, all pending notices shall lapse except those in respect of statutory motions, motions for amendment of rules, motions the consideration of which has been adjourned to the next session, questions for which answers have been received etc. etc. It is Bills and Motions both. It is not stated non-official, either it is a Government Bill or Non-official Bill which has been introduced such bills will be carried over.

Sri C. V. K. Rao:—I raise another point of order. This House has no jurisdiction to amend the Code of Criminal Procedure as passed by the Parliament. Further, the amending bill cuts at the very root of the Code of Criminal Procedure. Therefore, it has to be ruled out.

Mr. Speaker:—The States have got a right to ask for an amendment and with the permission of the Centre, I think it has to be again amended. That is how it has to be explained.

Sri C. V. K. Rao:—Here in the statement of objects and reasons, granting that the Hon. Member got the permission, he has got to say. Where is the permission sought by the Member?

Mr. Speaker:—No permission is necessary. If the State Legislature.....

Sri C. V. K. Rao:—If that were so, I request the Hon. Chair to give us the necessary elucidation on this point. Because if every State goes on amending what will be the result of the Central Act? What would happen to the Central Act? If one State goes in one way and another State goes in another way, what would happen to the Central Act. Here the amendment is that the jurisdiction of the Sessions Court is being questioned. Now the old system of trial should go on and as such if another State adopts another procedure there will be divergent and conflicting situations. And as such, I think this matter has to be gone deep. So much so, you can give your ruling. It cannot be the arbitrary matter.

Mr. Speaker:—This is in the Concurrent List and therefore, both the Centre as well as the State have concurrent jurisdiction to pass laws. When the Centre has passed a law there is also right for the State to amend that law. But when the State Legislature passes such an amendment, the matter will sent up to the Centre. It is only with the permission subsequently of the Centre that it becomes a law.
Sri C.V.K. Rao: — Is it to be taken that if this amending Bill is passed, it has to be sent to the Centre?

Mr. Speaker: — Yes.

Sri C.V.K. Rao: — If that were so the House has every right to such an amendment but it cannot be a valid amendment.

Mr. Speaker: — No. It is the accepted practice in the Lok Sabha. The House also does not take a decision.

Sri E. Ayyappa Reddy (Panyam): — If 2/3rds consent is given, then the local enactment prevails.

Mr. Speaker: — We have to apply for the consent.

Sri C.V.K Rao: — I would like to seek some clarification, Sir.

Mr. Speaker: — That is different.

Sri C.V.K. Rao: — If every State passes different types of amending Acts, the original Act is one thing. So, there will be contradictory position, is it not?

Mr. Speaker: — No. There won't be. To that extent the law will prevail in the State because the Centre also agrees to it. If the Hon. Member does not agree.

Sri C.V.K. Rao: — Has the Centre agreed on these things?

Mr. Speaker: — Not now. After the Legislature approves it, the matter will be submitted to the Centre and then only it becomes Law.

Sri A. Sriramulu — In such a vast country like ours, the State has certainly the power to legislate on the subjects which are in the concurrent list, and the amendment is perfectly in order. There is absolutely no difficulty in regard to that.

Sri C.V.K Rao: — Now, we have a right to take a particular subject under the concurrent list and legislate in this House and there is another conflicting legislation. Could the Centre agree to this? There cannot be conflicting legislations I want the matter to be examined. Supposing there is already legislation on that and the state in pursuance of this.

Mr. Speaker: If there is no legislation there, there is no need to pass another legislation here and submit for the assent of the President. Because there is a legislation and because the state wants to have an amendment, it is the prerogative of the state to have such legislation passed in this house. And if that bill is passed then it will be submitted to the assent of the President. If the President does not give his assent, it fails. If the President assents, it prevails in the state.

Sri C. V. K. Rao: — That legislation where it is not cutting across the entire fundamental principle, there may be an amendment. But where it cuts across the fundamental principle, can a new legislation come in here?
Mr. Speaker:—I do not know what you mean by fundamental principle. I have not understood you. If you can explain, it would be helpful.

Sri C. V. K. Rao:—Fundamental principle here is, previously in the lower courts the cases were tried and they were committed to the higher courts, Sessions. Now the same thing should be tried in the Sessions. That is the fundamental principle now. The lower court's jurisdiction is being curtailed. That being the position, we are going back, reverting back.

Mr. Speaker:—That is all right. We have got a privilege.

Sri C. V. K. Rao:—In other words we are saying that the Central legislation cannot be a valid one. Can we say it? It is left to you, Sir. It is for you to clarify.

Mr. Speaker:—It is not left to me. The hon. Member has got a right to legislate on this subject. The hon. Member has chosen to legislate. When the Centre assents to the legislation, it will be effective throughout the country. But at the same time, as it is in the concurrent list it is also open to the State Legislature to take a different view and enact a legislation. And they come forward with an amendment to the Central Act. After such amendment is passed by the Legislature, it does not become effective. It has to be submitted for the assent of the President. And if the President gives assent, to that extent the Central legislation is modified and the State legislation will prevail over the Central Act.

Sri C. V. K. Rao:—Should not the prior consent be obtained?

Mr. Speaker:—Before hand we need not ask. It is only afterwards, it becomes necessary to submit for the consent.

Sri E. Ayyapu Reddy:—Sir, the point raised by hon. Sri C. V. K. Rao was raised last time by Sri N. Srinivasul Reddy. I thought that this is such a fundamental thing that I never expected such objection to be raised by Sri C. V. K. Rao, because the State has got full powers to legislative on any subject which is in the concurrent list. This is a topic which touches the autonomy of the State. We have got every right and tradition requires the President to give consent because State Legislatures have certainly that power to prescribe the law so far as the State is concerned. The Civil Procedure Code, Criminal Procedure Code, Stamp Act and Registration Act, all these things are under the concurrent list. It is open to any State to have a particular law regarding the subjects which are on the concurrent list. We cannot ask Himachal Pradesh to have a similar law as Travancore Cochin or Kerala. It is open to Assam to have its procedure according to the conditions and circumstances prevailing in that State. Therefore, the question of the State Legislature not having any jurisdiction to amend the Criminal Procedure Code or Civil Procedure Code does not arise at all.

Now, with regard to the merits of the Bill, apparently there has been some sort of confusion because many people are thinking that because the Parliament has passed this Bill, we do not have an,
right to interfere, and we do not have our jurisdiction to legislate on this subject. That is one view. The other view is Parliament in its wisdom has passed this new Procedure Code, therefore are we questioning the wisdom of the Parliament and are we not trespassing into their jurisdiction. Some of these things have been raised. The important question is whether the merits of the Bill require that it should be introduced and passed by the State legislature. Now, after the Bill has been introduced, and after the House gave permission to introduce this Bill, the Bill was circulated. It was sent to the High Court also. And I may say for the information of the Hon. Members, the High Court after considering the merits of the Bill, not only supported the Bill but welcomed the Bill. That is so far as the High Court also. And I may say for the information of the Hon. Members, the High Court after considering the merits of the Bill, not only supported the Bill but welcomed the Bill. That is so far as the High Court is concerned. The Bench the highest judicial body in the State not only gave its support to the Bill but has also welcomed the Bill. With regard to the Bar, the High Court Advocates’ Association unanimously passed a resolution supporting the Bill. Similarly, the Bar at Visakhapatnam unanimously passed a resolution supporting the Bill. Many other Bar Associations have passed resolutions supporting the Bill. I request the Hon. Members to read the objects and Reasons:

The procedure which was previously prevailing has become crystallized especially with regard to the procedure that has to be adopted by Sessions trial. It has stood the test of time. That particular procedure was in practice and in vogue for more than two or three generations. It was never amended. What was amended in 1955 by an eminent Home Minister Dr. Kailash Nath Katju was the procedure that was to be followed in Committal courts. Previously in the Committal courts also the entire evidence used to be let in by the prosecution and then huge procedure was followed by taking evidence from all the concerned and then committal used to take place. That was amended so as to facilitate easy and quicker committals. Subsequently one or two eye witnesses used to be examined in committals and where there was no prima-facie case, the Magistrate used to discharge the accused and then commit. After committal, the accused were asked to enter defence, give out list of defence witnesses and after the list of defence witnesses is given out, the accused used to be posted for trial and prosecution witnesses used to be examined. Thereafter, the accused could enter defence and defence witnesses could be examined and thereafter the judgment is pronounced. The continuity, seriousness and the augustness of the sessions trial used to be upheld by the previous procedure. Now the entire procedure has been changed, it has not done any good. Instead of weeding out at the Committal stage, it has been now shifted to Sessions trial and all sessions cases are immediately transferred by the Magistrate to the Sessions Judge. Even simple cases which come under Session 307, automatically come to Sessions Judge. He has to do preliminary reading. He has to go through the entire documents and then arguments would be addressed on that point. Where there is prima facie case against one or all the accused, then there will be order of discharge or framing of charge-sheet. As against the order by the Ses-

sessions Judge, there would be revision by the High Court. Then case would be posted again for trial. Prosecution witness will be examined. Then, it will not end there. The defence can ask for re-examination and further examination of the prosecution witnesses will take another adjournment. Then there is again argument whether prima facie case has been made out and whether the accused should be asked to enter upon the defence. Then alone, he submits list of witnesses on behalf of defence witnesses and probably takes two or three adjournments. After defence witnesses were examined, after arguments heard, the Judge gives the Judgment only with regard to conviction. Then, with regard to sentence again, there would be further arguments. So all these new experiments which have been introduced have not done any good and in the experience of most of the criminal lawyers as well as the Judge who are trying Sessions cases, it is not an improvement over the procedure that was prevailing previously. The procedure prevailing previously was from all points of view from all angles of view both from the interests of prosecution as well as defence and it was quite reasonable and acceptable. The witnesses used to be examined at the earliest stage. Important eye witnesses used to be examined at the earliest stage. Where charge sheet is filed within 2 or 3 weeks the Magistrate used to summon them and examine them. Now what is happening is eye witnesses are required to be examined only at Sessions trial. That means after 7 or 8 months after the charge-sheet is filed and if he goes back upon the prosecution case, there is no remedy. Previously, statements recorded at the commitment proceedings were made use of at the time of Sessions for proving a prosecution case. There are so many other important points involved. I may say that this Bill has received almost unanimous support both from the Bench and from the Bar. This is absolutely necessary in the interests of preserving the settled Law. It is one important cardinal principle of Jurisprudence that where a Law is settled it should not easily be amended or no attempt should be made to unsettle it. Now the procedure regarding commitment and sessions trial was so settled that every person, every citizen practically knew what is going to happen and what are the steps that are necessary to bring sessions trial to conclusion.

As this Bill has been supported by the High Court and as the High Court welcomed this Bill, I submit that the motion may be accepted by the House. In matters relating to procedure, we must give great respect to the views of the High Court. Not only that, in matters relating to procedure, it is the High Court that must be the final authority to decide whether such and such procedure would be in the interests of justice and whether it would be conducive to speedy disposal of the cases, with these words, I once again request the Hon'ble Members to accept the motion.

Sri Asif Pasha:—Before any discussion is taken up, I would submit that Government is seized of this matter and I assure the Hon'ble Member that this Bill will be taken up by the Government themselves and request him to withdraw this Bill as the Government
Non-Official Bill:
re: The Criminal Procedure
(A. P Amendment) Bill, 1974

also propose to undertake legislation for amending the new Cr. P. C. on the lines suggested by the Hon'ble Member.

Sri A. Sreeramulu:—Point of order, Sir. This House has granted permission to introduce this Bill and the Bill has been introduced. Hon'ble Member moved it for consideration. At this stage, how can the Minister raise and ask for withdrawal of this Bill?

Sri C. V. K. Rao:—The Minister should have done it in the Legislature Party. He cannot dictate like that in this House. Therefore, we have got to rule it out.

Sri N. Venkataratnam:—When this Bill was sought to be moved in this House, Mr. B. Sreerama Murthy, representing the Law Minister opposed it tooth and nail. Now, there seems to be a radical change or radical improvement in the idea of the Government to consider this Bill. I do not know what happened in between the change of attitude of the Government. At the stage of introduction of this Bill, practically, there was no opposition from not only official benches but even non-official benches. But the Government was opposing it tooth and nail. Entire House had to interfere to see that Mr. sree-ramamurthy does not oppose the Bill. What happened now, I do not know about the change of the attitude in the Government.

Sri E. Ayyapu Reddy:—After the Bill was introduced for which the House gave permission for introduction of this Bill, the Government has received views of the Bar Associations as well as that of the High Court. For the last 8 months, the new procedure has been in practice. Therefore, they must have assessed what is the effect of the new procedure.....

Sri N. Venkataratnam:—It is for the Minister to explain, whether the wisdom is not there in the beginning?

Sri A. Sreeramulu:—If so much re-thinking was there on this Bill and it is for a good purpose, we will support the Bill. We would not oppose.

Sri M. Narayana Reddy (Bhodhan):—Mr. Speaker Sir, the 12-10 p.m. hon. Members want to create a controversy where there is none. On any private Members bill or Resolution, it is always open to the Government to give out their own reaction or views whether they accept or oppose. Since the hon. Minister has accepted the principles of the Bill and want to bring the same legislation on behalf of the Government, then the time of the House should be spared for the other business and that is the proper procedure under the Rule. Therefore, the Member can be asked if he is willing to withdraw, then the other business can be taken; otherwise the Bill can be proceeded. That is the position.

36—9
Sri C. V. K. Rao:—Point of Order, Sir. The Member cannot withdraw the Bill without the leave of the House. We have not given him the leave.

Sri Asif Pasha:—I appeal to the hon. Member who has introduced the Bill to withdraw the same as the Government will bring a comprehensive Bill on the lines suggested by the hon. Member. So, I appeal to the hon. Member and the House to withdraw the Bill.

Sri Ch. Parasuram Naidu:—Sir, after much study and out of his experience the hon. Member Mr. Ayyapu Reddy has brought forward a very good and useful Bill and the Government ultimately thought it very necessary to accept the principles of the Bill. When it has accepted the Bill in principle why the time of the House should be wasted for the withdrawal of the Bill. My friend and some other friends also have stated that the time of the House should not be wasted. I do accept that. So, the time may be utilised for the betterment of the Bill. We can as well refer it to the Select Committee. We can improve it and my good friend Mr. Asif Pasha will be presiding over the Select Committee and he will be contributing his thought and his legal officers and some of us, if we also are there, will be contributing our experience and thinking. Let us not go back when it is agreed. The principle is welcome and there is a framework. What is the necessity of withdrawal? I don't know why my friend Mr. Ayyapu Reddy has yielded to this request. He should not have. He is not doing service to the legal community at large by yielding to the request. It is a very good thing that he has done and let us proceed with it. What are the reasons? It is not merely the numbers that can certainly outweigh all reasoning. Here, it should not be allowed to always prevail. Here, the reasons shall always prevail. I want the Minister for law to really place any reasoning by which it can be said to be sound that it shall be withdrawn. Is it simply for the sake of withdrawal or procedure or somethings. If there is any reservation that may be placed before the House, so that better logic and reason may prevail, It is a good measure and it requires improvement. I still think that the Bill which was brought forward by my friend Mr. Ayyapa Reddy with all his experience, has to be improved and that can be done by a Select Committee. We can refer it to Select Committee.

Mr. Speaker:—The point now is, no doubt this Motion has been made and the House has granted permission for discussion of this Bill. As has been stated by the hon. Members, on an earlier occasion when it was sought to be introduced in the House, objection was taken by the Government. It must be on the basis of that Central Act. Therefore, the Government was then of the opinion that probably this would bring in as stated by Sri C.V.K. Rao, a serious situation where there will be different laws in different parts of this country. But whatever it is, on a subsequent consideration of the entire matter, after hearing the members who have expressed their views in favour of the Bill that has been brought for consideration before the House, and after also having knowledge of its functions.
and working in different districts where the trials have to be conducted and after knowing the opinion of probably the judges also, as has been referred to by the Minister, they now think that it is a fit case where the matter must be further examined and brought back before the House. As far as the Bill is concerned, no doubt it brings certain aspects. There can be certain improvements upon the Bill. All aspects will be examined by the legal department here and if there is a Law Commission here, they will also examine as to how far it is desirable to have the Bill in its present position or make further improvements, so that it may be comprehensive and deal with all aspects. It is with that view that generally Government comes forward when a private bill or a motion is before the House agreeing with the motion and trying to state that the Government itself will place it before the House. When Government brings it, you are already aware as to what effect it would have and how far it is generally likely to be considered favourably and particularly when all the opposition members have agreed that it is highly desirable.

Sri C.V.K. Rao:—I am opposed to this.

Sri M. Omkar:—We are in support of the Bill.

Mr. Speaker:—Normally when the Government undertakes such a legislation all members would agree that it should be accepted and leave should be given. As far as the withdrawal of the motion is concerned, a member who has made a motion may withdraw by the leave of the House. The leave shall be signed not upon question but by taking the pleasure of the House. The Speaker shall ask ‘is it your pleasure that the motion be withdrawn?’ If any dissenting voice is heard or a member rises to continue the debate, the Speaker would put forth the motion. Provided that if an amendment has been proposed to a motion, the original motion shall not be withdrawn until the amendment is disposed of. That is the provision. Now it is open.

Sri M. Omkar:—We are against withdrawal. It must be discussed and passed by the House.

Mr. Speaker:—Therefore the Bill will continue.

Sri E. Ayyappu Reddy:—The bill which I have introduced relates exclusively to committal and trial of cases exclusively triable by sessions judge. After my Bill was introduced and after it was circulated of the Bar Associations discussed the merits of the Bill and the High Court Advocates’ Association appointed a Sub Committee. The Sub Committee, of course, approved the Bill and supported the Bill, but it has also suggested certain other amendments to the Criminal Procedure Code especially the present Criminal Procedure Code with regard to the languages in which the evidence has to be recorded the appointment of public prosecutors, the revisional power where the sentence is less than three months and such other ancillary matters are there. So, it is eminently fit that the Government should examine all these aspects and bring a comprehensive Bill. This bill relates only to one aspect and there are some other aspects which require consideration by Government and in view of the assurance given by
the Hon'ble Minister for Law, I pray that I may be premitted to withdraw the Bill, because, I am quite confident that the State Government will bring into consideration before this House a comprehensive amendment to the Criminal Procedure Code which will satisfy the bench.

Mr. Speaker:— That is considered to be more satisfactory, because this is only one aspect and even on this matter the Committee that has been appointed by the High Court's Bar Association seems to have expressed as how it would be desirable to have further amendment also and further improvements made. It is in that view that the Government has now come forward with a statement that they are willing to bring in a comprehensive bill covering this matter also. That is why, the Hon'ble Member who have moved this motion has asked permission to withdraw the Bill so that the House may have an opportunity not only to consider this particular matter alone, but other amendments also which are considered to be desirable to make this procedure effective on representations made or opinion expressed by Judges or Bar Associations etc. That is a matter for consideration.

Sri C.V.K. Rao:— The Government has to know the view points of the Members from different angles and therefore, nothing would be lost if.

Mr. Speaker:— The only question is it will be more comprehensive and more useful.

Sri C.V.K. Rao:— In order that the Government may be endowed with greater wisdom while studying this thing, therefore discussion in this august body will help the Government. According to Government representative "No discussion is needed, we are the embodiment of wisdom itself and therefore, we are going to bring about comprehensive Bill."

Mr. Speaker:—My own view is that you are not correctly stating it. You will have an opportunity. It is not as if they are going to pass in the Secretariat. It must come before this House. The Bill must come here; then it will be discussed in all its aspects. Every provision will be discussed. It is not as if the matter is being shelved or opportunity is being denied to the members to express their view on every provision.

Sri C. V. K. Rao:—It will not be proper for the Government to be armed with the view point of the Legislators while it forms its own rules.

Mr. Speaker:— I don't think that there is any discussion necessary here.

Sri Omkar:—My suggestion is, let the Government assure the House on which date it is going to bring forth this Bill. We want the particular date on which.

Sri M. Narayana Reddy:—Motion for withdrawnl is before the House and that is to be considered.
Sri C. V. K. Rao:—I raise a point of order. The Member has placed this before the House for consideration. At that stage, the Minister for Law wants to withdraw. How is it possible. There is a discrepancy.

Mr. Speaker:—There is no point of order.

Sri C. V. K. Rao:—He has no right to withdraw.

Mr. Speaker:—The right to withdraw is provided under rules. It is the pleasure of the House to permit him to withdraw at any stage.

Sri Omkar:—Will the Government fix the time? At least let the Government promise?

Mr. Speaker:—What is the use?

Sri M. Omkar:—In this case, it is possible. That is why, our anxiety is, if the Government is interested in bringing forth here, at least they must fix up a date so that we can be rest assured.

Mr. Speaker:—Is it possible for you to bring it during the course of this session?

Sri Asif Pasha:—I cannot say. We will bring it as soon as possible.

Mr. Speaker:—That is no use. They want definite assurance.

Sri Asif Pasha:—It may not be possible in this session.

Mr. Speaker:—He said it may not be possible now, because he has to consider the matter elaborately and see what all amendments are required to the Central Act.

Sri Ch. Parasuramanaidu:—Whether it is likely to come in the next session.

Mr. Speaker:—He will get in the next session.

Sri Ch. Parasuramanaidu:—That is an assurance?

Mr. Speaker:—Yes.

Sri Omkar:—When there is no certainty from the Government.

Mr. Speaker:—The Government has said so. That is left to you.

Sri M. Omkar:—Why should you not put it clearly?

Mr. Speaker:—I have no power and you have no power. The question is already here or discussion. The only way is that it cannot be withdrawn without the leave of the House. If you do not want to give that leave, it will proceed.

Sri C. V. K. Rao:—Can I speak opposing the Bill, Sir?

Mr. Speaker:—Why now? You have already spoken.
Sri C. V. K. Rao:—Opposing the Bill.

Mr. Speaker:—You may proceed.

Sri M. Narayana:—Motion for withdrawal of the Bill is before the House, that has to be put to vote without allowing any further debate. That we have done on past occasions. He has moved a motion for the leave of the House to withdraw the Bill and leave has been given.

Mr. Speaker:—Leave has been given. If a single Member opposes, there is no provision. There is no question of majority or minority.

Sri M. Narayana Reddy:—Leave is to be granted by the whole House and it has to be... 

Mr. Speaker:—We have gone to the second stage. “Sri C. Ayyapu Reddy will move that the Criminal Procedure Code will be taken into consideration.” That is the motion.

Sri M. Narayana Reddy:—Here he has moved a motion for withdrawal with the consent and the leave of the House and normally when the Member who moved the Bill, he himself moves for withdrawal, it is normally granted that none opposes unless there is something else to that. The motion is before the House for withdrawal that has to be put to the House without allowing any debate.

Mr. Speaker:—Yes, main motion.

Sri P. Ramachandra Reddy (Sangareddi):—According to Rule 133 of the Rules of Procedure and Conduct of Business in the A. P. Legislative Assembly,” the member in-charge may, at any stage of a Bill, withdraw the Bill with the leave of the Assembly. “Mr. Ayyapu Reddy moved to withdraw the Bill on the assurance given by the hon. Minister. Now the leave of the House is required to withdraw the Bill. How it will be decided is the guidance required from the Chair.

Sri M. Narayana Reddy:—It is a motion. It has to be decided like any other motion.

Sri M. Omkar:—Dissenting voice also must be heard. Opportunity must be given.

Sri Ch. Parasuramanaidu:—It has already been ruled by the Speaker. You have given a ruling. How can that be questioned? You must give an opportunity; then alone the member can talk about it without hearing me you may not withdraw it.

Sri P. Ramachandra Reddy:—Leave of the House is it unanimous.
Sri V. Ramachandra Reddy:— It will be decided in the same way as other motions.

Mr. Speaker:— Because the language is like this. “Is it your pleasure that the motion be withdrawn. If no one dissents, the Speaker shall say that the motion by leave is withdrawn”. Suppose one dissents, what happens? But if any dissent voice is heard, member rises to continue the debate, shall forthwith ....... If any amendment has been proposed to an original motion it shall not be withdrawn until the amendment is disposed of. This is according to rule 302. Probably this is the first stage. If none dissents, the Speaker shall say “the motion is by leave withdrawn”. But if any dissenting voice be heard or a member rises, to continue the debate, the Speaker shall forthwith put the motion provided that if an amendment has been proposed to a motion the original motion shall not be withdrawn unless the amendment is disposed of.

Sri C.V.K. Rao:— In this particular case, the Bill has been moved for consideration. Now you have to give as an opportunity to put forth our views and speak. Our names have been taken. In the middle he has interrupted. He has no right to interrupt. Even before opportunity is given to the Member to speak was availed, he was interrupted. He has no business to do that.

Sri P. Narsa Reddy:— Sir, under Rule 302 there is a proviso:

“Provided that if an amendment has been proposed to a motion the original motion shall not be withdrawn until the amendment has been disposed of.” If there is an amendment that amendment may be put to vote, and then the House would be free to consider the motion for withdrawal.

Sri Omkar:— How is it possible to move another amendment to that motion all of a sudden, when no time is given to do so.

Sri P. Narsa Reddy:— First of all, no amendment is there before the House.

Sri C.V.K. Rao:— You have already given a Ruling, Sir. I am raising a point of order. When the Hon'ble Speaker has given a Ruling. What are all these interruptions, I cannot understand.

Mr. Speaker:— In that case I will examine all the relevant Rules and give my ruling on Monday.

Sri E. Ayyapu Reddy:— Sir, with regard to Rule 302, may I draw your attention to:

“But if any dissenting voice is heard or a Member rises to continue the debate, the Speaker shall forthwith put the motion .......... Therefore, if there is no dissenting voice, it is approved; if there is one it may be put to vote. The Speaker shall put it to vote.

Sri C. V. K. Rao:— Even if there is one single dissenting voice, you will have to permit.

Sri P. Narasa Reddy:— There is no Rule to that effect.
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Sri M. Narayan Reddy: —Sir, I refer to Rule 144; “The member-
in-charge of a Bill, may at any stage of the Bill, move for leave to
withdraw the Bill, and if such leave is granted, no further motion
shall be made with reference to the Bill.”

I submit, Sir the Bill is introduced through a motion and that
motion is to be put to the House to grant leave for introduction—that
is the first stage.

If the motion is passed, it is put to vote again—this is the consi-
deration stage.

Again, from the stage of introduction to the stage when clause
reading is taken up, if there is any disagreement in favour of the
motion and there is a motion for withdrawal, that motion also forms
part of those stages.

In order to obtain the leave of the House, it is necessary that
motion be put to vote and leave granted. That has to be decided by
the majority of the Members voting and present in the House. In
that case . . . .

Sri C. V. K. Rao:—I am raising a point of order. The bill is
now at the ‘consideration stage’. The member-in-charge of the Bill
has placed and moved the Bill and it is before the House about to be
discussed. At this stage somebody abruptly interrupts, a member
from the Treasury Benches, and says something, and says it may be
withdrawn. This is irregular. It cannot be withdrawn. Now, we
have to contribute to the particular subject. Nowhere in the Rules,
such a procedure exists.

On the other hand, you have already given a Ruling.

Sri P. Ramachandra Reddy:—The Hon’ble Member-in-charge has
already moved for leave of the House to withdraw on the Assurance
given by the Minister. There are no amendments to the Bill.
Whenever it is unanimous, without any dissenting voice, the procedure
prescribed is that the Hon’ble Speaker will be the authority.

There are no amendments to the Bill. It can be put to the House,
whether it grants leave to withdraw the Bill.

Rule 133 is very clear. The member-in-charge has moved the
motion to withdraw the bill that is under consideration. Now that
there is a dissenting voice, it will be decided by putting the motion of
withdrawal to vote and leave of the House will be decided by
majority.

Sri M. Narayan Reddy:—There is nothing in the Rule that the
Bill cannot be withdrawn. The Rule is very clear. At any stage of
the Bill, the member-in-charge of the Bill has a right to move that
the Bill be withdrawn. The motion to withdraw the Bill may be put
to vote.
The Criminal Procedure (A. P. Amendment) Bill, 1974

Sri A. Sreeramulu:—The Bill has been introduced. Consideration has started; we were discussing it. Why abruptly so many people should oppose, I do not know.

Sri Ch. Parasuram Naidu:—Sir, the Rule 302 : “A member who has made a motion may withdraw the same by leave of the House”.

Then we go to last sentence :

“But if any dissenting voice be heard or a member rises to continue the debate, the Speaker shall forthwith put the motion ....

The word motion refers to the word motion in the first clause, that is the original motion.

So whether there is amendment or not a dissenting member may rise to continue. The original motion may be thrown out or accepted; that is a different thing. The mover has moved the motion; he has placed it before the House and if it is to be withdrawn, it has to be withdrawn by pleasure of the House, but that pleasure is to be expressed unanimously; that is the intent and purport of this rule because the leave shall be signified, not upon question but by the Speaker taking the pleasure of the House. The Speaker shall ask: “Is it your pleasure that the motion be withdrawn?” If no one dissents the Speaker shall say—the motion is by leave of the House withdrawn; if anybody dissents the Speaker cannot say that the motion is withdrawn. The wording is so clear. If no one dissents the Speaker shall say that the motion is by leave of the House withdrawn. Now let us take the reverse; if anybody dissents the Speaker cannot say that the motion is withdrawn; that is there; it is so clear and the wording is so clear. I do not know why my learned friends are allowing so much confusion to be created. After all this is a matter of procedure. Personally I think it would have been better if the Bill had been referred to the Select Committee; but that is not the question. If any dissenting voice is heard, the Speaker shall forthwith put the motion; here it is the original motion,—motion moving the original Bill that is put before the House.

Sri P. Ramachandra Reddy:—Let the hon. Member explain and interpret “forthwith put the motion”. Let him not be silent on that portion.

Mr. Speaker:—He is trying to do it to the best of his ability.

Sri Ch. Parasuram Naidu:—The proviso reads : “Provided that if an amendment has been proposed the original motion shall not be withdrawn until the amendment has been disposed of.” This is a contingency contemplated when an amendment has been moved. We are not at all concerned with that now.

Sri M. Narayan Reddy:—This confusion is arising on account of our reference to Rule 302. My submission is Rule 302 is not applicable at all. The entire confusion is on account of the wording used.
in 302. It relates to motions other than motions pertaining to the Bills. I invite your attention to Rule 244 with respect to Bills originating in the Assembly. This is a matter relating to the Bills for which a separate provision and a chapter have been specifically provided. Therefore 244 alone applies; that motion for withdrawal can be made at any stage of the Bill. What more do you want with regard to a motion for withdrawal of a Bill, Rule 402 relates to a motion pertaining to a discussion where no vote is taken. It is treated as talked out as you know. Here a specific provision has been put for withdrawing a Bill at any stage right from the introduction to the stage of passing. Therefore there need not be any confusion at all. It is only application of the Rule 144 and it has to be put to the House. Any motion pertaining to the Bill has to be put to vote of the House; It cannot be decided by the dissent of a single hon. Member.

Sri E. Ayyapu Reddy: — For the introduction of a Bill leave of the House is necessary. There may be one single dissenting voice but in spite of it if the majority of the members decide that leave should be granted, leave is automatically granted. For the introduction of a bill one single dissenting voice will not debar the bill being introduced. If the proposition which is now put forth by some of the members is accepted no Bill can be withdrawn if there is one single dissenting voice. This will lead to reductio ad absurdum. Rules 144, 100, 138 and 302 - all must be read together and it is quite clear even if there is any dissenting voice the motion shall be put and if it is voted naturally permission of the House for withdrawal must be deemed to have been granted.

Sri N. Venkataraman:— The interpretation of Rule 302 clause (2) has to be made in this way. The rule reads: “If any dissenting voice be heard or a member rises to continue the debate, the Speaker shall forthwith put the motion.” Here the motion for discussion has to be put because it is the right given to a member—even a single member to enter into a discussion. So the Speaker shall forthwith put the motion for discussion, not for vote. That is the interpretation of Rule 302 (2).

Mr. Speaker:—I think 302 will not apply; it is only 144 that will apply.

Sri Ch. Parasuram Naidu:— The Bill is not the stage of a motion being moved for its consideration. What is now before us is the motion for consideration. So rule 144 is not applicable at all.

Mr. Speaker:— 144 says the member in charge of a Bill may at any stage of the Bill move for leave to withdraw.

Sri C.V.K. Rao:— What is meant by stage? It is not in the middle of discussion; introduction, consideration and clause-by-clause consideration - those are the stages. Stage does not mean interruption in the middle.

Sri A. Veerappa:— It is very clear. “At any stage” means, there is no prescribed stage. One stage is whether it should be unanimous or not. When it is unanimous what is the procedure and
when it is not what is the procedure; these are the stages; these are the stages; it can be withdrawn at any stage. If at all it has to be withdrawn how it has to be withdrawn, in what situation it has to be withdrawn? These stages are clear; it is not necessary to argue any further.

Sri M. Omker:— Arguments from both sides have been heard. Now we require your ruling. In that connection, my humble submission is that because this Bill was introduced and immediately one suggestion has come from the Government side. That is why some lacuna is found in the Bill. In case of a dissent, what should be done. That is not mentioned there.

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

NON-OFFICIAL RESOLUTION

Sri N. Venkataratnam: —Sir, I am not moving the Resolution standing in my name.

re: VESTING OF MORE POWERS TO CHAIRMEN OF CORPORATION

Sri Ch. Parasurama Naidu:—Sir, I beg to move:

"that this Assembly recommends that the set up of the Corporations of the State Government be modified so that the Chairman of the Corporations have real and effective power suited to their position and dignity, and that the posting of I.A.S. Officers as Chief Executive Officers is unnecessary and that due place to technical personnel be given as heads there of, and that the staff be duly made administratively subordinate to the Chairman, and also to the Chief-Executive Officers of the respective Corporations".

Sri C. B. Setalvad:— The main objection is this: the Bill has been brought in by the State Government. There is another Bill in this House. The House may take a decision on this. Can we not put it in the Bill? This is not a new thing. The position of the Chairman is always present in the Bill. It is necessary that the staff be administratively subordinate to the Chairman and the Chief-Executive Officers of the respective Corporations.
Non-Official Resolution:
re: Vesting of more powers to Chairmen of Corporation.

The B.D.O. is under the administrative control of the President for the purpose of the implementation of the resolutions of the Samithi.

The purpose and aim is to concentrate upon the

re; Vesting of more powers to Chairmen of Corporations,

development based upon the response of the public for whose service it is constituted. The Collector is for everything, Collector for Corporation, Collector for Agriculture, Engineering and what not in the whole world? As a matter of policy for good administration, the Collector is for everything, Collector for Corporation, Collector for Agriculture, Engineering and what not in the whole world? As a matter of policy for good administration,

The Collector is for everything, Collector for Corporation, Collector for Agriculture, Engineering and what not in the whole world? As a matter of policy for good administration,
Non-Official Resolution:

re: Vesting of more powers to
Chairmen of Corporations.

Technically if he is a man who does the work, who bring the work, it may be justifiable. Corporations are created for better public response. Technically if he is a man who does the work, who bring the work, it may be justifiable. Corporations are created for better public response.
Non-Official Resolution: 7th February, 1975

re Vesting of more powers to Chairmen of Corporations.

2. [Text not legible]
360 7th February, 1975.

Non-Official Resolution:

re: Vesting of more powers to Chairmen of Corporations.

The Resolution is as follows:

Resolved that the powers and responsibilities of the Chairmen of Corporations be enhanced and vested in them for effective administration of the Corporations.

This resolution aims to empower the Chairmen with greater authority to manage and oversee the operations of the Corporations, ensuring a more efficient and accountable governance structure.
Non-Official Resolution:  
7th February, 1975, 361

re: Vesting of more powers to Chairmen of Corporations.

...
Mr. Speaker: — I promised to give a ruling on the question of withdrawal of the Bill by Sri Ayyapu Reddy on Monday. I think it is more appropriate to give the ruling on the next Friday when the matter is likely to come.

1-30 p. m. Now the House stands adjourned to meet again at 8-30 A. M. on Monday, the 10th February, 1974.

(The House then adjourned, to meet again at 8-30 A. M. on Monday, the 10th February, 1975)
APPENDIX.


The following decisions were taken by the Business Advisory Committee at its meeting held on 6th February, 1975 in regard to the Business to be transacted in the Assembly.

10-2-1975 (Monday) 1. The Andhra Pradesh Commercial Crops (Special Assessment) Bill, 1975 (As reported by the Select Committee)

2. The Andhra Pradesh (Telangana area) Horse Racing and Betting and Gaming (Amendment) Bill, 1975.

12-2-1975 (Wednesday) 1. The Andhra Pradesh Reserved Forests (Validation of Notifications) Bill, 1975
2. The Jawaharlal Nehru Technological University (Amendment) Bill, 1975. (As passed by the Legislative Council)

13-2-1975 (Thursday) 1. The Andhra Pradesh Recognised Private Educational Institutions (Control) Bill, 1975. (As passed by the Legislative Council)
2. Discussion on the Report of the Commission of Inquiry on Nagarjunasagar Right Canal Perubhotla-Palam Deep Cut Contract. (5-00 P.M. to 7-00 P.M.)
3. Discussion on Procurement of Levy and distribution of food-grain. (7-00 P.M. to 8-00 P.M.)

14-2-1975 (Friday) Private Members Business

15-2-1975 (Saturday) Presentation of the Budget for 1975-76.

16-2-1975 (Sunday) Holiday

17-2-1975 (Monday) No sitting

18-2-1975 (Tuesday) First day of General Discussion on the Budget.