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THE
ANDHRA PRADESH LEGISLATIVE ASSEMBLY

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THE ANDHRA PRADESH LEGISLATIVE ASSEMBLY DEBATES
OFFICIAL REPORT

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

ANDHRA PRADESH LEGISLATIVE ASSEMBLY
Tuesday, the 20th July, 1976

The House met at Half Past Eight of the Clock.
(Mr. Speaker in the Chair)

ORAL ANSWERS TO QUESTIONS

Re:—Question No. 31.

Mr. Speaker.—Since Mr. N. Venkataratnam, the Member who gave the question No. 31, is absent, I shall go to the next question.

(Answer to Question No. 31 printed as written answer, after S. N. Qs.)

MISSING OF KONDA THIRUPALAIH OF KURNOOL

32—

*7735—(z)Q.—Sri P. Rahman Khan (Kurnool) :—Will the Chief Minister be pleased to state:

(a) whether it is a fact that a prominent, rich businessman of Kurnool (Gandhinagar) by name Sri Konda Thirupalaiah, has suddenly disappeared four months back and his whereabouts are not known till now;

(b) if so, whether it was a case of murder; and

(c) if so, the action taken or proposed to be taken by the Government?

The Chief Minister (Sri J. Vengal Rao):—(a) Yes. Sir.

(b) and (c) : A case in Cr. No. 613/75 u/s man missing has been registered in Kurnool I Town Police Station and it is under

* An asterisk before the the name indicates confirmation by the Member.

J. No. 37 [123]
investigation. Whether it could be a case of murder is yet to be established. The case has been entrusted to Crime Branch, C.I.D., for investigation and the enquiries are continuing.

* Sri P. Rahman Khan:—Sir, it is a very interesting and peculiar case. Interesting in the sense that the man suddenly disappeared on 10.10.1975 at about 11.00 p.m. in the night when he was returning from his usual business. He used to carry a bag with all the pro-notes, etc. The case is a peculiar one in the sense that till now i.e. after the lapse of 10 months, the police has not been able to trace out the person.

I think the police has miserably failed in this case. Even after 10 months time, they could not get the truth about this disappearance. He is a rich and influential man having Rs. 50 lakhs. He was trading in rice business. Many influential and various types of people were heavily indebted to him. There is no safety for property and persons in these days. So, I request the Chief Minister to go thoroughly into the matter and entrust this work to the Special Branch Police or C.B., CID so as to create confidence in the public.

Remodelling of Main Canal and Distributories Under Nizam Sagar Project

* 8166 Q.—Sri M. Narayana Reddy (Bodhan):—Will the Chief Minister be pleased to state:

(a) whether the attention of the Government has been drawn to the observations and recommendations made by the Estimates Committee of the A.P. Legislature during 1974-75 with regard to defective,
haphazard and irregular works connected with the remodelling of main canal and distributories under Nizam Sagar Project:

(b) if so, whether any enquiry has been held to identify these works and persons responsible for the same;

(c) whether any action has been taken to provide funds for carrying out fresh repairs and remodelling of these distributories and main canal as recommended by the Estimates Committee; and

(d) if so, the details thereof?

The Minister for Medium Irrigation (Sri V. Krishnamurty Naidu):—

(a) The attention of the Government has been drawn to the Sixth Report of the Estimates Committee (1974-75) about the Nizamsagar Project, in which the Committee has opined that investigation should be made into complaints about the defective nature of works connected with the Nizamsagar main canal and distributaries.

(b) The inadequacies pointed out in the Estimates Committee’s report have been identified. The report of the Director, Andhra Pradesh Engineering Research Laboratories, has been prepared. The matter is under examination in regard to identifying the persons responsible.

(c) & (d) Yes, Sir. An amount of Rs. 28.00 lakhs has been provided for this purpose in the current year (1976-77). This amount of Rs. 28.00 lakhs is for remodelling the main canal and distributaries.

Sri M. Narayana Reddy: - What about the quality of the works? There are complaints about the defective nature of works connected with the Nizamsagar main canal and distributaries.

Sri M. Narayana Reddy:—The C.E. himself was with the Estimates Committee when it went round the Canals to see whether certain works had been done or not. There is no question of examination of the Chief Engineer. The Estimates Committee specifically recommended that certain works have not taken place in many places and lakhs of rupees were spent. Therefore, the Committee recommended for the enquiry into the matter and to fix up the responsibility on the officers concerned who have committed this kind of fraud.

Sri V. Krishnamurthy Naidu:—As far as the point of ‘defective work’ is concerned, we have already agreed. We will think of appointing a Committee for enquiry.
Sri M. Narayana Reddy:—Whether any amount has been provided for the works, so that remodelling of the main canal and distributaries could be taken up along with other works?

Sri V. Krishnamurthy Naidu:—Rs. 28.00 lakhs are provided for remodelling the main canal and distributaries.

Sri M. Narayana Reddy:—Whether any assessment has been made in terms of value or volume of the works to be done and if so what is the amount that would be earmarked for such works?

Sri A. Sriramulu (Eluru):—There are two aspects in this Question. The Minister is admitting that there is defective execution of the works. But the Estimates Committee is of the view that certain items of the works were not executed at all. Whether any responsibility has been fixed against the concerned? Another point is what steps have been taken by the Government on the recommendation of the Estimates Committee?

The Government will examine the matter.

Sri C. V. K. Rao (Kakinada):—When the Estimates Committee has made a recommendation, is it not binding on the Government to go into the entire observation? What more delaying tactics are going to be adopted by the Government?

The Government has not denied the recommendations made by the Estimates Committee.

Sri A. Sriramulu:—What about the fixing up of responsibility for defective execution of the works?

Sri V. Krishnamurthy Naidu:—We have yet to do it. We will take up the case.
Oral Answers to Questions. 20th July. 1976.

74.问他 allas ni 134081 अनुसार विषयमाफी. मुझे ताकि उत्तरहन रहा था क क र असुन. तब रत त दुःखित होकर रहा हूँ।

(१) ए. प्रेमा रांगे:—सिंह राजा है राज्य, राजसंहार है दुःख दुःख, इसलिए मैं इच्छुक होता हूँ। नामित मैं नहीं दे सकता ख्याति।

Sri A. Sreeramulu:—The question may be postponed.

Mr. Speaker:—Yes.

Smt. J. Eshwari Bai (Yellareddy):—I am requesting the Chair to postpone the question.

Mr. Speaker:—The question is postponed.

Re: Question Nos. 34 & 35

Mr. Speaker:—Question No. 34 Mr. Kondappa Naidu has to put the Question. Since he is absent, I shall go to the next Question.

Sri C.V.K. Rao:—I will put the question, Sir.

Mr. Speaker:—I do not allow, since the member is absent.

Sri C.V.K. Rao:—Any Member can put the question. Please permit me.

(२) व. पृष्ठांत:ः—लालित राम जी (राम) लालितादेवी कहाः। राम को लालितादेवी कहाः। राम के लालितादेवी कहाः।

(३) व. क. सुभाष:ः—लालितादेवी कहाः। लालितादेवी कहाः। लालितादेवी कहाः। (कहाः)

(४) व. श. छेकर:ः—सीता रामजीन बनाई। सीता रामजीन बनाई। सीता रामजीन बनाई। (बनाई)

(५) व. क. श. रामजीन:—सीता रामजीन बनाई। सीता रामजीन बनाई। सीता रामजीन बनाई। (बनाई)

Mr. Speaker:—I will consider it if the time permits. Now, I shall go to the next question No. 35. Since Mr. K. Subba Rao, the Member who put the question is also absent. I am going to the next question No. 36.
Mr. Speaker:—It is true that there was a convention in this House and it was not being regularly used by all the Members. Another point is that the Rules Committee went into the matter once again and gave the discretionary power to the Speaker in regard to allowing other members to put the question.

Smt. J. Esware Bai:—When I was not in the Station in the last Session, my questions were discussed here. So, if the Member is not here, there is a procedure to allow other members to put the questions.

Mr. Speaker:—That was the procedure, I agree. On the matter, once again the Rules Committee considered the issue and made a new Rule,

Mr. Speaker:—I am sorry, I cannot help. There are Rules framed for which you are also a party.

Mr. Speaker:—I will read the relevant rule here. "Rule No. 49 If on a question being called it is not put or the member in whose
name it stands is absent, the Speaker, at the request of any member, may at any time before the House enters upon the other business direct that the answer to it be given.'

This is the rule position. I have entered into the next question too. Now, Sri J. Chokka Rao to answer.

(Answers to Qns 34 and 35 Printed as Written Answers, after S. N Qs.

Opening of a Technical Cell for the Co-operative Sugar Industry

*7962 Q.—Sri U. A. Suryanarayana Raju (Jam):—Will the Minister for Agriculture be pleased to state:

(a) whether it is a fact that the State Government have decided to open a technical cell for the co-operative sugar Industry, under control of Director of Sugars to improve the working of the Co-operative Sugar Factories and to help the cane growers; and

(b) if so, will the Government think of bringing the private Sugar Factories also under the said cell and take advantage of high and latest technical advise and avert national wastage and losses?

The Minister for Agriculture (Sri J. Chokka Rao):—(a) Yes Sir;

(b) The suggestion will be examined by the Government later after gaining experience on the working of the technical cell for the Co-operative Sugar Sector.
Fixing of Uniform Staffing Pattern for all Co-operative Sugar Factories in the State

*7965 Q.—Sri U. A. Suryanarayana Raju :—Will the Minister for Agriculture be pleased to state:

(a) whether the Government propose to fix uniform Staffing pattern for all the co-operative Sugar Factories in the State according to their crushing capacity and to implement the same; and

(b) if so, the manner in which the present additional staff will be adjusted?

Sri J. Chokkarao—

(a) At the instance of Director of Sugar, the Andhra Pradesh state Federation of Co-operative Sugar Factories Limited have finalized staffing pattern to all Co-operative Sugar Factories. The Federation, it is reported is taking steps to advise the Co-operative Sugar Factories to adopt the pattern.

(b) According to the report of the Director of Sugar, the surplus staff, if any, belonging to one Department is likely to be adjusted in another Department and the regular incumbents are not likely to be affected.

Oral Answers to Questions

(7) 132 20th My, 1976. Oral Answers to Questions

1 Q. No, 38 not put. Answer printed as Written Answers after S.N.Qs.

Deletion of Jhetty Community from the list of Backward Classes

39—

*7734 (O) Q.—Sri Nallapareddi Sreenivasul Reddi (Gudur) :—
Will the Minister for Power be pleased to state :

(a) whether it is a fact that Jhetty community has been deleted from the list of backward classes and if so, the reasons therefor;

(b) whether the Government will consider to include the Jhetty community again in the list of Backward classes; and

(c) what are the communities that have been deleted from the list of backward classes?

The Minister for Power (sri G. Raja Ram) :—

(a) (b) and (c) :—

A statement is placed on the Table of the House.

Statement

(a) Jhetty community is not included in G.O. Ms. No. 1793, Edn. dated 23-9-1970 in the list of Backward Classes as it is not socially and educationally backward. The list of Backward Classes was finalised in above Government order on the recommendations of the Backward Classes Commission.

(b) No, Sir,
(c) The following communities which were included in the earlier list issued in G.O. Ms. No. 1856, Edn. dt. 29-7-66 are not now included in the revised list legally valid now.

Sri Ch. Parasurama Naidu (Parvathipuram) :—The Constitution has defined as to what are the backward classes within the concept of it. They are socially and educationally backward. The Hon. Minister has said the average income of the Jhetty community is Rs. 2,500 and therefore they are eliminated from the Backward Classes list. That is certainly not the criteria which the Constitution has prescribed.

Mr. Speaker:—We will discuss later about the constitutional matter.

Sri Ch. Parasurama Naidu :—That is no criteria at all. A wrong criteria has been adopted. A rich man may be avoided but not the entire set of people.

Mr. Speaker :—He has already said so. The commission has given and in the appropriate time it will be reconsidered.
Mr. Speaker:- From time to time the Commission will be appointed and not every time when there is a grievance.

UNAUTHORISED OCCUPATION OF HUSSAINSAGAR BED

(a) whether the dispute in regard to title of the Shikam of Hussainsagar (S.Nos. 9/2 to 9(20) pending in the City Civil Court has been settled;

(b) if so, the details of the decision of the Court;

(c) the steps taken by the Government to evict the encroachers; and

(d) the extent of Government land under unauthorised occupation and the encroachers?

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

(b) The claims of the Plaintiff and the other respondents (other than Government for an area of 19.9 acres out of S. Nos. 9/15 to 9/19 have been dismissed treating the land as Government land.

(c) In pursuance of the Judgement of the City Civil Court, the land measuring Ac. 10-12 gts. on the eastern side of the Secretariat Compound wall has been handed over to P.W.D. (R & B) and it has been fenced. An area of 0.18 gts. is under the unauthorised occupation of 19 hut dwellers and no action has been initiated to evict them as they are all slum dwellers. As regards the eviction of the buildings occupied by Sri Konda Laxman Bapuji and Smt. S. L. Gunti, the Tahsildar, Hyderabad Urban has initiated action and issued notices under Land Encroachment Act for evicting them. They filed Appeals in the High Court against the Judgment of the City Civil Court and obtained stay orders. Action is being taken to move the High Court to vacate the stay orders.

(d) Besides the buildings of Sri Konda Laxman Bapuji and Smt. S.L. Gunti. about 18 guntas of land is under unauthorised occupation of the following: 19 slum dwellers.
The case of Sri Konda Laxman Bapuji and Smt. S. L. Gunti is now before the High Court and is covered by stay orders. Hence the matter is subjudice.

Sri A. Sriramulu:—This is a very important issue which attracts a sort of controversy in this House between the Hon. Minister for Municipal Administration and the member Mr. Konda Lakshman. Our Chief Minister also made an affirmative statement that within six months time he would evict anybody whatever be the status of the man who has encroached. Now we are told that a suit has been decided in favour of the Government. This is a Government site and it has been unauthorisedly occupied by the Hon. Member of this House. I want to know on what date this decision of the Court became available and what immediate action was taken by the Government to immediately evict the encroacher without allowing him to get an opportunity to rush to the High Court and get a stay.
Sri A. Sri Ramulu:—When the decision became available what further action was taken. We want to know as to how much time has been allowed in between the stay given and when the matter was referred to the High Court.

Mr. Speaker:—That statement is not violated now.

Mr. Speaker:—Still it is pending in the High Court.

* Sri P. Naras Reddy:—We have asked the Advocate General to appear in the High Court on behalf of Government. It is true that Hon'ble Member had given a statement that 'the moment the Court decides that this land belongs to Government, I will vacate'. But nevertheless he disputed the judgement of the Court.

Mr. Speaker:—He said ultimate decision, not intermediate decision—without resorting to execution proceedings, he would himself voluntarily vacate.
Mr. Speaker:—The statement made by the party in the House is not going to be questioned in the Court against him nor the court is going to take cognisance of the fact.

*Sri Syed Hasan (Charminar):—Sir, the Government had replied, it has been decided by the Court that the land belongs to the Government. I want to know whether the Muslim Wakf Board is also a party to this case? Because Muslim Wakf Board had claim over that.

*Sri P. Naras Reddy:—Muslim Wakf Board is not a party to the suit nor there is any wakf property involved. This is an inam land.

Sri C.V.K. Rao:—This concerns to an important member of this House who is on the side of Treasury Benches. I would like to know that what are the steps taken by the Leader of the ruling party to vacate this gentleman from the land which he unauthorisedly occupied. What has he got to say on this. When a member has committed a particular irregularity, the House has a right to seek from him what he has got to say.

Mr. Speaker:—This question need not be answered.

*Sri A. Sriramulu:—On what date the High Court granted stay and on what date the Government Pleader filed a petition for vacation of the stay. What exactly has happened to the petition for vacating the stay.

*Sri P. Naras Reddy:—The date of the order of the High Court is not here; but the suit was decreed on 11-11-1975. For eviction he wanted 3 months time.

Sri A. Sriramulu:—I have a very valid apprehension. This must be an ex parte suit.

Mr. Speaker:—Very often it is so. It is very easily granted also.

Sri A. Sriramulu:—This is such an important question, where the C. M. took a very firm stand—"whatever his status might
be whether he is big or small, the enemy he is certainly going to be evicted." It was a comment not on the part of the Chief Minister. When that is the background, is it not the duty of the Government to direct the Govt. Pleader to be present in the Court so that ex parte orders are not passed.

Mr. Speaker.—In property matters normally say is granted.

Sri A. Siriramulu :—This is a matter where an important person, an Hon'ble member of this House is involved. He has a huge unauthorised construction on the Government land. The Court has decided in favour of the Government. Is it not prudent or desirable on the part of the authorities to expect that this gentleman will immediately rush to the High Court. Government might have directed the Government Pleader to be present all through 24 days so that he (G. P.) can oppose his stay petition. Was that arrangement made?

*Sri P. Naras Reddy.—Government Pleader cannot be expected to stand present all the 24 days in the Court unless Government directs him to do so. Government was aware that the party may go to High Court. We asked the Government Pleader to be attentive on it, but nevertheless, stay was issued. We have asked the Advocate General to present.

Sri A. Siriramulu :—Sir, I cannot understand this. What is the job of the Government Pleader? He is paid for it; he must be in the Court.

Mr. Speaker.—Normally the Government Pleader is properly instructed to appear, he will appear or he will arrange somebody to appear.

Sri A. Siriramulu ;—Whether instructions were given asking the Government Pleader, on behalf of the Government to appear in the Court and whether ex parte orders were passed. That has to be clarified because the entire House is interested.

Mr. Speaker : It will be done after final orders are passed.

Sri A. Siriramulu ;—We should be informed of it as to what steps have been taken by the Government. Let the Minister enquire into the matter and inform us.
Sri P. Narasareddy:—Is it the way of showing respect to another Member, by asking that the Government must immediately evict him and his family members and even put them on the road.

Mr. Speaker:—Even Government has no right to do that.

Sri A. Sriramulu :—I take objection to the Minister's reply. After all, we are guided by law and the commitment which our Hon'ble C. M. has made. When the Chief Minister has made a commitment that within 6 months he will evict anybody who encroached the Government land, he should have taken into consideration the human aspect also.

Mr. Speaker:—Even to evict and take possession, it will take 6 months time after the judgment has been delivered. You have to obtain public copies of the judgment and several procedures have to be followed. Even the Chief Minister will not be able to do overnight.

Sri A. Sriramulu :—I agree, that is the due course of law.

Mr. Speaker,—I am saying, with all the power at his command even the Chief Minister, I think, won't do it overnight. If he does it, it will not be legal.

Sri A. Sriramulu :—I would request you to appreciate my anxiety because we should set an example to the outside world.

Mr. Speaker,—I am saying, with all the power at his command even the Chief Minister, I think, won't do it overnight.
Orai Anders to Quest! This 3rd July, 1976. 14 i

Sri P. Narasa Reddy—We have submitted a petition to vacate the stay orders and asked the Advocate General to appear.

Sri A. Srinivasa Reddy—According to the recent ordinance issued by the Government in respect of encroachments in municipal areas, there is no jurisdiction for the courts. Does the ordinance apply or not to this particular encroachment? How did the Court entertain this particular gentleman's request?

*Sri P. Narasa Reddy:—Where a question of title is involved, our ordinance of restraining the court from entertaining, does not apply.

Mr. Speaker:—If you want, you can have a final judgment copy. We will keep a copy in the library.

Construction of Bridges on the Stream Flowing Across
The Govt. Road at Yadiki etc., Villages

41—

"7739—(Z) Q.—Sri D. Venkata Reddy (Gooty):—will the Minister for Public Works Department be pleased to state:

(a) whether it is a fact that there is a stream flowing across the Government road at Yadiki, Peddapeta, Vemulapadu, Eguduru of Tadipatri taluk;

(b) whether estimates have been prepared to construct bridges on the stream; and

(c) if so, when the construction work of the above bridges will be taken up?

The Minister for Public Works (Sri Ch. Venkata Rao):—(a) Yes Sir.

(b) While proposals for construction of a high level bridge on Nellore-Bellary-Bombay Road near Peddapeta are under scrutiny, detailed estimates for construction of high level bridges at Vemulapadu and Eguduru villages on Tadipatri-Rayalacheruvu road are under preparation. Administrative sanction for estimate for construction of a bridge at Yadiki has been accorded for Rs. 5.55 lakhs.

(c) The bridge work at Yadiki is expected to be taken up soon. Estimates in respect of the other proposed bridge are yet to be finalised by the Chief Engineer (Roads and Buildings).
42—

*7689 Q.—Sri Nallapareddi Sreenivasul Reddi:—Will the Minister for Minor Irrigation be pleased to state :

(a) whether new minor irrigation works will be taken up in the State at least during 1976-77 or only spill over works will be continued,

(b) if so, why:
(c) whether the minor irrigation programmes will be taken up, at least in backward areas;

(d) by what time the present spill over works will be completed?

The Minister for Minor Irrigation Sri A. V. R. S. Anandarao.—

(a) Under Central Assistance Programme and Tribal Programme, Drought Prone Areas Programme, new works are being taken up. Under Normal programme there is a ban on taking up new schemes without Government's approval until the spill over schemes are completed.

(b) New works are taken up as explained above, taking into consideration the availability of funds.

(c) All the works taken up under Central Assistance programmes are in backward areas only. Under the Normal programme also amounts are earmarked for being spent in backward taluks.

(d) Most of the spill over works of Normal Programme are expected to be completed by 1977.

Oral Answers to Questions. 20th July, 1970. 143
Engaging of a Private Advocate at Hyderabad by the Local Marketing Committees

43—

*7737 (F) Q.— Sarvasri Ch. Parasuram Naidu and Nallapareddy Sreenivasul Reddy.— Will the Minister for Marketing be pleased to state:

(a) whether the Government issued G.O.Ms. No. 93, Food and Agriculture (Agri. IV) Department dated 10-2-1975 whereby the local Marketing Committees of the State are directed to engage a private Advocate at Hyderabad on their own cost for all their legal affairs.

(b) if so, the reasons therefor; and

(c) whether the Market Committees are not free under the rules to engage an Advocate of their own choice?

The Minister for Marketing (Sri P. Mahendra Nath): (a) Yes, Sir, to the extent of dealing with and defending the Market Committees in the State in all Writ Petitions filed in the High Court.

(b) The inability of Marketing Committees to secure and utilise the services of Government Pleader in the High Court to defend the interests of Marketing Committees locally to save the Marketing Committees from the heavy expenditure to be incurred by engaging the services of different private Couns. Is.
(1) No, Sir. As per rules, the market Committees, with prior permission of the Government, can engage an Advocate of their own choice.

Mr. Speaker:—Let the hon. Member satisfy the hon. Minister. If the Minister is satisfied that his directions are not proper, then he will re-examine.

Mr. Speaker:—Answers to the remaining questions will be placed on the table of the house.

(See written Answers to Questions for Q. Nos. 44 and 45)

SHORT NOTICE QUESTIONS AND ANSWERS

Mr. Speaker:—Now we will take up short notice questions. S.N.Q. No. 45-A has been withdrawn by the Member.

ALLEGATIONS OF IRREGULARITIES & MALPRACTICES AGAINST THE MANAGEMENT OF NIZAMABAD COOPERATIVE SUGAR FACTORY

45-B-

S.N.Q. No. 8650-E:—Sri M. Narayana Reddy (Bodhan):—Will the Minister for Agriculture be pleased to state:

(a) whether any representation has been submitted by the former Chief Engineer of the Nizamabad Co-operative Sugar Factory to the Government and other concerned authorities alleging very serious irregularities and mal-practices against the management of the factory.

(b) if so, the action taken in the matter; and

(c) whether a copy of the representation will be laid on the Table of the House?
Sri J. Chokka Rao:— (a) A representation has been received from the former Chief Engineer by the Government in the matter under examination of the Government.

(c) No such application has been received by the Government.

WRITTEN ANSWERS TO QUESTIONS (STARRED)

STAGE OF SWARNA MURDER CASE CASE IN GUNTUR DISTRICT

31—

*7778 Q.—Sri Nissankarao Venkataratnam (Guntur—I) :—

Will the Chief Minister be pleased to state:
(a) the present stage of 'Swarna Murder' case which took place in Swarna village, Guntur District on 5-1-1975;

(b) whether the police officials and other officials were made as accused either in the charge sheet filed by the State or in the private complaints filed by the father of the deceased;

(c) the various charges against them; and

(d) the Departmental action taken against such Police Officials?

A.—(a) Swarna village is in Prakasam District. The case is pending trial before the Sessions Court, Ongole.

(b) The Circle Inspector of Police and the Sub Inspector of Police concerned have been included as accused in the charge sheet filed by the police. Some police and other officers were mentioned as accused in the private complaint filed by the father of the deceased.

(c) The charges against the police officers in the State charge-sheet are framing incorrect record with intent to save person from punishment and causing disappearance of evidence of offence and giving false information to screen offenders. In the private complaint filed by the father of the deceased the charges against police and other officers are criminal conspiracy and causing of disappearance of evidence of offence and giving false information to screen offenders.

(d) The Circle Inspector of Police and the Sub Inspector of Police concerned have been kept under suspension, and they are facing prosecution. Regarding the other police and other officers, the alleged lapses on their part could not be enquired into, as the matter is sub-judice and necessary action will be taken soon after the main case is disposed of by the Sessions Court, Ongole.

MISUSE OF SUGAR IN CONNECTION WITH THE DISTRIBUTION OF SUGAR IN KAVALI TALUK

34—

*8141 Q. Sri G. Kondapa Naidu (Kavali) :—Will the Chief Minister be pleased to state:

(a) whether the District Collector, Nellore received any complaints during 1975-76 alleging that hundreds of bags of sugar had been misused in connection with the distribution of sugar in Kavali taluk;

(b) whether the photo copies of sugar distribution cards which have been tampered, have been submitted as evidence in support of the said allegations;

(c) whether enquiry has been conducted into the said allegations;

(d) in case the said allegations have been proved, the action taken against the Persons responsible for the same?
A.—

(a) One Sri T. Nagabhushnam an ex-sugar dealer of Kavali town has put in petition on 9-9-75 alleging several irregularities against the former Civil supplies clerk of Taluk Office in the issue of sugar cards in Kavali town. The main allegations are that the clerk had managed to issue some bogus cards and duplicate cards and that he also corrected the classification of the cards from ‘D’ to ‘C’ under his initials without obtaining the orders of the Tahsildar.

(b) No, Sir.

(c) The allegations and irregularities were enquired into by the Tahsildar on 17-12-75 and 22-12-75. The enquiry revealed that some duplicate cards were issued which is attributed to pressure of work. But action was taken to eliminate such cards and 62 such cards were cancelled. It is not a fact that hundred of bags was of sugar was misused in the distribution of sugar in Kavali town as alleged.

(d) The action against the Clerk has not yet been finalised and it is ending disposal.

ISSUING OF LICENCE TO THE RICE MILLS BY THE DIST. COLLECTOR

35—

*77:0-(1) Q.—Sri K. Subba Rao (Proddatur) : —Will the Chief Minister be pleased to state :

(a) whether a District Collector can grant licence under section 6 of the Rice Milling Industry (Regulation) Act to run a huller type mill without the approval of the concerned Gram panchayati as required under section 125 of the Gram Panchayat Act; and

A.—

(b) if so, the purpose of the existence of Gram Panchayat?

(a) A licence under section 6 of the Rice milling Industry Act to run a rice mill cannot be granted by the Collector unless a rice mill is established in accordance with the permit granted under section 5 of that Act. No construction of a rice mill can be started without the premission of the Gram Panchayat under section 125 of the Gram Panchayats Act. The question of the Collector granting a licence under section 6 of rice milling Industry Act before a rice mill is established with the permission of the Gram Panchayat does not therefore arise.

(b) In view of answer to (a) above, this does not arise.

FREE AERIAL SPRAYSING OF PESTICIDES

38—

*8373 Q.—Sri M. Nagi Reddy (Gurajala) :—Will the Minister for Agriculture be pleased to state :

(a) whether the Government propose to help farmers by arranging free aerial spraying of pesticides to control pests, and

(b) if so, whether it will be implemented during the coming Kharif and Rabi seasons?

A;— (a) No, Sir.

(b) Does not arise,

FISHING VILLAGES ALONG THE COASTAL LINE OF ANDHRA PRADESH

44—

*S311-Q.—Sri G. Kotaiah (Chirala):—Will the Minister for Fisheries be pleased to state:

(a) the length of coastal line of Andhra Pradesh;
(b) the number of fishing villages existing along this coastal line; and
(c) the number of fishing harbours existing along this coastal line?

A.—

(a) 982 Kms.
(b) 419.
(c) There are no separate fishing harbours in the state.

ORGANISATION OF SANGAM JAGARLAMUDI MILK FACTORY ON THE "ANANDA" PATTERN

45—

*7889-Q.—Sri Nissankararaa Venkataratnam.—Will the Minister for Animal Husbandry be pleased to state:

(a) whether it is a fact that the Sangamjagarlamudi Milk Factory is to be organised on the ‘Ananda’ Gujarat pattern;
(b) if so, the details and relative advantages of the pattern than under the Dairy Development Corporation;
(c) the number of societies recommended by the Special Officer, Guntur and registered till now and their details;
(d) whether instructions have been issued to give preference to weaker sections in registering the societies; and
(e) whether there is proposal to convert the Hyderabad Milk Factory into Ananda pattern?

A.—

Answer is placed on the Table of the House.

(a) Yes Sir.

(b) Under the ‘Amul’ pattern the member producer will have the satisfaction that he is the owner of the Dairy and strive his best for improving its working.

The experience in Anand has proved that Dairies Organised in Co-operative Sector are highly successful.

(c) Of the 33 Societies recommended by the Special Officer, Guntur 24 societies in the following villages have been registered.

Matter under Rule 329
re: Breach to the Power Canal at Lower Sileru.

Tenali Taluk
7. Ceempadu  8. Pedapalem

Guntur Taluk
17. Pedakakani  18. Pedavadlapudi

Narasaraopet Taluk

Bapatla Taluk

The proposals sent by the Special Officer (Survey) in July, 1976 in respect of nine more Societies are under consideration of the Andhra Pradesh Dairy Development Corporation.

(d) All eligible applicants who fulfil the conditions of section 21 of the Andhra Pradesh Co-operative Societies Act can become members of a Society.

(e) No, Sir.

Business of the House

Mr. Speaker:—As and when information is received, the condolence motion is put on the agenda immediately.

Matter under Rule 329
re: Breach to the Power canal at Lower Sileru
The Minister for Power (Sri G. Raja Ram):—On the 9th July at about 11-00 P.M. after a heavy downpour of rain a breach had occurred on the Power Canal, taking off from the saddle dam to the Fore-bay dam of the Lower Sileru Hydro Electric Project. This breach occurred at 2/1 mile at the point of entrance of the canal to the second aqueduct from the saddle dam Ganguwada. At this point, there is a high embankment and the breach that occurred is at this high embankment.

2. During the current rainy season, the first after the Project commissioned, regular patrols are being carried out to see that the canal and this high embankments are in good shape. On the 9th morning, the Superintending Engineer had gone along the canal and found nothing by way of any damage to the embankments. Later that night, after a heavy downpour of rain, a report was received about the breach of the canal by the staff and they had rushed to the spot after ensuring that the intake gates were closed. The Superintending Engineer and his officers who rushed to the spot found a breach to a length of about 100 ft on the left side of the canal and for a few feet on the right side of the canal. Actually no water went out from the right side of the embankment as most of the water leaked from the left side.

3. As to the exact reasons for this breach investigations are still underway. In the meantime, however, in spite of continual rains in the area, work is going on with the mechanical equipment to fill the breach with rock spoil available from nearby area. Rock spoil is being used because it is not possible to build up earthen embankment during the rainy season. Out of about 20,000 cubic meters filling required about 2,000 cubic meters of rock spoils has been filled.

Matter under Rule 329:
re: Breach to the Power Canal at Lower Sileru.

is inspite of the difficulties in the movement of vehicles over the slippery reads and the ramp formed to reach the breach. During dry spell, it should be possible to dump 2 to 3 thousand cubic meters of rock spill.

4. Chief Engineer (Civ l) and Technical Member and other civil and mechanical staff are already on the job all the time and the work is going on round the clock and it is expected that if the continuous rains do not persist, we should be in a position to fill the breach and line the canal with the rubble masonry for bringing it into use in about 10 days.

5. Inspite of this breach in the Power Canal there is some inflow into the Forebay dam from the Alimeruvagu and with this inflow the unit is working for about three hours a day. We are at present generation about 5.5 lakh units per day.

6. The Chairman, A.P-State Electricity Board visited the site on the 14th and reorganised the work in such a way that it can be completed as fast as possible inspite of the existing weather conditions etc;
Matter under Rule 329:
re: Breach to the Power Canal at Lower Sileru.

Sri A. Sreeramulu (Eluru):—I have given notice of a short-notice question on the very same subject. I may be permitted to put one question on this issue.

Apart from the big statement the hon. Minister was pleased to read, we want to know what is the total loss sustained by the Electricity Board on account of the fall in generation and on account of the work being re-done.

The second point is: the hon. Minister may say that it is a very surprising and unexpected affair. But according to a very reliable technical source, it is on account of defective plan and execution. Will the government immediately institute an enquiry into this ugly incident taking place in less than one year, and bring the culprits to book?

Sri A. Sreeramulu:—It is almost becoming a matter of routine for the Electricity Board, Kothagudem power station failed, the Nellore Thermal station broke down. It has become a routine inspite of the platitudes and elaborate statements given by the hon. Minister. Is the Government prepared to entrust this issue to a technical committee to investigate into the matter and to get at the truth?

Condolence Motion:
re: Demise of Sri Maganti Ramiah, former M. L. A.

Sri J. Vengal Rao:—I beg to move:

"That this House places on record its deep sense of sorrow at the demise of Sri Maganti Ramiah, a former Member of the Andhra Pradesh Legislative Assembly and conveys its deep sense of sympathy to the members of the bereaved family"

Mr. Speaker,—Motion moved.

Sri Ch. Parasuram Naidu (Parvathipuram) :- Sir, I wholeheartedly associate myself with the noble sentiments expressed by the Hon'ble Chief Minister in respect of the Services rendered by the deceased member and I wish that his soul rests in peace.
Calling attention to Matters of Urgent Public Importance

re: Loss sustained by the Ayacutdars under Pocharam Project on account of non-supply of water.

Sri L. R. N. R.:—Sir, we sincerely support this resolution.

Mr. Speaker:—I associate myself fully with the sentiments that have been expressed by the Leader of the House and the Hon'ble Members on the demise of Sri M. Ramaiah, a farmer member of this House. I now request the Hon'ble Members to raise in their seats, as a mark of respect, and stand in silence for two minutes.

Mr. Speaker:—The question is:

"This House Places on record its deep sense of sorrow at the demise of Sri Maganti Ramaiiah, a former member of the Andhra Pradesh Legislative Assembly and conveys its deep sense of sympathy to the members of the bereaved family."

The Resolution was adopted nem con, all the Members standing.

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

re: The loss sustained by the Ayacutdars under Pocharam Project on account of non-supply of water.

Sri M. Narayana Reddy:—I call the attention of the Minister for Revenue regarding the loss sustained by the Ayacutdars under the Pocharam Project on account of non-supply of water.

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

Pocharam Project has been divided into two zones viz., 'A' zone and 'B' zone for the purpose of second crop localisation. During the last Fasli year, tahbandi was made in respect of 'B' zone in the I.D.B. Meeting held on 12-12-1975 and an area of 2,600 acres was localised for second crop cultivation in 'B' in 15 villages. On receipt of a representation from the Hon'ble Member and others, alleging that certain extents in 'B' zone had suffered for want of supply of water, and that certain areas in 'A' zone had been wrongfully supplied water, the matter was referred to the Board of Revenue for report. The Fifth Member Board of Revenue visited the area and discussed the matter with the concerned officials of the Revenue and Irrigation Department. It is reported that an extent of 247 acres in the localised zone...
156 20th July, 1976. Calling Attention to matters of Urgent Public Importance:
re: Loss sustained by the Ayacutdars under Pocharam Project on account of non-supply of water.

in Thimmareddi and two other villages had been lost due to non-supply of water.

The primary cause for inadequate supply of water to the localised ayacut in the above mentioned villages appears to be due to unauthorised irrigation of about 400 acres in the upper reaches in the 'A' zone. Prima facie this seems to be due to lack of adequate attention on the part of the local authorities in charge of water regulation in the irrigation system. A detailed report will be called for in this regard.

Regarding the damage to the crop the Revenue authorities have granted remission after due azamoish.

Sri M. Narayana Reddy:—You might have noticed that there are two zones under Pocharam Project out of which one has always remained.

Sri A. Srimulu:—Sir, somebody accompanied the Minister. He simply walked in, locked at u and left the place. The Minister will have to tell us.

Mr. Speaker:—Who is the Minister?

Sri A. Srimulu:—Mr. Asif Pasha. He came behind him.

Sri Asif Pasha:—Nobody came behind me.

Sri A. Srimulu:—The marshal must be sent and it must be investigated as to how he walked into the House.

Mr. Speaker:—Mr. Sadasiva Reddy please find out.

Sri M. Narayana Reddy:—The statement shows that there are two zones, out of which one would always remain prohibited zone for the second crop. The Hon'ble Minister has conceded that there was cultivation in the prohibited zone to the extent of more than 1,200 acres, due to which more than 300 acres sustained total loss in the irrigated zone. But there was no need for the Hon'ble Minister to make a statement prima facie because an enquiry has been held by the Chief Minister. We are grateful to the Chief Minister for sending the Chief Engineer on the very next day he received the representation. The Chief Engineer went about three miles and found out that unauthorised irrigation was given in the prohibited zone. Prima facie there was no negligence. Water was let out under the Project. Sir, what I want the Hon'ble Minister to note is without letting out the water by the irrigation officials no water would flow into the prohibited zone and such a report had been made to the Government with the knowledge of the Hon'ble Minister, Revenue Board Member and Chief Engineer; on that what has been done merely so far, was only
Calling attention to matters of urgent public importance

re: Loss sustained by the farmers under Pochararam Project on account of non-supply of water.

the transfer of the supervision when the Chief Engineer himself asked for suspension of all the concerned officials. The Minister has also received a report, I am told, that irrigation Officers were responsible, but so far no action has been taken. That is one thing Sir. The second point is when more than 300 acres of crop sustained total loss belonging to very small ryots owning less than one acre in that area, no compensation has either been provided or promised so far. While penalties to the extent of several lakhs may be levied and should be levied on the unauthorised irrigation that was done in the other zone. There are two things which the Minister has to kindly clarify. A representation was given by me and other Hon'ble Members of this House. When we visited Nizamsagar hundreds of people came to us. That was given some two or three months back. On that, whether any enquiry was held; because we wanted the Revenue Board Member to go to the field when the crops were standing in the field; whether on this any enquiry was held by the Revenue Board Member as requested by us. The second point is when it is established that the Irrigation Officials colluded or misused their authority in providing water to an area of more than 1,200 acres, what action was taken or what action is going to be taken against them. Thirdly, in what way the victims are going to be compensated in view of the fact that the Government is going to levy and impose lakhs of rupees on the 'A' zone cultivators.

Shri P. Narasimha Reddy: Sir, it is true that the Hon'ble Member and other Hon'ble Members of this House had sent a D.O. letter to me for an enquiry in this regard somewhere on 20th May, 1976. Immediately we had asked the Board Member to look into the matter. The Board Member, received a report from the Collector stating that unless the people that are responsible for this are known it would not be proper for him to make a detailed enquiry. However, the Collector sent his report on 20th May. He fixed responsibility on the Irrigation Officials. However, it was thought right by the Ayacutdars that the local Revenue Officers were also involved in non-supply of water. However, we thought it better that the Board Member must himself go. He did go. He also enquired and came to the conclusion that the Irrigation officers at the lower level were responsible. At the behest of the Chief Engineer all the Officers were transferred from old places and an enquiry report is due fixing responsibility on the Officers who were responsible for supplying water to the zone for which it was not decided to be given in the Irrigation Development Board meeting. So, that report is yet to come to the Government. I assure the Hon'ble Members that we would certainly take action after that report comes.
On behalf of the Revenue Department also also we had asked for the Board Members' Report. A preliminary report was sent and detailed report would be taken from them and concerned officers would be punished. Second point is whether the Government would compensate for the loss that had incurred by the Ayacutdars to the extent of 247 acres. Sir, there is no Rule or never a convention that where a crop withers away for non-supply of water either through negligence or for wanton acts of certain officers of the Government must compensate. We can give remission to them. Now, as I had read earlier, we are giving total remission to all such ayacutdars whose crop has been adversely affected. That is the most we can do, So far as unauthorised irrigation is concerned we would levy penalties and I would assure that they would not go unpunished, but it is not possible for us to give compensation. How is it possible. Unless we know that it was really due to the wanton acts of an Officer. The Collector has reported that due to silt and due to negligence of some Irrigation Officer water had come down. To pay compensation to all the 247 ayacutdars is an impossible proposition. We give them assistance in the shape of remission.

Mr. Speaker:—Remission is not assistance. The remission is entitled as a matter of right not on account of his own negligence. But if you are going to acquire lot of amount from them why should Government enrich itself and then not pay any of this amount to those who have suffered loss. I am not saying that it is a legal right.

Sri P. Narasa Reddy:—It is not normally done so. If the Ayacutdars, have a claim against the Government, the proper procedure is that they must go to a Civil Court and get the decree against us. In this context, it is said, they have suffered. Normally the assistance that we give is remission we do not collect, otherwise it would be an additional burden on them. However, I assure the Hon'ble Members that when two reports from the Irrigation and the Revenue Department come the Government would take appropriate action.

Sri M. Narayan Reddy:—There is a provision of distress, that on account of any acts including natural calamities like floods, draught for which the amount is provided, but this is a man-made distresses. Who is that man or men? They are Government departmental people. Their own officials. Therefore, without reference to the distress relief provided by the Board of Revenue, the Special Rules Government can decide through a Special Govt. so much ex-gracia payment for acre—Rs. 100/-, 150/- or 50/- Limit to be collection of penalty from the other zone can easily be given.
Calling attention to matters of Urgent Public Importance.

re: Loss sustained by the Ayacutdars under P. Charam Project on account of non-supply of water.

Mr. Speaker:—That is what I suggested.

Sri M. Narayan Reddy:—Those who have received unauthorised irrigation in the A zone by paying the amount the Hon’ble Minister may kindly note the charged allegation that they have collected Rs. 90,000/- or one lakh for getting this water and amount was paid to the concerned officials. The enquiry must also cover this charge. It must also be entrusted to the A.C.B. or C.I.B. The names of those who have received water are available with the Government or with the Department. Those people can be easily deprived of the irrigation in the next season and persons who suffered may be provided water during this season. That would be providing a substantial relief.

Mr Speaker:—The Hon’ble Minister will examine and do justice.

Sri P. Narsareddy:—There is the Irrigation Development Board meeting in the district in which I think the Hon’ble Member is a Member. It would be for the Irrigation Development Board to decide as to whether these fellows must be deprived or not. The Government cannot give a direction from here. It is for them. We have no objection.

Mr Speaker:—Anyhow the matter may be examined and such help that may be given to the people may be given.

Sri A. Srimulu:—I am also one of the signatories to that letter. I have heard the statement of the Hon’ble Minister.

Mr Speaker:—I have appealed to the Minister to do justice, and that he need not direct the parties to go to a Court and get the decree. You must be more sympathetic and the Rule should not come in the way. Rule can be amended.

Sri A. Srimulu:—When the Board Member has come to the conclusion that Irrigation Officials are responsible why they have not been kept under suspension?

Mr. Speaker:—The Minister will examine it.

Sri A. Srimulu:—On a point of order Sir, all the papers that are proposed to be laid on the table today are old papers of February, 1976. When you come to number 3, that is a notification of October, 1975. In the last session you were kind enough to give several instructions in regard to the laying of papers on the table and when these notifications were issued in February, 1976, the House was in Session also. The Minister should tell us as to who was responsible for flouting the instructions of the Hon’ble Speaker and not following the procedure.
Mr. Speaker :— The explanation should have come along with the statement. If there was any delay or oversight....

Sri J. Chokka Rao :— Sir, I beg to lay on the Table a copy of the Notification issued under G.O.Ms. No. 84, Transport, Roads & Buildings (Transport I) Department, dated 24th February 1976 containing an amendment to the Andhra Pradesh Motor Vehicles Rules, 1964, as required under Sub-section (3) of Section 133 of Motor Vehicles Act, 1939.

Mr. Speaker :— Paper laid.


Sri J. Chokka Rao :— Sir, I beg to lay on the Table a copy of the Notification issued under G.O.Ms. No. 84, Transport, Roads and Buildings (Transport I) Department, dated 24th February 1976 containing an amendment to the Andhra Pradesh Motor Vehicles Rules, 1964, as required under Sub-section (3) of Section 133 of Motor Vehicles Act, 1939.

Mr. Speaker :— Paper laid.

Notification issued under G.O.Ms. No. 84, Transport, Roads and Buildings (Transport I) Department.

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Mr. Speaker :— Paper laid.

Amendment to the Andhra Pradesh Foreign Liquor and Indian Liquor Rules, 1970.

Sri V. Purushotham Reddy :— Sir, I beg to lay on the Table a copy of the Amendment to the Andhra Pradesh Foreign Liquor and Indian Liquor Rules, 1970 issued under the A.P. Excise Act, 1968 and published in the Rules Supplement to Part II of the
Andhra Pradesh Gazette on 3rd October, 1975, No. 1142 as required under section 2(4) of the Andhra Pradesh House Act, 1968.

Mr. Speaker:—Pardon me.

Sri A. Srimulu:—This is also similar of how. There is no explanation in regard to laying this paper on the table of the House with so much delay.

Sri A. Srimulu:—This Amendment was issued in October, 1975. After October, 1975, the House sat for many days and there were Assembly sessions. Last year, the Speaker instructed several times to avoid delay in placing the papers on the Table.

Mr. Speaker:—If there was any delay the explanation for the delay should have been placed along with the Paper.

Sri A. Srimulu:—That could have been avoided.

GOVERNMENT BILLS


Sri M. V. Krishna Rao:—Sir, I beg to move for leave to introduce the Andhra Pradesh University Acts (Amendment) Bill, 1976.

Mr. Speaker:—Motion moved.

The question is:—10-10 a.m.

"That leave be granted to introduce the Andhra Pradesh University Acts (Amendment) Bill, 1976"

The motion was adopted and the Bill was introduced.

(2) THE ANDHRA PRADESH GRAM PANCHAYATS AMENDMENT BILL, 1975 (AS REPORTED BY THE JOINT SELECT COMMITTEE).

(3) THE ANDHRA PRADESH PANCHAYAT SAMITHIS AND ZILLA PARISHADS (AMENDMENT) BILL, 1975 (AS REPORTED BY THE JOINT SELECT COMMITTEE).

Mr. Speaker:—Let us now continue the discussions on the Bills. Mr. Ch. Parasurama Naidu to speak now.
The report on the Panchayat Raj Institutions has been undertaken after a long experience for over a period of almost 20 years. It was meant for the retention of administration and the establishment of grass roots of democracy. The application of these two principles lost its significance during the course of long run. The people lost enthusiasm in it. When it is ceased to be of any utility, when it is caused to be of proper working and when they have incurred a large measure of discredit, the revision of the Institutions has been called for very urgently.

My good friend, Mr. Lakshmandas brought forth enthusiasm and also efficiency over the subject. I was a Member of the Joint Select Committee and had an occasion to see his enthusiasm. Certainly, I am of the opinion that the enthusiasm has not been really and fully translated into the frame-work of the measures that were brought before us. At any rate, there is sufficiently improvement and there is no doubt. I agree that the present Enactment is sufficiently improved. But two things are not adequately provided. I am not going to take much time of this Hon’ble House by going into details.

One thing is that the Institutions shall be viable and the other is that they shall be financially strong. They shall be truely democratic.

With regard to viability, I wish to say that the Panchayats should not be such a small ones. The population prescribed to be when 500 to 1500 is very small. They have to be a population of 3,000 to 5,000. Then only they can be viable and of effective service to the people. I request the Hon’ble Panchayat Raj Minister to review his thinking on this and see that the Panchayat units are viable.

No man is respected unless he is financially sound. Same case with P. R institutions. Particularly, in an Institution where we want to serve the people as a model of good administration, there should be proper finances. If the administration is good at the bott, then there would be good administration at the higher level. If there is any failures at the bottom, we can imagine well about the the higher levels.

Democracy is a noble name and has often been really not adhered to. In the name of socialism, we had Hitler socialism. so also in the name of democracy, the real essence of democracy is not been translated into the levels of administration where it ought to be translated. I do not understand the reason as to why the bottom of democratic set up is not to be trusted as the supreme over which he presides. If the Chief Minister can be the supreme authority over the Cabinet why not the President of the Panchayat or Panchayat Samithi?
why should the officials feel shy to be subordinate to him? After all was the President of the Panchayat and for some time I was the Present of the Panchayat Samithi too. Mr. Laksmandas, Minister for Panchayat Raj was also the President of Panchayat Samithi. I do not know whether he was the President of the Panchayat. I wanted to ask as to why the President of the Panchayat or the President of the Panchayat Samithi cannot become a supreme authority of the officialdom over which department of administration he presides. Should he not be trusted? If there is any thing wrong with the Presidents the people are thereto check him up. After all, the people are sovereign. It is through them we derive the authority. The people at the villages will be closely watching and studying. We have elections and the man is bound to be checked out if he mis-behaves. Hitherto, that man cannot only be removed but also be suspended for various acts. When there is such a check, why not we trust that man? Let the people of the Samithi area be entrusted fully to take up various measures for their welfare. A large measure of administration or authority has to be decentralised. Unfortunately, if a man wants to get a licence for a small Mill to be located in his village, for example Venkampet, he has to go to Srikakulam to receive orders, to Hyderabad i.e. the Member, Board of Revenue, the Director of Civil Supplies, etc. Cannot he get his licence at his village itself i.e. either at Panchayat or atleast at Panchayat Samithi level? Why should he run to Hyderabad to cloud the accommodation and to waste his money. The principle of decentralisation should be given full effect to and my observation here is that it has not been given full effect to.

With regard to finances, what are the finances made available to Panchayats? However intellectual it may be, however learned anybody may be, unless there is money with him and unless there are financial resources, no body is going to be respected. Previously, there were Kavis who were honoured in the Courts of Kings in our country. In the course of the History that all the great men of learning, Mahakavis were honoured and maintained in the Courts of the Kings. The useful P. R. institutions should have proper finances provided, the Hon'ble Minister for Panchayat Raj will have to really feel shy for placing such a position before us. Increase from 1/4th rupee to one rupee. So much taxation has been increased. In my Constituency wherever I go, I would be questioned about the increased taxes. There taxes on Chillies, taxes on paddy, taxes on tobacco, etc. On every commodity there is tax. When the people in my Constituency ask about these enhanced taxes. I simply plead my position as in the opposition. We have enough resources and some more resources can be gathered. Whatever the case may be, the Panchayat shall be made a financially sound institution.

If an inter-village road has to be undertaken, neither of the two panchayats can really finance for this. Why cannot you solve
such problems? There are several things to be told about the panchayat administration, where much financial assistance is needed. Therefore, I request the Hon’ble Chief Minister to really come forward in the aid of the Hon’ble Panchavat Raj Minister, who require more finances for the Panchayats and Panchayat Samithis.

The Maharashtra Government, Madras Government and the Karnataka Governments are providing the land revenue and thus creating a psychological satisfaction to the village people. They feel that all the moneys paid by them were spent on them. Of course they do not know about the indirect taxes which we are imposing. The indirect taxes are 10 times more than the direct taxes. But still, the village people get their psychological satisfaction. He feels that the money given as tax to the Government would be spent for his welfare at the village itself. In the Towns and Cities, any amount of amenities are provided. What about the villagers? When a village road has to be constructed, you ask about 25% to 30% of the contribution but it is not in the case of Cities. For the better facilities and amenities, why not the villages should be given preference and their financial position improved for undertaking various types of developmental works for the upliftment of villages? I will say that not only the land revenue but also the sales tax that is being collected should be given to the villages for their development. Maintenance of their welfare should be left to them. The destiny of the nation depends on the destiny of the village.

What is the standard of living? The last Government servant here gets Rs. 250 p.m as his salary. The highest salary of the Government servant is Rs. 3,000. What is the average income of a labourer or an agriculturist in the field? If you know the figure you will be surprised. It is less than that of a last Govt. servant. There is idleness in the Panchayat Raj institutions. The staff now working there in the Institutions are not having any work.

Now, let us talk of elections. We are likely to get the Parliament elections in the month of March, 19’6.

10.20 a.m. We have taken enough time to think that emergency is no obstacle, because elections have taken place in Orissa and Gujarat. After all it is the opinion of the Home Minister of India that emergency is no obstacle for elections. The Assembly elections may be waiting but where is the necessity for keeping the panchayat elections and Samithi elections pending. It is very that the panchayat elections would be done by direct method so that the best man will come. Even if Pandit Nehru comes to earth and stand for election in a particular ward, he will never succeed. It is because of the narrowness, castesm, communism and all these factors. Therefore, it is very good and I congratulate the Hon. Minister for Panchayat Raj and the Government to have accepted the principle of direct elections for the panchayats and it is should be applied to the Samithi as well. With regard to Zilla Parishad I have one suggestion. The election through
the Sarpanches alone or the Samithi Presidents alone is a retrograde and reactionary step, instead each panchayat member should be the voter. Even in direct election there is lot of scope for malpractices. I request the Hon. Panchayat Raj Minister and the Government to accept and particularly I stress and stress again about the financial provision. I request the Hon Chief Minister to come forward, and announce before this Bill becomes law that such and such financial provision is there. I thank you.
166 20th July, 1976.

Government Bills
the A. P. Panchavati Samithis and
Zilla Parishads (Amendment
Hill, 1975.

10.30 a.m. ప్యాండియామోనేతులు దర్పణ దిగుమతులను ప్రతిభాగం చేయాలన్నీ దేశం తెలిసింది. కాని ఇది ప్రతిభాన్ని ప్రతిభాభంగా నిలిచింది. కాని అందులో ప్యాండియామోతి నిలించాడు. అందుకే ఇది

ప్రతిభా భంగి నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి. కాని ఈ ప్రతిభలకు ప్రతిభాన్ని ప్రతిభాభంగా నిలించండి.
Government Bills


[Text in Kannada]

[Translation]


The Panchayati Samithis and Zilla Parishads are important institutions in the rural governance of the state of Andhra Pradesh. This bill aims to amend the existing laws to improve their functioning and efficiency. The amendments include provisions for better representation of women and minority groups in these institutions.

The bill seeks to empower the Panchayati Samithis and Zilla Parishads by increasing the number of members and ensuring their elected representatives. It also includes provisions for the appointment of women and minority representatives to these institutions, thereby promoting gender and social equity.

The amendments are expected to enhance the participation of the local community in decision-making processes, leading to better governance and development in the rural areas of the state.

The bill is scheduled to be discussed in the state legislature. The government has invited public comments and suggestions on the amendments before finalizing the bill.

[Date]

[Signatures]

[Government of Andhra Pradesh]
Government Bills
the A P Panchavati samithi and

10-50 a.m.

"..."

Government Bills:
The A. P. Paarchaiviti Samithis and
Zilla Parshads (Amendment)
Bill. 1975.
Sri M. NARAYAN REDDY (Bodhan):—Sir, I compliment the Minister for Panchayati Raj for making many efforts to bring this Bill. We were looking forward for this historic and a very momentous Bill but I regret to mention that I have not found anything in it for compliment. I would draw his attention to some of the shortcomings, in the Bill. This Bill was not discussed. It was referred to the Select Committee. There was discussion all over the State. Special Meetings, Seminars, Symposia were held to know the future pattern of the Panchayati Raj in our State. Several resolutions were passed. Press covered the proceedings of these meetings. We are told that some consensus was arrived at in these meetings. At the end of these meetings the Honourable Minister convoked a Consultative Meeting with the Legislators to discuss this Bill. But we did not find anything in the Select Committee and I want to know whether they have considered this consensus, principles debated all over the State. Nothing was mentioned. There was a high-power committee report, Vengal Rao Committee Report, on Panchayati Raj which was printed and circulated but this report was mad: i.e., the principles announced in this report. The Bill is based on the principle evolved by a Joint Select Committee which visited Maharastra and Gujarat. I am little confused to say that we are not properly guided by the Report about the principles adopted by the Select Committee in arriving at a decision to make an amendment in the Act. It is not too late; the Minister while replying, may kindly explain to the members the report and the approach of the Committee.

Therefore, I would ask what pattern is being adopted because we have already amended the Act 6 times in the past. This is the object of improving Panchayati Raj institution our State. What is the
pattern that we have adopted for the purpose of improving the Panchayati Raj institutions in our State? It is not the Act that is very important. Because you may kindly see, there are 76 Sections existing. Our Secretariat issues rules very often. How many times have they issued? 134 times. It is not 134 rules against 76 Sections. The Department issues a G. O. which contains number of rules. If you multiply 134 times with 76 Sections, it will run into thousands of rules. I can challenge, anyone in the Secretariat, or in the Zilla Parishad or in the Panchayat at Samithi, is aware of all these rules at one time. i.e., which G. O. contains what rules. How can any Chairman, or Vice-Chairman or the Standing Committee or an M. L. A. know about all these rules? Was this matter ever considered by the Hon’ble Minister or by the Secretary, P. R.? It is the rules that we have to consider and discard number of outdated rules. Therefore, I would request our Select Committee and the Subordinate Legislation Committee to into this matter. I want the Hon’ble Minister who has shown lot of interest for an amendment in the Act, to examine these rules. Whatever we may pass here, it will definitely reflect on the aspiration of the people. They will be definitely disappointed after six months. The Officers are more concerned with the rules rather than the spirit of the Act which is very important.

You may kindly see the departmental set up. In the Panchayati Raj set up there is no Head of the department, except the one in the Secretariat. Is there any Directorate of Panchayati Raj in between the Secretariat and the District Panchayat Officer? No D. P. O. is the P. A. to Collector at the district level. But who is at the state level? Have you ever considered this? This is a vast organization covering 21 districts right from Gram Panchayats to Zilla Parishads. We have no separate Department. Every time we have to go to Mr. Sethi (the present Secretary to Govt. P. R. Dept.). Is it possible for the Secretary, with two or three Deputy Secretaries, to look after this vast organization. It is impossible. Therefore there should a Directorate, Commissioner of Panchayati Raj, to function independently, leaving Secretariat free from day to day functions and it should be out of the Secretariat premises so that the people may easily approach the Head of the Department. Whatever it has to be, it has to be considered by us very seriously. What is the set up at the District level? District Panchayat Officer is the sole monarch of the Panchayat Raj at the district level and he acts as P.A. to the Collector. Orders are being issued in the name of the Collector who generally do not know its contents just as G.Os are issued by Department by order and in the name of the Governor of Andhra Pradesh.
But there, the Collector is supposed to apply his mind. He is not able to do it because of his multifarious activities. For small permission, to put up a compound wall, a gate, a window— I am not even talking of new construction of a house—we have to go in appeal to the D.P.O. The Second Appeal lies direct with the Government i.e. the Secretary. There are 29,000 villages. How many Panchayats are there—the Secretary is better acquainted with. Is it possible for the Secretary to exercise revisional jurisdiction even in small matters? Should they not be delegated to some authority at the district level itself? Let some committee of the Zilla Parishad decide this matters or some other officer at the district level. Even after the implementation of the 26 point formula, we cannot expect an ordinary man from the village to come to the Secretariat, engage an advocate and spend money. This is another aspect to be considered.

I will briefly refer to the provisions of the Gram Panchayat (Amendment) Bill. I invite your attention to one or two clauses, about disqualification prescribed. You may kindly refer to page 3 of the Joint Select Committee Report. Under clause 6 (Amendment of section 12 of the principal Act), it is said: “The Committee decided that no member of a gram panchayat shall be eligible for election as president of the Panchayat Samithi or Chairman of Zilla Parishad.” Is it really necessary? Is it democracy? How for this is valid under the Constitution, I am doubtful because a man may not hold the other post only after his getting elected. You will kindly appreciate the point. A clerk can appear for I. A. S. examination for bettering his prospects, but a member of panchayat is not eligible for election as President of samithi or Chairman of a Parishad. It should be open for a member of the Panchayat to file his nomination for higher post as President of the Samithi or Chairman of the Parishad. He would resign himself or we can provide for his resignation or for his ceasing as a member of the Panchayat, after his election as President of the Samithi or Chairman of the Parishad. But where is the question of not allowing him to file his nomination. If the Minister gives a better reason, I am prepared to accept. But prima facie it appears to be a ludicrous provision. After election, within 14 or 15 days, he may cease to be a member. That kind of penal provision of disqualification can be provided but not such blank ban for filing his nomination.

The Committee also says, “The Committee also decided that a person who stands for election as President of the Panchayat Samithi or Chairman of the Zilla Parishad shall not be eligible to stand for election as a member.” Again here, it says ‘if he stands for election’, not ‘get elected.’ Standing for election is different from getting elected. I want
to emphasise this aspect. Any one can stand and even lose his deposit as is the case at every election. We seem to have confused with the words 'standing' and 'election'. This you may consider and see whether this cannot be reconciled.

Some other provisions are quite good in the sense some clarification has been made e.g. with regard to executive officers, issue of notices, payment of taxes, etc. I welcome those provisions because previously they were leading to controversies and factions and spoiling the peace and creating tension in villages. I welcome it. In the present set up even the executive officer can suspend the order of an apanch and in some cases of the panchayat committee also. Perhaps the attention is not drawn to that aspect. The hon. Minister may kindly see whether it is proper to continue it.

I come to the Panchayat Samithis and Zilla Parishads (Amendment) Bill. Clause 4 (Section 5 of the principal Act) says that holding the post of a President of Panchayat Samithi or Chairman of a Zilla Parishad, M.L. As. cannot contest and hold that. Whether this ban is really necessary in these days is to be considered very seriously because the proposed blocks are going to be, I understand, co-terminating with taluks. When both are elected from the same type of franchise by a popular vote at two different times, what kind of situation would arise, we must use our imaginations and anticipate things. This will not only involve expenditure but may also result in some sort of division between several functionaries within the same area. When one samithi president is there for the entire taluk, there may be cases where more than one or two M.L.As. will be the e. I can vouch safe one thing, Sir. Many members are agitated here over this aspect. Some of them may not be able to express as emphatically as I am doing. On the one hand you are prohibiting the M.L. A. and M.Ps. from holding the post of a Zila Parishad Chairman and President of the Samithi. At the same time you are providing direct election to the President of the Samithi and all that. How will you be able reconcile and harmonise the relations between the two functionaries in the same area is to be very clearly spelt out. Whether it is really necessary when you have adopted the same principle to the Zilla Parishad Chairman, whether you could not have done better by enlarging the electorate from the sarpanches to the entire members of the gram panchayat for purposes of election to samithi president, has to be examined. The hon. Minister has given us to understand before, that Zila Parishad Chairman was going to be elected by all the sarpanches in the district. Since this has been modified, the same reason which compelled him to modify that stand should also compel him to modify this stand. This could also be...
considered. A note of caution I can give. I am sure, if he is not conceding today, he will concede it after some time and some amendment will be there then.

In Clause 8 (Section 10 of the Principal Act), again in the same language, if a member ceases to be member of the Zilla Parishad or a panchayat samiti, why should he apply to the Secretariat or Government and go about the Secretariat? I know of several cases including my own case when I was a Member of the Parliament. When Parliament was in session I could not attend. Although applying 30 days, I got permission or letter of consent or whatever it is, after 6 months. That can be verified from our own Panchayat Raj Department. Why not Zilla Parishad itself waive it on the same ground that the Government does it here. Therefore, whether it is necessary for M.L.As. and M.P.s or some other members to apply to the Government and go to the Secretariat issue of a letter frequently, should be considered. This should not be expected from them. There should be decentralisation. We have been talking of decentralisation these days. The Government of India and State Government policy is decentralisation of authority and delegation of powers. In spite of that in the amending Bill you are maintaining the same thing. We are going against our own policy. You may kindly see whether such a routine is necessary even today.

About standing committees, from 7, they have been reduced to 5. What I am only afraid is that the resources position has not been made very clear. What are the additional resources. Giving power without functions is really not desirable in these days. Functions should be in relation to resources. If you don’t have resources, what are the functions of the Chairman? This has not been made clear. You may kindly say how the resources of the institutions have been improved already or are going to be improved after the enactment of this Bill. In the new era that is supposed to begin with the implementation of this Act, in what manner the financial position of the institution would improve?

Then about the departments: even today, who is the boss-monarch of the district. As every member has said on more than one occasion, it is the Collector. That is the British pattern. He can set aside the resolution, he can instruct officer, he can write confidential reports of several officers, (even those who are working in panchayati raj institutions), he can transfer a B.D.O. and so on and so forth. I know some of our own members in the Government complained of this. Is there any change there? What are the new departments—development or otherwise—whether they are connected with social service, education
development, irrigation, that have been added as a result of the amend­
ment to the Zilla Parishad or the Panchayat Samithi so that the Chair­
man or the Committee with all a added power, with direct mandate
from the people, is going to exercise some control or concern
over these departments? That has not been made clear.
Unless this resources position, departments' position and rules position
are made clear, whatever good amendments we may pass, the result
would be very little or at least less than what we are expecting or ima­
gining today. What are the new departments that are going to be
attached to the Zilla Parishads, so that the Zilla Parishad can discuss
their functions, review their affairs and give instructions to those depa­
tments is to be made very very clear. Then only there will be some
improvement.

You will kindly see that for an effective Zilla Parishad function­
ing, there must be a harmonious relationship between the various
functions within the Zilla Parishad itself. For that purpose, whether it
is the staff or any other matter, the Chief Executive Officer is the
link. In Nanded District of Maharashtr State, which is very close to
us, we know every day what is happening in their Zilla Parishad. In
Maharashtra, the Chief Executive Officer is sometimes a very senior
officer than the local Collector. He exercises all the powers on behalf
of the Zilla Parishad. Is such a system being adopted here? Is the
Secretary's post or the Chief Executive Officer's post going to be a
cadre post? I beg of the hon. Chief Minister to consider
one other aspect. After the introduction of this system, whether there
is not a need for reviewing or reorienting the district administration,
whether there is still need for the D.R.Os., the Collectors, the Chief
Executive Officers of cadre the whole thing has to be reconsidered by
the Government and they must reconcile and bring about coordination
between the various departments in such a manner as to provide deve­
lopment activities and great impetus that things should be done qui­
ker rather than by adding more authorities and delaying matters.
Therefore, the entire responsibility rests on the hon. Minister. There
is no question of technicalities, there is no question of prestige in this
matter. Whatever is best for the people, whatever helps the effective
functioning of the institutions should be adopted. Till tomorrow also
we can consider these Bills.

I hope the hon. Minister will kindly clarify these points so that
we may pass these Bills with full realisation about the beneficial effects
of the provisions that we are going to enact.

Thank you, Sir.
Government Bills:  


20th July, 1976

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Government Bills:
Government Bills: 20th July, 1976

The A. P. Panchayat Samithis and Zilla Parishads (Amendment) Bill 1975.

...

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...
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Government Bills:

[Text in Telugu script]

[Translation]

[Paragraphs in Telugu script]
Government Bills:


Government Bills -

12-10 p.m.
Government Bills:
Government Bills:


[Text content not legible or readable due to the document's condition]
Amendment to section 34:

"(8) If the Government are of the opinion that the president or Vice-President of the Panchayat Samiti willfully omitted or refused to carry out the orders of the Government for the proper working of the Panchayat Samiti or abused his position or the powers vested in him and that the further continuance of such person in office would be detrimental to the interests of the Panchayat Samiti or the inhabitants of the Block, the Government may, by order, suspend the President or Vice-President as the case may be from office for a period not exceeding three months, pending investigation into the said charges and action thereon under the foregoing provisions of the section:"
The Government may by order direct the District Collector to so implement the orders without reference to such President or Vice-President.

"Power of Government to record a finding on President or vice-President of the Panchayat Samithi."

Government Bills:


The 12-30 p.m
Government Bills:


Government Bnbs:


30th July, 1976.

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...
Government Bills:
Government Bills

The A.P. Parchavat Samithi and Zilla Parishads (Amendment) Bill, 1975

[Text content in Kannada script]
Government Bills:
The President Panchayat Samithi should be elected by the members of the Gram Panchayat on the same day of their election, and "Legislators should not be debarred from holding elective posts in samithis."
1.00 p.m.

"Use of party symbol should not be permitted in election at any levels."
Government Bills:


Mr. Deputy Speaker:—The House now stands adjourned till 8-30 a.m. tomorrow.

(The House then adjourned till half past eight of the clock on Wednesday, the 21st July 1976.)