THE ANDHRA PRADESH
Legislative Assembly Debates
OFFICIAL REPORT
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Minister for Forests (Sri Ahmed Sahreef):—Mr. Speaker, Sir, I have brought the Report of the Estimates Committee 1972-74 and I would like to read out some portions regarding wages for Beedi Leaves collection, as desired by the Hon'ble Members. "Para 10.1. In the forest area of the Tribal Blocks, the Beedi leaves which are the forest-produce are collected by the Girijans on wage basis at the rate of 5 or 6 paise for every bunch of 100 beedi leaves collected by them, and it is one of the main occupations of the Girijans in the forests. During the Committee's visit to Khammam district the Tribal Welfare officials and most of the Girijaus represented to the Committee that the wages paid now for deedi collection to the Girijans are very low and insufficient and requested to enhance the rate substantially.

10.2. The Committee recommends that the wage rate for collection of beedi leaves requires revision from 6 paise to 10 paise for every 100 leaves, as the amount of six paise is too low a wage."

These are the relevant portions from the Estimates Committee Report. In the light of the recommendations, the Government has considered over the matter particularly in regard to enhancement of rates of beedi leaves as advised by the Wage Committee. They have

* An asterisk before the name indicates Confirmation by the Member. [225]
accepted that the rate now fixed i.e. 5, 6, 7. paise is reasonable in view of the circumstances prevailing now. Therefore, those rates were accepted.

With regard to taking of Agricultural Labour, however, during the Budget Session, the Minister for Forests have given an assurance that the Government will consider the suggestion made by certain Members of this House earlier that one Member from A.P. Agricultural Labourers Assn. be taken into the Advisory Committee to be constituted for 1976 season. This was also considered and in view of the fact the A.P. Agricultural Labourers Association is not only the organisation to represent the interests of the agricultural labourers and since there are other unions existing, the suggestion was not agreed to. The Government held that Joint Commissioner of Labour who is the Member of the Advisory Committee is an ideal person to look after the interests of all sections of labourers, and since he is looking after the matters connected with the labourers, according to his advise, a man representing a union would be taken as a Member. Since the present Joint Commissioner is looking after the interests to these labourers, the Government has accepted his representation.

Sri M. Omkar (Narasampet):—Mr. Speaker, Sir. our Hon'ble Minister is confusing the entire issue. The point is......

Sri Ahmed Shareef:—There are recommendations of the Estimates Committee. It has to be gone through. The Government has given due thought. The Government has gone into the matter. Still, if you want again, we will consider the matter. We will call for the rates of these people and again we will consider the matter.

Sri Ahmed Shareef:—Shortly we will do it.

Sri S. Jaipal Reddy (Kalwakurthi):—The recommendations of the Financial Committees of the House are almost mandatory. If the recommendations of the House Committee cannot be agreed to by the Government, the Government must furnish the reasons for not accepting the recommendations of the Committee. Did the Government do that?
Short Notice Questions and Answers. 30th March, 1978

Sri Ahmed Shareef:—The recommendations of the Estimates Committee, as the Government has considered it, has got a recommendatory value; but it has not got mandatory value. Further, in view of the circumstances, prevailed in that area, the rates were fixed. Again, we will have to go through those recommendations.

Sri S. Jaipal Reddy:—Certain recommendations were made by the Estimates Committee in 1974. If these recommendations cannot be accepted for any reason, did the Government go back to the Estimates Committee to tell as to why the recommendations were not accepted. It is mandatory on the part of the Government to inform as to why its recommendations were not accepted by the Government. Did the Government go back to the Estimates Committee?

Sri Ahmed Shareef:—The Government has considered over it. The Government has got a right to consider to again and take further advice by the Experts....

Sri S. Jaipal Reddy:—Sir, My first point is that the recommendations are mere mandatory character. If they are not agreed to by the Government for any reason, it is mandatory on the part of the Government to explain to the Estimates Committee as to why they were not accepted by the Government. Did the Government go back to the Estimates Committee?

Sri Ahmed Shareef:—It is a matter of procedure, Sir.

Sri Ahmed Shareef:—Previously, the private contractor was giving 2 to 3 paisa. After taking it over, i.e., after Nationalisation, we have made it to 4 to 5 paisa. After the Estimates Committee recommendations, we made it to 6 paisa and thereafter we are living 6 to 7 paisa.

Shri Ahmed Shareef:—It is an unskilled work and it is a part time work. Even the children and women go around the forest and pluck the leaves. The average income for women and children is Rs. 4 to 5 per day. I may also tell you that we are also very much concerned with poor sections of people.

Sri Ahmed Shareef:—We will certainly reconsider the matter.

Sri Ahmed Shareef:—As suggested by some hon’ble Members, we have got every regard for weaker sections and ours is a welfare Government. We will certainly reconsider the matter and we will try to do justice to them also.

Mr. Speaker:—It is not proper. You must take it as a fact.

Sri P. Janardhana Reddy:—I was one of the Members of the Estimates Committee. We have gone into the details.

Mr. Speaker:—I take strong objection to the word used “abadham” (అబదము). It is not proper to say like that.
Mr. Speaker:—Let the Minister answer the question put by Sri Srirama Murthy.

Sri Ahmed Shareef:—I said the average income is Rs. 4 or 5.

Sri S. Jaipal Reddy:—Point of order, Sir. When the Minister does not have the correct information, he should say that “the information is not available”. First he said it is between Rs. 5 to 6. Later, he said Rs. 4 to 5. Now he says it is exactly Rs. 5/-. Is it not a breach of privilege?

Mr. Speaker:—First of all, the Leader of the opposition wanted that in view of the Estimates Committee’s recommendation, whether the Government is going to re-consider the whole issue or not. What is your answer for it?

Sri Ahmed Shareef:—I have already said, Sir, that there is no objection for it.

Sri S. Jaipal Reddy:—The Minister has shifted his ground three times. Is he not doing massive violation of prestige and dignity of the House?

He has answered. Do not go into other things.

Sri Ahmed Shariif:—The controversy is that there are many Labour unions and which is representing the interests of the Labourers has to be taken into account. Unless we know that one particular Union is representing better the interest of labour, we are not in a position to take a representative. If anybody comes, we will also consider that point.

Sri Ahmed Shariif:—We will also consider this matter.

Withholding of the results of Intermediate Students of S.K.B.R. College Amalapuram

15—

S.N.Q.No. 5-I—Sarvasri M. Venkaiah Naidu (Udayagiri) P.V.S. Rama Rao (Amalapuram):—Will the Minister for Education be pleased to state:

(a) whether it is a fact that the results of 850 students who appeared for Intermediate Examinations from S.K.B.R. College, Amalapuram during October, 1977 were with-held by the Government and if so, the reasons therefor;

(b) when the results are going to be announced and the reasons for the delay; and

(c) whether it is a fact that most of these students belongs to Scheduled Caste?

The Minister for Education (Sri B. Venkatrama Reddy):—

(a) The results of 950 candidates who appeared for Intermediate Examination during October, 1977 from S.K.B.R. College, Amalapuram were originally withheld by Board of Intermediate Education due to the suspected wholesale copying, but however the results of 153 candidates were, subsequently released.
(b) The matter is subjudice. The question of announcement of results will be considered after the decision of the Principal District Munsiff, Amalapuram is delivered.

(c) No Sir.

8-50 a.m

Sri P.J.V.S. Rama Rao :- My point is that neither the invigilators nor the examiners pointed out that there was any mass copying.

Mr. Speaker :- How can you go into the merits?

Sri P.J.V.S. Rama Rao :- If the Government takes a sympathetic view, I assure on behalf of the students, that they withdraw the suit.

Sri P.J.V.S. Rama Rao :- It is only I.A. Petition, Sir. It is not on the Suit.

Sri P.J.V.S. Rama Rao :- If the Government takes a sympathetic view, I assure on behalf of the students, that they withdraw the suit.

Sri P.J.V.S. Rama Rao :- It is only I.A. Petition, Sir. It is not on the Suit.
Calling attention to Matters of Urgent Public Importance

re: Non-posting of Commissioner in the Srikakulam Municipality.

Sri Ch. Lakshminarayana (Srikakulam) :—I call the attention of the Minister for Municipal Administration regarding non-posting of Commissioner in the Srikakulam Municipality.

237-2
The Minister for Municipal Administration (Sri B. Ramdev) — On the receipt of certain complaints, Sri D.V. Ramarayudu, Commissioner and Special Officer, Srikakulam Municipality was asked to hand over charge to the Municipal Manager, which he did on 5—6—1977 after noon. Under the circumstances, the Municipal Manager was placed in full additional charge of the post of Commissioner and Special Officer, Srikakulam Municipality from 6-6-1977 and he was vested with the powers of the Special Officer during that period so as to enable him to exercise the powers, discharge the duties and perform the functions of the Municipal Council, of its Chairman and of the Municipal Commissioner except those relating to tax appeals. This arrangement lasted till 28-9-1977. Meanwhile, Sri P. S. Veerabhadra Rao who was posted as Deputy Commissioner of the same Municipality, reported for duty on 12—8—1977 and he was subsequently vested with the powers of Special Officer.

2. In August 1977, Sri M. Venkatanarayana, Deputy Commissioner, Guntur Municipality, was on leave was posted as Commissioner and Special Officer, Srikakulam Municipality. However, Sri M. Venkatanarayana extended his leave on medical grounds and Sri A. Sunderarajan, a II Grade Municipal Commissioner, who was working in Municipal Corporation of Hyderabad was promoted and posted as Commissioner and Special Officer of Srikakulam Municipality (A I Grade Municipality), in December 1977. The Municipal Corporation found it difficult to relieve Sri A. Sunderarajan immediately on account of the preparation for general elections. Sri Hafeez Mohd. Khan on return from leave was posted as Commissioner and Special Officer, Srikakulam Municipality to relieve the Deputy Commissioner of the additional charge. Sri Hafeez Mohd. Khan has applied for leave upto 2—4—1978 on medical grounds and he has been referred to the Medical Board.

3. Deputy Commissioner, who has been holding additional charge of the post of the Commissioner, has been performing his duties properly.

4. It is not correct to infer that the administration in Srikakulam Municipality has come to a stand still. However, Government are anxious to fill in the post with the least possible delay.
Calling Attention to matters of urgent Public Importance:
re. Diversion of Krishna Waters to Cumbum Tank.


9-20 a.m.

2 Diversion of Krishna waters to the Cumbum tank,

Sri M. Omkar—Sir, I call the attention of the Minister or Minor Irrigation regarding of Krishna waters to Cumbum Tank,

According to the decision of the government, the waters of Krishna will be diverted to the Cumbum tank. Within a week or 10 days, it will be done and I will see that he takes charge.

Sir,

Within a week or 10 days, it will be done and I will see that he takes charge.
30th March, 1978,

Papers laid on the Table:

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Presentation or petition regarding Allotment of house sites to Harijans and Backward Class People.

Sri B.Seshasayana Reddy:—I present a petition signed by Backward class people regarding allotment of house sites to Harijans and Backward class people.

Mr. Speaker:— Petition presented.

Papers laid on the Table.


Sri N. Janardhan Reddy: — Sir, I beg to lay on the Table a copy of the amendment issued in G.O.'Ms. No. 1465, Revenue (U), dated the 15th November 1977 to the appendix-1 to the Indian Stamp Rules 1925 as in force in the State of Andhra Pradesh and published at page 610 of issue no. 39 dated 1st December, 1977 of Rules Supplement to Part-I of the Andhra Pradesh Gazette as required under Section 75 (2) of the Indian Stamp Act.

Mr. Speaker:— Paper laid.


Mr. Speaker:— Paper laid.
GOVERNMENT BILLS.


Mr. Speaker: — Motion moved.

The question is: "That leave be granted to introduce the Andhra Pradesh Payment of Salaries and Pension and Removal of Disqualifications (Amendment) Bill, 1978"

The motion was adopted and the Bill was introduced.


Sri Y. Venkat Rao: — Sir, with your permission, on behalf of the Minister for Finance, I beg to move that the Andhra Pradesh Appropriation (Vote on Account) Bill, 1978 be taken into consideration.

Mr. Speaker: — Motion moved.

Sri Y. Venkat Rao: — I have taken the permission of the Chair.

Sri S. Jaipal Reddy: — Sir, Point of Order. Can any Minister move a Bill on behalf of another Minister without that Minister’s permission or without obtaining the permission of the Chair?

Mr. Speaker: — He has taken my permission.
Government Bills: 
The A.P. Appropriation (Vote on Account Bill,) 1978
Government Bills:

30th March, 1978

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

Sri S Jaipal Reddy:—When it is not a point of order, what the hon. Member has spoken cannot go into the proceedings.

Mr. Speaker:—He has raised a point of order. I ruled it out. Do you mean to say that I should expunge all those things.

Sri S Alwar Doss:—On a point of explanation, the Speaker has allowed.

Sri Bhattam Sriramamurthy:—No, Sir; the member rose to speak on a point of order.

Mr. Speaker:—That is true: the point is how far it is relevant to the motion before the House.

Government Bills: The A. P. Appropriation (Vote on Account) Bill, 1978

30th March, 1978

To put the record straight, I want to intervene if the Hon'ble Speaker permits. I don't want to hurt the feelings of the hon. Member because he is feeling weak on account of the members leaving and going out of his party.

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30th March, 978

...
Government Bills:


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Government Bills:

The legislature was convened at 9 a.m.

9-50 a.m.


Government Bills. 30th March, 1978


Government Bills:

H. Banavasi: It seems to me that the amount of 30 lakhs for the Department of Social Justice and Rediffusion for the year 1973-74 is insufficient.

Mr. S. K. Reddy :— The amount represents only 10% of the proposed Vote. It may be quite insufficient.

H. Banavasi:— It seems to me that the amount of 30 lakhs for the Department of Social Justice and Rediffusion for the year 1973-74 is insufficient.

H. Banavasi:— The amount represents only 10% of the proposed Vote. It may be quite insufficient.

Sri Bhattam Sriramamurthy :— I still hold it. It is quite Parliamentary.

P. S. Reddy:— The amount of 1978-79 for the Department of Education has been increased from 14 lakhs to 15 lakhs. It may be quite insufficient.

10:00 a.m.

Government Bills:

This is not a police 'en act' policy statement in respect of economic aspect ... It is a matter of fact. Whenever it is a major policy statement and announcement on a major policy during the Assembly Session, it must be done in the Assembly itself. Nobody need be worried. We are responsible.

All political parties are responsible for that. All political parties must make one of the preliminary and basic points that there should be no defections.
Government Bills:

The A.P. Appropriation (Vote on Account) Bill, 1978


The A.P. Appropriation (Vote on Account) Bill, 1978

A. It is an automatic resignation. Why should he be asked to give his resignation and all that. It would have been better to...


We stand for Nationalisation. If all the members of this House cooperate and extend unstinted cooperation we want to go in for nationalisation of all sugar factories in this State.
Mr. Speaker.—The question is:

“That the Andhra Pradesh Appropriation (Vote on Account) Bill, 1978 be taken into consideration.”

The Motion was adopted and the Bill was considered.

Mr. Speaker:—I shall now put the Causes to vote.

The question is:

That clauses 2, 3 and the Schedule stand part of the Bill.

The motion was adopted and Clauses 2, 3 and the Schedule were added to the Bill.

Mr. Speaker:—The question is:

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

The motion was adopted and Clause 1, Enacting Formula and Long Title were added to the Bill.

Sri G. Rajaram:—Sir I beg to move:
That the Andhra Pradesh Appropriation (Vote on Account) Bill, 1978 be passed.

Mr. Speaker:—Motion moved.

That the Andhra Pradesh Appropriation Bill, 1978 be taken into consideration.

The Andhra Pradesh Appropriation Bill, 1978

Sri G. Rajaram:—Sir, I beg to move;

That the Andhra Pradesh Appropriation Bill, 1978 be taken into consideration.


Mr. Speaker:— Motion moved.

The question is:

That the Andhra Pradesh Appropriation Bill, 1978 be taken into consideration.

The motion was adopted and the Bill was considered.

Mr. Speaker:— I shall now put the Clauses to vote.

The question is:

That Clauses 2, 3 and the Schedule do stand part of the Bill.

The motion was adopted. Clauses 2, 3 and the Schedule were added to the Bill.

Mr. Speaker:— The Question is:

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

The motion was adopted and Clauses Enacting Formula and Long Title were added to the Bill.

Sri G. Rajaram:—Sir, I beg to move:

That the Andhra Pradesh Appropriation Bill, 1978 be passed.

Mr. Speaker:— Motion moved.

The Question is:

That the Andhra Pradesh Appropriation Bill, 1978 be passed.

The motion was adopted and the Bill was passed.


The Minister for Wakfs (Sri Nizam Vali);—Sir, I beg to move;

That the Public Wakfs (Extension of Limitation) (Andhra Pradesh Amendment) Bill, 1978 be taken into consideration.

Mr. Speaker:— Motion moved.

Sri G. Rajaram:— Sir, I beg to move:

That the Andhra Pradesh Appropriation Bill, 1978 be passed.

Mr. Speaker:— Motion moved.

The Question is:

That the Andhra Pradesh Appropriation Bill, 1978 be passed.

The motion was adopted and the Bill was passed.

Government Bills:

The Public Wazfs Extension of Limitation Bill, 1978

This is the Bill for the extension of the Limitation Act, 1978, to include the public wazfs. The Bill provides for the extension of the time limit for the recovery of public wazfs, which are the properties of the public and are managed by the government. The Bill also contains provisions for the protection of the interests of the public wazfs and the rights of the beneficiaries of the wazfs.

The Bill is designed to ensure that the public wazfs are properly managed and that the interests of the beneficiaries are protected. The Bill is an important step towards the better management of public wazfs and the protection of the rights of the beneficiaries.

In summary, the Bill contains provisions for the extension of the Limitation Act, 1978, to include the public wazfs. The Bill is designed to ensure that the public wazfs are properly managed and that the interests of the beneficiaries are protected. The Bill is an important step towards the better management of public wazfs and the protection of the rights of the beneficiaries.
Government Bills:

30th March, 1978


A provision of the Muslim national was extended to cover additional areas, and the Bill was introduced in the Assembly.

A key provision of the Bill was that the Board of Wakfs could extend the period of limitation for the registration of Wakfs properties.

The Bill was introduced in the Assembly on 30th March, 1978.
Government Bills:


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[Document content not legible]

మొదట సమయంలో ఆంగ్ల భాషలో పయల తో గంచిన పండిత్‌ అంశం నుండి గాంధీ జిన్ గాంధీ సమావస్థ సమయంలో నీటి హోస్సాన తమ్మడి బాయి వచ్చే వంద భూమి ప్రాంతం సమాంతరంగా కూడా వీలు కోసం విశేషాలు చేకం కంటే విలువలు వెలుగా వుంది.

పిన్నతో బయట ప్రాంతంలో మనుష్య అన్వేషణ పరిమితం అయితే సమాయంలో కర్మాల సమాంతరంగా కూడా వీలు విలువలు వెలుగా ఇవే వుంది.

ప్రతి సమయంలో మనుష్య అన్వేషణ పరిమితం అయితే ప్రత్యేక ప్రాంతాలు తూర్పు వీలు విలువలు వెలుగా ఇవే వుంది.

ప్రతి సమయంలో మనుష్య అన్వేషణ పరిమితం అయితే ప్రత్యేక ప్రాంతాలు తూర్పు వీలు విలువలు వెలుగా ఇవే వుంది.
Government Bills:


The Public Wakfs Act, 1956


The Public Wakfs Act, 1956, which provides for the regulation of Wakfs, has been in force since 1956. The said Act has been found to be effective in safeguarding the interests of Wakf properties. However, it has been observed that the provisions of the Act are not being adequately implemented in some cases due to various reasons.

To address this issue, the Government of Andhra Pradesh has decided to amend the Public Wakfs Act, 1956, by way of the Public Wakfs (Extension of Limitation) A. P. (Amendment) Bill, 1978. The Bill aims to provide for the extension of the limitation period for the recovery of Wakf properties from any person who is in possession of such properties without having any right or title thereto.

The Bill seeks to provide for the following:

1. Extension of limitation period: The Bill seeks to extend the limitation period for the recovery of Wakf properties from 30 years to 40 years.
2. Procedure for recovery: The Bill provides for a streamlined procedure for the recovery of Wakf properties.
3. Punishment for default: The Bill provides for punishment for default in the recovery of Wakf properties.

The Bill has been prepared in consultation with various stakeholders and is expected to be passed in the Assembly.

It is hoped that the amendments to the Public Wakfs Act, 1956, as proposed by the Bill, will go a long way in safeguarding the interests of Wakf properties and ensuring their proper management.
Mr. Speaker:—The question is:

"That the Public Wakfs (Extension of Limitation) Andhra Pradesh (Amendment) Bill, 1978 be taken in to consideration."

The motion was adopted and the Bill was considered.

Mr. Speaker:—The question is:

"Clauses 2 and 3 do stand part of the Bill."

The motion was adopted and the Clauses 2 and 3 were added to the Bill.

Mr. Speaker:—The question is:

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

The motion was adopted and Clause 1, Enacting Formula and Long Title were added to the Bill.

Sri Nizam Vali:—Sir, I beg to move:

That the Public Wakfs (Extension of Limitation) Andhra Pradesh (Amendment) Bill, 1978 be passed.

Mr. Speaker:—Motion moved.

The question is:

That the Public Wakfs (Extension of Limitation) Andhra Pradesh Amendment) Bill, 1978 be passed

The motion was adopted and the Bill was passed.

The Andhra Pradesh General Sales Tax (Amendment) Bill 1978 (L.A. Bill No. 1 of 1978.)

Sri G.V. Sudhakar Rao:—Sir I beg to move that “Andhra Pradesh General Sales Tax (Amendment) Bill, 1978, (L.A. Bill No. 1 of 1978) be taken into consideration”

Mr. Speaker:—Motion moved. The Minister may move his amendments.

Sri G.V. Sudhakar Rao:—I move the following amendment to Clause 5:

In the proposed new sub-section (3) of section 15 for the words “or at any time thereafter in monthly or other prescribed instalments” substitute “in monthly or other prescribed instalments or at any time thereafter in one lumpsum.”

I move the following amendment to Clause 6.

“for sub-clause (2), substitute the following:

“(2) in item 31,—

(i) in the entry in sub-item (a) in column (1) the expression “other than Caltex (India) Limited” shall be omitted;

(ii) sub-items (b) and (c) and the entries relating thereto shall be omitted”;

Sir, I also beg to move the following amendment to Clause 6:

For sub-clause (6), substitute the following:

II-00 a.m.
"(6) for explanation VI, the following Explanation shall be substituted, namely:

"Explanation VI—For purposes of items 70 to 74, in the case of motor spirit produced in the State by Caltex Oil Refining (India) Limited, and sold by it to an oil distributing company, the sale by such oil distributing company shall be deemed to be the first sale."

Mr. Speaker :—Amendments moved.

Mr. Speaker :—The Question is:

"That the Andhra Pradesh General Sales Tax (Amendment) Bill 1978 (L. A. Bill No. 1 of 1978) be taken into consideration."

The motion was adopted and the Bill was considered.

Mr. Speaker :—I will now put the clauses to vote.

The question is:

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

Mr. Speaker :—Amendments moved.

Mr. Speaker :—The Question is:

"That the Andhra Pradesh General Sales Tax (Amendment) Bill 1978 (L. A. Bill No. 1 of 1978) be taken into consideration."

The motion was adopted and the Bill was considered.

Mr. Speaker :—I will now put the clauses to vote.

The question is:

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

The Motion was adopted, Clauses 2 to 4 were added to the Bill.

Mr. Speaker: —For Clause 5 there is one amendment.

The question is:

"That in Clause 5 in the proposed new sub-section (3) of section 15, for the words "or at any time, there-after in monthly or other prescribed instalments", substitute "in monthly or other prescribed instalments or at any time thereafter in one lumpsum".

The motion was adopted.

Mr. Speaker: —The question is:

"The Clause 5 as amended do stand part of the Bill."

The motion was adopted and Clause 5, as amended was added to the Bill.

Mr. Speaker: —There are two amendments to Clause 6.

The question is:

"for sub-clause (2), substitute the following — "(2) in item 31 (i) in the entry in sub-item (a) in column (1) the expression "other, than Caltax (INDIA) Limited" shall be omitted;

(ii) sub-items (b) and (c) and the entries relating there to shall be omitted",

For sub-clause (6), substitute the following:

"(6) for Explanation VI, the following explanation shall be substituted, namely:—

"Explanation VI— For purposes of items 70 to 74, in the case of motor spirit produced in the State by Caltex Oil Refining (India) Limited, and sold by it to an oil distributing company, the sale by such oil distributing company shall be deemed to be first sale."

The motion was adopted.

Mr. Speaker: —Now the question is:

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

The motion was adopted and Clause 6 as amended was added to the Bill.

Mr. Speaker: —There are no amendments to Clause 7.

The question is:

"Clause 7 do stand part of the Bill."

The motion was adopted and clause 7 was added to the Bill.

Mr. Speaker: —The question is:

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

30th March, 1978. 263
re: Ratification of the Amendments to the Constitution of India, proposed to be made by the Constitution (Forty-fourth Amendment) Bill, 1977.

The motion was adopted. Clause 1, Enacting Formula and Long Title were added the Bill.

Sri G. V. Sudhakar Rao: - Sir, I beg to move :

"That the Andhra Pradesh General Sales Tax (Amendment) Bill, 1978 (L. A. Bill 1 of 1978) be passed.

The motion was adopted and the Bill was passed.

Mr. Deputy Speaker: — Motion moved.

Sri S. Jaipal Reddy—Mr. Speaker Sir, The 44th Amendment Bill makes history in the march of this country. Its principal objective is to defeat the obnoxious and nefarious provisions of the 42nd Amendment rushed through during India's dark history of Emergency. Sir, it gives me great privilege and pleasure to speak in support of the 44th Amendment Bill. I may refer to some of the salient features of this Bill, the most important of which is the removal of the right of the Government to declare anybody or body of persons as anti-national (association). This particular provision, obnoxious as it was, was universally condemned even during Emergency. But Mrs. Indira Gandhi who wanted all the powers to herself in the name of the Government was insistent upon certain of its provisions and it is gratifying that this provision has been removed.

Without going into the obvious merits of this Bill I may say that there are many other provisions of the 42nd Amendment which need to be amended. It is high time that the Congress party and the Congress (I) party come forward to get those provisions also amended. That apart, I would like to take advantage of this occasion to appeal to the Government of India and

Retification of the Amendments to the Constitution of India, proposed to be made by the Constitution Forty-fourth Amendment Bill, 1978.

to all parties in the country to get the fundamental right to property deleted from the Constitution. This was the pledge given by the Janatha party on the eve of polls. This pledge must be redeemed. I am sure all the parties in the country will cooperate with this. With these few words I support the Bill.

Right to property is not a fundamental right.
Government Resolution:
Ratification of the Amendments to the Constitution of India, proposed to be made by the Constitution Forty-fourth Amendment Bill, 1978.

Sri S. Jaipal Reddy: — On a point of order, he must confine himself to this Bill.

Sri S. Alwar Das: — When the Appropriation Bill was being discussed, the Speaker was good enough to allow the hon. Member on the other side to say all this and the Speaker gave a ruling. I don't think the Deputy Speaker can go against it and the hon. Member on the Opposition side should have the patience to hear the truth. I have a right to explain; I come from the same district and tomorrow if all that he has said appears in the papers, will the Speaker be a party? I am asking the Congress as a member of the Congress (I). Even though the Speaker belongs to our party, he permitted the members of the Opposition to speak; likewise, Mr. Deputy Speaker who belongs to the Janata party may give us respect and permit us on this side to speak.

Mr. Deputy Speaker: — It makes no difference whether it is Speaker or Deputy Speaker; the rules will apply.

Sri S. Alwar Das: — The hon. Member should have patience. I am clarifying the matter. నానా మనం సౌత్తం భాచుడు — మనం సౌత్తం భాచుడు. నానా మనం సౌత్తం భాచుడు. నానా మనం సౌత్తం భాచుడు. నానా మనం సౌత్తం భాచుడు. నానా మనం సౌత్తం భాచుడు. నానా మనం సౌత్తం భాచుడు. 

Sri S. Jaipal Reddy: — Sir, On a point of order.

Mr. Deputy Speaker: — (To Sri Alwar Das) You please confine yourself to the Bill.
Ratification of the Amendments to the Constitution of India, proposed to be made by the Constitution Forty-fourth Amendment Bill, 1978.

Sri S. Alwar Das:—Why did you allow the other side to speak. Why don't you permit us also to speak?

Mr. Deputy Speaker:—Please continue your speech confining to the question before the House.

Mr. Deputy Speaker:—Please confine yourself to the Bill.

Sri S. Jaipal Reddy:—Sir, on a point of order.

Mr. Deputy Speaker:—(To Sri Alwar Das:..) Please confine yourself as for the subject is concerned.

Sri S. Alwar Das:—Why did you allow the other side; They should not cast aspersions on this party. The Speaker should not have allowed that.

Sri S. Jaipal Reddy:—Sir, on a point of order.
Ratification of the Amendments to the Constitution of India, proposed to be made by the Constitution Forty-fourth Amendment Bill, 1977.

Sri S. Jaipal Reddy:—There appears to be a slight misunderstanding. General discussion is allowed on the Appropriation Bill. During the general discussion anything under the sky can be referred to. But this is a discussion on the 44th Constitution Amendment Bill; therefore it is not the same as general discussion on the Appropriation Bill. So I suggest that the hon. Member should better confine himself to the merits or demerits of this Bill. The Chair may give a ruling.

Mr. Deputy Speaker:—There is no ruling required. In the Appropriation we discussed certain things: there cannot be a limit. The members is referring to defections. He may continue:

Ratification of the Amendments to the Constitution of India, proposed to be made by the Constitution Forty-fourth Amendment Bill, 1977.

Prohibition of anti-national activities or the prevention of formation or prohibition of anti-national associations.

Government Resolution:
Ratification of the Amendments to the Constitution of India, proposed to be made by the Constitution Forty-fourth Amendment Bill, 1978.

Sri S. Jaipal Reddy:—Sir, it is not proper to refer to the names of prominent persons who are in high authority and are not in this House. They are not here to defend themselves. There are rules provided.

Sri P. Venkata Rao:—I am very glad to know from Sri Jaipal Reddy. Whoever he is a national leader, 11. Whatever be the controversy, be it a matter of fact, be it any issue, be it a public issue, be it a national issue, 22. What is the necessity to refer to the names of prominent persons who are in high authority and are not in this House? They are not here to defend themselves. There are rules provided.

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Government Resolution:

Ratification of the members to the Constitution of India proposed to be made by the Constitution Forty-fourth Amendment Bill, 1977.

Mr. Deputy Speaker:—The question is:

"That this House ratifies the amendments to the Constitution of India falling within the purview of the proviso to (2) Art. 368 thereof, proposed to be made by the Constitution (Forty-fourth Amendment) Bill, 1977, as passed by the two Houses of Parliament and the short title of which has been changed into 'The Constitution (Forty-third Amendment) Act, 1977.'"

The motion was adopted.

Mr. Deputy Speaker:—The House stands adjourned to meet again tomorrow at 8-30 a.m.

(The House then adjourned to meet again at 8-30 a.m on Friday the 31st March, 1978.)