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PRINCIPAL OFFICERS

Speaker
Sri P. Talasani

Deputy Speaker
Sri A. B. Botcha Reddy

Panel of Chairmen
1. Sri D. N. Chary
2. Sri V. V. Narayana
3. Sri M. M. I. Bhown Chowdary
4. K. R. Prasad
5. Sri Manchali Venkata Krishna Rao
6. Sri P. Ramakrishna Reddy

Secretary
Sri K. Sukhara Reddy

Deputy Secretaries
Sri M. Venugadham
Sri C. Venkataram

Assistant Secretaries
1. Sri N. Patapalli Rama Rao
2. Sri P. Salvanatavada Satyam
3. Sri P. V. K. N. V. Ramachandra Sarma
4. Sri K. V. N. Appa Rao
5. Sri V. V. Subrahmanyan
6. Sri V. V. Bhaskara Rao

Chief Reporter
Smt. M. V. S. Jayalakshmi.
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THE ANDHRA PRADESH LEGISLATIVE ASSEMBLY DEBATES
OFFICIAL REPORT

Twenty Fourth Day of the Fourth Session of the Andhra Pradesh Legislative Assembly.

ANDHRA PRADESH LEGISLATIVE ASSEMBLY
Thursday the 22nd March, 1984
The House met at Half-past Eight of the Clock
(MR. SPEAKER IN THE CHAIR)
ORAL ANSWERS TO QUESTIONS.

MR. SPEAKER: I shall now take up QUESTIONS.

*221.
The first Question is postponed at the request of the Member.

(Q. 221 was postponed.)

*222.
The Second Question is postponed at the request of the Minister.

(Q. 222 was postponed.)

OPENING OF NEW SCHOOLS IN UDAYAGIRI AND VINJAMUR BLOCKS IN NELLORE DISTRICT.

223—

*2580—(V)—Q.—Sri M. Venkaiah Naidu, (Udayagiri):—Will the Minister for Education be pleased to state:

a) whether the Government is in receipt of any representation from Sri M. Venkaiah Naidu, M. L. A. regarding opening of Eleven new Elementary Schools in Udayagiri and Vinjamoor Blocks in Nellore district in the school-less Centres; and

b) if so, the action taken by the Government?

Minister for Education, (SRI P. ANANDA GAJAPATHI RAJU):—

a) Yes, Sir.

b) The matter is under consideration of the commissioner for School Education in consultation with the District Educational

*An asterisk before the name indicates conformation by the Member
312 22nd March, 1984 Official Answers to Questions

Officer, Nellore to examine whether the said school-less habitations could be included in the updated survey if they have not been identified as school-less habitations in the IV All India Educational Survey. The final report of the District Educational Officer is awaited. He was remaindered telegraphically by the Government and the Commissioner for School Education. Necessary further action will be taken on receipt of the report of the Commissioner for School Education.

SRI M. OMKAR (Narsampet): When did the Hon'ble Minister receive the information from the Hon'ble Member and what are the guidelines for opening new schools wherever they are not existing?

SRI P. ANANDA GAJAPATHI RAJU: Last year, a representation was given by the Hon'ble Member saying that he wanted 11 villages to be considered for starting schools. But then, it was not possible because out of 921 villages identified as school-less habitations in the State, 1500 were provided with schools. The criteria for selection is that a habitation should be 1.5 K.M. from the place where the school is functioning and the population on should be 200 persons in the habitation.

SRI M. OMKAR: Whether the Hon'ble Minister aware that the criteria or norms that were fixed by the Central Government and the manner in which the villages were identified are not proper and some mistakes were committed. In view of the representations that have been sent to revise it and to open schools wherever they are not there, whether the Government is considering those aspects?

SRI P. ANANDA GAJAPATHI RAJU: The Survey is done by IV All India Educational Survey. If the Hon'ble Member brings certain aspects as he said, to my notice, I will look into it. The Survey is done and that survey shows all the details and the criteria also I have mentioned earlier. If there is any mis-apprehension about the survey done, the Member is always at liberty to bring it to our notice.
SRI P. ANANDA GAJAPATHI RAJU: There need not be any mis-apprehensions by the Hon’ble Member. The survey was conducted by All India Educational Survey authorities and during the survey, these villages are not shown as school-less villages.

SRI P. ANANDA GAJAPATHI RAJU: The Member said that 11 villages are in school-less areas. Whatever has been indicated in the survey, we are taking action in a phased manner. According to the information available, these 11 villages are not in school-less areas.

SRI P. ANANDA GAJAPATHI RAJU: If the Hon’ble Member pass on the information to me, I will look into it.

SRI P. ANANDA GAJAPATHI RAJU: As I mentioned earlier, these 11 villages are not in school-less areas as per the survey. We will follow a criteria. If these villages come into that criteria, they will be given. As the Hon’ble Member was telling that certain schools are removed, we will examine that matter also.
**224**

MR SPEAKER: The next question is postponed at the request of the Minister. (Question No. 224 was postponed.)

**MISAPPROPRIATION OF CHARITY FUND BY JOGGERY SELLING COMMISSION AGENTS AT ANAKAPALLI**

*2846- Q-Smt. G. Madhavi:- (Visakhapatnam-I):- Will the Minister for Agriculture And Co-operation be pleased to state:

(a) whether it is a fact that the Joggery Selling Commission Agents are not paying the Collected Vuitar to Anakapalli Merchant's Association at Anakapalli, Vizag District and misappropriating the Charity Fund for their own business;

(b) if so whether the Govt. will take any action immediately on the Commission Agents who are closing their firms in order to avoid the tax; and

(c) if so the steps taken by the Government?

---

(a) 31st March, 1984

(b) 15.4.84

(c) 15.4.84

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MR SREEKANTH: The next question is postponed at the request of the Minister. (Question No. 224 was postponed.)
Oral Answers to Questions 22nd March, 1984 315

Sir, Sir! Answer to Questions 22nd March, 1984 315

A. The 22nd March, 1984.


G. The 22nd March, 1984.


N. The 22nd March, 1984.

O. The 22nd March, 1984.


V. The 22nd March, 1984.


X. The 22nd March, 1984.


316 22nd March, 1984 Oral Answers to Questions

315. The Chief Minister: The Assembly had earlier decided to allocate one lakh seven thousand only to the department of Public Works. In the present budget these allocations are being increased from one lakh seven thousand to two lakhs. If the estimates of the Public Works Department are not increased, the construction of one thousand drains will not be possible. 316. It was informed that the works related to the construction of the drains were in progress. 317. The proper facility of the Public Works Department will be obtained. 318. It can be said that all the works related to the construction of the drains are in progress.

319. The Minister for Public Works: The Chief Minister has already informed that the construction of one thousand drains is possible. The works have already begun and will be completed in time. 320. The Public Works Department has all the necessary facilities and the works will be completed in time. 321. With the increase in the budget, the Public Works Department will be able to complete the works in time. 322. The works related to the construction of one thousand drains will be completed in time.
22nd March, 1984

(1) 30. 30. 30. 30. 30. 30.

(2) 10. 10. 10. 10. 10. 10.
When the Government says no powers under the Act.

(Interruptions)

3o. 30th: — The Honble. Member for...

When the Government says no powers under the Act.

(Interruptions)
What is the scope of the question hour. You want an answer and you are entitled to elicit an answer. The Government is giving answer.

I am not bothered about the certificate. When these irregularities are going on how can I keep silent. It is very bad.
320 22nd March, 1984 Oral Answers to Questions

(అంగ్లం ద్వారా)

ప్ర. 3. జూలియస్ రొండ్:- అధికార చీఫ్ సంక్షిప్త అంధ.
ప్రైవేట్ అధికారాలతో గుర్తించబడిన సాధన సంపాదన.

(అంగ్లం ద్వారా)

ప్ర. 25. జూలియస్ రొండ్:- వినాయక స్రాయలుయు యా శాసనం సాధనంపై ఆధునికత సంఖ్య, 1984 సంవత్సరం సంఘాతం అంశం. అదు సార్ల మార్గాన్ని తెలియజేం.

ప్రేమన వినాయకాఖాతం ఎంచుకగా అనేక విధానాలను సంభవించగలిగింది. అప్పుడు మార్గాన్ని అనుసరించడం సాధనం అంధ జీవంతంగా ఉండగలిగింది. మార్గాన్ని అనుసరించడం సాధనం కూర్చి అనుసరించగా ప్రత్యేక ఆదికత సంఖ్య సంభవించడం అంశం. ఆధునిక సాధనం సంఖ్య ఎంప్యుండం అంశం.

ప్రేమన వినాయకాఖాతం ఎంచుకగా అనేక విధానాలను సంభవించగలిగింది. అప్పుడు మార్గాన్ని అనుసరించడం సాధనం అంధ జీవంతంగా ఉండగలిగింది. మార్గాన్ని అనుసరించడం సాధనం కూర్చి అనుసరించగా ప్రత్యేక ఆదికత సంఖ్య సంభవించడం అంశం. ఆధునిక సాధనం సంఖ్య ఎంప్యుండం అంశం.
MR SPEAKER :- You take the advice of Raghava Reddy and do it.

Sri M. Jagannadham (Wardhannapet) :- Will the Minister for Health and Medical be pleased to state:

(a) whether it is a fact that the State Government have provided financial aid and building facilities to an institution called ‘Silpi Clinic’.
Oral Answers to Questions

(b) the organisers of this institution and their qualifications; the particulars of the programmes organised by them;

c) whether it is also a fact that monetary aid is being received by the institution every month from distinguished persons living in America; for whom the amount is intended to be spent; and

d) whether there is audit to this institution; if so the particulars?
CONSTRUCTION OF SUB-CENTRE AND L. H. V. QUARTERS AT MUDDANUR,
CUDDAPAH DISTRICT

567—

* 10484Q.— Sarvasri Y. S. Rajasekhara Reddy, K Nagarjuna Reddy, (cumbum), P. Rajam (Narella) A. G. Krishna, (Ibrahimpatnam) Will the Minister for Health & Medical be pleased to state-

(a) whether it is a fact that the Executive Engineer, I. P. P.- II M & H Department, Cuddapah has informed Sri G. Raghurami Reddy, Contractor through his letter R. C. No. EE/IPP/HD/82, dated 28-2-1983 stating that the construction of sub-centre and L. H. V. quarters at Muddanur under P. H. C. at Vaddirah, Cuddapah district tenders were accepted;

(b) whether it is also a fact that the same Executive Engineer refused the contractor on 25-3-1983 for entering into agreement; and

(c) if so, the reasons therefor?
324 22nd March, 1984 Oral Answers to Questions

(1) நண்பர் வானூரத்தில்:

(2) நம்பிக்கை.

(3) நம்பிக்கை.

(4) என். இடம். கேலார்: இலக்கம் கேட்டு, மும்பாயில் நாம் இந்த நடவடிக்கையை, சிறை நிற்க மூட்டும் உள்ளாகும் காரணமாக நம்பிக்கையை நேரடியாக கூறியும் மூட்டும் சான்றாக எழுதி வைக்கப் பட்டது. மேலும் செரியாக வளர்வுத் தொடர்பில் தன்னை முழுக்கத் தரும் தொடக்க இரண்டு நாட்கள் முதல் அளவில் இரண்டு மாதங்கள் முதல் வரை செரியான கூட்டமைப்பின் மூலை முதல் செய்யும் சான்றாக எழுதி வைக்கப்பட்டது. இதுவே நம்பிக்கையை நேரடியாக கூறும் மூட்டும் சான்றாக எழுதி வைக்கப்பட்டது. எனவே, செரியான

Dr. Y. S. RAJA SEKHARA REDDY. :- I Want a specific answer from the Government to the effect that he is not going to change the place from where it was originally considered.
Dr. Y. S. RAJA SEKHARA REDDY :- Why he trying to beat around the bush.

I am asking a specific question. You must come to our rescue Mr. Speaker Sir.
ALLOTMENT OF WORK BY THE CHAIRMAN NELLORE MUNICIPALITY ON NOMINATION BASIS

228 — * 2606 — (R.) Q. — Sri A. Ramnarayan Reddy (Nellore), Kum. Katragadda Prasuna (Sanathnagar), Sarvasri Daggubati Chowdari (Parchur), P. V. Krishna Rao (Koneru), S. Jaipal Reddy (Kalvakurti), Indrasena Reddy (Malakpet), A Narendra (Hymat nagar), M. Venkaiah Naidu: Will the Minister for Law & Municipalities be pleased to state;

(a) whether it is a fact that the Chairman, Nellore Municipality has given works to the tune of Rs. 3.50,000 on nomination basis;

(b) whether it is also a fact that Municipality has appointed a Municipal House Committee, to enquire into works;

(c) if so, whether the report will be placed on the Table of the House; and

(d) the action taken by the Government?
మాఠిస్తే సందర్భాను చేసి తెలియండి
(1) కాలకారి.
(2) కాలకారి.
(3) కాలకారి.

ఇ విషయం చెందిది స్వయంగా అంటే.
(5) అనేక జాబులను లిఖించండి (సాధనం), 1.8.1981 లో అండి అంటే, 1881 లో లిఖించండి సమాచారం. 1881 లో లిఖించండి సమాచారం. 1882 లో లిఖించండి సమాచారం. 1883 లో లిఖించండి సమాచారం.

(6) అంచనాపు టెస్టులు లిఖించండి. అంచనాపు టెస్టులు లిఖించండి.

ఎంతపై ప్రమాణాను లిఖించండి (సాధనం). 1982 లో లిఖించండి సమాచారం. 1883 లో లిఖించండి సమాచారం.

(7) అంచనాపు టెస్టులు లిఖించండి. అంచనాపు టెస్టులు లిఖించండి.
22nd March, 1984

Oval Answers to Questions
Oral Answers to Questions 22nd March, 1984

(1) ప్రపంచాదిశా సంసారంలోని ఉత్తరాధికారితత్వం ఉన్నత సంస్థల ప్రమాణాలు మహాధికారికత సమస్యాలు ఉన్నతం తెలియజేస్తున్నారు.

(2) ఎందుకు తమ ప్రాధికాలాలు ఇంటికి ఉత్తరాధికారితత్వం ఉన్నతం తెలియకటా నియమాలను వినియోగించి ఉడుపోకారా?

(3) ప్రపంచాదిశా సంస్థలు ప్రయత్నించి ఉన్నత సంస్థలు ఉత్తరాధికారితత్వం ఉన్నతం తెలియండి?

(4) ప్రమాణాలు ఉత్తరాధికారితత్వం ఉన్నతం తెలియకటా నియమాలను వినియోగించి ఉడుపోకారా?

(5) ఎందుకు తమ ప్రాధికాలాలు ఇంటికి ఉత్తరాధికారితత్వం ఉన్నతం తెలియకటా నియమాలను వినియోగించి ఉడుపోకారా?

(6) ప్రపంచాదిశా సంస్థలు ప్రయత్నించి ఉన్నత సంస్థలు ఉత్తరాధికారితత్వం ఉన్నతం తెలియండి?

(7) ఎందుకు తమ ప్రాధికాలాలు ఇంటికి ఉత్తరాధికారితత్వం ఉన్నతం తెలియకటా నియమాలను వినియోగించి ఉడుపోకారా?
FILLING UP OF THE POSTS OF LAW OFFICERS WITH B.C. CANDIDATES

299—

2586-(G)-Q- Sri A. Janardhan Rao (Takkali) :— Will the Minister for Law and Municipalities be pleased to state:

(a) whether it is a fact that only 29 posts of Law Officers out of a total number of 273 posts in the state have been filled up with Backward Class Candidates when 25% of the posts are reserved for them;

(b) the reason why the Government has not taken action to fill up the remaining 40 posts with B.C.s in view of the press statements made by the Hon. Chief Minister regarding the Government's policy in appointing Law Officers;

(c) whether the rule of reservation has been followed in the case of Scheduled Castes; if so, how many of them were appointed; and

(d) whether the rule of reservation has been followed in the case of Scheduled Tribes also; if so, how many have been appointed?

The Minister for Law and Municipalities (Sri M. N. Naidu) :

(a) The Government's policy is to fill up the posts of Law Officers with B.C. candidates. Steps have been taken to fill up the remaining 40 posts with B.C. candidates. The Government has taken action to follow the rule of reservation for Scheduled Castes and Scheduled Tribes.

(b) The Government has decided to follow the rule of reservation for all categories of candidates. The number of posts filled up with B.C. candidates is under review.

(c) The rule of reservation has been followed in the case of Scheduled Castes. The number of candidates appointed from this category is under review.

(d) The rule of reservation has been followed in the case of Scheduled Tribes. The number of candidates appointed from this category is under review.
Oral Answers to Questions

22nd March, 1984

331

The Hon'ble Member for Nizamabad District (Mr. P. V. Ranga) asked:

(1) has the Hon'ble Chief Minister informed the House that the government has decided to extend the services of the existing officers of the executive service of the state to 1884 and has decided to appoint them to the permanent cadre of the state?

The Hon'ble Chief Minister (M. V. Narasimha Reddy) replied:

The Hon'ble Chief Minister replied that the state government has decided to extend the services of the existing officers of the executive service of the state to 1884 and has decided to appoint them to the permanent cadre of the state.

(2) has the Hon'ble Chief Minister informed the House that the government has decided to extend the services of the existing officers of the executive service of the state to 1884 and has decided to appoint them to the permanent cadre of the state?

The Hon'ble Chief Minister (M. V. Narasimha Reddy) replied:

The Hon'ble Chief Minister replied that the state government has decided to extend the services of the existing officers of the executive service of the state to 1884 and has decided to appoint them to the permanent cadre of the state.

The Hon'ble Member for Nizamabad District (Mr. P. V. Ranga) asked:

(3) has the Hon'ble Chief Minister informed the House that the government has decided to extend the services of the existing officers of the executive service of the state to 1884 and has decided to appoint them to the permanent cadre of the state?

The Hon'ble Chief Minister (M. V. Narasimha Reddy) replied:

The Hon'ble Chief Minister replied that the state government has decided to extend the services of the existing officers of the executive service of the state to 1884 and has decided to appoint them to the permanent cadre of the state.

The Hon'ble Member for Nizamabad District (Mr. P. V. Ranga) asked:

(4) has the Hon'ble Chief Minister informed the House that the government has decided to extend the services of the existing officers of the executive service of the state to 1884 and has decided to appoint them to the permanent cadre of the state?

The Hon'ble Chief Minister (M. V. Narasimha Reddy) replied:

The Hon'ble Chief Minister replied that the state government has decided to extend the services of the existing officers of the executive service of the state to 1884 and has decided to appoint them to the permanent cadre of the state.

The Hon'ble Member for Nizamabad District (Mr. P. V. Ranga) asked:

(5) has the Hon'ble Chief Minister informed the House that the government has decided to extend the services of the existing officers of the executive service of the state to 1884 and has decided to appoint them to the permanent cadre of the state?

The Hon'ble Chief Minister (M. V. Narasimha Reddy) replied:

The Hon'ble Chief Minister replied that the state government has decided to extend the services of the existing officers of the executive service of the state to 1884 and has decided to appoint them to the permanent cadre of the state.

The Hon'ble Member for Nizamabad District (Mr. P. V. Ranga) asked:

(6) has the Hon'ble Chief Minister informed the House that the government has decided to extend the services of the existing officers of the executive service of the state to 1884 and has decided to appoint them to the permanent cadre of the state?

The Hon'ble Chief Minister (M. V. Narasimha Reddy) replied:

The Hon'ble Chief Minister replied that the state government has decided to extend the services of the existing officers of the executive service of the state to 1884 and has decided to appoint them to the permanent cadre of the state.
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I. Mr. K. R. Narayanan: The chief minister affirms that no steps have been taken to deport the double passport holders to their country of origin. The matter is under the consideration of the High Commissioner of the Government of Israel. The High Commissioner has informed that the matter is not yet decided. The matter is expected to be decided in a few months.

II. Mr. N. V. Menon: The President of India has not been informed of any party claim to the nomination of a candidate for a seat in the Lok Sabha. In any case, if the President is approached, he will consider the matter in accordance with the Constitution.

III. Mr. K. R. Narayanan: In the case of the double passport holders, the matter is under the consideration of the High Commissioner of the Government of Israel. The High Commissioner has informed that the matter is not yet decided. The matter is expected to be decided in a few months.

IV. Mr. K. R. Narayanan: The President of India has not been informed of any party claim to the nomination of a candidate for a seat in the Lok Sabha. In any case, if the President is approached, he will consider the matter in accordance with the Constitution.
స్టేషన్ల నవాబాండ్ బాస్పుర్ మండలాన్ని మురికి నిదానం చేసుకోనదా. డిప్యూటీడ్ స్టేషన్ ప్రధాన కార్యాలయం మురికి నిదానం చేసుకోనదా. యొక్క స్టేషన్ ప్రధానం శిఖరానికి సంబంధిత ప్రధానాలు ప్రవాహం చేసుకోనదా. ప్రతి రోజు మరియు నాయకులు సంబంధిత ప్రధానాలు ప్రవాహం చేసుకోనదా. మీది రోజు సంబంధిత ప్రధానాలు ప్రవాహం చేసుకోనదా. (సంచారం చేసిన కొండ ఆపంగా ప్రధానాలు ప్రవాహం చేసుకోనదా. మై ఎ 48 సంచారం చేసిన కొండ ఆపంగా ప్రధానాలు ప్రవాహం చేసుకోనదా.

స్టేషన్ నవాబాండ్ బాస్పుర్ మండలాన్ని మురికి నిదానం చేసుకోనదా. డిప్యూటీడ్ స్టేషన్ ప్రధాన కార్యాలయం మురికి నిదానం చేసుకోనదా. యొక్క స్టేషన్ ప్రధానం శిఖరానికి సంబంధిత ప్రధానాలు ప్రవాహం చేసుకోనదా. ప్రతి రోజు మరియు నాయకులు సంబంధిత ప్రధానాలు ప్రవాహం చేసుకోనదా. మీది రోజు సంబంధిత ప్రధానాలు ప్రవాహం చేసుకోనదా. మీది రోజు సంబంధిత ప్రధానాలు ప్రవాహం చేసుకోనదా.
Oral Answers to Questions

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...
DRINKING WATER SUPPLY SCHEME TO NALGONDA TOWN

230 — 2959 — Q — Sri N. Raghava Reddy and Smt. M. Swaraj-yam (Tungathuity) :- Will the Minister for Law and Municipalities be pleased to state,

(a) the stage at which the scheme of supplying drinking water (from Nagarjuna Sagar Project Canal) to Nalgonda town stands at present;

(b) by that time the said scheme will be completed; and

(c) whether the Government have noticed that only four lakhs gallons of water is being supplied through all the sources to the said town which is the District Headquarters as against a requirement of 13 lakhs gallons of water?

Sri. S. Subbaiah Reddy :

(1) The Drinking Water Supply Scheme to Nalgonda Town is at the stage of completion. The water supply scheme from Nagarjuna Sagar Project Canal to Nalgonda Town is being implemented with a capacity of 20,000 gallons per day. The current water supply is approximately 12,500 gallons per day.

(2) By this stage, the scheme will be completed.

(3) The Government have noticed that the supply of water from all sources to Nalgonda Town, which is the District Headquarters, is only 4 lakhs gallons per day, whereas the requirement is 13 lakhs gallons per day.
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ప్రశ్నలు సాధించడం కోసం మాత్రమే దాని సమాధానాన్ని ఉపయోగిస్తూ వచ్చింది.

ఇది సాధారణంగా ఉన్నది. 50 పోలిస్టు ప్రత్యేకంగా ఉంది. వాస్తవాన్ని చెప్పిన విషయానికి కూడా ఇది సాధారణం.

నాలుగు సందర్భాలలో ఎందుకు అందరూ ఉంటుంది.

ఇది సాధారణంగా ఉన్నది.

ఇది సాధారణంగా ఉన్నది.

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ఇది సాధారణంగా ఉన్నది.
L. A. Qs. Postponed From 14-3-1984

162 — PERMISSION FOR SECOND JUNIOR COLLEGE AT KHAZIPET

2615 (O) :- Swasnavi M. V. Ramana Reddy and V. Venkata Reddy (Kamalapuram) :- Will the Minister for Education be pleased to state :

(a) Whether it is a fact that Government have granted permission for a 2nd Junior College in adjoining Panchayat which is hardly a few yards away from Khazipet, Cuddapah District; and

(b) if so, the reasons therefor ?

Hon Minister for education (Sri P. Ananda Gajapathi Raju)

(a) Yes Sir.


SRI P. ANANDA GAJAPATHI RAJU :- There was a writ filed in the High Court stopping the Ravindra Educational Society to run the College at Khazipet. The writ was dismissed and subsequently the Ravindra Educational Society put in an application to
the Board of Intermediate Education on 13-9-1983 and 5-11-1983. Now, they are given permission to run the college. They will again shift back to Kotha Guruvapalem village.

It is hardly few yards away from Khazipet.

to circumvent the Court orders, they have applied for permission to start in the adjoining panchayat.

SRI P. ANANDA GAJAPATHI RAJU:— There is no provision to cancel the sanction that is already given. The sanction was given on 29-8-1982. They requested that it should be continued at Khazipet temporarily for four months. After four months they will have to shift back to the original village.

UNAUTHORISED OCCUPATION OF CERTAIN LANDS IN CHINTANIPPULA AGRAHARAM, VIZAG DISTRICT BY PRIVATE INDIVIDUAL

2614 (V): Smt. G. Madhavi (Visakapatnam-II): Will the Minister for Revenue be pleased to state:

(a) whether it is a fact that one Chinta Rama Murthy, a resident of Anakapalli, connived with the Officials of the Office of the Director of Settlement, and created forged documents for the lands bearing S. No. 9/1, 9/2, 9/3 in Chintanippula Agraharam, Sabbavaram taluk, Visakha patnam district;

(b) if so the action to be taken against the officials by the Government;

(c) whether revenue enquiry has been instituted in regard to the lands of Chinta Ramamurthy;

(d) whether it is also a fact that Chinta Ramamurthy created a forged stamped document showing that Chinta Peda Balanna has given it on 28-11-59 in favour of Chinta Subrahmanyam; and

(e) the nature of action proposed to be taken by the Government against the person who unauthorisedly occupied even the Government lands with the connivance of the Government officials?
ప్రత్యేక ప్రశ్నలకు సమాధానం

(1) చిక్కర.

(2) మూడు ప్రశ్నలు.

(3) యొక్క ప్రత్యేక ప్రశ్నలకు సమాధానం.

(4) వాటిని సమాధానం చేసి ప్రశ్నను సమర్పించండి.

(5) మూడు ప్రశ్నలకు సమాధానం.

(6) చిక్కర.

(7) ముందు సమాధానం చేసి ప్రశ్నను సమర్పించండి.
230 - A
MARKS SCANDAL IN V. K. R. COLLEGE, GANNAVARARAM
S. N. Q. No. 4332 - M; Sarvasri Md. Rajab Ali, G. Mallesh (Arifabad), Bhupathirao (Palair), V. Abbaiah (Burgampahad), Gangnem Venkateswararao (Vinukonda): Will the Minister for Education be pleased to state;

(a) whether it is a fact that a senior physics Lecturer Chief Superintendent of Examinations and a Practical Examiner are involved in a Marks Scandal at V.K. R. College in Gannavaram of Krishna district;

(b) whether it is also a fact that the above persons have replaced the Intermediate answer papers;

(c) whether the Government have received any representations regarding the marks scandal at V. K. R. College, Gannavararam; and
(d) if so, the action taken by the Government in this regard?

Sri P. Ananda Gajapathi Raju: Education (M) Department.

(a) A news item appeared in the Visalandhra dated 12-9-1983 alleging the involvement of the Chief Superintendent, the practical examiner in Physics and a senior Physics Lecturer in the substitution of Physics practical answer books at V. K. R. College in Gannavaram of Krishna Dist.

(b) It has not been established conclusively that the above persons are involved in the substitution of answer books.

(c) Yes. A memorandum from the students' organisation of the V. K. R. College has been received on 4-10-1983.

(d) Action was taken as soon as the news item appeared in the press on 12-9-1983, even before the memorandum was received. A detailed enquiry was got conducted by the Regional Inspecting Officer Board of Intermediate Education, Guntur.

SRI P. ANANDA GAJAPATHI RAJU: Action pending enquiry was taken against Sri J. S. Murthy and Sri M. Satyanarayana. Both of them were debarred from all types of remunerative work of the Board of Intermediate education. This was communicated to them. This item appeared in Visalandhra after everything was over. This matter was enquired into. No legal proof has been obtained about such occurrence. Nevertheless, these two teachers have been debarred from any remunerative work of the Intermediate board. We will find out further details. If the Member passes on information we will see that this is thoroughly investigated.
SRI P. ANANDA GAJAPATHI RAJU :- As I mentioned earlier there was no legal proof that such a thing had happened. It was an allegation made but there was no legal proof, but, nevertheless this examination took place in March 83. If the Member had mentioned somewhere in March or April 83 we could have taken action. This matter was reported in Visalandhra after the results were announced and after everything was over. There is no conclusive proof that such a thing has taken place. We have to take action on the basis of legalities and not on something speculative. There is no legal proof. If the Member passes on information relating to its legality then definitely we have no objection in further examining the matter.

SRI P. ANANDA GAJAPATHI RAJU : I said there is no legal proof.

SRI P. ANANDA GAJAPATHI RAJU : If the Member has any additional information let him pass on. We will consider that.
SRI P. ANANDA GAJAPATHI RAJU :- The Inspecting officer who was deputed to enquire the matter said that there appears to be no truth in the allegation and it would not stand to legal proof. If the Member has any additional information which can throw some light on the matter is quite welcome to give it. We will examine.

SRI P. ANANDA GAJAPATHI RAJU : It is not so simple. You cannot suspend an official or a teacher unless it stands to legal scrutiny. The inspecting officer said that it will not stand to legal scrutiny. We have debarred these two people from all types of remunerative work. If the Member passes on any additional information, then we have no objection in considering the matter.
SRI P. ANANDAGAJAPATHI RAJU: These two people who are involved are not given any remunerative work. The Inspecting officer said that the matter will not stand to legal scrutiny, Now the Members are saying that there is a case for enquiry they have reservation to the person himself. They can write to me, then we will send another person to enquire into the matter.

M. SC. NURSING CENTRE IN THE STATE

S. N. Q. No. 4334—E Sri T. Seetharam (Amadalavalasa): Will the Minister for Health and Medical be pleased to state:

(a) whether there is any proposal with the Government to start M. Sc. Nursing Centre in the state; and if so when; and

(b) if not the reasons therefor?

(a) in brief.

(b) as per the above.

SRI. T. SEETHARAM: In 1971-72 10.35 acres, land was purchased. 10.35 acres of land was purchased in 1971-72. At present the 10.35 acres of land was purchased for 103. 10.35 acres of land was purchased for 103. 10.35 acres of land was purchased for 103. 10.35 acres of land was purchased for 103. 10.35 acres of land was purchased for 103. 10.35 acres of land was purchased for 103.
WRITTEN ANSWERS TO QUESTIONS

NON-DISTRIBUTION OF ESSENTIAL COMMODITIES PROPERLY IN RAYACHOTI TALUK

181—

2387 Q — Sarvasri Jalagam Prasada Rao, A. G. Krishna and P. Rajam:— Will the Chief Minister be pleased to state:

(a) whether it is a fact that the essential commodities are not being distributed properly through the fair price shops in Rayachoti taluk. Cuddapah district:

(b) Whether it is also a fact that all the commodities are being sold out in the black market even though a Civil Supplies Deputy Tahsildar is posted there: and
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(c) if so, the action taken?
A.—(a) No, Sir.

(b) and (c) The essential commodities namely rice and sugar are lifted from the taluk stockist point to village point and delivered to fair price shop keeper by the Revenue Inspector concerned. The observation that all the essential commodities supplied to the taluk are being sold in the black market is not correct. However, a few cases of black marketing have come to the notice of district authorities and action has been initiated against the offenders. Checks and surprise inspections have been intensified to curb malpractices.

BLACK MARKETING OF RICE AT NEREDCHERLA,
NALGONDA DISTRICT

182—

3206 Q.—Sarvasri M. Ramakrishna Rao, M. Omkar and M, Yerriah Reddy and Smt. M. Swarajyam: Will the Chief Minister be pleased to state:

(a) Whether the Government are aware of the black-marketing of rice for fair price distribution allotted to the dealers at Neredcherla, Huzoor nagar taluk, Nalgonda district during the month of September, 1983; and

(b) if so, the action taken by the Government in the matter?
A — (a) No Sir,

(b) Does not arise.

SELLING OF RICE TO MADRAS PEOPLE BY A FAIR PRICE SHOP DEALER AT KALLUR, NELLORE DISTRICT

183—

3660 Q.—Sri Nallapareddi Chandrasekhara Reddy: Will the Chief Minister be pleased to state:

(a) whether it is a fact that the fair price shop dealer at Kallur, Vakadu taluk, Nellore district has sold out the rice to the people of Madras;

(b) whether it is also a fact that the Harijans of the said village seized these bags and handed over them to the officers; and

(c) whether it is also a fact that the dealership of the said dealer was cancelled formerly which was again given to his brother in the same family and the bags which were seized have been handed over to him?
A—(a) No, Sir.

(b) It is a fact that Harijans of Kallur village intercepted a Bullock cart carrying 10 bags of rice. The Tahsildar visited the village on receiving the information and seized the rice.
(c) It is a fact that the dealership of the fair price shop was cancelled and that the then Assistant Collector appointed a new dealer. Subsequently it came to notice that this dealer was the brother-in-law of the old dealer. Considering that it was not desirable to appoint a relation of the old dealer as the fair price shop dealer, in the circumstances of the case, the order of the Assistant Collector, Gadur was set aside and the Revenue Divisional Officer was requested to make alternative arrangement till a permanent dealer was appointed. The seized bags were not handed over to the dealer and the rice was got distributed through the Firkā Revenue Inspector, Vakādu to Scheduled Castes and Scheduled Tribes on payment.

ADDITIONAL RATION SHOPS IN THE TWIN CITIES

184—

2606 :— Q — Sarvasri Konda Lakshma Reddy and K. R. Krishna Swamy: Will the Chief Minister be pleased to state:

(a) the number of ration shops existing in the twin cities and the number of ration cards issued so far; and

(b) the number of additional ration shops proposed to be opened?

A—(a) The number of fair price shops existing in twin cities as on 31st December, 1983 is 795. The number of supply cards issued up to 31st December, 1983 is as follows:

- Green supply cards — 2,60,466.
- Yellow supply cards — 3,32,940.

(b) During the year 1983, 97 new Fair Price Shops have been opened. Additional shops will be opened as and when necessary, taking into account the viability of the Fair Price Shops and convenience of the consumers.

ATROCITIES COMMITTED BY THE S. I. AND C. I. OF POLICE, VENKATAGIRI.

185 —

3861 Q — Sarvasri M. Omkar, M. Yerraya Reddy and Smt. M. Swarajyam : Will the Chief Minister be pleased to state:

(a) whether the Government have received a Memorandum in the month of November, 1983 from the leaders of C. P. I. (M), Janata Party, Telugu Desam Party and B. J. P. of Venkatagiri in Nellore district regarding the partial attitude and atrocities being committed by the Sub-Inspector and Circle Inspector of Police, Venkatagiri; and
(b) if so, the action taken thereon?
A — (a) Yes, Sir. The petition was received in District Police Office, Nellore.

(b) Departmental action is being taken against the Sub-Inspector for incorrectly handling the cases.

BEATING THE R. T. C. DRIVERS OF NARASAMPETA DEPOT BY SPECIAL POLICE
186 —

3583 Q — Sarvasri M. Omkar, M. Ramakrishna Rao, M. Yerraiah Reddy and Smt. M. Swarajyam: Will the Chief Minister be pleased to state:

(a) whether it is a fact that the special police have beaten the Road Transport Corporation Drivers of Narasampeta Depot of Warangal district on the night of 28th September, 1983 in a drunken state without any valid reason;

(b) whether it is also a fact that a complaint was filed by the Depot Manager to concerned Superintendent of Police and Deputy Superintendent of Police regarding this incident; and

(c) if so, the action taken on the guilty?
A — (a) No, Sir.

(b) Yes, Sir.

(c) The matter was enquired into. The allegations mentioned in the petition are found to be not correct. Hence, the Question of taking action does not arise.

BEATING THE YOUTH BY THE POLICE PATROLLING AT KAVADIGUDA AREA
187 —

2469 Q — Sarvasri P. Rajam and A. G. Krishna: Will the Chief Minister be pleased to state:

(a) whether it is a fact that the Police patrolling in Kavadiguda area in Hyderabad City, beat the youth who were Celebrating the Holi Festival;

(b) whether it is also a fact that the Police behaved brutally and had beaten and arrested Sri Sunder Raj and Sri Madhuraj;

(c) whether it has come to the notice of the Government that Smt. Narasamma, mother of the above two persons expired on hearing the news of their arrest; and

(d) if so, the action taken by the Government?
A—(a) No, Sir.
(b) No, Sir.
(c) No, Sir.
(d) Does not arise.

PLYING OF R T.C. BUSES UP TO MANDAMARRY MARKET
188—

2602-V Q.—Sri S. Sanjeeva Rao: Will the Minister for Transport be pleased to state:

(a) whether the Government are aware that the Road Transport Corporation Buses of Manchiryala, Asifabad Depots, Adilabad district were running up to Mandamarri Market (Kalyani Khani) previously.

(b) whether it has come to the notice of the Government that these buses are not plying since the last one year; and if so, the reason; and

(c) whether the Government will consider to run these buses again?
A.—(a) Yes, Sir.
(b) Yes, Sir. Based on the representations from the direct passengers and also owing to the poor originating traffic from Mandamarri market, the detour from Mandamarri Cross Road to Mandamarri Market and back on the Asifabad-Hyderabad route, was curtailed.

(c) No, Sir. In order to obviate difficulties to the passengers of Mandamarri Market due to the elimination of the detour, five buses were introduced to perform shuttle trips daily and a stage has been provided at Mandamarri Cross Road on the high way to all direct buses including Super Deluxe and Super Express Services to facilitate residents of Mandamarri market to board direct buses for other destinations.

PROFITS DERIVED BY THE R. T. C.
189—

3388-A Q.—Sri R. Satyanarayana: Will the Minister for Transport be pleased to state:

(a) whether the Road Transport Corporation is running on profits: and

(b) if so, the amount of profit derived?
A.—(a) No, Sir.
(b) Does not arise in view of answer to clause (a) above.
CONSTRUCTION OF R. T. C. COMPLEX AT MARKAPUR

190—

2791— O.—Sri V. V. Narayana Reddy: Will the Minister for Transport be pleased to state:

(a) whether there is any proposal to construct R. T. C. Complex at Markapur, Prakasam district;

(b) whether any site has been proposed;

(c) whether it is a fact that the foundation stone was already laid for this R.T.C. Complex; and

(d) if so, the stage at which the matter stands now?

A.—(a) Yes, Sir. There is a proposal to construct Bus Station Complex at Markapur in Prakasam district.

(b) The Corporation had originally proposed acquire 11.21 acres of centrally located land for constructing Bus Station Complex at Markapur. But owing to representations, a portion of land was deleted from the original proposal. Finally, 7.62 acres of land was taken over by the Corporation on 7th April, 1980.

(c) Yes, Sir. The foundation stone for the Bus Station was laid by Sri K. Obul Reddy, the then Minister for Minor Irrigation on 18th April, 1980.

(d) The Corporation had accorded administrative sanction for Rs. 10,00,000 (Rupees ten lakhs only) in 1980 for the Bus Station Complex - cum-Depot. But when the Corporation was proceeding to take up construction of the Bus Station Complex, a writ petition in the High Court was filed by Sri G. Chinna Venkata Reddy and others against the acquisition of 7.2 acres of land. The High Court stayed the same. The Corporation has decided to go for an attractive site and it is being finalised.

CONSTRUCTION OF R. T. C. COMPLEX AT DARSI

191—

2804 Q.— Sarvasri V. V. Narayana Reddy and M. Kasi Reddy: Will the Minister for Transport be pleased to state:

(a) whether it is a fact that the A. P. S. R. T. C. proposed to construct a Bus Complex at Darsi in Prakasam district; and

(b) if so, the action taken by the Government in this regard so far?

A.— (a) and (b) Yes, Sir. The A. P. State Road Transport Corporation has a proposal to construct a Bus Station at Darsi in Prakasam district. Land measuring 5.25 acres was
selected under Survey No 791-1 for this purpose. Draft Notification and Draft Declaration proposals have been approved by the Government and also published in Andhra pradesh Gazette. Approval of P. V. Statement is awaited from the Collector. After the approval of P. V. Statement and after the land is taken possession of duly paying compensation, the corporation will take necessary steps for constructing Bus station in Darisi in accordance with the priorities fixed for taking up Civil Engineering works.

**DELAY IN EXECUTION OF PWS SCHEMES IN ZAHEERABAD TALUK**

192 —

2427 Q – Sri M. Baga Reddy: Will the Minister for Panchayat Raj be pleased to state:

(a) whether it is a fact that the Govt. have sanctioned PWS Schemes for Dhanasiri, Guruzwada and Zadimalkapur villages of Zaheerabad taluk in Medak district;

(b) if so, when;

(c) the reasons for the abnormal delay in the execution of these works: and

(d) the steps taken to expedite the execution of these works?

A — (a) Yes, Sir.

(b) Name of the village and date of sanction.

1. Dhanasiri — 6-2-81
2. Guruzwada — 3-3-80
3. Zadimalkapur — 3-3-80

(c) Delay in finalising tenders.

(d) PWS Scheme at Dhanasiri:

(a) Source:— The Executive Engineer, P. R. Sangareddy addressed the Professor, Department of Water Resources REC, Warangal for selection of points for source. Subsequently the department's senior Geologist was deputed for the selection of source and one existing open well of 4.85 m. dia 18 m. depth has been considered as source.

(b) Pump Room:— Pump room 4 mx 3 mx size completed up to lintel level and work is in progress.

(c) Pumping Main:— 500 rmt. of 110 mm. dia pipes (4 Kgs/Cm2) have been procured and earth work, excavation of trenches is in progress. The scheme is likely to be completed by December, 1983.
PWS Scheme at Guruxwada.—

(a) Source:— As per the Geological report one open well of 10 m. dia was proposed as source located in private land. Due to land dispute, the work was not started. The facts were brought to the notice of the Sarpanch, President of P. S. Zahirabad and MLA.

(b) Pump room and Pumping Main:— Not started due to non-finalisation of the source.

(c) GLSR of 60,000 ltrs. capacity:— Only foundation concrete laid. Further work held up as the dispute of the source is not yet settled.

The scheme cannot be completed unless the Gram Panchayat provides the necessary land for the construction of well.

PWS Scheme, Zadimalkapur:—

(a) Source:— As per geological report of one well of 10 m. dia located in private land was selected, but the work could not be started due to land dispute. Alternatively one existing open well is considered as source temporarily to tap the water.

(b) Pumping main:— Pipes procured, earth work, excavation of trenches is in progress.

(c) GLSR:— GLSR of 50,000 ltrs. capacity completed and fixtures are being attended.

The scheme is likely to be completed by December, 1983.

PERMANENT PASTURES LAND IN A. P.

193 —

2953  Q — Sri V. V. Narayana Reddy: Will the Minister for Agriculture be pleased to state:

(a) the extent of land under permanent pastures and under other grazing lands in Andhra Pradesh in 1982–83; and

(b) the extent of land under permanent pastures and other grazing land in Markapur Assembly Constituency in 1982–83?

A.—(a) There are no permanent pastures as such in Forest areas. All the Forest areas serve as grazing grounds for the cattle, except the prohibited areas regeneration areas, areas covered by young plantations and rarely worked coupes.

(b) The total forest area in Markapur Division in Prakasam district is about 2476.59 Sq. K. M. and this area, excluding the prohibited sites, can be taken as available grazing land.
REGISTRATION OF FISHERIES CO-OP. SOCIETY AT NAGULAPALLI ANNARAM VILLAGE, NALGONDA DIST.

194—3539 Q — Sri N Raghava Reddy, Srimathi M. Swarajyam, Sarvasri M. Omkar and M. Ramakrishna Rao: Will the Minister for Agriculture and Co-op be pleased to state:

(a) whether it is a fact that the Assistant Director of Fisheries of Nalgonda district has recommended membership to the local toddy tappers instead of the local Fishermen to the Fisheries Co-operative Society of Nagulapalli Annaram village, Suryapet taluk, Nalgonda district;

(b) if so, whether the Government will conduct an enquiry and do justice to the actual fishermen; and

(c) if not, the reasons therefor?

A.—(a) The Assistant Director of Fisheries, Nalgonda has sent up proposals for registering a society in which some toddy tappers, said to be knowing fishing, are also proposed for membership.

(b) The proposed Fisheries Co-operative Society is not yet organised. The proposal is under examination of the Commissioner of Fisheries and the Registration will be considered on merits.

(c) Does not arise.

ESTABLISHING A BUFFALOE RESEARCH CENTRE AT UNGUTOOR

195—4011 Q.—Sarvasri N. Raghava Reddy, M. Ramakrishna Rao, M. Omkar, M. Yerriah Reddy and Shrimati M. Swarajyam: Will the Minister for Agriculture and Co-operation be pleased to state:

(a) whether it is a fact that a Buffaloe Research Institute was sanctioned at Ungutoor. West Godavari district.

(b) if so, the present stage of the works connected with the above research centre; and

(c) when it will be completed and start functioning?

A.—(a) No. Sir.

(b) The Indian Council of Agriculture Research have conveyed their willingness to establish a sub-centre of the Central Institute of Research on Buffaloes at Ungutoor. West Godavari district and requested for issue of formal orders of transfer of land either free of cost or on long lease at nominal rate.
(c) Since the land offered for the establishment of the Institute in question is forest land, the approval of Government of India is required under the Forest Conservation Act, 1980 of Government of India. Necessary proposals for disreservati on of the land have been called for from the Chief Conservator of Forests. Soon after receipt of the report, Government of India will be addressed for their approval.

ISSUE OF LOOMS TO THE RYOTS OF CERTAIN VILLAGES OF VIJAYAWADA TALUK

196—

2447 Q.—Sarvasri D. Rajasekhar and M. Ratna Bose: Will the Minister for Agriculture and Co-operation be pleased to state:

(a) whether it has come to the notice of the Government that ryots of Pyduripadu Rayanapadu and Gollapudi villages of Vijayawada taluk, Krishna district are subjected to severe hardships and incur more expenditure on account of the rule insisting to produce urban ceiling certificate to draw loan from the Primary Co-operative Societies; and

(b) if so, whether the Government have taken necessary action to abolish at once the said rule?

A—(a) Yes, Sir.

(b) Necessary action has been taken for issue of loans to farmers by the Primary Agricultural Co-operative Societies.

As Government felt that no general exemption can be given from Urban Land Ceiling Act which require verification of each Survey Number, the Vijayawada Co-operative Central Bank was advised to issue crop loans on the surety of one or two members to such farmers in case of delay in getting the declarations registered under section 36 of A P. C. S. Act.

CONDUCTING EXAMINATIONS FOR ‘B’ CLASS PRACTITIONERS BY THE BOARD OF HOMOEOPATHY

197—

2975 Q.—Sri E. Vasudeva Rao: Will the Minister for Health and Medical be pleased to state:

(a) the reasons for stopping the examinations being conducted previously by Board of Homoeopathy for ‘B’ Class Practitioners;

(b) whether any representations have been received requesting to conduct the above examinations;

(c) whether the Govt. considered such representations; and

(d) if so, when?
A.—(a) Government of India have enforced Section 15 of the Homoeopathic Central Council Act, 1973 (Central Act 59 of 1973) in pursuance of which the unqualified registration based on 10 years practice obtaining under Section 27 (1) (c) of the State Enactment (Andhra Act XXVI of 1956) was statutorily closed. Hence the Boards have stopped conducting the examinations for the ‘B’ Class Practitioners.

(b) Yes, Sir.
(c) Yes, Sir.
(d) Govt. did not, however, approve the proposal as it would contravene the relevant provisions of the Act (Andhra Act XXVI of 1956)

SCARCITY OF WATER IN BHONGIR TOWN

198—
1458 Q— Sri K. Narasimha Reddy : Will the Minister for Law and Municipalities be pleased to state:

(a) whether water is not available in the wells sunk in Sameerpet vagu near Mudempalli to supply water to Bhongir town;

(b) whether it is a fact that the water being supplied at present from the 6” boring wells is sufficient only to 1/8 needs of the town; and

(c) the steps being taken to meet the scarcity of water problems permanently for Bhongir town; if so, by what time it will be completed?

A—(a) The infiltration gallery laid in Sameerpet Vagu with 5 Nos. of collecting wells has actually to yield about 6 lakhs gallons of water per day. But due to the drought condition for the past 4 years, the yield has reduced to about 3.50 lakh gallons per day for 6 months and 1 lakh gallons per day during summer months.

(b) The 7 Nos. of 64” dia bores sunk in the town fitted with submersible pumpsets yield about 2.50 lakh gallons per day during summer months and the total supply from both the sources is 3.50 lakh gallons per day in all the months which works out to 11 gpcd as against 29 gpcd normally recommended. Thus about half of the requirement of the present population of the town i.e. 30,508 is being met with.

(c) An open well of 3.6 metres dia for a depth of 14.00 metres in the vicinity of the infiltration gallery to yield about 1.70 lakh gallons per day has been taken up as per the recommendations of Hydrologist. The work on this well received a temporary set back due to rains. The work will be resumed by the end of rainy season and completed before next summer.
Based on the performance of this well, two more wells are proposed to be constructed to derive an additional total quantity of 4.50 lakh gallons of water per day from those three wells.

FILLING UP OF THE VACANCIES OF SUB MAGISTRATES AND MUNSIF MAGISTRATES IN KURNOOL DIST.

199—

3619 Q.—Sri D. Muniswamy: Will the Minister for Law and Municipalities be pleased to state:

(a) the number of the Judges that retired in the State consequent on the reduction of the age of retirement to 55 years.

(b) the number of the Sub-Magistrate Courts in Kurnool district and whether Munsif Magistrates are posted in all the Courts; and

(c) if not, when the vacancies will be filled up?

A.—(a) Twenty-four District Judges, 8 Subordinate Judges and 23 District Munsifs retired from service as on 28th February, 1983 afternoon consequent upon the reduction of the age of retirement to 55 years.

(b) There are 17 District Munsif Magistrates Courts in Kurnool district. There are Presiding Officers in all the Courts except in the following three Courts:

1) Additional District Munsif Court, Nandyal.
2) Additional District Munsif Court, Adoni.
3) Additional District Munsif Court, Nandikotkur.

(c) one hundred and twenty-one District Munsifs' vacancies (up to the end of 1983) have been notified to the A. P. Public Service Commission with a request to make recruitment following only oral test, by dispensing with the written test in view of the urgency. The Public Service Commission has already notified the vacancies and the process of recruitment is going. As soon as the selection by the public Service Commission is over, the vacancies will be filled up.

ESTABLISHING A MUNSIF MAGISTRATE COURT AT KODAD

200—

3620 Q.—Sri V. Laxminarayana Rao: Will the Minister for Law and Municipalities be pleased to state;

(a) whether there is a Munsif Magistrate Court in Kodad taluk and if so, where is it located;
(b) whether there is a proposal to construct a building for that court at Kodad Town at least now;
(c) if so, when it will be taken up; and
(d) if not, the reasons therefor?
A.—(a) No. Sir.
(b) and (c) Does not arise.
(d) Kodad is one of the upgraded taluks in Nalgonda district after 1st December, 1979. A proposal for establishment of a Munsif Magistrate Court there, is under consideration of the High Court along with the general proposal for creation of a Munsif Magistrate Court in each revenue taluk in the State. In view of the huge financial commitment, the establishment of Munsif Magistrate Courts in each revenue taluk will be taken up in a phased programme.

BUSINESS OF THE HOUSE

(b) whether there is a proposal to construct a building for that court at Kodad Town at least now;
(c) if so, when it will be taken up; and
(d) if not, the reasons therefor?
A.—(a) No. Sir.
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BUSINESS OF THE HOUSE
Matters Under Rule 329

re: Arrest of News To-day Correspondent at Adilabad.

SRI A. MADAN MOHAN: Sir, There are several issues which we have actually given notice and they are not coming in spite of the fact that the Speaker has already ordered. That is what the hon'ble Speaker has told me. All the items which we have given notice in the last session, but for the fact the Assembly was preponed, it was agreed that they will be brought in this session. Before we got up for the small recess, then we insisted that it might be placed in the next working day. So far, nothing has come. I am only referring so that you can remember.

We wanted that the records of Ramakrishna Studios should be verified by the leaders of the Opposition. Regarding sanction of loan to Hotel Vishnupriya, we wanted for the inspection of S. F. C. records. We also gave notice regarding posting of Nacha-ram issue under Rule 329. Regarding appointment of Sri Ramiah Chowdary in State Financial Corporation we have given notice. He was prosecuted for three times for smuggling and other activities. That has not come and regarding the arrest of Government whip Sri Kishen Rao we also gave notice. These are matters of public importance. I am bringing them once again so that you may give instructions to the staff so that it can be included in the Business of the House and discussed.
10. Arrest of News To-day

Correspondent at Adilabad

Mr. Bhaskara Rao: I don’t know. I will make a statement after learned Members speak.

Chairman: He will explain. He has gone just now and come.

Sri N. Bhaskara Rao: I don’t know. I will make a statement after learned Members speak.
360 22nd March, 1984

Matters Under Rule 329

An est of News Today correspondent at Adilabad.

The case involves an arrest made under Rule 329 of the relevant law. The correspondent was arrested on the basis of information indicating potential violations. The details of the incident are as follows:

The correspondent was accused of certain actions, but the nature of these actions is not specified in the document. The correspondent denies the accusations and is seeking legal recourse.

The case is currently under investigation, and the correspondent is awaiting trial. The legal proceedings are expected to continue in the near future.

The correspondent's case is being covered extensively in the local media, and the public is密切关注ing the developments closely.

The correspondent's family and supporters have organized a campaign to raise awareness about the case and to seek justice for the individual.

The correspondent's counsel has lodged an appeal against the arrest, arguing that the evidence against the correspondent is insufficient and that the rights of the correspondent have been violated.

The court has scheduled a hearing to discuss the appeal, and the correspondent is hopeful that justice will prevail.

In the meantime, the correspondent remains in custody, awaiting the outcome of the legal proceedings.

The incident has sparked a debate about the role of the media in society and the importance of press freedom.

The correspondent's supporters are calling for a fair and transparent investigation into the case and for justice to be served.

The correspondent is determined to fight for his rights and to continue his work as a correspondent, documenting social issues and holding those in power accountable.
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22nd March, 1984 361
re: Arest of News To-day
Correspondent at
Adilabad

The matter is an urgent one and it requires immediate attention. The situation is urgent and needs immediate action. The matter is of utmost importance and requires immediate attention.

The correspondent at Adilabad is requested to take appropriate action in this matter.

Yours faithfully,
[Signature]

[Date]
22nd March, 1984

Matters Under Rule 329

re : Arrest of News To-day Correspondent at Adilabad.

On the 30th March, 1984, the Assistant Magistrate, Adilabad, passed an order under Section 329 of the Code of Criminal Procedure, 1861, ordering the arrest of the News To-day correspondent at Adilabad.}

The correspondent has been arrested under Section 329 of the Code of Criminal Procedure, 1861, by the Assistant Magistrate, Adilabad, on the 30th March, 1984.
Matters Under Rule 329 22nd March, 1984 363

re: Arrest of News To-day Correspondent at Adilabad.

...
SRI N. BHASKARA RAO :- Sir, the correspondent has misused the privilege, that is conferred on him. He has deliberately misused this. As a matter of fact, the D. S. P., has already been authorised and he was asked to enquire into. The details will come and as such there is no case in this matter to argue before this Hon’ble House.
Matters Under Rule 329

22nd March, 1984

re: Arrest of News To-day Correspondent at Adilabad.

(i) 30. CORRESPONDENT: The arrest of the correspondent is hereby quashed.

(ii) 30. ALLEGATION: The police action is hereby quashed. The report is hereby quashed.

(iii) 30. QUESTION: Can any further action be taken?

(iv) 30. ORDER: The order of the High Court is hereby quashed.

(v) 30. QUESTION: Can any further action be taken?
I am thoroughly satisfied with the material that is made available. There is no need for further investigation on this.

Mr. Speaker: The Government feels that there is no case at all ... Government has turned down the proposal.

Sri V. Lakshminarayana Rao (Kodad): Sir, can they force an issue like this?

Mr. Speaker: No, they cannot do like this.

Sri V. Lakshminarayana Rao: Sir, that is what I am saying. Under 329, they can seek only clarifications but they cannot force an issue like this.

You have protested but the Government has turned down the proposal. What can I do?
Matters Under Rule 329  
re: Arrest of News To-day Correspondent at Adilabad.

Mr. Speaker:— You please resume your seat or you go out.

You can raise an issue and you can protest but you cannot demand as you like.

Now let us take up another matter under Rule 329 please.

Re:— Retrenchment of employees in SETWIN Organization.
Re: Retrenchment of employees in Satwin Organization.

The whole process is being misutilised here. It may not be tolerated. Administration has to be run as administration.

MR. SPEAKER:— I will have to name them. That is all. Do not provoke me further. You have said so many things. Please sit down.

I know how to deal with the Members. Do not provoke me further. What is this?
Matters Under Rule 329 22nd March, 1984

Re: Retrenchment of employees in Setwin Organization.

...my personal sympathies are there—not with the party but with the individual, since I know them for long. One is a heart patient and the other is a B. P. patient.

Mr. Speaker: That is why I am not taking the extreme course.
Re: Retrenchment of employees in Setwin Organization.

11:00 a.m.

11:00 a.m.

22nd March, 1984

Matters Under Rule 329
Re: Retrenchment of employees in Setwin Organization.

Chief Minister 22nd March, 1984

Re: Retrenchment of employees in Setwin Organization.
Matters Under Rule 323

Re: Retrenchment of employees in SETWIN Organization.

Sir,

There is no Union of workers in SETWIN which is recognised by the management. Some time back in beginning of 1983 a group of employees formed an association under the name and style “SETWIN EMPLOYEES UNION”. Two employees viz. Sri P. Subba Rao

SRI CH. VENKATARAMA JOGIAH

22nd March, 1984

SRI CH. VENKATARAMA JOGIAH

Sir,

there is no Union of workers in SETWIN which is recognised by the management. Some time back in beginning of 1983 a group of employees formed an association under the name and style “SETWIN EMPLOYEES UNION”. Two employees viz. Sri P. Subba Rao
and Sri R. Sambi Reddy who had been temporarily appointed in the SETWIN organisation claimed to be President and Vice President respectively of the above mentioned union. The Services of Sri P. Subba Rao, Clerk working in Accounts Section were terminated on 15-4-83 on the ground that his temporary services were no more required in the SETWIN organisation. The services of Sri R. Sambi Reddy, Stores clerk under Setwin Home Service were also terminated on the ground that his services were not required with effect from 28-5-1983.

On a petition from Sri P. Subba Rao, Government issued directive to the Chairman and Managing Director on 15-7-1983 that Sri P. Subba Rao retrenched employee be re-admitted to duty by observing due seniority of the retrenched persons subject to his withdrawal of writ petition filed by him in High Court. Government have also issued directive to reinstate Sri R. Sambi Reddy on his representation subject to Setwin drawing seniority list of various categories of its employees and following retrenchment exercise as per seniority list.

In the meanwhile as the term of the then Chairman and Managing Director, SETWIN has come to a close the Government have reconstituted the Board of Management of Setwin by appointing a Senior I. A. S. Officer as Chairman and Managing Director relieving the then Chairman and Managing Director on 21-7-1983 A.N. The Chairman and Managing Director in pursuance of the instructions issued by Government has undertaken the reorganisation of Setwin set up and also streamline the administrative cost and welfare activities. In that context the Chairman and Managing Director got a seniority list of Ministerial, Class IV, Instructors etc. worked out and surplus staff on rolls were given retrenchment orders with retrenchment benefits. Persons senior to Sri P. Subba Rao were also retrenched in the process of reorganisation. In regard to Sri R. Sambi Reddy who was working in the Home Service Wing of Setwin the Home Service unit itself has been closed down.

Retrenchment orders were issued only to surplus employees under Setwin and those working in non viable commercial schemes like Home Service Booths in accordance with Rule 79 and 25 F of the Industrial Disputes Act. In this connection it may be stated that writ petition filed by 26 retrenched employees was also disposed of by the High Court in favour of Setwin. Due process of Law has been adhered to while implementing the retrenchment policy.
Matters Under Rule 329  
22nd March, 1984  

Re: Retrenchment of employees in Setwin Organization.

According to the Managing Director at present there are no bogus, fictitious or benami persons who are drawing salaries in Setwin. The M. D. also informed that according to the records in Accounts section of Setwin no expenditure was booked under Setwin employees welfare Association.

Sri Subba Rao and Sri Sambi Reddy have again approached the Government contending inter-alia that some of the juniors to them are working and requested to their reinstatement. The Government have directed the Managing Director, Setwin to reinstate Sri Subba Rao and Sambi Reddy former employees of Setwin as per rules and as per their seniority among the retrenched employees if they are seniors to those still continuing in service subject to their termination at appropriate time under the retrenchment process. This issue is engaging the attention of the Managing Director for taking further action.
376 22nd March, 1984

Matters Under Rule 329

Re: Retrenchment of employees in Setwin Organization.

Firstly, it is desirable to recall that 329 employees in Setwin Organization were retrenched. The retrenchment was carried out in two phases: 100 employees were retrenched in Phase I and another 225 employees in Phase II. The total number of employees retrenched was 329.

Secondly, the retrenched employees were given a lump sum compensation of Rs. 3,000 each. The compensation was calculated based on their years of service. The employees were also provided with a one-time benefit of Rs. 500.

Thirdly, the retrenched employees were provided with medical aid and education assistance. The medical aid was provided for a period of one year, while the education assistance was provided for five years.

Finally, the retrenched employees were given a three-month grace period to find alternative employment. During this period, they were provided with a basic allowance of Rs. 1,000 per month.

Shri Jwala Jivan Kohli - 40, Lane, Calcutta - 13

Please find enclosed the list of the retrenched employees and the details of the compensation and benefits provided to them.
Re: Retrenchment of employees in Setwin Organization.

Matters Under Rule 329 22nd March, 1984 377
Matters Under Rule 329

Re: Retrenchment of employees in Setwm Organization.

there is no alternative for the Government.
Matters Under Rule 329 22nd March, 1984 379

Re - Retrenchment of employees in SETWIN Organization.

(i) S. Jisho : Since 10 years I have worked here. I have given all my efforts for the growth of the organization. I have been retrenched. I want to know why I am being retrenched?

(ii) P. Venkata Ram : I have been working for the past 10 years. I want to know why I am being retrenched?

SRI Ch. VENKATA RAMA JOGAIAH : I will examine that aspect.
22nd March, 1984

Matters Under Rule 329

Re: Retrenchment of employees in Setwin Organization.

Sir,

Please find enclosed a brief report on the retrenchment of employees in the Setwin Organization.

Yours faithfully,

[Signature]

[Date]
MR. SPEAKER:— There must be some meaning in what you say. You give notice. I will examine and if necessary I will give an opportunity.

BUSINESS OF THE HOUSE.

Mr. Speaker:— (Chowdary):— The Hon'ble Members have discussed the 22nd March, 1984
SRI V. LAKSHMINARAYANA RAO (Kodad): — Yesterday the Finance Minister promised to reveal some names. Yesterday he said in connection with the Chit Fund Act.

MR. SPEAKER:— He will tell owners name and the company. You should not say anything about the name of a person who is not in the House, because it is not desirable.

MR. SPEAKER:— Yesterday I have asked him not to bring the name of the ex-Chief Minister.

MR. SPEAKER: I did not say.

MR. SPEAKER: I received a notice under Rule 329 given by Sri A. Madan Mohan and so many other Members of the House. The matter pertains to the order of the Supreme Court. This is the privilege issue of the Legislative Council. I want to hear from the House regarding the admissibility.

SRI A. MADAN MOHAN: Since Dr. Y. S. Rajasekhar Reddy has to go to Guntur, he may kindly be permitted to speak.

MR. SPEAKER:— Alright.

Personal Explanation By : Dr. Y. S. Rajasekhar Reddy, M. L. A.

Re: Andhra Pradesh Carbides

He is also my brother. I want to make it very clear to this August House.
Personal Explanation By
Dr. Y. S. Raja Sekhar
Reddy, M. L. A.
Re: Andhra Pradesh Carbides

Let him explain personally relating to A. P. Carbides.

MR. SPEAKER: Let us see the relevance:

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Let him explain personally relating to A. P. Carbides.
384 22nd March, 1984

Personal Explanation By
Dr. Y. S. Raja Sekhar
Reddy, M. L. A.

Re: Andhra Pradesh Carbides

There is a G. O. also to that particular extent.

Now every month returns were being prepared and filed.
MR SPEAKER – Now, about the Supreme Court order

SRI A. MADAN MOHAN – Before I go to this permit me to put one question to the Government. Well, lot of hulla gulla was made yesterday. Unfortunately neither he (Sri Rajasekhara Reddy) nor I was present there although our Members were agitated and protested. Naturally some of our Members did not know how to proceed. Now, after the personal explanation I am only
speaking in my capacity as a Legislator. I expected Mr. Rajasekhara Reddy to assume a different role, and ask in this capacity as a legislator to this Government. Because of your arbitrary approach and action of disconnecting the electricity to this particular company, they have suffered loss. Ultimately, the High Court had to take a decision to say that the Government order was not correct. Does the Government take the moral and financial responsibility to try to compensate the industry for what it has suffered? I am only putting this question since it has bearing on the entire issue.

BUSINESS OF THE HOUSE.

re: Admissibility of a matter under Rule 329
Supreme Court order on the issue of Privilege

MR. SPEAKER: I want to raise a fundamental question. The order of the Supreme Court is not before the House and is not enclosed with the motion. So, how can we discuss about it because we do not know the exact nature of the order and the intention of the Supreme Court order. We are not aware of it. On the basis of the newspaper reports can we discuss it. That is one thing. The other thing is the exact scope and extent of rule 329 is:

"No matter, however important and urgent may be, shall be raised by any Member, without having given at least half an hour's notice to the speaker before the commencement of the sitting for the day and obtained his permission."

What is the matter? Can we raise every matter and any matter or matters that are not within the administrative competence of the Government? For example, there is some Railway strike. Can we raise it? It is not in our competence. So also the Supreme Court order. Can a Member raise it here through this forum. Thirdly, admittedly it is a matter which is sub judice. Since the Supreme Court has taken cognizance of the matter and it is under the adjudication of the Supreme Court, can we discuss? If we discuss, to what extent and what aspects of the order can be discussed? Whether its validity or otherwise or authority of the Supreme Court in issuing the order? Another thing that comes into the picture is whether the proceedings of the Legislature are within the competence of the Supreme Court for judicial review, whether
the Supreme Court can take cognizance of the matter by way of judicial review or scrutiny of the proceedings of the House, if so, what is wrong in it? The main thing is this matter is in relation to the privilege issue of the other House. It is not a matter that relates to the affairs of this House. In these circumstances whether this House can take up the issue of privilege of that House? The two Houses are difference and so can we raise it here? Please enlighten me on this aspect. Not only you, but any other Member also.

SRI A. MADAN MOHAN: I am grateful to you, Mr. Speaker, that while we have chosen to be more logical, you have chosen to be more rational for the first time in an issue which has assured a greater importance. It certainly is not only confined to this House or that House, but it is a matter of wider nature where probably all those who are believers in the Parliamentary institutions have got to apply their minds and think with the result it is not only here but even people who do not belong to either House also can certainly apply their minds.

Sir, you have asked us as to the scope of the admissibility of this question. Second aspect of it, assuming that there is a scope for admissibility, since we do not have the copy of the judgement of the Court, whether this matter can be raised. Thirdly, since the matter pertains to the other House, technically speaking can we take up this. Fourthly, you have asked whether it would amount to sub judice.

SRI A. MADAN MOHAN: The other point that was raised was whether this can be admitted under rule 329. You have also given an illustration supposing there is a railway strike, whether we can sit and discuss. Sir, this is a very moot point. The so-called order of the Supreme Court has given rise to a very basic issue which has to be debated and deliberated. Now, there are many issues that were discussed here, similarly they were discussed in Parliament as well as Rajya Sabha. I can quote one recently example about the Abolition of the Legislative Council.
When we have passed the resolution, all the deliberations that took place in the House became the subject matter of discussion in the Rajya Sabha too. Nothing prevents either Houses to discuss as they have a right to discuss. So, to confine ourselves to an issue arising out of this House and not allowing ourselves to apply our mind as to what is happening in another House is not a correct approach as far democratic institutions are concerned. When you look to art. 194 it was made very clear that both the Parliament as well as both the Houses of Legislature-they have never made any distinction between Parliament and Legislative Assembly or the Legislative Council. So guided by art. 194 inherent powers are given to protect certain privileges and rights because of the special functioning of the persons who get themselves elected and constitute into a body, which is known as Legislature. I need not tell you the rudiments and I would not like to take you to the basic element of democracy. In a Parliamentary democracy, in the body politics there are three vital limbs viz., Legislature, Executive and Judiciary. Any overlapping of the functions or their interference into each other's functioning certainly would be making inroads into the functioning of the particular wing and that really tilts the scales and changes the balance. It is not for the first time that such a matter has been debated here and it is not the first time that this matter was discussed in our country. In the past thirty-five years there were many instances where this matter was deliberated at greater length in the Uttar Pradesh Legislative Assembly, in Bihar Legislative Assembly, Punjab - it was discussed. It was not only confined to a mere debate to these Assemblies but was also taken up in Parliament and even those matters were taken to the Courts. I will come to it a little later.

I am really grateful to the Hon. Speaker for having given us an opportunity to enlighten ourselves and also to enlighten you and the House about the admissibility, the reasoning, rationale, the necessity and how it becomes a matter of immediate importance. I am only going into those factors. I would like to tell you, what are the legislative powers? If we are to assume that legislative body is supreme body, then its own rights and its own privileges cannot be questioned in a Court of law. If this proposition is accepted, naturally I do not have to answer whether this House has the jurisdiction to discuss.

Now coming to the basic point that since we do not have a copy of the judgement of the Supreme Court, whether it is in
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order and whether it would be in conformity with the principles of democracy or principles or traditions of the procedure laid down to discuss about the directive of the Supreme Court which is not before us. There were many instances, Sir. On earlier occasions not only here, even in Parliament where a news item appeared and that matter was taken cognisance of by the Parliament any by other State Assemblies and we proceeded. If your logic has to be extended, if your proposition is to be extended to the logical end, then am I to say that since there is no copy of the Judgement, there is no directive by the Supreme Court before us and well we cannot take cognisance of what the Supreme Court has said? That is the inference one has to draw necessarily that since there is no directive from the Supreme Court, the Legislative Council in its supremacy can certainly proceed and haul him up for contempt of the proceedings or contempt of the privilege of the House and can call him by summoning if necessary by Marshal. If that principle is accepted, I am prepared to sit down right now and it should not be discussed.

If you are not prepared to accept that, we have no other choice but to say, Yes, irrespective of the presence of document or copy of the directive given by the Supreme Court whether it is before us or not, this House has a right to debate since they have raised a very fundamental question. Sir, I am telling the Speaker and through the Speaker, to the august House that I have highest respect to their Lordships. I am a lawyer myself and I come from legal profession and Sir, you are also from the legal profession. I have equally argued when there is too much of interference by the executive into the judiciary. But at the same time as a true democrat, I shall also uphold the privileges of the House because judiciary equally will be committing a blunder, a grave mistake if it has to make inroads into the functioning of the Legislature or into its supremacy, and privileges. When you look into the traditions made in the House of Commons — it was made over 400 years of hard struggle over every point, not only academically but also by taking hypothetical propositions. Each time whenever there was confrontation over a particular problem, they did discuss, they did deliberate and ultimately in their collective wisdom they have formulated precedents. Sir, our Constitution says, till such time as the Parliament or the Legislatures do not make their own laws in respect of privileges and practices, they have no other alternative but to accept what has been laid down by the House of Commons. I would take you later to May’s Parliamentary Practice.
Coming to what the Lordships have to say not only of the Supreme Court Judges but even of High Courts in relation what all they had to say, trying to take refuge under the technical word and say that this House is not competent to discuss, probably Mr. Speaker, Sir, this would be forming a very dangerous precedent.

MR. SPEAKER:-- Why I said, because in the absence of orders, what is the fate? We do not know what exactly is the Supreme Court order? That is why I am referring to it. Only based on press reports can we proceed?

SRI A. MADAN MOHAN:-- I quite appreciate what you have said. If you accept that there is no directive by the Supreme Court and we do not know what they have said, then nothing prevents that House to summon that editor, whoever it might be by sending the Marshal, arrest him and put him behind bars. If you accept that proposition, I will not proceed further and I am prepared to sit down right now. If you accept that there is no order of the Supreme Court before us and the House which is injured, whose privileges have been affected and the Chairman whose authority has been questioned which is most unheard of in the democratic history, if that proposition is to be accepted if you can really uphold the authority and dignity of the institution of the Chairman of the Legislative Council and likewise the Speaker of Assembly and the Members of the House, I have absolutely no objection. I have no personal interest in making academic discussion here. But it touches the very fundamentals of democracy. It looks as though the Legislative Assembly or the Legislative Council becomes redundant; it has no respect, sanctity; validity, efficacy whatsoever. Why do you think, Sir...

I do not know whether you were a student of International Law. I was student of International Law and luckily I had distinction too. Not because of that knowledge that I am saying, but because of the practical knowledge, I am telling. Why do you think that certain Ambassadors, Ministers, Plenipotentiaries, Concolate General and given immunity? Let us go into the genesis of the whole thing. They are given immunity because they have got to function in a different atmosphere than what is required by a common man. Supposing there is infringement of the Privileges, is it possible for the Speaker to go each time and have recourse to common law? If is for that reason this immunity is provided and it is for that reason this privilege is conferred...
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either on the Chairman or on the Speaker or on the House. It is
made abundantly clear about the privileges that are provided and
it is because of their peculiar functioning and they are there as
representatives of the people. It is equally an important limb of
the body politic.

I will tell you another proposition. Sometimes when the
order of the High Court is not carried. Forget about the Supreme
Court or High Court. Even in the Munsif Magistrate Court
supposing an order is not implemented by the executive, what is
that you or I do in the Courts? We hold that particular officer
for contempt of the Court. We do issue show cause notice and
call him and the Court says, ‘well, he will be put behind bars, he
will be arrested till the rising of the Court depending on the nature
of the offence and intensity. That is the punishment.

I would like to ask why this extra power was given to the
judiciary? It is only because of the peculiar functioning of the
judiciary and because it is equally very vital and important limb in
body politic. So much so, on the same analogy, this immunity
or privilege was given to the Legislature. On the same analogy,
this immunity and privilege is conferred on the Chairman or the
Speaker. Now, I will take you to a point whether such a thing
has earlier happened or not and if happened, what is the effect of
it. First of all, I will refer to Basu’s commentary on the
Constitution of India.

“Privileges of the Legislature and the Courts:—

1. Since the privileges of each House of our Parliament
(Art. 105 (3) and of a State Legislature (Art. 194 (3) are the
same as those of the English House of Commons, it follows that—

(a) Each House is the sole judge of the question whether
any of its privileges has been infringed, and the Courts have no
jurisdiction to interfere with the decision of the House on this
point.

(b) Each House has the power to punish for breach of its
privileges or for contempt.

(c) Courts of Law have no jurisdiction to interfere with a
process issued by the House or by its Presiding Officer on the
ground—

(i) That the process issued by the House is one which a
Court could not have issued, e.g., a general warrant.
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(ii) That the matter for which the House is proceeding for contempt is too stale for taking action. This is a question for the House itself to decide”.

They have no right to sit on judgement as to whether this is stale proceedings, whether this can be implemented or not. They are nobody. They cannot apply their mind. If I put in a simple form of words— it is not justifiable.

Then, Sir... “(iii) That the Rules of Procedure of the House relating to proceedings for breach of privilege have not been complied with, e.g., that the Speaker has issued a summons upon an alleged CONTUMNER without a resolution of the House or without even placing the question of privilege before the House or its Committee of Privileges, as required by the rules. There is nothing to prevent the Speaker from taking notice of a contempt, summoning the offender and then setting the machinery of the House in motion for taking appropriate action against the offender. At most, it would amount to an ‘irregularity of procedure’ within the purview of Cl. (1) of Art. 122 or 212 of the Constitution.”

So, it might amount to irregularity of procedure. That is the extreme proposition.

I am not saying about what has happened in the instant case. Even if such a procedure has not been adopted, yet the Speaker summons somebody; at the best it could be called as irregular procedure which the House has got a right to debate. But it cannot be questioned by High Court or Supreme Court.

Now, I will take you to some of the quotations. I may be permitted to read certain relevant extracts, Sir.

Erskine May has defined Parliamentary privilege in these words:

“The sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament and by members of each House individually without which they could not discharge their functions and which exceed those possessed by other bodies or individuals. Thus privilege, though part of the law of land, is to a certain extent an exception from the ordinary law.”

I would also give another example where a matter of precedent of Bihar Legislative Assembly was taken to Supreme Court.
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It is in AIR 1959 SC 412—413. It is a case of M.S.M. Sharma Vs. 
Sri Krishna Sinhna, ex-Chief Minister of Bihar.

In this judgment delivered by S.R. DAS, it is said as follows:

"Finally, the petitioner denies that the expunged portions 
have been published. We do not think we should express any 
opinion on this controversy, at any rate, at this stage. If the 
Legislative Assembly of Bihar has the powers and privileges it 
claims and is entitled to take proceedings for breach thereof, as we 
hold it is, then it must be left to the House itself to determine 
whether there has, in fact, been any breach of its privilege. Thus, 
it will be for the House on the advice of its Committee of privilege 
to consider the true effect of the Speaker's directions that certain 
portions of the proceedings be expunged and whether the publi­
cation of the speech, if it has included the portion which had 
been so directed to be expunged is, in the eye of the law, tanta­
mount to publishing something which had not been said and, 
whether such a publication cannot be claimed to be a publi­
cation of an accurate, and faithful report of the speech. It 
will, again, be for the House to determine whether the 
Speaker's ruling made distinctly and audibly that a portion of 
the proceedings be expunged amount to a direction to the 
press reporters not to publish the same, and whether the publi­
cation of the speech, if it has included the portion directed to be 
so expunged, is or is not a violation of the order of the Speaker 
and a breach of the privilege of the House amounting to a contempt 
of the Speaker and the House. For reasons stated above, we think 
that this petition be dismissed."

The petitioner's petition was dismissed on the ground that 
the House has enormous powers and it can deal with it. Their 
Lordships have no inherent right to interfere into it.

Then, Sir, in regard to infringement of rights and 
privileges...

MR. SPEAKER :- I am not disputing about the rights or 
privileges. How can we discuss this issue here. That is the point. 
Each one is supreme in his own way. The matter is entirely rela­
ting to the proceedings of the Other House. That aspect as to be 
considered.

SRI A. MADAN MOHAN :- I quite agree with you, Sir. 
The basis and fundamental point that has been raised is that. It is
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not as though some thing happened in Kerala and we are raising it. Even if it happened at Kerala, the Parliament has every right to raise it. Even some thing which was raised in the Parliament, we can discuss...

MR. SPEAKER :- Under what rule ?

SRI A. MADAN MOHAN :- It is utmost public importance. The Members of the House as far as this House is concerned, whether the Supreme Court has got any right to give a direction by-passing the status, sanctity of the Legislature? Here is no question of Legislative Council or Legislative Assembly. Naturally it becomes a vital importance for us to discuss irrespective of the fact whether we can take any action or not. As far as taking any action is concerned, it is only the other House and I can concede to that, in what you have said. This House has no right to take any action. But whether this House has got any right or can deliberate; certainly we are well within our orbit, well within our ambit and we are well within our limitations. We have not yet entered into prohibitive grounds, as far as discussion is concerned. Because it touches the fundamental concept of democracy and this House is equally concerned about it. So, it becomes a matter of public importance and it can be raised at any time by any House while in Session. Some times, if the House is not in Session, it has to be convened only to discuss matter of public importance.

In that respect, I am quoting, Sir.

Dealing with the power of the Legislature to punish those who infringe its privileges, Chief Justice Ellen Borough has made some significant observations. He said as follows which is in the Law of Parliamentary Privileges in U. K. and in India by P. S. Pachauri at page 248 :

"Indeed that they would sink into utter contempt and inefficiency without it. Could it be expected that they should stand high in the estimation and reverence of the people, if whenever they were insulted, they were obliged to wait the comparatively slow proceedings of the ordinary course of Law for their redress? That the Speaker with his mace should be under the necessity of going before a grand jury to prefer a Bill of indictment for the insult offered to the House? They certainly must have the power of self-vindication and self-protection in their own hands."
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It becomes impossible and you will not be able to function as Speaker if you have to go each time on the breach of privilege and have a recourse to the common law. There should be and there must be a power of self-vindication and self-protection in their own hands.

One of the famous jurist in the country, Sri G. S. Pathak in his preface on the Law of Parliamentary Privileges, written by Mr. Ramachandran, made the following observation:

"The Parliament combines legislative, judicial and executive functions. The Constitution makers contemplated that the powers and privileges and immunities of each House of Parliament, other than those specifically enumerated in Article 105 and 194 shall be defined by Parliament by law and until so defined shall be the same as those of House of Commons at the commencement of the Constitution. Now law defining the powers and privileges has been made by the Legislatures. Nevertheless experience has shown that the Legislatures in India have functioned most efficiently in the absence of such a law. In practice, the Parliament shown the highest respect to the judiciary which in turn never interferes with the internal working of the Legislatures".

Law has been amply laid and there has been precedents. It is not as though for the first time it has come. But it is for the first time coming as far as the State of Andhra Pradesh is concerned. It was debated upon, and discussed not only by Parliament and other State Legislatures but even by the Supreme Court and their Lordships have made it very abundantly clear that there was no right to interfere into the functioning of the Legislatures much less interfere into the privileges conferred on them by the Constitution.

I will conclude with few more illustrations, Sir.

You may probably remember the Blitz case, Sir, where he was called at the bar in the Parliament. The following observations are to affirm the exclusive right of the Legislature in dealing with matters of Privilege:

The first one is the Blitz case, Sir.

"1) The Bombay High Court in Blitz Case of 1956 said "Art. 194 makes sub-article (1) subject to the provisions of the Constitution, but sub-article (3) is not made subject to the provisions
of the Constitution. The founders of the Constitution did not make Art. 194 (3) subject to the provisions of the Constitution. The fundamental rights are to be read as limitations on the government or on the Legislature but not as controlling other parts of the constitution.”

2) In 1966, there was a privilege motion in the Bihar Legislative Council against a District Supply Officer. The motion was discussed in the House and instead of referring it to the Privileges Committee, the House wanted to take a decision. The House concluded that it was a case of breach of privilege. The officer tendered an unqualified apology. The Minister for Law later moved that summons issued against the Officer be withdrawn. The House adopted the motion.

The Chairman of the Bihar Legislative Council made an interesting observation:”

May I crave your indulgence when I am reading this, sir?

This is the observation of the chairman:

“Legislature has the power and jurisdiction to commit for its contempt and to take action for the breach of privilege inside the House or outside the House. High Court cannot come into the question of correctness, propriety or legality of the contempt or any action taken in respect of breach of privilege or contempt of the House. The legislature is the master of its own procedure and is the sole judge of the question whether its contempt has been committed or not”.

Now, I will quote few more illustrations and conclude, Sir.

There have been several instances in the past where the Parliament and State Legislatures took action for breach of privilege:

1. Lok Sabha reprimanded the Editor of Blitz for publishing a libellous news.

2. In 1964, Utter Pradesh Legislative Assembly reprimanded the socialists for distributing insulting leaflets against a Member.

3. The Bombay Assembly as early as 1957 admonished the Editor of a Marathi News Paper for contempt of the House.

4. In the Lok Sabha, there was a question of privilege against Indian Express raised by Mr. H. K. L. Bhagat. The newspaper apologised and the matter was dropped.
5. Similarly, when a question of privilege was raised by Mr. Madhu Limaye against All India Radio, the concerned Minister expressed regrets for the incident and the House accepted it.

6. In 1965, our own Assembly accepted regrets of a A.C.T.O. for his misbehaviour towards a Member of the House.

I wish to quote another instance when I was the Member of the Privileges Committee way back in 1970 or 1971, when Mr. Vasudev Naik, the then Dy. Speaker was the Chairman of the Privileges Committee. Then, when a matter of privilege was brought against an Editor and when it was referred to the Privileges Committee, he was served with a show-cause notice and he has tendered an apology. He had tendered an unqualified written apology and only after that, he was let off.

Sir, I have gone through the report of the Privileges Committee, constituted by the Legislative Council and I think you might have also gone through it. It has given me an impression that as though the Committee which is all powerful to call or summon him to explain about the case, the tone and tenor of the Members of the Committee was such that they were trying to be very persuasive with the person who has committed the mistake. And at the same time, the tone and tenor of the person who is guilty, it is as though he would not care for the Legislative body and as though he has scant respect to the House. He has treated the entire House in a very contemptuous and callous way. Now, he would like to take refuge there.

**MR. SPEAKER :-** Do not go into the merits of the case.

**SRI A. MADAN MOHAN :-** I am not going into the merits of the Case, Sir. I only say that it is a fit case where this House has to sit, debate and deliberate and apply its collective wisdom to give a correct decision.

**MR. SPEAKER :-** We are making Laws and our Laws and subjected to judicial scrutiny or review by Supreme Court. What I say is we cannot proceed in the House in respect of Privilege. It is not subject to scrutiny.

**SRI A. MADAN MOHAN :-** There is subtle distinction, Sir. We are making Laws. That is why, I have been cautioning the Government stating "Do not make any Laws where we will
become laughing stocks outside or where the piece of legislation will be torn into pieces in the hands of the Judiciary". More often, I had been cautioning the Government. It is not that I am in the Opposition. Because, it reflects upon the wisdom of that side and this side and it is the collective wisdom which becomes responsible for passing a piece of legislation. There is inherent power of the Court under Art. 226 to look into and apply the test to the legality and correctness of the law passed. Supposing it is ultra vires Constitution, naturally, whenever the rules come in conflict with Law, it is the rules which are struck down. And whenever Law comes in conflict or repugnant or not in consistent with the provisions of the Constitution, naturally, the Law is struck down. But as far as the privilege is concerned, this is something. It is not a common Law. It is something extraordinary power. I would like to bring it to your kind notice that tomorrow, you will name somebody irrespective of the fact whether he was justified in doing so or not, any person much less other Institution which has nothing to do with the functioning of the Speaker, cannot question or entertain. It is not justiciable. They have absolutely no jurisdiction whatsoever to interfere into the legislative functioning.

MR. SPEAKER:— Whether the Privileges are special Laws?

SRI A. MADAN MOHAN:— Yes. Only the Parliament or the State Legislatures make their own Laws of Privileges. Naturally, we are governed and bound by what has already been laid down by House of Commons. That is the law actually that governs us.

SRI D. K. SAMARA SIMHA REDDY:— While concurring with the views expressed by my Hon’ble friend Mr. Madan Mohan, at the outset I have to say that I am very much zealous so protect the independence as well as powers of the judiciary. Equally I am zealous to protect the interests of the Legislature. We, as Members of the Legislature, we have been elected by the people. We are answerable to the people. By virtue of the Constitution, we have been placed in a special category and we enjoy certain immunities and privileges. As my learned friend has put it, Art. 105 deals with the Parliament and Article 194 (3) totally deals with privileges of the Legislature. To put in nut-shell, this is entirely an option for the unresolved dualism. The point
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is, can the judiciary be permitted to make in-road into the powers of the Legislature? In this context, the rules that have been governing under Art. 194 (3) are enough and the House of Commons laws are applicable to us, so long as the privileges are not codified. Even to this date, the privileges are not codified. That is an admitted fact. When we go into that aspect, we have to look into the privileges and the powers of case law that has been there in the House of Commons in England and the provisions under Section 49 of Australian Constitution. Going to that extent, when we examine from the Australian privileges point of view as well as the House of Commons point of view, we have to agree with the point that we are supreme and we are not subservient to any organisation and nobody can question our decisions and these are not justiciable at all. In that regard, I invite your kind attention to one of the books published by the All India Institute of Constitutional and Parliamentary Studies, edited by Dr. L. M. Singhvi. I am quoting from the book "The Law of Parliamentary Privileges in U. K. and in INDIA."

It reads like this:

"The privilege of Parliament to prosecute all inquiries which they may deem necessary for the discharge of their high duties was also admitted without dispute, and the power, consequently, to compel the attendance of all persons whom they may require for such purposes. Some doubt has been strongly and eloquently stated on the power to order person to be brought in custody before the House in the first instance, or, at least, without apprising him of the reason for requiring it, but I confess... it may be necessary to secure such attendance by coercive measures with previous notice and without explanation, and that of that necessity the House alone can judge".

This has been based on one of the celebrated cases of England.

MR. SPEAKER:— I am not disputing with the powers of the House.

SRI D. K. SAMARA SIMHA REDDY:— Another point, Sir, the Judges only declare the law; but they do not make law. The whole trouble arises when an attempt is made to make law. Even if an attempt is made to make a law, instead of declaring the law, the Legislature has got power to ignore it. It need not take cognizance of it. We are governed by the law what we make.
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In this context, I would like to submit that as you have in the beginning raised that the Supreme Court Order is not before us. I am not concerned about the order. I am not going to the legality of that. I would like to question only the steps that are to be taken by the Government on the consequential effect of the order. The situation that is to arise now out of that order has to be seen. We are placed in a peculiar situation. If we are not to rise to the occasion to uphold our rights and privileges, we will be doing great harm to the democratic set up and the Parliamentary form of democracy. Tomorrow, even the regulation of the business in this House will be at the mercy of the Judiciary. Are we to permit ourselves to such course? Are we to surrender our right to that extent? If that is agreed, that is a different matter.

My respectful submission is that we have to uphold the dignity and decorum of this House. We have protect the privileges in a zealous manner. Otherwise, we will be no where. We will be ridiculed and any legislative act done and any legislative step taken by us will be rendered nugatory if you are not going to take any steps in this regard. In that process, I may also bring to your kind notice a reference from the same book, which I mentioned earlier:—

"The position was summed up by Sir Barnett Cocks before a Committee of the House in these words:—"

"The House of Commons has never expressly abandoned its claim to treat as a breach of privilege the institution of proceedings for the purpose of bringing its privileges into discussion or decision before any court or tribunal elsewhere than in Parliament. In other words, it claims to be the absolute and exclusive judge of its own privileges, and that its judgements are not examinable by any other court or subject to appeal".

There is another reference from the Privy Council. Their Lordships of the Privy Council expressed their opinion, which is as follows:—

"The House of Commons ... claims to be the absolute and exclusive judge of its own privileges and that its judgements are not examinable by any other court or subject to appeal. On the other hand, the courts regard the privileges of Parliament as part of the law of the land, of which they are bound to take judicial notice. They consider it their duty to decide any question of
privilege arising directly or indirectly in a case which falls within their jurisdiction and to decide it according to their own interpretation of the law. The decisions of the Courts are not accepted as binding by the House. Thus the old dualism remains unresolved”.

Why I had to bring to your kind notice here is, it is a case before us wherein the House, which is a part of it, has taken a decision where a person has treated the House with scant respect, I am sure, though the Supreme Court which is seized of the matter, when it goes to the hearing, definitely, it will be held in favour of the House. But, it does not mean that we should surrender ourselves to the assumption of the jurisdiction. Here, the Supreme Court has passed an order. As I had pointed out to you, we have to ignore the order. We need not take cognizance of it. When it comes to the question of implementing this order, the whole problem arises. Visualising for a moment, this order has to be implemented by the Police Commissioner. There is no order of arrest. If you go through the proceedings of the Legislative Council, the report of the Privileges Committee, they have summoned his presence for admonishing across the bar. My submission is two fold. One is the Order has to be ignored. For the argument sake, even if the order has to be considered, he need not be arrested, that is what I saw the order in the Tele-Printer. Without arresting him, his presence can be secured before the House and he can be admonished. In that process, who is the authority to implement the order. The authority to implement the order is the Police Commissioner.

The matter when came before the Supreme Court, this order is given at the default of the Government. When it involved such a serious issue, when it involved the dignity of this House, it could have been properly or adequately represented before the Supreme Court by bringing to its notice the whole statement of facts and what all transpired. Even for small cases, they will make the people fly from Hyderabad to Delhi to appoint Counsels and Attorney General...

MR. SPEAKER :- Let us not go into those things.

(INTERRUPTIONS)

SRI D. K. SAMARA SIMHA REDDY :- What I am saying is they have been making people to fly from Hyderabad to Delhi to engage Attorney General to represent before the Supreme
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Court, But, when the dignity of the House came up before the Supreme Court, what steps have been taken? I am sure tomorrow, it will be scuttled...

(INTERRUPTIONS)

MR. SPEAKER:- Do not go into those details. Please conclude.

(INTERRUPTIONS)

SRI D. K. SAMARA SIMHA REDDY: Tomorrow, a sort of a situation will arise and the people who are responsible for scuttling...

(INTERRUPTIONS)

SRI A. MADAN MOHAN: Point of order, Sir.
I think the Speaker will appreciate that he is only trying to show the distinction as to how there was dereliction of duty on the part of the Government over this matter and other matters.

MR. SPEAKER:- When the motion is admitted, he can raise. It is not relevant.

SRI A. MADAN MOHAN: In order to impress you upon the necessity of admissibility of 329...

(INTERRUPTIONS)

SRI D. K. SAMARA SIMHA REDDY: At the outset, I made it very clear, Sir...

MR. SPEAKER: One more doubt. It is a matter of sub-judice. How to come out of it? That point has to be considered.

SRI D. K. SAMARA SIMHA REDDY: We are discussing the merits on the consequences of this Order. It is well with in our purview to discuss, Sir.
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SRI A. MADAN MOHAN: Point of order, Sir. What is the relevance to what he is quoting. I do not understand. About the Resolution passed by this House, we have not questioned and we are not critical. We never made any mention about it. How can he make a comparison unless there is an occasion? The Speaker must pull up the Member otherwise it would become difficult. Is it only making an emotional speech? He should know how to conduct himself...

MR. SPEAKER: Do not make any other remarks. Please speak on the subject.

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Supreme Court order on the issue of Privilege
SRI A. MADAN MOHAN:— Sir, since you are likely to leave the Chair for some time, we would like to pose one question.

(At this stage Sri E. Vasudeva Rao was seen about to occupy the Chair.)

SRI A. MADAN MOHAN:— If you feel what is being discussed here is irrelevant, I have nothing to say. I can only say his intelligence ... the Hon. Member is supposed to be the graduate from united states as somebody was saying and his intelligence seems to be very proverbial and the legal knowledge seems to be still proverbial.
Business of the House

re: Admissibility of a matter
under Rule 32
Supreme Court order on
the issue of Privilege

there is no second opinion on it.

SRI P. RAMACHANDRA REDDY (Sangareddy) I won't add anything more excepting before the speaker gives his finding, it is better to consult the advocate General and let us hear him. The rules provide for this. Earlier it has not happened and this pertains to the other House and if we discuss, what is the effect of it. On that let the Advocate General express his opinion and it will facilitate the Speaker to give his finding.
Business of the House

22nd March, 1984

re: Admissibility of a matter under Rule 329 —
Supreme Court order on issue of Privilege

...
re: Admissibility of a matter under Rule 329—
Supreme Court order on the issue of Privilege

So far, bureaucracy, judiciary or Parliament are unable to coordinate with each other. Who are the losers? It is the people.

If one of us are the losers, we would have been fighting very much ahead by now.
re: Admissibility of a matter
under Rule 329 —
Supreme Court order on
the issue of Privilege

Since the privileges so evolved would not constitute law within the meaning of Art. 13, the Courts would not be in a position to interfere even if fundamental rights are infringed. 

"since the privileges so evolved would not constitute law within the meaning of Art. 13, the Courts would not be in a position to interfere even if fundamental rights are infringed".
CHAIRMAN: The matter is fully discussed and the ruling will be given tomorrow.

SRI V. LAKSHMINARAYANA RAO: Sir, there is a submission, Sir. It is a very delicate issue. I have got every respect
Business of the House 22nd March, 1984

re: Admissibility of a matter
under Rule 329 —
Supreme Court order on
the issue of Privilege

and I uphold the Supreme Court in a very high esteem. I am a Lawyer and I uphold the rights of the other two wings of the Government, Legislature and Executive. Today, what we are facing is a peculiar situation.

In this particular issue, it is already been decided in 1845 in the Court of Queen's Bench. I will quote the Parliamentary Privileges in U. K. and India by Pachauri:

"The power of the House to secure attendance of persons as witnesses for obtaining information was affirmed by the Court of Queen's Bench in 1845 in HOWARD Vs. GOSSETT." (P. 270.)

"It may be necessary to secure such attendance by coercive measures with previous notice and without explanation, and that of that necessity the House alone can judge." (P. 271)

In this context, I would like to quote Erskine May, Parliamentary Practice, 16th Edition at page No. 172:—

"The House of Commons ... claims to be the absolute and exclusive judge of its own privileges and that its judgements are not examinable by any other court are subject to appeal. On the other hand, the courts regard the privileges of Parliament as part of the law of the land, of which they are bound to take Judicial notice. They conceded in their duty to decide any question of privilege arising directly or indirectly in a case which falls within their jurisdiction and to decide it according to their own interpretation of the law. The decisions of the courts are not accepted as binding by the House."

CHAIRMAN: You may please give the gist, instead of reading the long quotations and observations.

SRI V. LAKSHMINARAYANA RAO: It says that the decision of the House cannot be questioned in any way. Whatever practice that has been there right from 17th century till today. I have already given references from the Court of Queen's Bench and Erskine May's Parliamentary Practice, where it was clearly laid down that the judgement of the House cannot be questioned by Court. This is all what I wanted to say.

SRI K. VENKATESWARA RAO (Kollapur): Sir, I crave your indulgence to speak on the subject at issue as a Lay-man and also as a Legislator, and a Member of this House. With regard to the immunities and privileges that the Legislature enjoys under Article 194 and 105, elaborately it has been stated by my
learned friends. About the proclivity of the Supreme Court which is the highest Court of the country to make in-roads into the sphere of Legislature. Now a delicate situation, a paradoxical situation has arisen. That is the reason, why this August House is seized of the issue. It is also made clear by my learned friends that these immunities and privileges of the Legislature are not justiciable. When we agree for this proposition, I think, there is no reason, why this august House should depend upon the advice of the Advocate General. As a matter of fact, Article 19 deals with fundamental rights where no mention is made about the legislative immunities and privileges. This is a special authority conferred to the Legislature by the founding fathers of the Constitution. These privileges cannot be called in question. Here, an attempt is being made seeking protection under Art. 19 to nullify the effect of the action of the Legislative Council. That directly concerns this House. It is also a branch of the Legislature. Here, I may be permitted to quote certain observations which is totally relevant to the issue and I will read it for the benefit of the House.

CHAIRMAN :- Instead of quoting all that, you are capable of minimising it by making a gist. Please do it.

SRI K. VENKATESWARA RAO: I am quoting from the Basu’s Commentary—

“The validity of the Resolution of the House cannot be questioned by any Court in so far as it relates to the proceedings within the walls of the House and the House is entitled to use as much force as is necessary to carry effect of its resolution within its own walls”.

I may also be permitted to refer to May’s Parliamentary Practice—in the case of Benedict Vs. Sown. 1574. The Lord Chief Justice observed—

“I can see no other way to avoid consequences derogatory to the honour of the Parliament, but to reject the action and all others which related to the proceedings or privileges of the Parliament”.

That is how, we are competent enough to deliberate upon the subject which is of concrete consequences, which has all immunities and which is likely to have an impact on the future of this great Institution, whereas a separate entity this august House, is not being allowed to enjoy its rights and privileges”.

Announcement 22nd March, 1984

re: laying of papers on the Table of the House dated: 21st March, 1984

Calling Attention Matters

Re: appointment of Secondary Grade Teachers in Cuddapah Zilla Parishad.

ANNOUNCEMENT:


Mr. CHAIRMAN: I am to announce that all the Papers included in the Agenda dated 21st March, 1984 are deemed to be laid on the Table of the House.

CALLING ATTENTION MATTERS:

Re: appointment of Secondary Grade Teachers in Cuddapah Zilla Parishad.

SRI P. ANANDA GAJAPATHI RAJU: Cuddapah District has been allotted 865 Special Teacher posts and 45 Special Language pandit posts out of 14,621 Special Teacher posts and 2,117 Special Language posts sanctioned for the entire State in G.O, Ms. No. 430 Education dt. 13-10-1983. This allotment has been done on the requirements furnished by the District Educational Officer, Cuddapah. Out of the 45 Special Language Pandit posts, 2 posts are allotted for Municipalities who will make separate selection for these posts. The posts are on consolidated pay of Rs. 398/- per month. In G.O. Ms. No. 429, Education, dt. 13-10-1983, Government have prescribed separate rules specifying qualifications for appointment to the posts of Special Language Pandits and Special Teachers. The qualification prescribed for these posts are as under:

Special Teachers:— 1) Minimum General Educational qualification as prescribed in the General Rules for the A. P. State and Subordinate Services; and

2) A trained Teacher's Certificate of Secondary Grade or an equivalent thereto or the certificate of Teacher Training Institute (Intermediate trained).

Special Language Pandits:— An Oriental Title in the Language concerned with Training qualification.

The appointment to these posts are made after selection by the District Selection Committee under the Chairmanship of Collector. In the written test a separate set of question papers
are prescribed for Special Teachers and Special Language Pandits. Separate panels are prepared for appointment to the posts of Special Teachers and Special Language Pandits.

Out of the 865 posts, 358 have been filled up by trained teachers and 249 by un-trained teachers selected by the District Selection Committee. Thus, 258 posts are remaining vacant.

Out of 43 posts of Special Language Pandits, 7 posts are meant for Scheduled Castes Scheduled Tribes. The remaining 36 could be available for others. Only 36 filled up. No candidates are available to fill up 7 posts meant for Scheduled Castes and Scheduled Tribes. Generally the posts meant for Scheduled Castes and Scheduled Tribes are to be carried over if qualified Candidates are not available. The selection of candidates has been completed by 5th March, 1984.

As explained earlier, the rules prescribed for appointment to these posts do not permit appointment of Language Pandits in Special Teacher posts as they do not possess the minimum general qualifications and also training for teaching non-language subjects in primary schools.
Calling Attention Matters

22nd March, 1984

Re: appointment of Secondary Grade Teachers in Cuddapah Zilla Parishad.

Sir, this is definitely a humanitarian problem because out of 865 posts which have been allotted to this district for SCBT Teachers, only 258 posts remained vacant. It has humanitarian aspect also. But at the same time, it is an administrative aspect also; because certain conditions were laid down for selecting these teachers. For S. T. and S. C. candidates, they had to get minimum of 20 marks, for B. C. candidates, they had to get minimum of 25 marks and for O. C. candidates, they had to get the minimum of 40 marks. Because, they did not get the minimum, 258 SCBT posts are fallen vacant. Today, when I discussed with the officials, I told them to send the concerned file to me and I will hold discussions departmentally to decide how for this problem can be solved as far as the filling up of 258 SCBT posts are concerned. Regarding 43 posts of Special
Language Pandits, 7 posts are meant for S. Cs. and S. Ts. The balance of 36 posts have been filled up. The number of applicants have been much more than 43. There were 153 applicants. I will also assure that in case of other districts, if there has been any surrender of the trained teacher posts, definitely, we will try to increase the allotment of 43 to, something more. In case there has been surrender of posts in other areas, to the extent possible, within the prescribed limits, I will try to do my level best to accommodate them.

(MR. SPEAKER IN THE CHAIR)

Sri Y. Ramakrishnudu, Sir, Sri B. Rama Krishna, Jt. Secretary, Hindu Burial Ground Development Association, Seetafalmandi, Secunderabad in March, 1983 represented that in Survey Nos. 34, 35 in Seethaphalmandi, Jamistanpur, burial ground was situated nearly 100 years ago, that the Hindus are using it as burial ground and that this land was occupied by some unsocial elements and houses including Cinema - hall were constructed in that land. He has requested the Government to save the burial ground.

The Special Officer, Municipal Corporation of Hyderabad reported that Survey No. 34 is a Government land and no permission was accorded by the Municipal Corporation of Hyderabad. The Survey No. 35 is a private land and the Municipal Corporation of Hyderabad has verified the ownership documents and issued no objection letter for construction of "Sri Suresh" 35 M. M. Cinema Theatre. The Deputy Commissioner, Endowment Department through judgement dated 25-6-1974, also opined that there is no encroachment on the Smasanam Land.

The Commissioner of Police issued permission for construction of Cinema Theatre at premises No. 11-2-439/7 in Survey No. 35 Zamistanpur, Seethaphalmandi, Secunderabad and also extended permission for completion of the Cinema Theatre.

The Petitioner Sri S. Indersingh Sokhi who submitted proposal for construction of Cinema Theatre also submitted copies of the decision given by the Deputy Commissioner, Endowment stating that the land in question does not form part of grave yard. The Suresh Theatre land is a private patta land as per the report of the Survey Department.

In S. No. 166, no theatres are constructed.
re: amendments to the various rules
issued under the Zilla Grandhalaya Samshthas / City Grandhalaya Samstha, Hyderabad

PAPERS LAID ON THE TABLE

re: amendments to the various rules issued under the Zilla Grandhalaya Samshthas / City Grandhalaya Samstha, Hyderabad.

SRI S RAMAMUNI REDDY: Sir, on behalf of the Education Minister, I beg to lay on the Table copies of G O. Ms No. 153, 154, 155, 156 and 157, Education, dated: 23-3-1983,
re: amendments to Ministerial services rules under the Andhra Pradesh Public Libraries Act, 1960.


re: 12th Annual Report and Accounts of the Andhra Pradesh State Agro Industries Development Corporation Limited.

containing amendments to the various rules issued under the Zilla Grandhalaya Samsthas / City Grandhalaya Samstha, Hyderabad as required under sub-section (3) of section 25 of the Andhra Pradesh Public Libraries Act, 1960.

re: amendments to Ministerial services rules under the Andhra Pradesh Public Libraries Act, 1960.


SRI Y. RAMAKRISHNUDU:– Sir, on behalf of the Minister for Agriculture, I beg to lay on the Table a copy of the Annual Accounts of Hyderabad Chemicals and Fertilisers Limited for the year ended 1982, as required under sub-section (3) of section 619-A of the Companies Act, 1936.

re: 12th Annual Report and Accounts of the Andhra Pradesh State Agro Industries Development Corporation Ltd.

SRI Y. RAMAKRISHNUDU:– Sir, on behalf of the Minister for Agriculture, I beg to lay on the Table, a copy of the 12th Annual Report and Accounts of Andhra Pradesh State Agro Industries Development Corporation Limited, for the year ending 30th June, 1980, 30th Annual Report 1980 of Hyderabad Chemicals and Fertilisers Ltd., 10th Annual Report as on 30th June, 1979 of the Agro Pumpsets and Implements Limited, as required under sub-section (3) of section 619-A of the Companies Act, 1936.

MR. SPEAKER:– Papers laid on the Table.
PAPER PLACED ON THE TABLE

re: “White Paper” on formation of Mandals,

SRI P. MAHENDRANATH:– Sir, I beg to place on the Table a copy of “White Paper” on formation of Mandals, in pursuance of an assurance given at the time of discussion on the Andhra Pradesh Districts Formation (Amendment) Bill, 1984 on 5-3-1984.

(See Appendix II)

MR. SPEAKER: Paper placed on the Table.

MR. SPEAKER:– The House now stands adjourned till 8-30 a.m. on 26th March, 1984.

(The House, then adjourned till 8-30 a.m. on 26th March, 1984.)

APPENDIX I.

AN EXTRACT OF PART-I,
OF
THE ANDHRA PRADESH GAZETTE
ISSUE No. 36, DATED 13th OCTOBER, 1983,
PUBLISHED AT PAGE-875

THE TIRUMALA TIRUPATHI DEVASTHANAMS SERVANTS OTHER THAN HEREDITARY OFFICE HOLDERS (CONDITIONS OF SERVICE) RULES, 1983.

(G. O Ms. No. 925, Revenue (Endowments - III) 18th June 1983)
No. 143.

In exercise of the powers conferred by sub-section (1) of section 46 of the Tirumala Tirupati Devasthanams Act, 1979 (Act 20 of 1979) and in supercession of the regulation issued in G.O.Ms.No. 1338, Revenue, dated the 15th November, 1979, the Governor of Andhra Pradesh hereby makes the following rule:

Rules.

1. These rules may be called “The Tirumala Tirupathi Devasthanams Servants other than Hereditary Office Holders (Conditions of Service) Rules, 1983”

2. In these rules unless the context otherwise requires:

(ii) Words and phrases used not but defined in these rules shall have the same meaning assigned to them in the Act, the rules framed thereunder or in the respective rules specified under rule 3.

3. The servants of Tirumala Tirupati Devasthanams other than the hereditary office holders shall be governed by the following rules and orders and clarifications issued by the Government of Andhra Pradesh in respect of the employees of the State Government from time to time in so far as they are not inconsistent with the Act and the Rules made thereunder.

(1) The Andhra Pradesh Fundamental Rules and the Subsidiary Rules issued thereunder;

(2) The Andhra Pradesh Leave Rules, 1983;

(3) The Andhra Pradesh Manual of Special Pay and Allowances including Travelling Allowance Rules and subsidiary rules issued thereunder;


(5) Andhra Pradesh Civil Service (Conduct) Rules, 1964;

(6) Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1963;

(7) The Andhra Pradesh State and Subordinate Service Rules.


(9) All other rules applicable to Government Servants.

4. All powers vested in the Heads of Departments under the previous rules mentioned in Rule 3 above shall be exercised by the Tirumala Tirupati Devasthanams Management Committee constituted under sub-section (1) of section 6 of the Act.

B.N. JAYASIMHA,
Principal Secretary to Government,

AN EXTRACT OF PART-I

OF

THE ANDHRA PRADESH GAZETTE

ISSUE NO. 45, DATED 22nd DECEMBER, 1983

PUBLISHED AT PAGES 1240-1241

AMENDMENT TO THE TIRUMALA, TIRUPATI, DEVASTHANAMS OFFICE HOLDERS AND SERVANTS (OTHER THAN HEREDITARY OFFICE HOLDERS) RECRUITMENT RULES, 1978.

THE ANDHRA PRADESH GAZETTE

PUBLISHED AT PAGES 1240-1241

AMENDMENT TO THE TIRUMALA, TIRUPATI, DEVASTHANAMS OFFICE HOLDERS AND SERVANTS (OTHER THAN HEREDITARY OFFICE HOLDERS) RECRUITMENT RULES, 1978.
In exercise of the powers conferred by sub-section (1) of section 46 of Tirumala Tirupati Devasthanams Act, 1979 (Act No. 20 of 1979), the Governor of Andhra Pradesh hereby makes the following amendment to the Tirumala Tirupati Devasthanams Office Holders and servants (other than hereditary office holders) (Reappointment) Rules, 1978 issued in G.O. Ms. No. 1350, Revenue (Endowments-III) Department, dated the 2nd August, 1978 and published at pages 339-384 of Part I of the Andhra Pradesh Gazette dated the 24th August, 1978:

AMENDMENT

After rule 9 of the said rules, the following rule shall be added, namely:

10. Superannuation:— The age of Superannuation of every employee other than hereditary office holder of the Tirumala Tirupathi Devasthanam shall be regulated by the provisions of the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Ordinance, 1983, Ordinance No. 24 of 1983.

B. N. JAYASIMHA,
Principal Secretary to Government.

AN EXTRACT OF RULES SUPPLEMENT TO PART I OF THE ANDHRA PRADESH GAZETTE

ISSUE NO. 11, DATED 11TH AUGUST, 1983

PUBLISHED AT PAGES 339-384

AMENDMENT TO THE ANDHRA PRADESH INDUSTRIAL DISPUTES RULES, 1958.

In exercise of the powers conferred by sub-section (1) of sufficient cause being shown, any party to the proceedings of 1979, the Governor of Andhra Pradesh hereby makes the following amendment to the Andhra Pradesh Industrial Disputes Rules, 1958, the same having been previously published at pages 143 and 144 of the Andhra Pradesh Gazette dated 24th September, 1981 as required under the aforesaid section.

AMENDMENT

For rule 24 of the said rules, the following rule shall be substituted, namely:

10. (1) In exercise of the powers conferred by sub-section (1) of sufficient cause being shown, any party to the proceedings of 1979, the Governor of Andhra Pradesh hereby makes the following amendment to the Andhra Pradesh Industrial Disputes Rules, 1958, the same having been previously published at pages 143 and 144 of the Andhra Pradesh Gazette dated 24th September, 1981 as required under the aforesaid section.
"24. Power of the Board, Court, Labour Court, Tribunal or Arbitrator to proceed ex-parte etc:—If without sufficient cause being shown, any party to the proceedings before a Board, Court, Labour Court, Tribunal or Arbitrator fails to file the statement of demands / rejoinder / or to attend or to be represented, the Board, Court, Labour Court, Tribunal or Arbitrator may proceed as if the party has nothing to file the statement of demands / rejoinder and as if the party had duly attended or had been represented.

Provided that in case where one of the party fails to file statement of demands / rejoinder and / or to attend or to be represented, the Board, Court Labour Court; Tribunal or Arbitrator may proceed ex-parte.

Provided further in case both the parties fail to file statement of demands / rejoinder and / or to attend or to be represented the Board, Court, Labour Court Tribunal or Arbitrator may close the proceedings as having not pressed by the parties."

N. RAGHAVA,
Secretary to Government.

RULES SUPPLEMENT TO PART I
EXTRAORDINARY
OF
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

No. 12) Hyderabad — Saturday — February 25, 1984
Notifications by Government
REVENUE DEPARTMENT


In exercise of the powers conferred by sub-section (1) of section 11 of the Andhra Pradesh Abolition of posts of part-time village officers Ordinance, 1984 (Ordinance No. 1 of 1984), the Governor of Andhra Pradesh hereby—makes the following rules.

RULES

1. Short Title:— The rules may be called the Andhra Pradesh Abolition of Posts of Part-time village Officers (Fixation of amount payable for total service) Rules, 1984.

2. Definitions:— In those rules, unless the content otherwise requires.
(a) 'Form' means a form appended to these rules.

(b) 'Ordinance' means the Andhra Pradesh Abolition of Posts of Part-time village Officers Ordinance 1984 (Ordinance 1 of 1984).

(c) 'Revenue Divisional Officer means the Revenue Officer in-charge of a revenue division and includes a Deputy Collector, a sub-Collector or an Assistant Collector in-charge of a revenue division.

(d) 'Section' means a section of the Ordinance.

3. Notice to be served on the interested person(s)

(1) The competent authority shall issue a notice in Form I in the manner specified in the code of Civil Procedure, 1908, showing the amount payable and names of the persons a entitled to receive the same which shall be served on the person(s) entitled to receive amount.

(2) Copies of the notice shall be published by affixure on the notice board in the office of the competent authority Taluk Office and the village Chavadi in the village in which the Part-time village Officer worked.

4. Filling of Applications:

(1) Any person who ceased to hold the post of Part-time village Officer as a consequence of the Ordinance and whose name does not find place in the notice published under sub-rule (2) of the rule 3 may file an application putting forth his claims, before the competent authority in Form II within a period of fifteen days from the date of publication of the said notice.

(2) No fees shall be payable in respect of any such application.

(3) The application shall be addressed to the competent authority and may be presented either in person or by authorised agent or sent by registered post with acknowledgement due or recorded delivery and the receipt of such application shall be acknowledged by the competent authority or by an officer authorised by him.

5. Objections in regard to the right to receive the amount payable or the Apportionment thereof:— Objections in regard to the right to receive the amount or the quantum of amount payable under section 5 or the appointment thereof, for which a notice has been issued under sub-rule (1) of rule 3 may be filed before the competent authority within fifteen days from the date of publication of the notice together with documentary evidence therefor.
6. Payment of the Amount:— The competent authority shall after summary enquiry into the objections if any received under the rule 5 or on an application under sub-rule (1) of rule 4 pass final order in this regard under clause (a) of sub-section (3) of section 5 upon passing of such order, the competent authority shall tender payment of the amount to the person/persons entitled thereto.

7. Appeals:— The appeal provided under sub-section (6) of section 5 may be filed either in person or by an authorised agent by an application bearing a court fee stamp of rupees two only.

(2) The appeal shall be filed within sixty days from the date of the order of the competent authority and shall set forth concisely the grounds therefor and shall be accompanied by the order appealed against or by a certified copy thereof.

(3) While deciding the appeals under this rule, the District Collector shall follow the same procedure which a Civil Court follows in deciding appeals from decrees or orders of an original court under the Code of Civil procedure, 1908.

FORM – 1
(Sec. Rule 3 (1))

Notice is hereby given that the post of part-time village officer specified in the Schedule below belonging to the village of ..........in the taluk of .......... in the district of .......... stands abolished with effect from 6th January, 1984 as per the Andhra Pradesh Abolition of posts of part-time village officers Ordinance 1984 (Ordinance No. 1 of 1984). The amount payable to the part-time village officer as Determined under section 5 together with the name of the person entitled to receive the amount is mentioned in the said schedule.

Every person interested in the post of part-time village officer, including the legal heirs as mentioned in the Schedule, are required to lodge, before the Revenue Divisional Officer Sub-Collector Assistant Collector of ..........within fifteen days from the date of issue of this notice a statement in writing of his objections, if any, to the claims to the post of part-time village officer or to the quantum of amount payable in respect of the part-time village officer.

Any objection which is received after due date or which does not clearly explain the nature of the objectioner’s interest in the post of part-time village officer is liable to be summarily rejected.
THE SCHEDULE

<table>
<thead>
<tr>
<th>Name of the part-time village officer</th>
<th>Name of the village to which the part-time village officer relates</th>
<th>Amount determined</th>
<th>Name of the part-time village Officer/legal heir (S) entitled to receive the amount</th>
<th>Remarks</th>
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FORM-II


(See Rule 4 (1))

1. Full Name of the Applicant.
2. Father's / Husband's Name
3. Full Postal Address
4. If the application is filed by legal heir/heirs detail of such legal heir/heirs.

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<th>Sl. No.</th>
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<th>Relationship</th>
<th>No. and date of legal heir certificate</th>
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</table>

5. Name of the post/village held by the part-time village Officer.
6. Details of service.
8. Travelling allowance drawn for the year ending 31–12–1983.

B.N. JAYASIMHA,
Principal Secretary to Government.
In exercise of the powers conferred by Section 68 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the Governor of Andhra Pradesh hereby makes the following amendment to the Andhra Pradesh Motor Vehicles Rules, 1964, published with the Home (Transport-1) Department Notification dated the 16th June 1964 at pages 221-421 of the Rules Supplement to Part-I of the Andhra Pradesh Gazette, dated the 27th August, 1964 the same having been previously published as required by sub-section (1) of Section 133 of the said Act.

AMENDMENTS.

In the said rules:

1. In rule 17, the words, "sub-section (4) of" shall be omitted.

2. for rule 455 the following rule shall be substituted; namely:—

"455. Maximum safe laden weight and maximum safe axle weight of transport vehicles:— The maximum safe laden weight and axle weight shall not exceed the limits fixed by the Government of India, under section 36 (1) of the Motor Vehicles Act, 1939".

3. rule 456 shall be omitted.
Andhra Pradesh hereby makes the following amendment to the Andhra Pradesh Motor Vehicles Rules, 1964 published with the Home (Transport-1) Department Notification dated the 16th June, 1964 at pages 221-421 of the Rules Supplement to Part-I of the Andhra Pradesh Gazette, dated the 27th August, 1964, the same having been previously published as required by sub-section (1) of Section 133 of the said Act.

AMENDMENTS

In the said rules:

1. In rule 429 (1) after the words ‘Motor cab’ the words ‘Auto rickshaw’ shall be inserted;

2. in sub-rule (2) of rule 429, for the words “Regional Transport Authority” the words “Weights and Measures Department” shall be substituted;

3. In rule 431 (1) for the expression ‘the Inspector of Motor Vehicles’ the expression “the Senior Inspector of Weights and Measures Department” shall be substituted.

4. sub-rule (4) of rule 431, shall be deleted.

5. In sub-rule (2) of rule 438, after the words ‘Inspector of Motor Vehicles’ the words ‘or the Senior Inspector of Weights and Measures Department in the, twin cities of Hyderabad and Secunderabad and Visakhapatnam shall be inserted.

6. In sub-rules (1), (2) and (3) of rule 439, for the expressions ‘Secretary, Regional Transport Authority’ wherever they occur the expressions ‘Controller, Weights and Measures or any officer of the Department authorised by him shall be substituted;

7. for rule 440 the following rule shall be substituted namely:

“440-Fee for test of Taxi-meter:– The fee for the test of taxi-meter shall be as specified under the Andhra Pradesh Weights and Measures (Enforcement) Rules, 1959”.

AMENDMENT TO ANDHRA PRADESH MOTOR VEHICLES RULES 1964.


In exercise of the powers conferred by Section 68 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the Governor of Andhra Pradesh here by makes the following Amendment to the Andhra Pradesh Motor Vehicles Rules, 1964, published with the Home (Transport. 1) Department Notification dated 16th June, 1964 at pages 221-421 of the Rules supplement to Part-I of the
Andhra Pradesh Gazette, dated the 27th August, 1964, the same having been previously published as required by Sub-section (1) of Section 133 of the said Act.

AMENDMENT

In the said rules, sub-rule (3) and (4) of rule 277, shall be renumbered as sub-rule (4) and (3) and after the rules as so renumbered, the following sub-rule shall be inserted as sub-rule(3), namely:—

"(3) No person other than a person connected to the conveyance of goods shall travel in a goods vehicle".

K V. AN ATIACHARY, Deputy Secretary to Government.

RULES SUPPLEMENT TO PART I EXTRAORDINARY OF THE ANDHRA PRADESH GAZETTE PUBLISHED BY AUTHORITY

No. 26) HYDERABAD, SATURDAY, AUGUST 20, 1983.

NOTIFICATIONS BY GOVERNMENT TRANSPORT, ROADS AND BUILDINGS DEPARTMENT (TR—VII)

AMENDMENTS TO ANDHRA PRADESH MOTOR VEHICLES RULES, 1964.


In exercise of the powers conferred by section 68 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the Governor of Andhra Pradesh hereby makes the following amendment to the Andhra Pradesh Motors Vehicle Rules 1964, published with the Home (Transport-l) Department Notification dated the 16th June 1964 at pages 221–421 of the Rules Supplement to Part—I of the Andhra Pradesh Gazette, dated the 27th August 1964, the same having been previously published as required by sub—section (1) of Section 133 of the said Act.

AMENDMENT.

In the said rules:

after rule 533, the following rule shall be inserted, namely:—

"Rule 533-A (1) Application for claim:— Every application in the case of claim under Chapter VII—A of the Motor Vehicles Act 1939 shall be made in Form C. W. F. (Claim without fault)."
(2) Fees:— Every applicant along with application for claim under Chapter VII-A shall pay a fee of Rs. 10/-

(3) Consideration of the claim:— The claims Tribunal shall follow the procedure of summary trial as contained in the Code of Criminal Procedure 1973 (Central Act 2 of 1974) for the purpose of Adjudicating and awarding a claim under Chapter VII-A of the Motor Vehicles Act, 1939.

(4) Application not to be rejected on technical flaw:— The claims Tribunal shall not reject any application made as per the provisions of Chapter VII-A of the Motor Vehicles Act, 1939 on the ground of any technical flaw, but shall give notice to the applicant and get the defect rectified.

(5) Presence of owner and Insurer not necessary to award the claim after notice:— The Claims Tribunal shall give notice to the Owner and insurer, if any, of the motor vehicle involved in the accident, directing them to appear on a date not later than 10 days from the date of issue of notice. The date so fixed for such appearance shall also be not later than 15 days from the receipt of the claim application. The Claims Tribunal shall state in such notice, that in case they fail to appear on the on such appointed date, the tribunal will proceed ex-parte on the presumption that they have not contention to make against the award of compensation.

(6) Award of claim:— The Claims Tribunal shall obtain what ever information necessary from the Police, Medical and other authorities and proceed to award the claim whether the parties who were given notice appear or not on the appointed date.

(7) Basis to award the claim:— The Claims Tribunal shall proceed to award the claim on the basis of:

(i) Registration Certificate of the Motor Vehicle involved in the accident;

(ii) Insurance certificate or Policy relating to the insurance of the Motor Vehicle against the Third party Risk;

(iii) Copy of first Information Report;

(iv) Post-mortem certificate or certificate of inquiry from the Medical Officer;

(v) The nature of the treatment given by the Medical Officer who has examined the victim.

(8) Limitation for disposal of application:— The Claims Tribunal before whom an application for compensation on liability
arising out of the provisions of Chaps VII-A of the Motor Vehicles Act, 1939 has been made, shall dispose of such application with forty-five days from the date of receipt of such application.

(9) Payment of compensation by Claims Tribunal — The Procedure of adjudicating the liability and award of compensation may be set apart from the procedure of disbursement of compensation to the legal heirs in case of death. Where the Claims Tribunal feels that the actual payment to the claimant is likely to take some time because of the identification and determination of legal heirs of the deceased, the Claims Tribunal may call for the amount of compensation awarded to be deposite with the Tribunal and then proceed with the identification of the legal heirs for deciding payment of compensation to each of the legal heirs equally. This contingency will not arise in the case of adjudication and payment of compensation in the case of disablement.

K. V. ANANTACHARY,
Deputy Secretary to Government-

FORM. C. W. F.

Form of application for compensation in case of no fault liability.

I .............................................. son / daughter / wife / Widow of .............................................. residing at ...................... having been injured in Motor Vehicle accident hereby apply for the grant of compensation for the injury sustained. Necessary particulars in respect of the injury vehicle, etc. are given below.

I .............................................. son / daughter / wife / widow of .............................................. residing at ...................... hereby apply, as a legal representative / agent for the grant of compensation on account of death of Sri / Smt. / Kumari / son / daughter / wife / widow of Sri / Smt. ...................... who dies / was injured in a motor vehicle accident.

Necessary, particulars in respect of the deceased/injured, the vehicle etc. are given below:

1. Name and father's name of the person injured/dead (Husband's name in the case of married women and widow).
2. Full address of the person injured/dead.
3. Age of the person injured/dead,
4. Occupation of the person injured/dead.
5. Place, date and time of the accident.
6. Name and address of Police Station in whose jurisdiction the accident took place was registered.
7. Was the person in respect of whom compensation is claimed travelling by the vehicle involved in the accident. If so, give the name of the place of starting of journey and destination.

K. V. ANANTACHARY, Deputy Secretary to Government.

THE ANDHRA PRADESH GAZETTE
PART 1 — EXTRAORDINARY
PUBLISHED BY AUTHORITY
No. 322.) HYDERABAD, SATURDAY - SEPTEMBER 3, 1983.

NOTIFICATIONS BY GOVERNMENT
Transport, Roads and Buildings Department
(TRANSPORT — VII)
Administration of powers to compound offence under section 127-B of Motor Vehicles Act, 1939—Revised Schedule for compounding Fees Under Section 127.B.

(G. O. Ms. No. 394. Transport) Roads and Building
(Tr. - VII), 27th August, 1983.)

In exercise of the powers conferred by sub-section (1) of section 127 (B) of the Motor Vehicles Act, 1939 (Central Act 4 of 1939) and in supersession of the orders issued in the G. O. Ms: No. 30, Transport, Roads and Buildings Department, dated 9th February 1983, the Governor of Andhra Pradesh hereby specifies the Officers of the Trasport Department not below the rank of an Assistant Motor Vehicles Inspector and Officers of the Police Department not below the rank of Sub-Inspector of Police (Traffic) in the City and the Inspector of Police in other places in uniform to compound the offences under sections 112, 113, 113-B, 114 (1), 114 (2), 115 (1) (2), 116, 118, 120, 122, 123, 124, 125 and 127 of the said Act and that the amount compounded shall not be less than the rates indicated in the Schedule.

SCHEDULE

<table>
<thead>
<tr>
<th>Section</th>
<th>Goods Vehicles, Stage Carriages</th>
<th>Taxi Cabs.</th>
<th>Motor Cycles and Motor Cabs,</th>
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<td></td>
<td>Contract Carriage</td>
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<td>Tractor Trailers and (1st offence).</td>
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RULES SUPPLEMENT TO PART I
EXTRAORDINARY
OF
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

No. 31) HYDERABAD, THURSDAY, SEPTEMBER 15, 1983.

NOTIFICATIONS BY GOVERNMENT
TRANSPORT, ROADS AND BUILDINGS DEPARTMENT
(Transport—VII)
AMENDMENTS TO THE ANDHRA PRADESH
MOTOR VEHICLES RULES, 1964.

(G. O. Ms. No. 430, Transport, Roads and Buildings
(Transport—VII), 8th September, 1983.)

In exercise of the powers conferred by section 67 and 68 of
the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the Governor
of Andhra Pradesh hereby makes the following amendment to the
Andhra Pradesh Motor Vehicles Rules 1964, published with the

M. CHANDRAMOULI RIDDY,
Secretary to Government.
Home (Transport-1) Department Notification dated the 16th June 1964 at pages 221-421 of the Rules Supplement to Part-I of the Andhra Pradesh Gazette, dated the 27th August 1964, the same having been previously published as required by sub-section (1) of Section 133 of the said Act.

AMENDMENT.

In the said rules :-

1. (1) After the rule 211, the following shall be inserted, namely:—

"211-A(1). Each Regional Transport Authority of the State Transport Authority as the case may be shall reserve stage carriage permits under sub-section (1A) of Section 47 for Scheduled Castes and Scheduled Tribes as indicated below:

(a) Out of a unit of 100 permits to be granted, fourteen permits for the Scheduled Castes;

(b) Out of a unit of 100 permits to be granted, four permits for the Scheduled Tribes.

(2) For the purpose of this rule, unit of 100 permits shall be deemed to have commenced on the date on which sub-section (1A) of Section 47 has come into force.

(3) In case, permit or permits have already been granted upto the date on which these rules have come into force, otherwise than in accordance with the rule of reservation, the next immediate permit or permits to be granted shall be reserved for the respective category of persons.

(4) The grant of permits to persons belonging to Scheduled Castes and Scheduled Tribes shall be reviewed every quarter in order to ensure that the number of permits reserved for Scheduled Castes and Scheduled Tribes out of a unit of 100 permits are granted to these categories of persons

(5) In case the Regional Transport Authority or the State Transport Authority, as the case may be, consider it necessary or expedient to group the various routes within their jurisdiction under sub-section (1E) of section 47 the number or permits offered for all routes so grouped shall be taken as one unit for the purposes of this rule.

(6) The compensation of reservations to be made shall be accounted in a register which shall be maintained by the Secretary of the Transport Authority concerned.

(7) The provisions of sub-rules (1) to (6) as they apply to reservation of stage carriage permits shall also apply to the public carrier permits under section 55 and National Permits under section 63 (11)"
2. In rule 212 (iii) for the expression "subject to sub-section (1) of section 47" occurring in the opening para, the following shall be substituted, namely:

"Subject to sub sections (1), (1A), (1B), (1C), (1D), (1E), (1F) and (1G) of section 47".

3. In rule 212 (iii) (7) for the heading "Co-operative Societies" the heading "Co-operative Societies or persons having driving licences to drive transport vehicles" shall be substituted and after the words "Transport business" at the end, the words "or to an applicant having a valid licence to drive a transport vehicle" shall be added.

4. In Form P. C. S. A., after item 24, the following items shall be inserted, namely:

24-A:— If the applicant is a Scheduled Caste/Scheduled Tribe he shall state to that effect and enclose a certificate in proof thereof issued by Tahsildar or Deputy Tahsildar in independent charge concerned.

24 B:— If the applicant holds a valid driving licence to drive transport vehicles, he shall enclose certificate to that effect issued by the Licensing Authority Concerned.

5. In Form P. U. C. A. after item 10, the following items shall be inserted, namely:

10-A:— If the applicant is a Scheduled Caste/Scheduled Tribe state to that effect and enclose a certificate in proof thereof issued by Tahsildar or Deputy Tahsildar in independent charge concerned;

10-B:— If the applicant holds a valid driving licence to drive transport vehicles, enclose a certificate to that effect issued by the Licensing Authority concerned".

6. In Form N. P. P. U. C. A. after item 12, the following items shall be inserted, namely:

12-A:— If the applicant is a Scheduled Caste/Scheduled Tribe state to that effect and enclose a certificate proof thereof issued by Tahsildar or Deputy Tahsildar in independent charge concerned:

12-B:— If the applicant holds a valid driving licence to drive transport vehicles, enclose a certificate to that effect issued by the Licensing Authority concerned".

M. CHANDRAMOULI REDDY, Secretary to Government.
NOTIFICATIONS BY GOVERNMENT
TRANSPORT, ROADS AND BUILDINGS DEPARTMENT
(TRANSPORT – VII)

AMENDMENTS TO RULE 3 (2) OF THE
ANDHRA PRADESH MOTOR VEHICLES RULES 1964.

(G. O. Ms. No. 455, Transport Roads & Buildings
(Transport – VII), 23rd September, 1983.)

In exercise of the powers conferred by section 21-J and 41 of
the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the Governor
of Andhra Pradesh hereby makes the following amendment to the
Andhra Pradesh Motor Vehicles Rules 1964, published with the
Home (Transport-1) Department Notification dated the 16th June,
1964 at pages 221–412 of the Rules Supplement to Part-I of the
Andhra Pradesh Gazette, dated the 27th August 1964, the same
having been previously published as required by sub-section (1) of
Section 133 of the said Act.

AMENDMENT

In the said rules:— for clause (ii) of sub-rule (2) of rule 3,
the following shall be substituted, namely:—

“(ii) Executive staff of Transport Department not below the
rank of Assistant Motor Vehicles Inspector’s in the district and the
Superintendents in the office of the Regional Transport Autho-
rities.”

(By order and in the name of the Governor of Andhra Pradesh)

K. V. ANANTACHARY,
Deputy Secretary to Government.
RULES SUPPLEMENT TO PART I
EXTRAORDINARY
OF
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

No. 33) HYDERABAD, WEDNESDAY, OCTOBER 12, 1983

NOTIFICATIONS BY GOVERNMENT
TRANSPORT, ROADS AND BUILDINGS DEPARTMENT
(Transport—VII)
AMENDMENT TO THE RULE 244-A OF ANDHRA PRADESH
MOTOR VEHICLES RULES, 1954.

(G. O. Ms. No. 464, Transport, Roads and Buildings
(Transport—VII), 4th October, 1983.)

In exercise of the powers conferred by section 68 of
the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the Governor
of Andhra Pradesh hereby makes the following amendment to the
Andhra Pradesh Motor Vehicles Rules 1964, published with the
Home (Transport-I) Department Notification dated the 16th June,
1964 at pages 221-412 of the Rules Supplement to Part-I of the
Andhra Pradesh Gazette, dated the 27th August 1964, the same
having been previously published as required by sub-section (1)
of Section 133 of the said Act.

AMENDMENT

1. In the Table under the proviso to rule 244-4 of the said
rules, after clause (e) of item (I) the following clause shall be
inserted, namely:—

"(f) Non-maintenance of spare buses as provided in rule
215-A or as provided in the Schemes of the S.T.U’s" and—Rs. 600/-

2. The existing clause (f) shall be renumbered as clause (g)

M. CHANDRAMOULI REDDY,
Secretary to Government.
In exercise of the powers conferred by Section 68 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the Governor of Andhra Pradesh hereby makes the following Amendment to the Andhra Pradesh Motor Vehicles Rules, 1964, published with the Home (Transport-I) Department Notification, dated 16th June, 1964 at pages 221-412 of the Rules supplement to Part-I of the Andhra Pradesh Gazette, dated the 27th August, 1964, the same having been previously published as required by sub-section (1) of Section 133 of the said Act.

**AMENDMENT**

In the said rules:

In the Fourth Schedule, in column (2) of the Table for the words 'Deputy Transport Commissioner' against the words in column (1) Visakhapatnam, Krishna, Chittoor, the words "Assistant Transport Commissioner" shall be substituted.

K. V. ANANTACHARY,
Deputy Secretary to Government*

( APPENDIX 2 )

WHITE PAPERS
ON
CREATION OF REVENUE MANDALS.

It is the intention of the Government to take administration nearer to the people. Government are of the view that decentralisation of administration and reduction in the levels or tiers of administration would be conducive to more efficient implementation of the policies and programmes of Government. Greater decentralisation is expected to lead to more intensive involvement of the people, particularly in the implementation of programmes of economic development. This is the main reason for ushering in revenue mandals which are expected to be roughly one-third to one-fourth the size of the existing taluks in area and in population. Our rural folk would in future find the official machinery to attend to their various needs much nearer at hand. With this purpose in mind the Government decided to replace the taluks and firkas with 1,000 to 1,200 revenue mandals.
2. According to the scheme contemplated, each revenue mandal will be headed by a Revenue Officer of the rank of a Tahsildar or Deputy Tahsildar. The intention of the Government is to vest in such Revenue Officers, all the powers that are now exercised by the Tahsildars and Taluk Magistrate in his jurisdiction. The Revenue Officer at Mandal level will be assisted by appropriate staff in the Mandal Revenue Office. While every effort would be made to provide for the staff requirements by redeployment of existing staff, strengthening will be considered as and when required. Further, Government are also considering the need to strengthen the supervisory mechanism by expanding/reinforcing revenue divisions.

3. With this end in view, the Governor of Andhra Pradesh promulgated on 11th January, 1984 the Ordinance, No. 2 of 1984 to amend the Andhra Pradesh District (Formation) Act, 1974. By this Ordinance, the Government abolished taluks and sirkas and in their place substituted revenue mandals. During the transition period however the Government provided for the continuance of the taluks and sirkas until the new revenue mandals are formed in accordance with the provisions of the principal Act as amended by the Ordinance.

4. In accordance with the provisions of the Andhra Pradesh District (Formation) Act, 1974 as amended by Ordinance No. 2 of 1984 Collectors have to formulate detailed proposals for the delimitations of revenue mandals. The Government on receipt of these proposals from the Collectors will examine them and issue preliminary notifications inviting objections and suggestions from the public if any. With reference to the preliminary notifications issued and after considering the objections and suggestions received from the public, the Government issue final notifications ushering in the revenue mandals.

5. Collectors have accordingly been requested to send proposals for the formation of revenue mandals keeping in view the guidelines as in Appendix. It will be seen that revenue mandals will be formed covering urban as well as rural areas. A revenue mandal would have a population between 35,000 and 55,000 depending on population density of the taluk concerned. For this purpose, population according to the 1981 Census is being adopted. As a general rule the present taluk and Samithi Headquarters, Municipalities and Municipal Corporations will be retained as headquarters of revenue mandals, exceptions being made for specific reasons. In the choice of headquarters of revenue mandals due weightage would be given to the facilities like banks, bus stand
or railway station, Primary Health Centre, sub-centre or Dispensary, Veterinary Dispensary, Police Station, Post Office, Telephone Exchange, High School, Market Yard, Agricultural Godown, the fact that a village is already the headquarters of a firka or revenue circle, and other special features like the availability of accommodation for offices and residence of staff. The principal criterion for inclusion of villages in a revenue mandal would be that the mandal headquarters is most accessible to all the included villages resulting in greater convenience to the public.

6. In this connection, the Collectors are enabled to take advantage of the data and analysis made by the Planning Department identifying the hierarchy of central place/service centres describing various services available at different locations. The Department of Planning had communicated relevant information to the Collectors in connection with the exercises relating to the Seventh Five Year Plan. In fact, the exercises on this subject in connection with the Seventh Five Year Plan are in the nature of updating of earlier studies made in connection with the Fifth Five Year Plan the findings of which are incorporated in a technical paper entitled “Area Planning Approach, Integrated Services through Select Centres” in the year 1975. The process of updating this document was facilitated by the expertise available to the Planning Department from the Centre for Economic and Social Studies, Hyderabad and the Indo-French Compugraphic Unit.

7. Socio economic developments since last 20 years demand a review of the provision of Government Services with a view to enlaraging and dispersing them to interior areas. The creation of Mandals has the effect of providing facilities for use of public close enough for the people to make trips from their place of residence with less cost and greater convenience. As this measure of reform is intended to contribute significantly to better administration, speedier economic development and public welfare in general and welfare of the weaker sections in particular, Andhra Pradesh Government earnestly hopes that it would be well received and that co-operation of all concerned would extended in full measure.

P. MAHENDRANATH,
Minister for Revenue.

The guidelines for formation of Mandals are given below.

(1) Revenue Mandals will be formed covering Urban/Rural Areas, unlike Panchayat Mandals which will cover only rural areas.
(2) It is proposed that a Revenue Mandal should be demarcated for a population ranging from 35,000 to 55,000 in the case of rural mandals. When a municipality comes within the area of a Revenue Mandal, the Urban population will be in addition. The 1981 Census figures duly authenticated by the Director of Census Operations may be adopted for the purpose of the population criteria.

(3) As a general principle, the present Taluk Headquarters, Samithi Headquarters, Municipalities and corporations will be retained as Headquarters of Revenue Mandals; if any exception is called for on grounds of compelling reasons detailed reasons will have to be given.

(4) Revenue Mandals whose headquarters will be the present Taluk Headquarters / Samithi Headquarters / Municipalities / Corporations, will generally have a number of much needed infrastructural facilities already existing. A number of people from the neighbouring villages will be therefore visiting these headquarters for both Governmental / non-Governmental business. In the case of Revenue Mandals to be located exclusively within municipal corporation areas, their requirements will be formulated according to their needs.

In cases in which Mandals are to be formed with headquarters in municipal towns, the population of the municipal towns will be excluded, the Mandal being formed for a population of 35,000 to 55,000 according to the population density criterion.

In cases of Mandal headquarters located in urban centres which are not municipalities but with a population of 15,000 or above the total population of the Mandal would be 55,000 irrespective of population density.

In the case of other urban centres the total population of the Mandal including the urban population, would be fixed keeping the population density in view.

(5) In the case of Rural Mandals, broadly the following criteria may be followed in adopting the population criteria.

<table>
<thead>
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<th>Density of population</th>
<th>Approximate population for the Mandals</th>
</tr>
</thead>
<tbody>
<tr>
<td>301 and above per sq. km.</td>
<td>55,000</td>
</tr>
<tr>
<td>201 – 300</td>
<td>45,000</td>
</tr>
<tr>
<td>Below 200</td>
<td>35,000</td>
</tr>
</tbody>
</table>

Only in agency areas, it may become necessary that the Mandal population becomes less than 35,000.
For density of population, Taluk will be taken into consideration. In addition to the agency area, in other areas also where the density of population is less than 100 per Sq. Km. the Mandal population may be less than 35,000.

(6) In choosing the Headquarters of the Revenue Mandals in the rural areas, weightage may be given to the availability of the following facilities and the future growth of the place.

1. Banking facility.
2. Communication facility – either Railway Station or Bus Stand;
3. PHC or Sub-Centre or any Dispensary / Indian Medicine;
4. Veterinary Dispensary;
5. Police Station.
6. Post Office / Telephone Exchange;
7. High School;
8. Market yard / Agricultural Godown;
9. Already a Firka Headquarters;
10. Any other special qualification like availability of office accommodation, residential quarters for the staff etc.

A centre having one or more of the above characteristics, and more accessible to most of the villages proposed for the Mandal in comparison to any other centre should be generally selected as Headquarters. If in any mandal there is more than one centre having equal accessibility / facilities then the centre which comes forward to donate land for office buildings and to provide temporary office accommodation may be given preference.

7. Where two urban areas are situated in close proximity the possibility of attaching cluster of villages to both the places on either side and forming separate Mandals may be explored.

8. In the selection of villages for inclusion in the Mandal, the principal criterion shall be that the Mandal Head Quarters is most accessible to all the villages. Subject to this criterion Jurisdiction of the Revenue Mandals need not necessarily be confined to the present Firka, Taluks or Revenue Divisions, but should be confined within the existing District Limits;

9. As there are differences in the jurisdictions of Revenue Villages and Gram Panchayats in some cases, care has to be taken to ensure that the same Revenue Village or Gram Panchayat is not shared between two Mandals.