

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:51  
ANSWERED ON:02.12.2003  
INTER-STATE COUNCIL MEETING  
KANTI SINGH;RAGHUVANSH PRASAD SINGH

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) whether the Inter-State Council Meeting was held in Srinagar in August, 2003 after a long time;
- (b) if so, the salient features of the discussion held there and decision taken at the Meeting;
- (c) whether it is a fact that the Government have agreed to amend the Article 356 of the Constitution to incorporate safeguards as recommended by the Sarkaria Commission and also the Supreme Court in the Meeting;
- (d) if so, the time by which an amendment bill is proposed to be brought before the Parliament;
- (e) whether a Sub-Committee for preparing a blue print in good governance has been constituted; and
- (f) if so, the details thereof alongwith composition and terms of reference?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SWAMI CHINMAYANAND)

(a) & (b): The eighth meeting of the Inter-State Council was held on 27-28 August, 2003 in Srinagar. Issues relating to `Administrative Relation`, `Emergency Provisions`, Deployment of Union Armed Forces`, ` Contract labour/Contract appointments`, `Good Governance` and implementation report on decisions taken by Inter-State Council on the recommendations of Sarkaria Commission were discussed. The main decisions taken in the meeting are as follows:

(1) Administrative Relations

Recommendation of Sarkaria Commission for a cautious approach before giving directions under Articles 256 and 257 and application of Article 365 of the Constitution was accepted.

(2) Emergency Provisions

(i) Article 356 should be used most sparingly, as a measure of last resort.

(ii) Adequate safeguards provided in the Supreme Court judgement in the Bommai case may be suitably incorporated in the Constitution.

(3) Deployment of Union Armed Forces

The Sarkaria Commission`s recommendation relating to consultation with the State Government, wherever feasible even though it is not obligatory, before the Union Government deploys its armed forces in a State suo motu, was accepted.

(4) Contract labour/Contract appointments

(i) The Council noted that the draft Bill to amend Contract Labour (Regulation & Abolition) Act, 1970 would be finalized by the Union Ministry of Labour in consultation with the Ministry of Law & Justice for taking further necessary action.

(ii) An Inter-Ministerial Standing Committee would be established for the present to clear expeditiously the amendments to be proposed by the State Governments in various labour laws.

(5) Implementation Report

The Inter-State Council took note that out of 247 recommendations of Sarkaria Commission, it had taken a decision on 230 recommendations upto the seventh meeting. Of these, 170 had been implemented, 7 were at various stages of implementation and 53 had not been found acceptable by the Council and the Administrative Ministries/Departments.

(6) Good Governance

A Sub-committee of the Council would be appointed to further deliberate on the subject of Good Governance and come out with a blue print of an action plan on Good Governance to be discussed in the next meeting of the Council.

(c) & (d): The Inter-State Council is a recommendatory body. A view has to be taken by the Union Government on their recommendations.

(e) & (f): The Inter-State Council Secretariat has already initiated action for setting up of a Sub-committee of the Inter-State Council on Good Governance.