

CABINET RESPONSIBILITY TO LEGISLATURE

*Motions of Confidence
and No-confidence
in Lok Sabha
and State Legislatures*

G.C. MALHOTRA

LOK SABHA SECRETARIAT

METROPOLITAN

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METROPOLITAN BOOK CO. PVT. LTD.

Published for the
Lok Sabha Secretariat,
New Delhi-110001,
India

by

B.V. Gupta,
Managing Director,
Metropolitan Book Co. Pvt. Ltd.,
1, Netaji Subash Marg,
New Delhi-110002,
India.

First Published, 1998

Second Revised Edition, 2004

© **Lok Sabha Secretariat**
G.C. Malhotra

ISBN : 81-200-0400-0

Published under Rule 382 of the *Rules of Procedure
and Conduct of Business in Lok Sabha* (Tenth Edition)

Composed by :
Puneet Bhargava
921, Chawri Bazar,
Delhi - 110006

Printed by :
Nirula Printers
F-19, Navin Shahdara,
Delhi - 110032



अध्यक्ष लोक सभा
Speaker Lok Sabha

FOREWORD

The founding fathers of our Republic, in their vision and wisdom, had opted for the parliamentary system of governance for our country, as they felt it was the best suited to our ethos, temperament, and democratic heritage. They were of the firm belief that only this model would steer the country on the developmental path; they were also confident that the urges and aspirations of the teeming millions would be better addressed and redressed in the duly elected legislative bodies. In actualizing their dreams, we have, over the last more than five decades, made significant strides on various fronts while working under this mode of governance.

Executive accountability to the popularly elected Legislature is one of the essential ingredients of any parliamentary system. Our Constitution provides that the Union Cabinet is and shall be collectively responsible to the Lok Sabha and the State Cabinets to the respective Legislative Assemblies. The Government must always enjoy majority support in the popular House to remain in power. If need be, it has to demonstrate its strength on the floor of the House either by moving a Motion of Confidence and winning the confidence of the House or by defeating a No-confidence Motion brought against it by the parties in Opposition.

Our parliamentary procedures and practices which have evolved over the years, provide for various devices to the legislators to keep the Executive on its toes. The Motion of No-confidence is the 'ultimate weapon' available to the Opposition parties and such a motion, if adopted, results in the fall of the Government. The Confidence Motion brought in by the Government on its own or as per the directive of the President or the Governor, may see the Government through or bring it down, depending on the numerical strength it enjoys in the House. In the event of the defeat of the Government, it may pave the way for an alternative Government or lead to the dissolution of the House, requiring elections. The long and searching debates that often take place on such motions give ample opportunity to members to put their perspective on various issues before the House and the nation as a whole. With the telecasting and broadcasting of these debates live, the people sitting in far-flung

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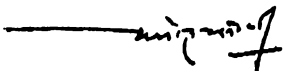
areas get to see democracy in action, which in a way contributes to a better perception of our popularly elected Legislatures and their representatives.

The Indian political scenario has undergone a significant change in recent times, especially during the last one-and-a-half decades. The rule by a single party has gradually given way to coalition governance. Fractured mandates resulting in hung Legislatures, minority Governments, etc. have led to new political realities as well. The recent trend of coalition politics both at the Centre and in the States has had its impact on the parliamentary practices and procedures also. Governments formed with wafer-thin majorities had been called upon to prove their numerical superiority on the floor of the House more often than before. All these developments are reflected in the number of Motions of Confidence and No-confidence moved in the Lok Sabha and in the Legislative Assemblies of the States and Union territories during the last decade and a half or so.

It is in this context that this publication brought out by the Lok Sabha Secretariat assumes significance as it brings in its fold all the Motions of Confidence and No-confidence admitted and discussed in both the Lok Sabha and the Legislative Assemblies of the States and Union territories over the last five decades in one volume. I am indeed glad that the inspiration and encouragement for bringing out the present edition was the very good response received for the earlier publication by the Lok Sabha Secretary-General, Shri G.C. Malhotra which had confined itself to such Motions in the Lok Sabha.

The Secretary-General, Shri Malhotra and his team of officers deserve full compliments for their painstaking efforts in publishing such a voluminous edition encompassing all the Motions of Confidence and No-confidence admitted and discussed in the Lok Sabha and the State and Union territory Assemblies. Bringing out such a comprehensive volume covering the period of over fifty years is no easy task considering the quantum of work involved in collecting, compiling and analyzing the information. The Secretaries and other Officers of the State and Union territory Assembly Secretariats also deserve compliments for their cooperation in making available all relevant material for this work.

The information available in the revised edition would be of immense interest and reference value not only to parliamentarians and legislators, political scientists, academicians and media personnel, but to all those who have an interest in the working of our parliamentary democracy.



(MANOHAR JOSHI)

*Speaker,
Lok Sabha*

New Delhi
January 2004



सत्यमेव जयते

महासचिव, लोक सभा
SECRETARY-GENERAL
LOK SABHA

PREFACE

One of the fundamental postulates of parliamentary democracy is the principle of collective responsibility of the Council of Ministers or the Cabinet to the popularly elected House. This cardinal principle is enshrined in the Indian Constitution as well. Article 75(3) of the Constitution provides for the collective ministerial responsibility to the Lok Sabha at the Union level. In the States, the principle of collective ministerial responsibility to the Legislative Assembly is embodied in article 164(2). For a Government to remain in power, it has to have the confidence of the elected House at all times. The Opposition parties can move a No-confidence Motion in the Council of Ministers to express the want of confidence of the House and if such motion is carried, the Cabinet has to resign. The Government of the day can prove its majority in the House by moving a Motion of Confidence and winning the confidence of the House. The procedural device to express want of confidence in the Union Council of Ministers is provided under Rule 198 of the *Rules of Procedure and Conduct of Business in Lok Sabha*. The State Legislatures have framed their own rules for moving a Motion of No-confidence, more or less on the lines of the rule in the Lok Sabha. However, in respect of Motions of Confidence, there is no specific rule as such in the Lok Sabha and it is admitted and discussed under Rule 184 under the category of motions. In some of the State Legislative Assemblies, a Motion of Confidence is discussed under the same rule covering the Motion of No-confidence and in some other Legislative Assemblies, it is taken up under the category of motions.

In 1998, I had attempted a study of all the Motions of Confidence and No-confidence debated in the Lok Sabha till then, which was published by the Lok Sabha Secretariat. This publication received a very good response and was well appreciated among the parliamentary fraternity. Presiding Officers and Secretaries of several State Legislatures, commenting on the usefulness of the work, suggested that it would be very appropriate if we bring out a publication which comprehensively covers the No-confidence and Confidence Motions debated in all the State Legislatures of the country. The idea mooted by them culminated in the revised edition of this publication.



अध्यक्ष लोक सभा Speaker Lok Sabha

FOREWORD

(First Edition)

The Eleventh Lok Sabha that was dissolved on 4 December 1997 was unique and matchless in many ways. It was a hung House with no single political party getting a clear mandate from the people in the General Elections. For the first time in the history of Lok Sabha, a Member from the Opposition party was unanimously elected to the Office of the Speaker. To commemorate the Golden Jubilee of India's Independence, a Special Session of Parliament was held from 26 August to 1 September 1997 which was devoted to discuss exclusively a single motion moved by all the leaders of parties cutting across party lines. At the end of the Session, a Resolution setting an 'Agenda for India' was adopted unanimously.

During its very brief tenure of a little over one and a half years, the Eleventh Lok Sabha witnessed as many as three minority governments. One remained in power only for 18 days. The other two, which lasted a little longer, critically depended on outside support. The numerically largest party in Lok Sabha, the BJP, was outside the government and acted as the Opposition, while the second largest party, the Congress (I) provided outside support to the government, while performing the role of friendly Opposition. The Prime Ministers of both these governments were drawn from the Council of States, the Rajya Sabha, although the Council of Ministers is responsible to the Lok Sabha.

Collective ministerial responsibility is the crux of parliamentary democracy. The Council of Ministers must enjoy the confidence of the House to stay in power. The usual procedure to express want of confidence in the Council of Ministers is through the device of No-confidence Motion provided under Rule 198 of the Rules of Procedure and Conduct of Business in Lok Sabha. The device of Confidence Motion is of recent origin. It does not find a mention in the rules because when the rules were framed, its recourse was, perhaps, not visualised. This device of Confidence Motion

(xii)

was put to real test in the Eleventh Lok Sabha. The House discussed as many as four Confidence Motions which were moved by the three Prime Ministers under Presidential directives.

The phenomenon of hung Parliaments now seems to be in the zone of realism in the present political scenario. As a result, governments in power may be called upon more frequently than before to demonstrate their majority support whenever challenged by Opposition or required under the Presidential directives.

The publication "Motions of Confidence and No-confidence" by Shri G.C. Malhotra, Additional Secretary, Lok Sabha Secretariat is, in this context, indeed a timely work. It is sure to be well received by Members of Parliament and those interested in the study of parliamentary institutions.

New Delhi
January 1998

P.A. Sangma
Speaker
Lok Sabha



महासचिव, लोक सभा
SECRETARY-GENERAL
LOK SABHA

PROLOGUE

(First Edition)

The basis of parliamentary democracy all over the world is the collective responsibility of the executive to the legislature, even though the provisions and devices adopted may vary from country to country. There is a world-wide consensus that the executive at all times must be responsible to the legislature and enjoy its confidence to stay in office.

The Constitution of India also embodies the principle of collective ministerial responsibility. It stipulates that the ministers as a collective body are responsible to the House of the People for the decisions taken by the government. As and when the government is deprived of the confidence of the House, it is expected to tender its resignation or seek a dissolution of Lok Sabha.

The usual procedure to express a lack of confidence in the Council of Ministers is through a Motion of No-confidence under Rule 198 of the Rules of Procedure and Conduct of Business in Lok Sabha. When admitted, it provides an opportunity to the Members to critically assess the policies and performance of the government of the day.

Of late, a practice has developed whereby the Prime Minister comes forward with a motion seeking a vote of confidence to prove its majority inside the House. This device is generally adopted by a minority government, which depends on outside support for its survival, or by a coalition government consisting of various parties in Parliament.

So far, in the entire life span of Lok Sabha, 25 No-confidence Motions and nine Confidence Motions have been admitted for discussion. Five of these motions - one No-confidence Motion and four Confidence Motions - have led to the fall of the governments.

(xiv)

The Publication "Motions of Confidence and No-confidence" by Shri G.C. Malhotra, Additional Secretary, Lok Sabha Secretariat, is the result of his painstaking research and incessant effort to disseminate information on themes of parliamentary importance. He has carefully assembled and analysed a huge amount of relevant data and information spread over a period of 45 years. It is indeed a valuable document. I compliment Shri Malhotra for his worthy endeavour.

New Delhi
January 1998

S. Gopalan
Secretary-General
Lok Sabha

PREFACE

(First Edition)

The Union Council of Ministers in India is collectively responsible to the Lok Sabha. For governance, it must at all times enjoy the confidence of the House. Whenever required, it must be able to demonstrate the majority support, either by winning a Confidence Vote or by defeating a No-confidence Motion.

This study attempts to give at one place a brief account of different facets of Confidence and No-confidence Motions debated during the eleven Lok Sabhas in respect of all the 12 Prime Ministers of India. Besides statistical analysis, the object and purpose of tabling a motion as also the arguments advanced for and against it have been culled out from the relevant debates and very briefly summarised. The summaries are, however, neither exhaustive nor representative of the opinions expressed on the occasion.

I am deeply beholden to the Hon'ble Speaker, Lok Sabha, Shri Purno Agitok Sangma for his blessings and encouragement in the pursuit of research-oriented projects in parliamentary procedures and practices and for providing a valuable Foreword to this work. I am also indebted to Shri S. Gopalan, learned Secretary-General, Lok Sabha for his constant and unflinching support in this endeavour and for his inspiring Prologue. I am indeed obliged to both of them for permitting me to have this work published under the aegis of the Lok Sabha Secretariat.

I thank all my friends in the Secretariat who have helped me directly or indirectly in the accomplishment of this work, especially Shri K. Vijaykrishnan, Joint Director and Dr. Jayadev Sahu, Executive Officer for their assistance and Shri Jai Bhagwan, Junior Clerk in typing the manuscript.

I also express my thanks to Shri B.V. Gupta, Managing Director, Metropolitan Book Co. Pvt. Ltd. for ensuring quality production within a very short period.

It is hoped that this work will be found useful and interesting by the parliamentarians, political scientists and other readers.

New Delhi
February 1998

G.C. Malhotra
Additional Secretary
Lok Sabha Secretariat

CONTENTS

Foreword

Preface

Foreword to the First Edition

Prologue to the First Edition

Preface to the First Edition

List of Tables

List of Graphs

Abbreviations

PART I

COLLECTIVE RESPONSIBILITY TO THE ELECTED HOUSE

1. Collective Responsibility
 - United Kingdom
 - Canada
 - Australia
 - France
 - Japan
 - Germany

PART II

MOTIONS OF CONFIDENCE AND NO-CONFIDENCE IN THE LOK SABHA (FIRST TO THIRTEENTH LOK SABHA)

2.	Collective Responsibility in India	11
	Motion of No-confidence	13
	Grounds	13
	Speeches not allowed while seeking leave	14
	Censure Motion	15
	Repeat Motion	16
	Earlier opportunity through other device no bar for admission	16
	Motion of Confidence	17
	Priority for Confidence Motion	18
3.	Motions of Confidence and No-confidence in the Lok Sabha (First to Thirteenth Lok Sabha): An Overview	20
4.	Motions in different Lok Sabhas	25
	Motions presided over by different Speakers	27
	Notices and their disposal	29
	First Lok Sabha (1952-57)	29
	Second Lok Sabha (1957-62)	29
	Third Lok Sabha (1962-67)	29
	Fourth Lok Sabha (1967-70)	29
	Fifth Lok Sabha (1971-77)	30
	Sixth Lok Sabha (1977-79)	31
	Seventh Lok Sabha (1980-1984)	32
	Eighth Lok Sabha (1984-89)	32
	Ninth Lok Sabha (1989-91)	33
	Tenth Lok Sabha (1991-96)	33
	Eleventh Lok Sabha (1996-97)	33

	Twelfth Lok Sabha (1998-99)	34
	Thirteenth Lok Sabha (1999-2004)	34
5.	Motions in different Cabinets	35
	Participation by Members	51
	Time taken	51
	Division	51
6.	Jawaharlal Nehru	53
	Kripalani's Motion	54
7.	Lal Bahadur Shastri	55
	Longest debate over Chatterjee's Motion	55
	Dwivedy's Motion	56
	Masani's Motion	56
8.	First Phase of Indira Gandhi	58
	Indira Gandhi's First Cabinet	59
	Hiren Mukherjee's Motion	60
	Trivedi's Motion	60
	Indira Gandhi's Second Cabinet	61
	Vajpayee's Motion	61
	Limaye's First Motion	62
	Madhok's Motion	62
	Gupta's Motion	63
	Ramamurti's Motion	64
	Limaye's Second Motion	64
	Indira Gandhi's Third Cabinet	64
	Bosu's First Motion	65
	Bosu's Second Motion	65
	Bosu's Third Motion	65
	Shortest Debate over Bosu's Fourth Motion	66
9.	Morarji Desai	67
	Stephen's Motion	67
	Chavan's Motion	68

10.	Charan Singh	70
11.	Second Phase of Indira Gandhi	72
	Indira Gandhi's Fourth Cabinet	72
	Fernandes' Motion in the absence of PM	73
	Samar Mukherjee's Motion	74
	Bahuguna's Motion	74
12.	Rajiv Gandhi	76
	Reddy's Motion	76
13.	Vishwanath Pratap Singh	78
	V.P. Singh's First Motion	79
	V.P. Singh's Second Motion	79
14.	Chandra Shekhar	81
	Chandra Shekhar's Motion	81
15.	P.V. Narasimha Rao	83
	Rao's Motion	84
	Jaswant Singh's Motion	84
	Vajpayee's Motion	85
	Mukhopadhyay's Motion	86
16.	First Phase of Atal Bihari Vajpayee	88
	Vajpayee's Motion	88
17.	H.D. Deve Gowda	91
	Deve Gowda's First Motion	92
	Deve Gowda's Second Motion	93
18.	Inder Kumar Gujral	96
	Gujral's Motion	96
19.	Second Phase of Atal Bihari Vajpayee.	99
	Vajpayee's First Motion	100
	Vajpayee's Second Motion	103
20.	Third Phase of Atal Bihari Vajpayee	111
	Sonia Gandhi's Motion	112

ANNEXURES

I	<i>Relevant Provisions of the Constitution</i>	118
II	<i>Relevant Rules of Procedure of Lok Sabha</i>	120
III	<i>Presidents of India</i>	125
IV	<i>Prime Ministers of India</i>	126
V	<i>Speakers of Lok Sabha</i>	127

PART III**MOTIONS OF CONFIDENCE AND NO-CONFIDENCE
IN STATE LEGISLATIVE ASSEMBLIES (1952-2003)**

21.	Motions of Confidence and No-confidence in the State and Union Territory Legislative Assemblies (1952-2003): An Overview	131
22.	Andhra Pradesh Legislative Assembly	164
23.	Arunachal Pradesh Legislative Assembly	189
24.	Assam Legislative Assembly	207
25.	Bihar Legislative Assembly	244
26.	Chhattisgarh Legislative Assembly	290
27.	Goa Legislative Assembly	299
28.	Gujarat Legislative Assembly	343
29.	Haryana Legislative Assembly	375
30.	Himachal Pradesh Legislative Assembly	399
31.	Jammu and Kashmir Legislative Assembly	421
32.	Jharkhand Legislative Assembly	434
33.	Karnataka Legislative Assembly	441
34.	Kerala Legislative Assembly	471
35.	Madhya Pradesh Legislative Assembly	513
36.	Maharashtra Legislative Assembly	551
37.	Manipur Legislative Assembly	589
38.	Meghalaya Legislative Assembly	619

39.	Mizoram Legislative Assembly	656
40.	Nagaland Legislative Assembly	671
41.	Orissa Legislative Assembly	693
42.	Punjab Legislative Assembly	719
43.	Rajasthan Legislative Assembly	741
44.	Sikkim Legislative Assembly	775
45.	Tamil Nadu Legislative Assembly	791
46.	Tripura Legislative Assembly	832
47.	Uttaranchal Legislative Assembly	853
48.	Uttar Pradesh Legislative Assembly	860
49.	West Bengal Legislative Assembly	911
50.	Delhi Legislative Assembly	942
51.	Pondicherry Legislative Assembly	964

INDEX	991
--------------	------------

TABLES

1.	NCMs and CMs admitted in the Lok Sabhas (First to Thirteenth Lok Sabha)	25
2.	NCMs and CMs admitted/discussed during the tenures of different Speakers (First to Thirteenth Lok Sabha)	27
3.	NCMs and CMs admitted/discussed during different Cabinets (First to Thirteenth Lok Sabha)	35-36
4.	NCMs and CMs - Participation by Members (First to Thirteenth Lok Sabha)	38-39
5.	NCMs and CMs - Time taken (First to Thirteenth Lok Sabha)	42-44
6.	NCMs and CMs - Division result (First to Thirteenth Lok Sabha)	47-48
7.	NCMs against Councils of Jawaharlal Nehru (13.5.52-27.5.64)	53
8.	NCMs against Council of Lal Bahadur Shastri (9.6.64-11.1.66)	55
9.	NCMs against Councils of Indira Gandhi (24.1.66-24.3.77)	58-59
10.	NCMs against Council of Morarji Desai (24.3.77-28.7.79)	67
11.	CM in Council of Charan Singh (28.7.79-14.1.80)	70
12.	NCMs against Council of Indira Gandhi (14.1.80-31.10.84)	72-73
13.	NCMs against Councils of Rajiv Gandhi (31.10.84-1.12.89)	76
14.	CMs in Council of V.P. Singh (2.12.89-10.11.90)	78
15.	CM in Council of Chandra Shekhar (10.11.90-21.6.91)	81
16.	CM in and NCMs against Council of P.V. Narasimha Rao (21.6.91-16.5.96)	83-84
17.	CM in Council of A.B. Vajpayee (16.5.96-1.6.96)	88
18.	CMs in Council of H.D. Deve Gowda (1.6.96-21.4.97)	91
19.	CM in Council of I.K. Gujral (21.4.97-18.3.98)	97
20.	CMs in Council of A.B. Vajpayee (19.3.98-13.10.99)	100
21.	NCM against Council of A.B. Vajpayee (13.10.99-till date)	112
22.	NCMs admitted/discussed in the State Legislative Assemblies (1952-2003)	135-36
23.	CMs admitted/discussed in the State Legislative Assemblies (1952-2003)	144-45

The Chapter on each State Legislative Assembly carries the following Tables:

1. NCMs/CMs admitted/discussed in the State Legislative Assemblies of Andhra Pradesh (166); Arunachal Pradesh (192); Assam (209); Bihar (246); Chhattisgarh (292); Goa (301); Gujarat (345); Haryana (377); Himachal Pradesh (401); Jammu and Kashmir (423); Jharkhand (436); Karnataka (445); Kerala (474); Madhya Pradesh (515); Maharashtra (554); Manipur (591); Meghalaya (622); Mizoram (658); Nagaland (673); Orissa (695); Punjab (721); Rajasthan (746); Sikkim (779); Tamil Nadu (794); Tripura (834); Uttaranchal (855); Uttar Pradesh (863); West Bengal (913); Delhi (944); and Pondicherry (967).
2. NCMs/CMs admitted/discussed during the tenures of different Speakers in the State Legislative Assemblies of Andhra Pradesh (167); Arunachal Pradesh (193); Assam (210); Bihar (247); Chhattisgarh (292); Goa (302); Gujarat (346); Haryana (378); Himachal Pradesh (402); Jammu and Kashmir (424); Jharkhand (436); Karnataka (446); Kerala (475); Madhya Pradesh (516); Maharashtra (555); Manipur (592); Meghalaya (623); Mizoram (659); Nagaland (674); Orissa (696); Punjab (722); Rajasthan (747); Sikkim (780); Tamil Nadu (795); Tripura (835); Uttaranchal (855); Uttar Pradesh (864); West Bengal (914); Delhi (945); and Pondicherry (968).
3. NCMs against/CMs in the Council of Ministers discussed in the State Legislative Assemblies of Andhra Pradesh (171-72); Arunachal Pradesh (196); Assam (212-15); Bihar (250-54); Chhattisgarh (292); Goa (305-09); Gujarat (349-51); Haryana (381-82); Himachal Pradesh (405-06); Jammu and Kashmir (426); Jharkhand (436); Karnataka (449-51); Kerala (480-83); Madhya Pradesh (518-21); Maharashtra (559-62); Manipur (596-98); Meghalaya (626-28); Mizoram (662); Nagaland (677-78); Orissa (698-99); Punjab (725-26); Rajasthan (750-51); Sikkim (783); Tamil Nadu (798-800); Tripura (837-38); Uttaranchal (855); Uttar Pradesh (868-71); West Bengal (916-18); Delhi (948-49); and Pondicherry (971-73).
4. Details of NCMs/CMs admitted/discussed in the State Legislative Assemblies of Andhra Pradesh (173-75); Arunachal Pradesh (197); Assam (216-19); Bihar (255-59); Chhattisgarh (294); Goa (310-14); Gujarat

- (352-54); Haryana (383-84); Himachal Pradesh (407-08); Jammu and Kashmir (427); Jharkhand (438); Karnataka (452-54); Kerala (484-87); Madhya Pradesh (522-25); Maharashtra (563-66); Manipur (599-602); Meghalaya (629-32); Mizoram (663); Nagaland (679); Orissa (700-02); Punjab (727-28); Rajasthan (752-54); Sikkim (784); Tamil Nadu (801-04); Tripura (839-40); Uttaranchal (857); Uttar Pradesh (872-75); West Bengal (919-21); Delhi (950-51); and Pondicherry (974-76).
5. Governors of Andhra Pradesh (176); Arunachal Pradesh (198); Assam (220); Bihar (260); Chhattisgarh (295); Goa (315); Gujarat (355); Haryana (385); Himachal Pradesh (409); Jammu and Kashmir (428); Jharkhand (439); Karnataka (455); Kerala (488); Madhya Pradesh (526); Maharashtra (567); Manipur (603); Meghalaya (633); Mizoram (664); Nagaland (680); Orissa (703-04); Punjab (729); Rajasthan (755-56); Sikkim (785); Tamil Nadu (805); Tripura (841); Uttaranchal (858); Uttar Pradesh (876); West Bengal (922-23); Delhi (952); and Pondicherry (977).
6. Chief Ministers of Andhra Pradesh (177); Arunachal Pradesh (199); Assam (221); Bihar (261-62); Chhattisgarh (295); Goa (316); Gujarat (356); Haryana (386); Himachal Pradesh (410); Jammu and Kashmir (429); Jharkhand (439); Karnataka (456); Kerala (489); Madhya Pradesh (527); Maharashtra (568); Manipur (604-05); Meghalaya (634); Mizoram (665); Nagaland (681); Orissa (705); Punjab (730); Rajasthan (757); Sikkim (786); Tamil Nadu (806); Tripura (842); Uttaranchal (858); Uttar Pradesh (877-78); West Bengal (924); Delhi (953); and Pondicherry (978).

GRAPHS

I.	NCMs and CMs admitted in Lok Sabhas (First to Thirteenth Lok Sabha)	26
II.	NCMs and CMs admitted /discussed during the tenures of different Speakers (First to Thirteenth Lok Sabha)	28
III.	NCMs and CMs admitted /discussed during different Cabinets (First to Thirteenth Lok Sabha)	37
IV.	NCMs and CMs - Participation of Members (First to Thirteenth Lok Sabha)	40-41
V.	NCMs and CMs - Time taken (First to Thirteenth Lok Sabha)	45-46
VI.	NCMs and CMs - Division result (First to Thirteenth Lok Sabha)	49-50
VII.	NCMs admitted /discussed in the State Legislative Assemblies (1952-2003)	137-38
VIII.	CMs admitted /discussed in the State Legislative Assemblies (1952-2003)	146-47

The Chapter on each State Legislative Assembly (wherever applicable) carries the Graphs:

NCMs and CMs in the Legislative Assemblies of Andhra Pradesh (168-70); Arunachal Pradesh (194-95); Assam (211); Bihar (248-49); Chhattisgarh (293); Goa (303-04); Gujarat (347-48); Haryana (379-80); Himachal Pradesh (403-04); Jammu and Kashmir (425); Jharkhand (437); Karnataka (447-48); Kerala (476-79); Madhya Pradesh (517); Maharashtra (556-58); Manipur (593-95); Meghalaya (624-25); Mizoram (660-61); Nagaland (675-76); Orissa (697); Punjab (723-24); Rajasthan (748-49); Sikkim (781-82); Tamil Nadu (796-97); Tripura (836); Uttaranchal (856); Uttar Pradesh (865-67); West Bengal (915); Delhi (946-47); and Pondicherry (969-70).

ABBREVIATIONS

AAGSP	All Assam Gana Sangram Parishad
AASU	All Assam Students Union
ADMK	Anna Dravida Munnetra Kazhagam
AGP	Asom Gana Parishad
AIADMK	All India Anna Dravida Munnetra Kazhagam
AICC	All India Congress Committee
AICP(Dange)	All India Communist Party (Dange)
AIFB	All India Forward Bloc
AIMEIM	All India Majlis-e-Ittehadul Muslimeen
AIML	All India Muslim League
AIRJP	All India Rashtriya Janata Party
APHLC	All Party Hill Leaders' Conference
APL	Above Poverty Line
ASDC	Autonomous State Demand Committee
BAC	Business Advisory Committee
BBM	Bharipa Bahujan Mahasangha
BJD	Biju Janata Dal
BJP	Bharatiya Janata Party
BJS	Bharatiya Jan Sangh
BKD	Bharatiya Kranti Dal
BKKP	Bharatiya Kisan Kamgar Party
BLD	Bharatiya Lok Dal
BPL	Below Poverty Line
BPST	Bureau of Parliamentary Studies and Training
BSF	Border Security Force
BSP	Bahujan Samaj Party
BSP(R)	Bahujan Samaj Party (Raj Bahadur)
CBI	Central Bureau of Investigation
CFD	Congress for Democracy
CHOGM	Commonwealth Heads of Government Meeting
CNG	Compressed Natural Gas

Cong.(D)	Congress (Kameng Dolo)
Cong.(I)	Congress (Indira)
Cong.(O)	Congress Party (Organisation)
Cong.(T)	Congress (Tiwari)
Cong.(U)	Congress (Urs)
CPI	Communist Party of India
CPI(M)	Communist Party of India (Marxist)
CPI (ML)	Communist Party of India (Marxist-Leninist)
CRPF	Central Reserve Police Force
CVC	Central Vigilance Commission
DMK	Dravida Munnetra Kazhagam
FCI	Food Corporation of India
FIR	First Information Report
GDP	Gross Domestic Product
GPCP	Goan People's Congress Party
GPP	Goan People's Party
GRC	Goa Rajiv Congress
HKMP	Hind Kisan Mazdoor Party
HLD	Haryana Lok Dal
HLD(R)	Haryana Lok Dal (Rashtriya)
HPC	Hmar Peoples Convention
HPU	Hill People's Union
HSD	Hindustan Soshit Dal
HSPDP	Hill State People's Democratic Party
HVC	Himachal Vikas Congress
HVP	Haryana Vikas Party
IAS	Indian Administrative Service
ICPS	Institute of Constitutional and Parliamentary Studies
IMF	International Monetary Fund
INC	Indian National Congress
INLD	Indian National Lok Dal
IPC	Indian Penal Code
IPF	Indian People's Front
IRDP	Integrated Rural Development Programme
ISI	Inter-Services Intelligence
ISP	Indian Socialist Party

ISRO	Indian Space Research Organisation
IUML	Indian Union Muslim League
JD	Janata Dal
JD(S)	Janata Dal (Samajwadi)/ Janata Dal (Secular)/ Janata Dal (Socialist)
JD(U)	Janata Dal (United)
JMM	Jharkhand Mukti Morcha
JMM(M)	Jharkhand Mukti Morcha (Mardi)
JP	Janata Party
JPC	Joint Parliamentary Committee
KHNAM	Khun Ul Hynniewtre National Awakening Movement
KLO	Kamtapur Liberation Organisation
KLP	Krishikar Lok Party
KMLP	Kisan Mazdoor Lok Paksha
KMPP	Kisan Mazdoor Praja Party
KNA	Kuki National Assembly
KSP	Kerala Socialist Party
KTP	Karshaka Thozhilali Party
LDF	Left Democratic Front
LJSP	Lok Jan Shakti Party
MCC	Maoist Communist Centre
MDA	Meghalaya Democratic Alliance
MDF	Meghalaya Democratic Front
MDMK	Marumalarchi Dravida Munnetra Kazhagam
MDP	Meghalaya Democratic Party
MES	Maharashtra Ekikarana Samiti
MGP	Maharashtrawadi Gomantak Party
MGJP	Maha Gujarat Janata Party
MGR-ADMK	MGR-Anna Dravida Munnetra Kazhagam
MHU	Manipur Hills Union
MISA	Maintenance of Internal Security Act
MJD	Mizo Janata Dal
MNC	Manipur National Conference
MNF	Mizo National Front
MPF	Meghalaya Parliamentary Forum

MPLADS	Member of Parliament Local Area Development Scheme
MPP	Manipur People's Party
MRTS	Mass Rapid Transport System
MSCP	Manipur State Congress Party
MUPP	Meghalaya United Parliamentary Party
NAGP	Nutan Asom Gana Parishad
NCP	Nationalist Congress Party
NDA	National Democratic Alliance
NDP	National Democratic Party
NEFA	North East Frontier Agency
NIFM	National Institute of Financial Management
NNDP	Nagaland Nationalist Democratic Party
NNO	Nagaland Nationalist Organisation
NPC	Nagaland People's Council
NPP	Nagaland People's Party
NSCN	National Socialist Council of Nagaland
NTPC	National Thermal Power Corporation
PAC	Public Accounts Committee
PDF	Progressive Democratic Front
PDIC	Public Demands Implementation Convention
PEPSU	Patiala and East Punjab States Union
PFM	People's Forum of Meghalaya
PMK	Pattali Makkal Katchi
PPA	People's Party of Arunachal
PSP	Praja Socialist Party
PVD	Progressive Vidhayak Dal
PWD	Public Works Department
PWP	Peasants and Workers Party
RCPI	Revolutionary Communist Party of India
RJD	Rashtriya Janata Dal
RJP	Rashtriya Janata Party
RPI	Republican Party of India
RRP	Ram Rajya Parishad
RSP	Revolutionary Socialist Party
RSS	Rashtriya Swayamsevak Sangh
SAD	Shiromani Akali Dal

SAD (M)	Shiromani Akali Dal (Mann)
SEBA	Secondary Education Board of Assam
SJP	Sikkim Janata Parishad
SJP (R)	Samajwadi Janata Party (Rashtriya)
SMS	Samyukta Maharashtra Samiti
SP	Samajwadi Party
SSP	Samyukta Socialist Party/ Sikkim Sangram Parishad
SUCI	Socialist Unity Centre of India
SVD	Samyukta Vidhayak Dal
TADA	Terrorist and Disruptive Activities (Prevention) Act
TDP	Telugu Desam Party
TMC	Tamil Manila Congress
TNV	Tripura National Volunteers
TRC	Tamizhaga Rajiv Congress
TTNC	Travancore Tamilnad Congress
TUJS	Tripura Upajati Juba Samiti
UDF	United Democratic Front
UDP	United Democratic Party
UFN	United Front of Nagaland
UGP	United Goans Party
UKD	Uttaranachal Kranti Dal/ Uttarakhand Kranti Dal
ULF	United Legislature Front
ULFA	United Liberation Front of Assam
UMF	United Minorities Front
UMPDF	United Meghalaya Parliamentary Democratic Forum
UPCC	Uttar Pradesh Congress Committee
UPF	United Parliamentary Forum

PART I

**COLLECTIVE RESPONSIBILITY
TO THE ELECTED HOUSE**

Collective Responsibility

The Cabinet, in a parliamentary system, is a body drawn from the Ministers of the Government presided over by the Prime Minister whose function is to frame the general policy of the Government and to co-ordinate its administrative activities. It accepts collective responsibility for all the activities of the Government from which it follows that there must be no fundamental disagreement amongst its members. Every Minister must abide by the Cabinet decision; a Minister refusing to accept the Cabinet decision would have no alternative but to resign from the Government. Similarly, an attack on an individual Minister is seen as an attack on the Cabinet as a whole.

Collective responsibility as a concept is often used to refer to the principle that the Cabinet is collectively responsible for its acts of omission and commission. It is assured by the enforcement of two principles: first, no person shall be nominated to the Council of Ministers except on the advice of the Prime Minister, and secondly, no person is retained as a member of the Council if the Prime Minister demands his dismissal. The essence and the basic principle involved in the concept of collective responsibility is that the Minister is free to express his views and even dissent when a policy is in the stage of discussion. But once a decision is taken, every Minister is expected to stand by that decision without any reservation. The alternative for a Minister who does not go along with the Cabinet headed by the Prime Minister on policy matters or not agreeable to defend a Cabinet decision is to resign from the Cabinet.

United Kingdom

Collective responsibility of the Cabinet to Parliament in U.K. is a convention. The basis of the convention of collective responsibility is that the members of the Government should present a united front to Parliament in defence of their policies. Though there is a general agreement that every single defeat of a Ministry in the popular House on a vote on any issue need not lead to its fall, there is also a consensus that a direct vote on a resolution that "the House has no confidence in the Government" leaves only either of the two courses open to the Government, *viz.* (i) to resign; or (ii) to advise a dissolution. If it chooses to do neither, the Crown would be justified in dismissing such Ministry.

As regards the confidence vote, there were occasions in England in the 19th Century when the Government, after an adverse vote in the House of Lords, sought a vote of confidence from the House of Commons. Even in present times, a Motion of Confidence is usually resorted to in the event of the defeat of the Government upon an important question of policy. For example, in 1976, the Harold Wilson Government successfully sought a vote of confidence after its defeat on the public expenditure proposal.

Canada

Though the principle of Cabinet responsibility to the Legislature is not to be found anywhere in the British North America Act of 1867, it has been accepted and established by convention. On a defeat in the House of Commons, the Cabinet must either resign in a body or advise the Governor-General to dissolve the House.

In the Canadian political system, the House of Commons holds the Cabinet responsible for its acts of omission and commission. The responsibility of the Cabinet towards the House is direct and collective and, therefore, the criticism of the House is more often directed at the Government as a whole. The motion of a lack of confidence in the Cabinet is one of the methods by which the Opposition attempts to indict not merely the Prime Minister but the Government as a whole. If such an action gets support of the majority of the House, the Government stands defeated and is expected to resign.

The Prime Minister and the Cabinet remain in office so long as they continue to enjoy the support of a majority of the members in the House of Commons. A Prime Minister who loses such support in the House of Commons is left with no choice but to submit his resignation and that of his Cabinet.

Australia

Collective responsibility of Ministers to Parliament rests entirely on convention, as in the U.K., rather than in the text of the Australian Constitution Act.

Under the Australian system of parliamentary Government, the party or coalition of parties that possesses the confidence of the majority of the members of the House of Representatives forms the Government. The Government must resign if it loses this confidence. As in any parliamentary Government, the Cabinet is the main executive body of the Government. It is the part of the tradition of Cabinet Government that decisions taken by the Cabinet will be adhered to and implemented by the individual Minister. Ministerial responsibility in Australia envisages that it is the duty of a Minister to ensure that the agencies under his authority carry out the relevant decisions made by the Government and Parliament.

The principle of the corporate unity and solidarity of the Cabinet requires that the Cabinet should have one harmonious policy, both in administration and in legislation and that the advice tendered by the Cabinet to the Crown should be

unanimous and consistent. The Cabinet as a whole is responsible for the advice and conduct of each of its members. If any member of the Cabinet seriously dissents from the opinion and policy approved by the majority of his colleagues, it is his duty to resign.

France

Article 50 of the French Constitution of 1958 makes it obligatory for the Premier to resign in case of vote of censure or an adverse vote of the National Assembly disapproving the programme or a declaration of general policy of the Government.

The decisions of the French Government are deemed to be decisions of all members of the Government. Important measures of the Government are taken in the Council of Ministers. While the Premier can and does give advice to the President, it is the Government which is empowered to determine and direct the policy of the nation. Collective decision making is also associated with collective responsibility and this operates through the mechanism of the vote of censure which, if adopted, leads to the resignation of all the Ministers. In the French political system, though the President names the Prime Minister, he cannot recall him. He can only accept his resignation; it is only the National Assembly which can make the Government to resign by defeating it on a Motion of Censure or on a Vote of Confidence initiated by the Government itself.

Theoretically, distinct procedures are available to Parliament for ousting a Government. Under Article 49, the Assembly may wish on its own initiative to make a Motion of Censure. Sometimes, if a Government policy on a programme in the text of a bill falls through, it can lead to a Censure Motion and since it is considered as an indictment of the Government on a policy matter, the Government can be censured. If the motion is passed, the Government must resign. A Motion of Censure must be co-signed by at least ten per cent of the members of Assembly. The vote on the motion can occur only after a period of forty-eight hours and the motion must be adopted by an absolute majority of all members of the Assembly.

Japan

Article 69 of the Constitution of Japan (1946) provides a variant of an obligatory provision requiring the Prime Minister to resign or advise dissolution, if the House of Representatives passes a No-confidence Resolution or rejects a Confidence Resolution.

Under the old Constitution of 1889, though there was a Cabinet, there was no Cabinet System of Government. The post-Second World War Cabinet is closely related to the Parliament (Diet). The earlier shortcomings have been specifically removed by including two articles providing that the Prime Minister shall be designated from amongst the members of the Diet by a resolution of the Diet and that the majority of the Ministers must be chosen from among the members of the Diet. Fundamental to

the democratic character of the post-War governmental system is the concept of collective responsibility to the elected representatives of the people. The relationship between the Executive and the Legislature is provided by clearly establishing the fundamental principle of the Cabinet System of Government that the Cabinet, in the exercise of the executive power, shall be collectively responsible to the Diet. Naturally, it follows that the Cabinet shall be in office so far as it enjoys the confidence of the Legislature, meaning that of the lower House. If the House of Representatives passes a No-confidence Resolution, or rejects a Confidence Resolution, the Cabinet shall resign *en masse*, unless the House of Representatives is dissolved by the Emperor within ten days. That means, once confronted with the possibility of a lack of confidence of the lower House, the Cabinet is left with two alternatives - either to resign or to advise the Emperor to dissolve the House of Representatives.

Germany

The political system of the Federal Republic of Germany is sometimes described as 'Chancellor democracy' because of the dominant role the Federal Chancellor (Prime Minister) plays in that political system. Though formally elected by the Bundestag (the Lower House) after nomination by the Federal President, the Chancellor is, in effect, elected by the people. The Chancellor can only be removed by the Bundestag if that Chamber passes a constructive vote of confidence in him on a motion stating that the Bundestag has no confidence in him and simultaneously nominate a named successor. The concept of constructive vote of confidence is that unless a successor is elected, the House cannot remove the incumbent Chancellor. This has been done to avoid political instability which may follow the removal of a Chancellor and the failure to elect a new one. This concept of an alternative Government after the Government of the day is defeated can be found in the West German Constitution of 1949, which laid down that the popular House of the Legislature (Bundestag) can remove a Federal Chancellor and his Government only if it can elect his successor. If the successor is elected, the Federal President must comply with the request of the Bundestag for dismissing the existing Federal Chancellor and appointing the successor in his place. This prevents a situation which so often occurred in the Weimar Republic when opponents voted against an incumbent Chancellor but could not find a majority to support any successor, leading to governmental instability.

Article 68(1) of the Constitution empowers the Federal Chancellor to seek a vote of confidence at any time. The Federal Chancellor need not, however, resign on losing a vote of confidence. He may advise dissolution of the Bundestag. The Federal President may, thereupon, dissolve the Bundestag within 21 days. The right to dissolve lapses as soon as the Bundestag, by the majority of its members, elects another Federal Chancellor.

The exceptional degree of stability that the Basic Law provides to the Chancellor together with the relatively stable electoral behaviour and a party system which has also been fairly stable over long periods, has meant that of the six changes of Chancellor since 1949, only one - from Chancellor Helmut Schmidt to Chancellor Helmut Kohl in 1982 - has been the result of a constructive vote of no-confidence.

Collective Responsibility in India

In India, in view of the express constitutional provision regarding collective responsibility of the Council of Ministers to the Lok Sabha, a motion expressing want of confidence in an individual Minister is out of order. Under the rules, only a motion expressing want of confidence in the Council of Ministers as a body is admissible.

The Cabinet form of Government in India is based on the principle of collective responsibility of the Government headed by the Prime Minister. According to article 75(3) of the Constitution, the Union Council of Ministers is collectively responsible to the Lok Sabha. At all times, it must enjoy the confidence of the Lower House. It must always have the support of the majority and should prove the majority by winning a confidence vote or by defeating a No-confidence Motion. The collective responsibility of the Council of Ministers implies that a No-confidence Motion can be moved against the Council of Ministers as a whole and not against an individual Minister.

The procedural device of the No-confidence Motion has been used by the Opposition on various occasions since Independence. During the last 51 years, 26 No-confidence Motions and 11 Confidence Motions have been admitted in the Lok Sabha.

In the context of the long standing demand for electoral reforms, suggestions have been made by some experts that we may have to think of various mechanisms to bring in a change in the existing system. In this context, the Law Commission Report (No. 170 of 1999) on reforms of electoral laws have suggested amendment to Rule 198 of the Rules of Procedure and Conduct of Business in Lok Sabha which deals with the procedure regarding moving of a Motion of No-confidence in the Council of Ministers. According to the Law Commission, in a parliamentary form of Government, the Government has no fixed term. Though its term is co-terminus with the life of the House, it can be defeated in the House or it may fall on various other counts. It is indeed a case of rendering accountability on a daily basis. At any time, the Opposition can bring a No-confidence Motion and if it is adopted by the House, the Government has to resign.

In this context, the Report of the Law Commission has recommended that a new rule should be introduced in the Rules of Procedure and Conduct of Business in Lok Sabha providing that: (i) once a No-confidence Motion is taken up for discussion and voted upon under Rule 198, no fresh motion expressing want of confidence in the Council of Ministers shall be permitted to be made for a period of two years from the date of voting upon such motion; (ii) once a motion expressing confidence in the Council of Ministers is made pursuant to the direction of the President, no motion expressing want of confidence in such Council of Ministers shall be permitted to be moved for a period of two years; (iii) no leave shall be granted under Rule 198 to a motion expressing want of confidence in the Council of Ministers, unless it is accompanied by a motion expressing confidence in a named individual. The Law Commission has also suggested that "only the motion expressing confidence in a named individual shall be put to vote."

There is a body of opinion which agrees with the views of the Law Commission that an alternative Government should be in place in case the Government of the day is defeated following the adoption of a no-confidence vote. votaries of this proposition argue that before a No-confidence Motion is moved, the Opposition should assess whether they will be able to form an alternative Government. It has also been argued that simultaneous votes of no-confidence in the incumbent and confidence in an alternative Government would be a better mechanism which would eliminate the need for a mid-term poll. Further, it has been argued that it would be democratic because it would shift the process of finding an alternative to the place where the process belongs - that is, the Lok Sabha. Besides, it would make the job of the President much less difficult in finding a successor Prime Minister.

The supporters of this line of thinking point to the fact that we have had as many as four General Elections to the Lok Sabha during the last less than 10 years; in fact, General Elections were held in consecutive years in 1998 and 1999. Incidentally, none of these elections could provide an absolute majority to any political party in the Lok Sabha. Earlier, in 1989, for the first time in the history of Independent India, no single political party got an absolute majority in the Lok Sabha after the General Elections and a minority Government was sworn in. This was repeated in 1991, 1996 and 1998 elections to the Lok Sabha. The 1999 elections led to the formation of a coalition Government though, this time, the ruling alliance secured a majority in the Lok Sabha.

The Constitution Review Commission set up by the Union Government, in its report, has also recommended amendments to the relevant Rules of Procedure to provide for the election of the Leader of the House (Prime Minister) by the Lok Sabha and for the removal of the Council of Ministers only on a constructive vote of no-confidence.

Motion of No-confidence

Rule 198 of the Rules of Procedure and Conduct of Business in Lok Sabha lays down the procedure for moving a Motion of No-confidence in the Council of Ministers. The usual format of such a motion is that "this House expresses its want of confidence in the Council of Ministers". If the Speaker holds a No-confidence Motion to be in order, the member who has tabled the notice asks for leave of the House to move the motion. The Speaker then calls upon members who are in favour of leave being granted to rise in their seats. If not less than 50 members rise, the Speaker declares that leave is granted by the House. The motion is then taken up for discussion within ten days from the date of the grant of leave.]

Grounds

A Motion of No-confidence need not set out any grounds on which it is based. Even when grounds are mentioned in the notice and read out in the House, they do not form part of the No-confidence Motion. In the U.K. House of Commons also, no grounds are set out in a Motion of No-confidence.

On 31 August 1961, a member, Shri Braj Raj Singh gave notice of a No-confidence Motion in the Council of Ministers headed by Pt. Jawaharlal Nehru. The notice contained several grounds which formed the basis of the motion. The Speaker, Shri M.A. Ayyangar read out to the House only the following portion of the member's notice: "Under Rule 198 of the Rules of Procedure and Conduct of Business, I move a No-confidence Motion against the Cabinet of Shri Jawaharlal Nehru".

When the Speaker enquired whether 50 members supported the motion, another member, Shri Prabhu Narain Singh raised a point of order that the grounds stated in the motion should be read out to the House. In support of his contention, he stated that in the House of Commons, U.K., when Motions of Censure were brought up in 1945 and 1952, the grounds were read out to the House. Supporting the point of order, Prof. N.G. Ranga submitted that since the Opposition did not consist of one political party but of a number of small political groups, it was only desirable that grounds were read out in the House so that members of other political groups also knew what it was all about and would be in a position to decide whether they should support the motion or not.

Opposing the point of order, Shri Mahavir Tyagi stated that if the grounds of a No-confidence Motion were invariably read out to the House, then it would become a routine affair and it would be open to any member to give notice of such a motion every day consisting of hundreds of charges against the Government. He submitted that it was open to the Opposition parties to consult each other outside the House before a No-confidence Motion was tabled by any political group. He thought that the grounds stated in the motion should be read out only when 50 members rose in support of such a motion.

Ruling out the point of order and reiterating his view that the grounds could not be read out in the House till 50 members had risen in support of a No-confidence Motion, the Speaker observed:

Prima facie at least 50 members must have no confidence in the Government; that is the number required to form a quorum. If 50 members do not rise and a single member gets up and reads all the charges and ultimately there is not even one other member to rise in his seat to support him, am I to allow all this when there is no opportunity for others to state anything against it? The impression will be brought about that only other members are not there to support for various reasons, but the grounds are there. They are read out *ex parte* without an opportunity for anybody to refute it. Therefore, in the House of Commons they have made a distinction. The distinction is between a Censure Motion and a No-confidence Motion. The Government can be censured but can be kept out of office if the majority do not want them.

The giving of reasons is not a condition precedent to the admission of a motion If I am not entitled to insist upon the grounds being given, merely because a member has given the grounds, should I read them when there is no opportunity for others to refute it? I find that this would be an injustice done to the other side.

No-confidence Motions are to be distinguished from Censure Motions. He may move a Censure Motion giving reasons to convert the House to his view point. So far as No-confidence Motions are concerned, the position is different. Article 75 says that the Council of Ministers shall be collectively responsible to the House of the People. Rule 198 had been framed under it.... merely because an hon. member puts down certain charges, is it possible now for me to give the other side an opportunity? Is there a provision for it at this stage? No. That means even without leave being granted and 50 members rising in their seats, I allow an argument here and an argument there and ultimately it becomes a regular motion that is admitted even without leave being granted.

There have, however, been exceptions to this principle when in some instances, the Speaker mentioned briefly reasons given on the notices of No-confidence Motions.

Speeches not allowed while seeking leave

It is well settled that unless leave is granted by the House to the moving of the motion, no speech is permitted in support of the motion at the time of obtaining the leave of the House.

On 9 November 1962, after holding in order a No-confidence Motion in the Council of Ministers tabled by Sarvashri Ram Sewak Yadav and Mani Ram Bagri, the Speaker Sardar Hukam Singh asked those members who were in favour of leave being granted to rise in their places. As only seven member rose, the Speaker informed the members that they did not have the leave of the House. When Shri Ram Sewak Yadav rose to speak in support of the motion, the Speaker ruled: "The rules regarding No-confidence Motion are quite clear. No speeches are allowed unless the House has given its permission to move the motion"

Censure Motion

As stated above, a Censure Motion is distinct from a Motion of No-confidence. In the absence of any provision in the rules relating to Censure Motions, they are treated as No-Day-Yet-Named Motions. The Speaker cannot give priority to such motions.

During the Tenth Session of the Third Lok Sabha, Dr. Rammanohar Lohia tabled a motion regretting certain statements of the Prime Minister and deploring the Government's failure to take action on certain matters. It was admitted by the Speaker, Sardar Hukam Singh as a No-Day-Yet-Named Motion. On 18 December 1964, after the Minister of Parliamentary Affairs announced the Government business for the last week of the Session, Dr. Lohia pressed that time might be found for discussion on what he called his "Censure Motion". He pressed his point again on 21 December 1964. The Speaker observed that while a Motion of No-confidence got priority and an immediate decision had to be taken for fixing the discussion within a certain period, there was no such provision for a Censure Motion. As such, it was not possible for him to give priority to Dr. Lohia's motion. Censure Motions, he said, were treated as No-Day-Yet-Named Motions and it was for the Government to find time for discussion on them according to their convenience.

There is nothing wrong in discussing the conduct of an individual Minister or Ministers through a Censure Motion quite distinct from the Motion of No-confidence in the Council of Ministers.

On 19 August 1968, when a member, Shri Madhu Limaye, was called to move the motion standing in his name for the disapproval of the conduct of the Deputy Prime Minister and Prime Minister in connection with the statements of the Deputy Prime Minister about his son's business connections, a member, Shri S.R. Rane raised a point of order that the motion was inadmissible *inter alia* on the grounds that:

- (i) the Council of Ministers was collectively and not individually responsible to Lok Sabha; and
- (ii) even if the motion, as it had been admitted, was classified as no-confidence in the Council of Ministers under rule 198, it ought to have fulfilled the necessary requirements and formalities.

Ruling out the point of order, the Speaker Shri Neelam Sanjiva Reddy observed:

In the case of No-confidence Motion, the Speaker has got full power and immediately he puts it to the House and if fifty persons get up, then it is discussed. But this is a Censure Motion which has been admitted and time is found only by the Leader of the House and the Government. Naturally, I secured the consent of the Leader of the House and she has agreed also for this being discussed on a particular date and at a particular time.

Repeat Motion

After a No-confidence Motion has been discussed and negated by the House, another No-confidence Motion cannot be moved in the same Session.

The Eleventh Session of the Fifth Lok Sabha commenced on 22 July 1974 and concluded on 9 September 1974. In this session, a No-confidence Motion moved by Shri Jyotirmoy Bosu against the Government of Smt. Indira Gandhi was debated from 23 July 1974 to 25 July 1974 and negated. In the same session, Shri Madhu Limaye gave a notice of another No-confidence Motion expressing want of confidence in the Council of Ministers of Smt. Indira Gandhi. When Shri Limaye sought to move the motion on 4 September 1974, the Speaker Dr. G.S. Dhillon quoted Rule 338 according to which "a motion shall not raise a question substantially identical with one on which the House has given a decision in the same session" and observed that his motion could not be taken up as an identical motion of Shri Jyotirmoy Bosu had already been discussed and negated earlier during the session.

Speaking in support of Shri Madhu Limaye's motion, Shri Shyamnandan Mishra tried to analyse Rule 338 and said that there were two key concepts in that rule. One was that "it shall not raise a question" and the other was that the question shall not be "substantially identical". He, therefore, said that only the same question, which had formed the substance of the earlier motion, if sought to be raised again, could be ruled out but the category of No-confidence Motion could not be ruled out. Secondly, if the question was "marginally identical" as against the requirement of "substantially identical," even then there could be a No-confidence Motion.

Shri C.M. Stephen, Congress, opposed the moving of the motion by Shri Limaye citing Rule 338 which prohibited such repeat motions in the same session and Rule 186(vi) which says that a motion "shall not revive discussion of a matter which has been discussed in the same session". He submitted that the grounds on which a No-confidence Motion was moved were, as per practice, not part of the No-confidence Motion. The question that had been put before the House earlier was "whether the House has got confidence in the Council of Ministers". If Shri Limaye's motion were now to be admitted, there will be no alternative but to put exactly the same question once again before the House. That was not admissible under Rule 338 and Rule 186(vi), he said.

On being disallowed to move his No-confidence Motion, Shri Madhu Limaye moved a motion for suspension of Rule 338 in its application to his Motion of No-confidence. The motion was, however, negated by 35 votes to 208.

Earlier opportunity through other devices no bar for admission

There is, however, no bar to the admission of a No-confidence Motion even

though members might have already got opportunity earlier in the session to criticise the Government at the time of discussion on President's Address, Budget, etc.

On 7 May 1981, immediately after the Speaker, Dr. Bal Ram Jakhar informed the House about the receipt of notices of No-confidence Motions in the Council of Ministers under Rule 198 from eight members, their admissibility was opposed on the ground that members had already had an occasion to criticise the Government during the discussion on the Motion of Thanks on the President's Address, Budget for the year 1981-82 and on the related Demands for Grants. It was further argued that in accordance with the provision of Rule 338, "a motion shall not raise a question substantially identical with the one on which the House has given a decision in the same session".

After hearing the arguments of the members opposing the admissibility of the motion, the Speaker ruled as under:-

.....there is a separate provision, a specific provision in the rules for expressing no-confidence in the Council of Ministers; this has to be dealt with accordingly.... the opportunities available to members to criticise the Government through amendments, through cut motions and on Motion of Thanks on President's Address and Finance Bill... do not debar the members from tabling notices of 'No-confidence' in the Council of Ministers. I may point out to you that the No-confidence Motion had been discussed in this very House during the Budget Sessions of 1965, 1968, 1969, 1974 and 1978. So there is nothing wrong. I have to over-rule.

Motion of Confidence

There is no specific rule in the Rules of Procedure relating to the Motions of Confidence in the Council of Ministers. When the rules of the Lok Sabha were framed, motions seeking confidence of the House in the Council of Ministers, to be moved by the Prime Minister at the direction of the President, were perhaps not visualised. The necessity of raising debate through such a motion, which is in the nature of an exercise of demonstrating majority support in the Lok Sabha, arose in the late seventies with the advent of minority Governments caused by split in parties and later formation of coalition Governments as a result of hung Parliaments.

In the absence of any specific rule in this regard, such Motions of Confidence have been entertained under the category of motions stipulated in Rule 184 which are meant for raising discussions on matters of public interest. Decisions on such motions are taken under Rule 191 by putting before the House all the necessary questions.

In the case of a Confidence Motion, there is no requirement for seeking leave of the House. The one-line notice of a motion under Rule 184 that "this House expresses its confidence in the Council of Ministers" is given on a Presidential direction. When

admitted by the Speaker, it is bulletined. The date and time for its discussion is then fixed in consultation with the Business Advisory Committee.

Priority for Confidence Motion

Though a Confidence Motion is worded in a language which is directly opposite to the wording of a No-confidence Motion, in effect, the object and purpose of both are the same. While, in one case, the majority support is demonstrated by the adoption of the Confidence Motion, in the other the same purpose is achieved by the defeat of a No-confidence Motion. Where notices are received both for a Confidence Motion and a No-confidence Motion, the former gets priority over the latter.

Consequent upon the withdrawal of BJP support from the V.P. Singh Government on 23 October 1990, the President advised Shri Singh to prove his majority in the Lok Sabha by 7 November 1990. Shri Singh tabled the notice of the Confidence Motion under Rule 184 on 26 October 1990. This was admitted and bulletined on 29 October 1990 and listed for discussion on 7 November 1990 (See Table 14). Meanwhile, 18 notices of No-confidence Motions under Rule 198 were also received on 26 and 29 October 1990. The members who had given these notices pressed that the No-confidence Motion tabled under the specific Rule 198 should be given priority over the Confidence Motion for which there was no specific rule and was tabled under the general rule relating to motions, viz. Rule 184. For the reasons given below, the Speaker Shri Rabi Ray, in his ruling, gave precedence to the Motion of Confidence over the Motion of No-confidence:

i) The one-day session of 7 November 1990 was specially called in pursuance of the Presidential directive to Shri V.P. Singh to prove his majority which he could do so through the adoption of a Confidence Motion;

ii) According to Rule 25, Government business has precedence over other business on days allotted for the transaction of Government business;

iii) Both types of motions were in fact two sides of the same coin;

iv) Both fell within the ambit of Chapter XIV of the *Rules of Procedure and Conduct of Business in Lok Sabha* dealing with "Motions" and had to satisfy the conditions laid in that Chapter. The No-confidence Motion, in addition, has to satisfy conditions laid down in Rule 198 which *inter alia* provides:

- a) If not less than 50 members rise, the Speaker shall declare that leave is granted, and
- b) that the motion will be taken up on such day as he may appoint, not being more than 10 days from the date on which the leave is asked for.

As regards Confidence Motion, on the other hand, Rule 190 dealing with motions in general is relevant and it provides: "The Speaker may, after considering the state of business in the House and in consultation with the Leader of the House

(or on the recommendation of the Business Advisory Committee), allot a day or days or part of a day for the discussion of any such motion".

v) Since Government's legitimacy was in question, it was only proper that a positive vote of confidence was sought for and given. To argue that a Motion of No-confidence must get precedence even in such a situation would indeed amount to begging the question.

Motions of Confidence and No-confidence in the Lok Sabha (First to Thirteenth Lok Sabha) - An Overview -

Collective responsibility in a parliamentary system implies that the Council of Ministers is always accountable to the Parliament. For governance, and also for providing legitimacy to its authority, the Executive must, at all times, enjoy the confidence of the House. Article 75(3) of the Constitution of India provides for the collective ministerial responsibility to the Lok Sabha. The Council of Ministers has to demonstrate its majority support, whenever required, either by winning a Confidence Motion or by defeating a Motion of No-confidence.

Rule re: No-confidence Motion

The usual procedure to express a lack of confidence in the Council of Ministers is through a Motion of No-confidence under Rule 198 of the *Rules of Procedure and Conduct of Business in Lok Sabha*. However, there is no specific rule in the Rules of Procedure relating to a Motion of Confidence in the Council of Ministers. A Motion of Confidence is admitted and discussed under Rule 184 under the category of motions. Decisions on such motions are taken under Rule 191 by putting every question necessary to determine the decision of the House on the original question. In the event of receiving notices for both Confidence and No-confidence Motions, the former being a Government motion, gets precedence over the latter. Under the rules, for a No-confidence Motion to be admitted, not less than 50 members should rise in their seats supporting such motion.

During the life of the First to the Thirteenth Lok Sabha spanning 51 years, 26 notices of No-confidence Motions and 11 notices of Confidence Motions have been admitted. The House discussed all the 26 Motions of No-confidence and ten of the eleven Confidence Motions. A total time of 456 hours and 36 minutes spanning 84 days was taken to discuss all the 26 Motions of No-confidence and 11 Motions of Confidence in which a total number of 1009 members participated.

No-confidence Motions in different Lok Sabhas

Insofar as the various Lok Sabhas are concerned, the First Lok Sabha did not discuss any No-confidence Motion. Although a notice of a No-confidence Motion was received in the Second Lok Sabha, it was not granted leave of the House due to the lack of the requisite number of members supporting it. It was only in the Third Lok Sabha that for the first time a Motion of No-confidence was discussed. This No-confidence Motion was moved by Shri J.B. Kripalani against the Council of Ministers of Pandit Jawaharlal Nehru on 19 August 1963. Later, during the remaining period of the Third Lok Sabha, leave of the House in respect of five more Motions of No-confidence was granted and these were discussed in the House. This trend continued during the Fourth Lok Sabha also which discussed an equal number of six Motions of No-confidence. During the period of the Fifth Lok Sabha, four Motions of No-confidence were discussed. The Seventh and the Tenth Lok Sabha witnessed debate on three Motions of No-confidence each, while two Motions of No-confidence were taken up in the Sixth Lok Sabha. The Eighth and the Thirteenth Lok Sabha discussed one Motion of No-confidence each. The First, Second, Ninth, Eleventh and Twelfth Lok Sabhas did not discuss any No-confidence Motion. Thus, it may be seen that the Third and the Fourth Lok Sabhas discussed the highest number of six Motions of No-confidence each, followed by the Fifth Lok Sabha which accounted for four Motions of No-confidence.

No-confidence Motions against Prime Ministers

Among the seven Prime Ministers against whom the 26 Motions of No-confidence were moved, Smt. Indira Gandhi alone faced 15 Motions of No-confidence during her 16-year tenure - 12 during her first tenure as Prime Minister between 1966 and 1977 and the remaining three between 1980 and 1984. Prime Ministers Sarvashri Lal Bahadur Shastri and P.V. Narasimha Rao faced three Motions of No-Confidence each while two Motions of No-Confidence were moved against the Council of Ministers of Shri Morarji Desai. Prime Ministers Pandit Jawaharlal Nehru and Sarvaashri Rajiv Gandhi and Atal Bihari Vajpayee (during his third term - 1999-till date) faced one Motion of No-confidence each against their Councils of Ministers. Prime Ministers Sarvashri Ch. Charan Singh, V.P. Singh, Chandra Shekhar, Atal Bihari Vajpayee (during his first two terms - May 1996-June 1996 and 1998-1999), H.D. Deve Gowda and I.K. Gujral did not face any such motion.

No-confidence Motions moved by Individual Members

Among the members, Shri Jyotirmoy Bosu moved the highest number of four Motions of No-confidence followed by Sarvashri Atal Bihari Vajpayee and Madhu Limaye who moved two Motions of No-confidence each.

Presiding Officers chairing No-confidence Motions

The 26 Motions of No-confidence were discussed during the tenure of seven Speakers. Speaker Sardar Hukam Singh presided over the debate over the highest number of six Motions of No-confidence, followed by Speakers Sarvashri N. Sanjiva Reddy (during his first term - 1967-1969) and G.S. Dhillon who chaired the debate on five Motions of No-confidence each. Speaker Dr. Bal Ram Jakhar presided over the debate on four Motions of No-confidence, Shri Shivraj Patil on three motions, Shri K.S. Hegde on two motions and Shri Manohar Joshi on one Motion of No-confidence. During the tenures of Speakers Sarvashri G.V. Mavalankar, M.A. Ayyangar, B.R. Bhagat, N. Sanjiva Reddy (second tenure - March 1977-July 1977), Rabi Ray, P.A. Sangma and G.M.C. Balayogi, no Motion of No-confidence was discussed.

Participation by Members

In all, 748 member participated in the discussions on the 26 motions. The highest number of 57 members took part in each of the two Motions of No-confidence moved by Shri N.C. Chatterjee in September 1964 and by Shri Atal Bihari Vajpayee in December 1992. Shri Jyotirmoy Bosu's motion moved in May 1975 saw the lowest participation by 16 members.

Time taken

A total time of 339 hours and 15 minutes spanning 68 days was taken up by the Lok Sabha in debating these motions. Individually, Shri N.C. Chatterjee's No-confidence Motion was discussed for the longest duration of 24 hours and 34 minutes spread over six days in September 1964 while the No-confidence Motion moved by Shri Jyotirmoy Bosu against Smt. Indira Gandhi's Cabinet in May 1975 was debated for the shortest time of 6 hours and 6 minutes.

Division

Insofar as the disposal of these No-confidence Motions are concerned, 25 of these motions were negatived - 21 by division and 4 by voice vote. One motion led to the resignation of the Prime Minister Shri Morarji Desai, even though Shri Desai resigned before the motion was put to vote in July 1979. In terms of the margin of division, the first ever Motion of No-confidence of Shri J.B. Kripalani of August 1963 was negatived with the widest margin of 285 votes whereas the No-confidence Motion of Shri Ajay Mukhopadhyay against the Cabinet of Shri P.V. Narasimha Rao voted in July 1993 was negatived with the narrowest margin of 14 votes.

Confidence Motions in different Lok Sabhas

With regard to the Motions of Confidence, the first ever notice for a Motion of

Confidence was given by Prime Minister Ch. Charan Singh in August 1979 during the Sixth Lok Sabha. The notice of the Confidence Motion was admitted by the Speaker on 13 August 1979 for being moved on 20 August 1979. However, the motion was not moved since Ch. Charan Singh tendered his resignation earlier that day following the withdrawal of support to his Council of Ministers by the Congress(I).

In the Seventh and the Eighth Lok Sabhas, the Congress(I) enjoyed a comfortable majority and as such no Confidence Motion was required to be moved in either of these Lok Sabhas. Thereafter, the elections to the Ninth, Tenth, Eleventh and Twelfth Lok Sabhas did not give a clear majority to any party or coalition of parties. The 1999 General Elections led to the formation of a coalition Government but this time the ruling coalition secured a majority in the Lok Sabha. Therefore, after the Ninth, Tenth, Eleventh and Twelfth General Elections, while extending invitation for the formation of Governments, the respective Presidents asked the Prime Ministers-designate to prove their majority support in the Lok Sabha. The Ninth Lok Sabha witnessed debate on three Confidence Motions, the Tenth Lok Sabha one, the Eleventh, a record number of four Confidence Motions, and the Twelfth, two Confidence Motions. The Thirteenth Lok Sabha did not take up any Confidence Motion.

Confidence Motions moved by different Prime Ministers

The notices for the eleven Motions of Confidence moved so far in the Lok Sabha were given by seven Prime Ministers. Among the Prime Ministers, the highest number of three Motions of Confidence was moved by Shri Atal Bihari Vajpayee. Two Motions of Confidence each were moved by Shri V.P. Singh in the Ninth Lok Sabha and Shri H.D. Deve Gowda in the Eleventh Lok Sabha. Prime Ministers Sarvashri Chandra Shekhar, P.V. Narasimha Rao and I.K. Gujaral moved one Motion of Confidence each in their Councils of Ministers. The Motion of Confidence of Ch. Charan Singh of August 1979 was not taken up since he resigned before it could be taken up. The need to seek the trust of the House did not arise in the case of Prime Ministers Pandit Jawaharlal Nehru, Shri Lal Bahadur Shastri, Smt. Indira Gandhi, Shri Morarji Desai and Shri Rajiv Gandhi. Prime Ministers Shri P.V. Narasimha Rao and Shri Atal Bihari Vajpayee not only sought the trust of the House but also faced Motion of No-confidence against their Councils of Ministers. Shri Atal Bihari Vajpayee is the only member who moved a Motion of No-confidence against an incumbent Government, faced a No-confidence Motion as Prime Minister and moved a Motion of Confidence in his Council of Ministers.

Presiding Officers chairing Confidence Motions

As regards Presiding Officers, the eleven Motions of Confidence were moved during the tenure of five Speakers. Speaker Shri P.A. Sangma presided over the

debate on the highest number of four Motions of Confidence followed by Shri Rabi Ray who chaired the debate on three Motions of Confidence. Shri G.M.C. Balayogi presided over the debate on two Motions of Confidence and Shri Shivraj V. Patil on one Motion of Confidence. Shri K.S. Hegde was the Speaker when the Motion of Confidence of Ch. Charan Singh was admitted but not taken up in August 1979. During the tenures of Speakers Sarvashri G.V. Mavalankar, M.A. Ayyangar, Hukam Singh, N. Sanjiva Reddy, G.S. Dhillon, B.R. Bhagat, Bal Ram Jakhar and Manohar Joshi, no such motion was discussed. Speaker Shri Shivraj V. Patil chaired the debate on both types of motions - Confidence and No-confidence.

Participation by Members

In all, 261 members participated in the discussion on these motions. The highest number of 41 members participated in Shri A.B. Vajpayee's motion moved on 28 March 1998 while Shri Chandra Shekar's motion of 16 November 1990 entailed the lowest participation of 16 members.

Time taken

The total time taken by the Lok Sabha in debating the ten Confidence Motions (excluding the motion given notice of by Ch. Charan Singh which was not taken up) came to 117 hours and 21 minutes spread over 16 days. Individually, Shri Vajpayee's Confidence Motion of April 1999 was discussed for the longest duration of 24 hours and 58 minutes spread over three days. The shortest discussion lasting five hours and 20 minutes on 21 December 1989 was in respect of the first Confidence Motion moved by Shri V.P. Singh.

Division

Of the eleven Motions of Confidence, six motions were adopted - three by voice vote and the other three by division. The other five Motions of Confidence resulted in the fall of the Governments of Ch. Charan Singh (though he resigned before the motion was taken up in August 1979); Shri V.P. Singh (in November 1990); Shri Atal Bihari Vajpayee (during his first term, in May 1996, though he announced his decision to resign before the motion was voted upon and in his second term in April 1999); and Shri H.D. Deve Gowda (in April 1997). In terms of margin of division, the Confidence Motion moved by Shri V.P. Singh in November 1990 was negated with the widest margin of 204 votes whereas the Confidence Motion of Shri P.V. Narasimha Rao in July 1991 was adopted with the widest margin of 131 votes. While the Confidence Motion moved by Shri A.B. Vajpayee in March 1998 was adopted by the narrowest margin of 15 votes, his other motion, voted in April 1999, was defeated by the narrowest margin of a single vote.

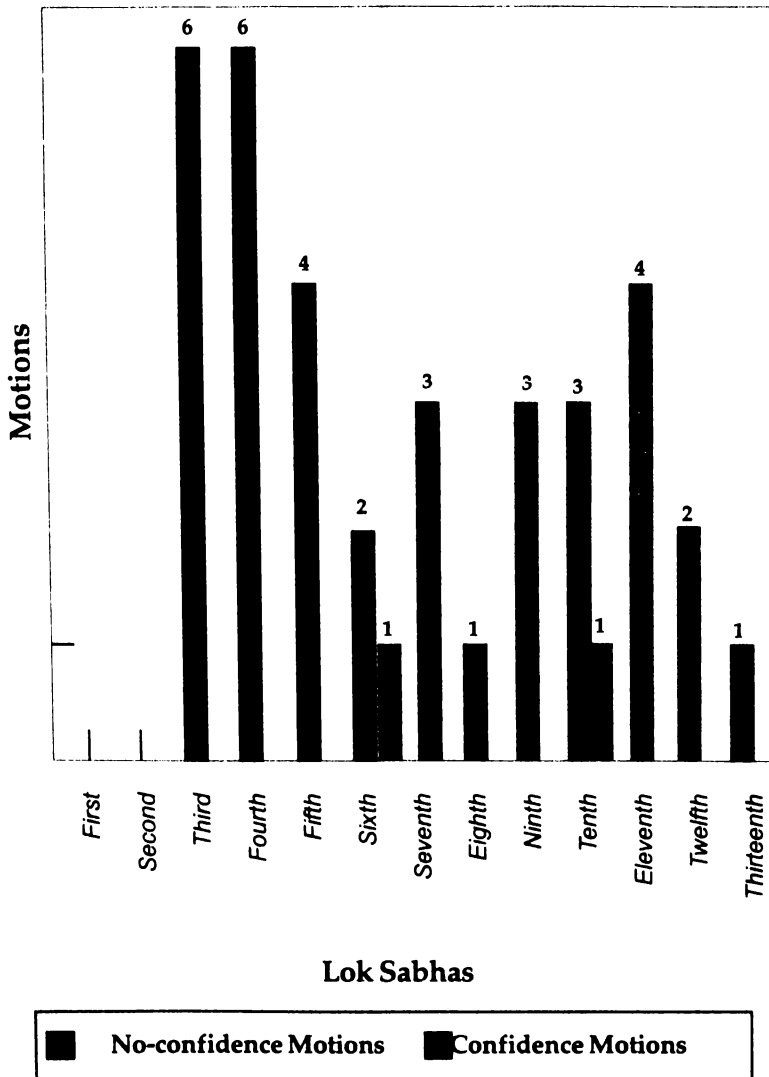
Motions in different Lok Sabhas

During the entire tenure of the Lok Sabha spanning 51 years, 26 No-confidence Motions and 11 Motions of Confidence in different Councils of Ministers were admitted. In the First and Second Lok Sabhas, no such motion was admitted. While the highest number of six Motions of No-confidence each were debated in the Third and Fourth Lok Sabhas, the highest number of four Confidence Motions was accounted for in the Eleventh Lok Sabha (See Table 1). The House discussed all the 26 Motions of No-confidence and ten of the eleven Confidence Motions.

**Table 1: NCMs and CMs admitted in the Lok Sabhas
(First to Thirteenth Lok Sabha)**

<i>Lok Sabha</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First	17.04.52 - 04.04.57	-	-
Second	05.04.57 - 31.03.62	-	-
Third	02.04.62 - 03.03.67	6	-
Fourth	04.03.67 - 27.12.70	6	-
Fifth	15.03.71 - 18.01.77	4	-
Sixth	23.03.77 - 22.08.79	2	1
Seventh	10.01.80 - 31.12.84	3	-
Eighth	31.12.84 - 27.11.89	1	-
Ninth	02.12.89 - 13.03.91	-	3
Tenth	20.06.91 - 10.05.96	3	1
Eleventh	15.05.96 - 04.12.97	-	4
Twelfth	10.03.98 - 26.04.99	-	2
Thirteenth	10.10.99 - 06.02.2004	1	-
Total		26	11

Graph 1
NCMs and CMs admitted in Lok Sabha
(First to Thirteenth Lok Sabha)



Motions presided over by different Speakers

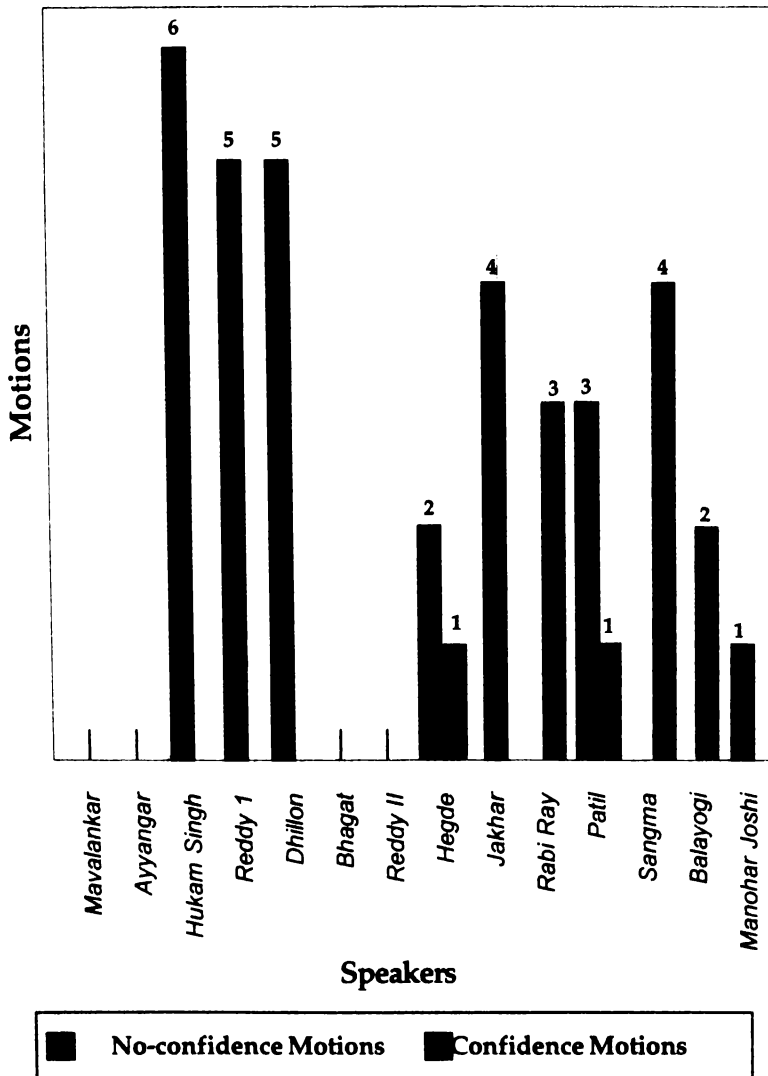
Table 2, which gives the number of No-confidence and Confidence Motions admitted during the tenures of different Speakers of the Lok Sabha, shows that while Sardar Hukam Singh presided over debates on the highest number of six No-confidence Motions, Shri P.A. Sangma had seen through the largest number of four Confidence Motions.

No debate took place on any such motion during the Speakership of Shri G.V. Mavalankar, Shri M.A. Ayyangar and Shri B.R. Bhagat as no Motion was moved during their tenure, while Shri Shivraj V. Patil was the only Speaker who chaired debates on four motions of both types - three No-confidence Motions and one Confidence Motion.

Table 2: NCMs and CMs admitted/discussed during the tenures of different Speakers (First to Thirteenth Lok Sabha)

<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
G.V. Mavalankar	15.05.52 - 27.02.56	-	-
M.A. Ayyangar	08.03.56 - 10.05.57 11.05.57 - 16.04.62	-	-
Hukam Singh	17.04.62 - 16.03.67	6	-
N. Sanjiva Reddy-I	17.03.67 - 19.07.69	5	-
G.S.Dhillon	08.08.69 - 19.03.71 22.03.71 - 01.12.75	5	-
B.R. Bhagat	05.01.76 - 25.03.77	-	-
N. Sanjiva Reddy-II	26.03.77 - 13.07.77	-	-
K.S.Hegde	21.07.77 - 21.01.80	2	1
Bal Ram Jakhar	22.01.80 - 15.01.85 16.01.85 - 18.12.89	4	-
Rabi Ray	19.12.89 - 09.07.91	-	3
Shivraj V. Patil	10.07.91 - 22.05.96	3	1
P.A. Sangma	23.05.96 - 23.03.98	-	4
G.M.C. Balayogi	24.03.98 - 20.10.99 22.10.99 - 03.03.2002	-	2
Manohar Joshi	10.05.2002 - till date	1	-
Total		26	11

Graph II
NCMs and CMs admitted/discussed during the tenures
of different Speakers (First to Thirteenth Lok Sabha)



Notices and their disposal

The position with regard to receipt of notices and their disposal in each of the thirteen Lok Sabhas is briefly discussed below.

First Lok Sabha (1952-57)

No notice of any No-confidence or Confidence Motion was received in the First Lok Sabha.

Second Lok Sabha (1957-62)

During the Second Lok Sabha, a notice of No-confidence Motion expressing want of confidence in the Council of Ministers of Pt. Jawaharlal Nehru was received from Shri Braj Raj Singh on 31 August 1961. After reading the motion in the House, the Speaker Shri M.A. Ayyangar enquired whether 50 members supported the motion. Since only six members rose in their seats in favour of leave being granted, the Speaker informed Shri Braj Raj Singh that he did not have the leave of the House.

Third Lok Sabha (1962-67)

The notices of No-confidence Motions received from Shri B.C.Seth on 11 August 1962 and Shri Mani Ram Bagri on 13 August 1962 were found not in order since they were against an individual Minister and not against the Council of Ministers. Therefore, they were not brought before the House.

When the notices of No-confidence Motion dated 9 November 1963 received from Shri. R.S. Yadav and Shri Mani Ram Bagri were brought before the House, only seven members rose in favour. Leave was, therefore, not granted by the House.

On 13 August 1963, seven notices of No-confidence Motions tabled by different members were taken up. Five of them were withdrawn. Only 36 members rose in favour of the motion by Smt. Renu Chakravarty. Therefore, she was not granted the leave of the House. Shri. J.B. Kripalani, however, got the leave of the House when 72 members rose in favour of his motion. This was the first ever No-confidence Motion which was discussed by the Lok Sabha. Later, during the remaining period of the Third Lok Sabha, five other members were granted leave of the House. They were: Shri N.C. Chatterjee (on 7.9.1964), Shri S.N. Dwivedy (on 9.3.1965), Shri M.R. Masani (on 16.8.1965), Shri H.N. Mukherjee (being first of 12 notices on 25.7.1966) and Shri U.M. Trivedi (being first of six notices on 1.11.1966). Thus, in all, six Motions of No-confidence were admitted and debated during the Third Lok Sabha. All of them were negated.

Fourth Lok Sabha (1967-70)

In the Fourth Lok Sabha too, six Motions of No-confidence were admitted, discussed and negated. The movers, who were granted leave of the House, were:

Shri Atal Bihari Vajpayee (being first of 2 notices on 18.03.1967); Shri Madhu Limaye (being first of 11 notices on 22.11.1967); Shri Bal Raj Madhok (on 20.2.1968); Shri K.L. Gupta (being first of 15 notices on 11.11.1968); Shri P. Ramamurti (being first signatory among five members on 18.2.1969); and Shri Madhu Limaye (being first of three notices on 28.7.1970).

Another motion sought to be moved by Sarvashri Madhu Limaye, R.S. Yadav and George Fernandes on 28 August 1969 was not granted the leave of the House as only 13 members rose in its favour.

In another case, three notices of No-confidence Motions were tabled by Sarvashri S.C. Jha, P.V. Shastri and H.C. Kachwai on 9 November 1970. While Shri P.V. Shastri and Shri H.C. Kachwai withdrew their notices before the item was reached, the notice by Shri S.C. Jha was brought before the House, but it was also withdrawn.

Fifth Lok Sabha (1971-77)

The following motions were brought before the House during the span of the Fifth Lok Sabha.

Four notices of No-confidence Motions were tabled by Sarvashri P.K. Deo, Piloo Mody, H.M. Patel and Samar Guha. The notices of the first three members were withdrawn on 15 November 1971, the opening day of the Third Session of the Fifth Lok Sabha before the item was reached. When the notice by Shri Samar Guha was brought before the House, the member did not press for it. It was thus treated as withdrawn. On 3 September 1973, Speaker Dr. G.S. Dhillon informed the House about receipt of two notices of Motions of No-confidence from Shri Jyotirmoy Bosu and Shri Samar Guha. When Shri Bosu was asked to seek leave of the House, more than 50 members rose. At this stage, an Opposition member, Shri Shyamnandan Mishra appealed to members not to press their motions as the Prime Minister Smt. Indira Gandhi was leaving that night for attending the Non-aligned Conference at Algiers which was of great international significance. Accordingly, members withdrew their motions by leave of the House.

In all, four No-confidence Motions, all from Shri Jyotirmoy Bosu, were admitted and negatived after discussions (See Table 9). In the first case, in which the leave of the House was granted on 21 November 1973, two notices of Motions of No-confidence had been tabled by Shri Samar Guha and Shri Jyotirmoy Bosu. Shri Guha, whose notice had obtained first priority in ballot, requested the Speaker Dr. G.S. Dhillon to accord first priority to Shri Jyotirmoy Bosu's notice. Accordingly, the notice of Shri Bosu was taken up first by the Speaker. When Shri Bosu asked for leave of the House, 74 members rose in its favour. Leave was accordingly granted and the motion was discussed on 21 and 22 November 1973. In the second case, the notice of Shri Bosu was the first among 11 notices. He, therefore, asked for leave of the House which was granted on 9 May 1974. At his request, after having moved the motion,

the Speaker Dr. Dhillon agreed to permit Shri Samar Mukherjee of his party to initiate the discussion the same day. At the end of the debate, however, Shri Bosu himself exercised his right of reply as mover. In the other two cases, Shri Bosu was granted leave of the House on 22 July 1974 and 9 May 1975, respectively.

On 4 September 1974, Shri Madhu Limaye was not allowed by the Speaker Dr. Dhillon to move his No-confidence Motion, being barred under Rule 338 as a repeat motion. He said that Shri Limaye's motion could not be taken up since an identical motion of Shri Jyotirmoy Bosu had already been discussed from 23 July to 25 July 1974 earlier during the same session and was negatived.

On 21 July 1975, the following motion moved by the Minister of Parliamentary Affairs was adopted:

This House resolves that the current session of Lok Sabha, being in the nature of an emergent session to transact certain urgent and important government business, only government business be transacted during the session and no other business whatsoever including Questions, Calling Attentions and other business to be initiated by a private member be brought before or transacted in the House during the session and all relevant rules on the subject in the *Rules of Procedure and Conduct of Business in Lok Sabha* do hereby stand suspended to that extent.

In view of this, four pending notices of Motions of No-confidence were not brought before the House.

Sixth Lok Sabha (1977-79)

During the span of the Sixth Lok Sabha, three notices for Motions of No-confidence and one for Motion of Confidence were received.

Of the three No-confidence Motions, two were against Shri Morarji Desai and one against Ch. Charan Singh. The two motions expressing want of confidence in the Council of Ministers of Shri Morarji Desai were brought before the House. The first by Shri C.M. Stephen was discussed on 10 and 11 May 1978 and negatived. The discussion on the second by Shri Y.B. Chavan was held on 11 and 12 July 1979 and remained inconclusive as the House was adjourned *sine die* after the Prime Minister Shri Morarji Desai tendered his resignation.

The notice of the first ever Motion of Confidence was given by the Prime Minister Ch. Charan Singh and admitted for being moved on 20 August 1979. This motion could not be moved as Ch. Charan Singh tendered the resignation of his Council of Ministers that day and the House was adjourned *sine die*.

In view of his resignation, the Motion of No-confidence by Shri Kanwar Lal Gupta expressing want of confidence in the Council of Ministers of Ch. Charan Singh could also not be brought before the House. The House was later dissolved on 22 August 1979.

Seventh Lok Sabha (1980-84)

Three Motions of No-confidence were admitted during the span of the Seventh Lok Sabha. All of them were negated after discussion.

In the first case, notices of Motions of No-confidence were tabled by eight members. On a ballot held to determine their *inter se* priority, Shri Ram Vilas Paswan, who had obtained first priority, requested the Speaker to allow Shri George Fernandes to move the motion on their behalf. The Speaker, Dr. Bal Ram Jakhar, accordingly, permitted Shri George Fernandes to ask for leave to move the motion. Since the Prime Minister Smt. Indira Gandhi would not be in a position to reply to the discussion being on a State visit abroad and since members already had occasion to criticise the Government earlier in the session during the discussion on the Motion of Thanks on the President's Address and Budget, etc., some members opposed admissibility of the motion. The Speaker ruled out the objection observing that there was a specific provision in the rules for expressing no-confidence in the Council of Ministers and the matter had to be dealt with accordingly. Since not less than 50 members rose in support of the motion, leave of the House was granted. The motion was discussed on 8 May 1981. In the absence of the Prime Minister, the Finance Minister, Shri R. Venkataraman replied to the debate.

The other two motions moved by Shri Samar Mukherjee and Shri H.N. Bahuguna were discussed on 17 September 1981 and 16 August 1982, respectively. For discussing Shri Bahuguna's motion, the session, which was scheduled to adjourn *sine die* on Friday, 13 August 1982, was extended by one day, *i.e.* for Monday, 16 August 1982.

Eighth Lok Sabha (1984-89)

On 24 April 1985, Prof. Madhu Dandavate tabled two notices of Motion of No-confidence in the Council of Ministers of Shri Rajiv Gandhi. That day, a motion about the situation in Ahmedabad was moved by the Home Minister and discussed immediately after the Question Hour. In view of the discussion, Prof. Dandavate did not pursue his notice which was not brought before the House.

In another case, Shri K.P. Unnikrishnan tabled on 7 December 1985 a notice of Motion of No-confidence to be moved by him on 8 December 1985. The next day, when the item reached, the Speaker Dr. Jakhar informed the House about the receipt of the notice. The motion could, however, not be taken up since Shri Unnikrishnan was not present in the House.

In the third case, three identical notices of a No-confidence Motion were received at the same point of time. Since the first signatory of all the three notices was Shri C. Madhav Reddy, they were treated as a single notice. Leave having been granted on 10 December 1987, the motion was discussed for two days on 10 and 11 December 1987 and was negated by voice vote.

Ninth Lok Sabha (1989-91)

During the Ninth Lok Sabha, two Motions of Confidence in the Council of Ministers of Shri V.P. Singh and one in the Council of Shri Chandra Shekhar were admitted under Rule 191. While Shri V.P. Singh won the first Confidence Motion on 21 December 1989, he lost the second one on 7 November 1990. At the time of receipt of the notice from Shri V.P. Singh for the second Motion of Confidence in his Council of Ministers, 18 notices of No-confidence Motion against him under Rule 198 were also received from Shri Rajiv Gandhi and others. The Speaker Shri Rabi Ray gave precedence to the Motion of Confidence over the Motion of No-confidence.

The third Motion of No-confidence was, as per Presidential directive, in the Council of Ministers of Shri Chandra Shekhar, which was adopted on 16 November 1990. (See Table 15).

Tenth Lok Sabha (1991-96)

During this period, one notice of Confidence Motion in the Council of Ministers of Shri P.V. Narasimha Rao and 71 notices of three Motions of No-confidence against his Council were received. While the Motion of Confidence moved by him was adopted on 15 July 1991, the three No-confidence Motions moved by Shri Jaswant Singh, Shri Atal Bihari Vajpayee and Shri Ajoy Mukhopadhyay were negated after discussion on 17 July 1992, 21 December 1992 and 28 July 1993, respectively. (See Table 16)

Eleventh Lok Sabha (1996-97)

The Eleventh Lok Sabha discussed four Motions of Confidence moved under Presidential directives by Prime Ministers Shri Atal Bihari Vajpayee, Shri H.D. Deve Gowda and Shri Inder Kumar Gujral. The motion moved by Shri Vajpayee on 25 May 1996 was not put to vote since the Prime Minister announced in the House that he was going to tender his resignation to the President. The motions moved by Shri Deve Gowda on 11 June 1996 and Shri Gujral on 22 April 1997 were adopted by voice vote while the one by Shri Deve Gowda moved on 11 April 1997 was negated.

In this period, three notices for No-confidence Motions were received. The one given by Shri George Fernandes on 19 February 1997 expressing want of confidence in the Council of Ministers of Shri Deve Gowda was initially kept pending. Since the member did not later pursue it, it was not brought before the House. While one of the remaining two notices, received on 20 November 1997 from Km. Mamata Banerjee was not found by the Speaker to be in order, her other notice dated 24 November 1997 could not be brought before the House because of disturbances and later lapsed in view of the resignation of the Government on 28 November 1997.

Twelfth Lok Sabha (1998-99)

During the Twelfth Lok Sabha, no notice of Motion of No-confidence in the Council of Ministers was received. However, two Motions of Confidence, moved under Presidential directives, by the Prime Minister Shri Atal Bihari Vajpayee were discussed. Shri Vajpayee won the first Confidence Motion on 28 March 1998; however, he lost the second one on 17 April 1999 by a single vote. The House was later dissolved on 26 April 1999.

Thirteenth Lok Sabha (1999-2004)

During the Thirteenth Lok Sabha, three notices of Motion of No-confidence were received. Two notices received from Shri Anil Basu and Shri Sultan Salahuddin Owaisi were withdrawn by them. The notice given by the Leader of the Opposition, Smt. Sonia Gandhi was admitted and discussed on 18 and 19 August 2003. The motion was negatived.

Motions in different Cabinets

Table 3 gives an account of the No-confidence Motions and Confidence Motions debated during the periods of the Councils of Ministers headed by different Prime Ministers. Of the 26 No-confidence Motions, the 16-year premiership of Smt. Indira Gandhi alone witnessed discussion on 15 No-confidence Motions as compared to just one each in the 12-year period of her father Pt. Jawaharlal Nehru and more than the five-year tenure of her son Shri Rajiv Gandhi. As regards Confidence Motions, the short tenures of Shri V.P. Singh, Shri H.D. Deve Gowda and Shri Atal Bihari Vajpayee for the period 1998-99 accounted for two each. Shri P.V. Narasimha Rao and Shri Atal Bihari Vajpayee not only sought the trust of the House through Confidence Motions but also faced No-confidence Motions against their Council of Ministers. While Shri P.V. Narasimha Rao faced three Motions of No-confidence during his tenure, Shri Vajpayee faced one Motion of No-confidence. Ch. Charan Singh resigned before the House was to take up his Confidence Motion.

**Table 3: NCMs and CMs admitted/discussed during different Cabinets
(First to Thirteenth Lok Sabha)**

<i>Cabinet</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Jawaharlal Nehru	13.5.52 - 27.5.64*	1	-
Lal Bahadur Shastri	9.6.64 - 11.1.66 #	3	-
Indira Gandhi-First Phase	24.1.66 - 24.3.77	12	-
Morarji Desai	24.3.77 - 28.7.79	2	-
Charan Singh	28.7.79 - 14.1.80	-	1
Indira Gandhi-Second Phase	14.1.80 - 31.10.84	3	-
Rajiv Gandhi	31.10.84 - 1.12.89	1	-
V.P. Singh	2.12.89 - 10.11.90	-	2

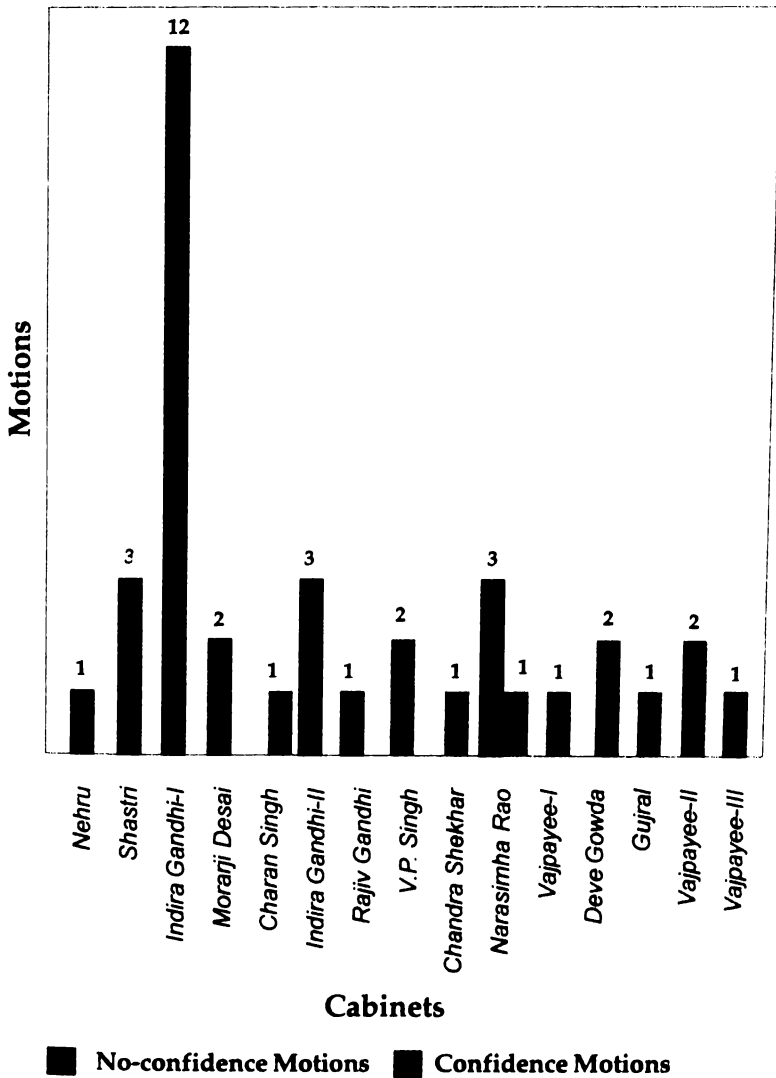
* Nehru died on 27.5.64. Gulzari Lal Nanda acted as Prime Minister from 27.5.64 to 9.6.64.

Shastri died on 11.1.66. Gulzari Lal Nanda acted as Prime Minister from 11.1.66. to 24.1.66.

<i>Cabinet</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Chandra Shekhar	10.11.90 - 21.6.91	-	1
P.V. Narasimha Rao	21.6.91 - 16.5.96	3	1
A.B. Vajpayee-First Phase	16.5.96 - 1.6.96	-	1
H.D. Deve Gowda	1.6.96 - 21.4.97	-	2
I.K. Gujral	21.4.97 - 18.3.98 [⊙]	-	1
A.B. Vajpayee-Second Phase	19.3.98 - 13.10.99 ⁺	-	2
A.B. Vajpayee-Third Phase	13.10.99 - till date	1	-
	Total	26	11

-
- ⊙ Gujral tendered the resignation of his Council of Ministers on 28 November 1997. The President, while accepting the resignation, asked him to continue in office till alternative arrangements were made.
 - + Vajpayee tendered the resignation of his Council of Ministers on 17 April 1999. The President, while accepting the resignation, asked him to continue in office till alternative arrangements were made.

Graph III
NCMs and CMs admitted/discussed during different Cabinets
(First to Thirteenth Lok Sabha)



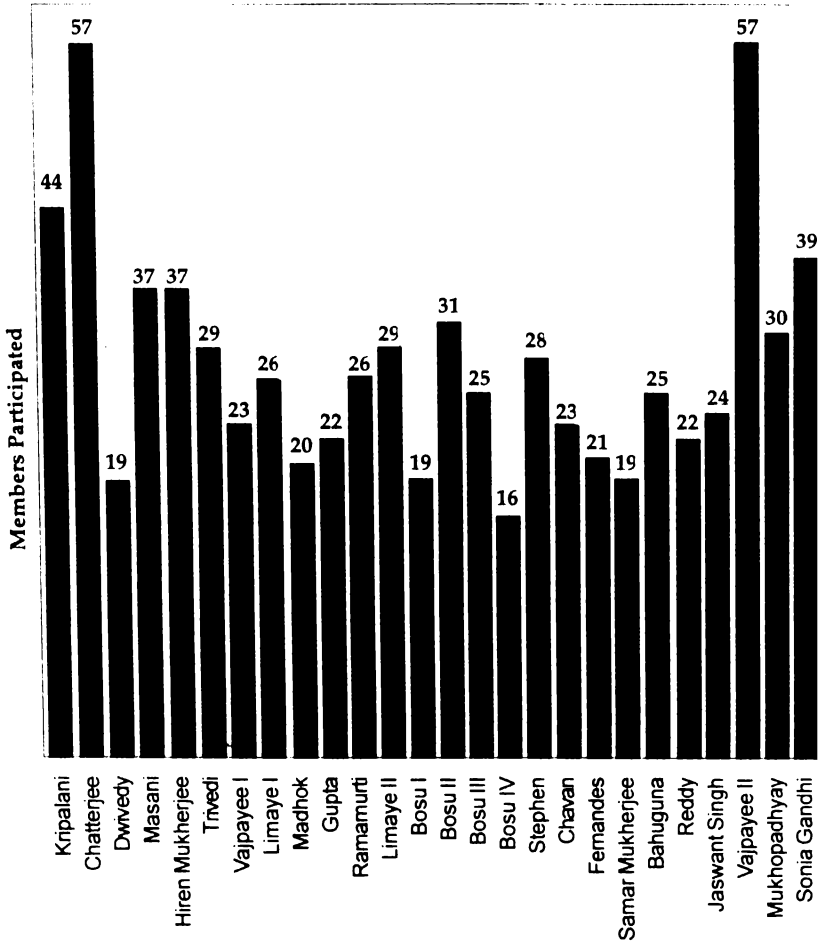
**Table 4: NCMs and CMs - Participation by Members
(First to Thirteenth Lok Sabha)**

<i>S.No.</i>	<i>Mover</i>	<i>Prime Minister</i>	<i>Date of Voting</i>	<i>No. of Members participated</i>
No-confidence Motions				
1.	J.B. Kripalani	J.L. Nehru	22.8.63	44
2.	N.C. Chatterjee	L.B. Shastri	18.9.64	57
3.	S.N. Dwivedy	L.B. Shastri	16.3.65	19
4.	M.R. Masani	L.B. Shastri	26.8.65	37
5.	H.N. Mukherjee	Indira Gandhi	4.8.66	37
6.	U.M. Trivedi	Indira Gandhi	7.11.66	29
7.	A.B. Vajpayee-I	Indira Gandhi	20.3.67	23
8.	Madhu Limaye-I	Indira Gandhi	24.11.67	26
9.	Balraj Madhok	Indira Gandhi	28.2.68	20
10.	K.L. Gupta	Indira Gandhi	13.11.68	22
11.	P. Ramamurti	Indira Gandhi	20.2.69	26
12.	Madhu Limaye-II	Indira Gandhi	29.7.70	29
13.	Jyotirmoy Bosu-I	Indira Gandhi	22.11.73	19
14.	Jyotirmoy Bosu-II	Indira Gandhi	10.5.74	31
15.	Jyotirmoy Bosu-III	Indira Gandhi	25.7.74	25
16.	Jyotirmoy Bosu-IV	Indira Gandhi	9.5.75	16
17.	C.M. Stephen	Morarji Desai	11.5.78	28
18.	Y.B. Chavan	Morarji Desai	12.7.79	23
19.	George Fernandes	Indira Gandhi	9.5.81	21
20.	Samar Mukherjee	Indira Gandhi	17.9.81	19
21.	H.N. Bahuguna	Indira Gandhi	16.8.82	25
22.	C. Madhav Reddy	Rajiv Gandhi	11.12.87	22
23.	Jaswant Singh	Narasimha Rao	17.7.92	24
24.	A.B. Vajpayee-II	Narasimha Rao	21.12.92	57
25.	Ajoy Mukhopadhyay	Narasimha Rao	28.7.93	30
26.	Sonia Gandhi	A.B. Vajpayee	19.8.2003	39
Total				748

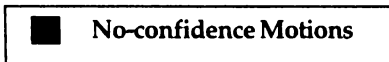
<i>S.No.</i>	<i>Mover</i>	<i>Prime Minister</i>	<i>Date of Voting</i>	<i>No. of Members participated</i>
Confidence Motions				
1.	Charan Singh	Charan Singh*	-	-
2.	V.P. Singh-I	V.P. Singh	21.12.89	17
3.	V.P. Singh-II	V.P. Singh	7.11.90	23
4.	Chandra Shekhar	Chandra Shekhar	16.11.90	16
5.	P.V. Narasimha Rao	P.V. Narasimha Rao	15.7.91	18
6.	A.B. Vajpayee-I	A.B. Vajpayee	28.5.96	29
7.	H.D. Deve Gowda-I	H.D. Deve Gowda	12.6.96.	30
8.	H.D. Deve Gowda-II	H.D. Deve Gowda	11.4.97	26
9.	I.K. Gujral	I.K. Gujral	22.4.97	24
10.	A.B. Vajpayee-II	A.B. Vajpayee	28.3.98	41
11.	A.B. Vajpayee-III	A.B. Vajpayee	17.4.99	37
			Total	261
			Grand Total	1009

*Motion not moved as Prime Minister resigned.

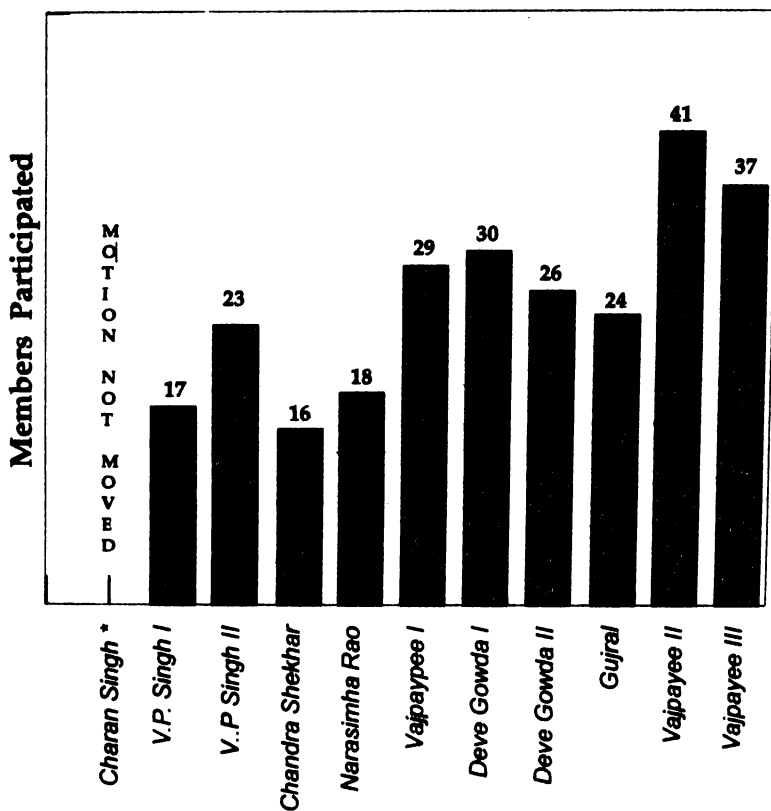
Graph IV
NCMs and CMs - Participation by Members
(First to Thirteenth Lok Sabha)



Movers of No-confidence Motions



Graph IV contd.
NCMs and CMs - Participation by Members
(First to Thirteenth Lok Sabha)



Movers of Confidence Motions

■ **Confidence Motions**

* Motion not moved as P.M. resigned

**Table 5 : NCMs and CMs - Time Taken
(First to Thirteenth Lok Sabha)**

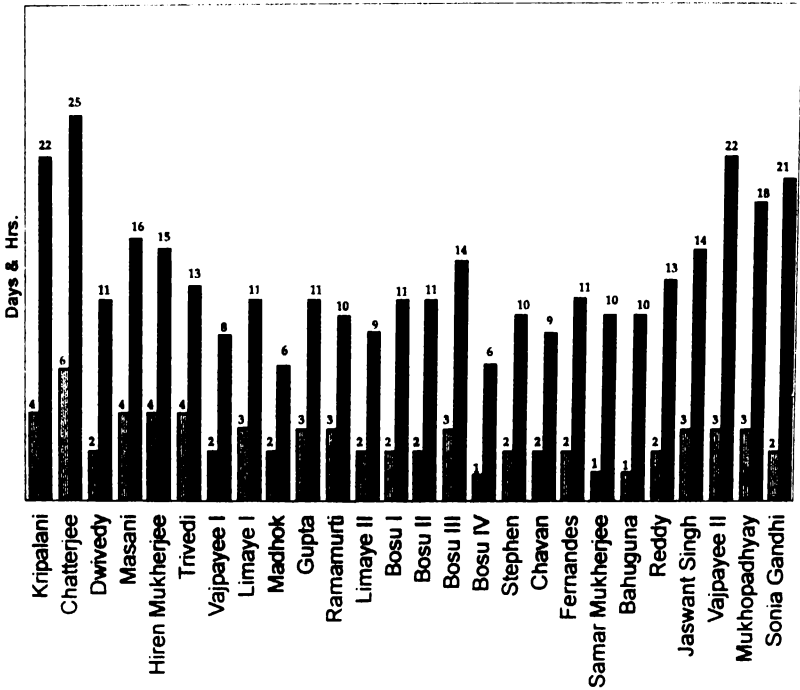
<i>S.No.</i>	<i>Mover</i>	<i>Prime Minister</i>	<i>Days</i>	<i>Dates of discussion</i>	<i>Time Taken</i>	
					<i>Hrs.</i>	<i>Mts.</i>
No-confidence Motions						
1.	J.B. Kripalani	J.L. Nehru	4	19.8.63, 20.8.63, 21.8.63, 22.8.63	21	33
2.	N.C. Chatterjee	L.B. Shastri	6	11.9.64, 14.9.64, 15.9.64, 16.9.64 17.9.64 18.9.64	24	34
3.	S.N. Dwivedy	L.B. Shastri	2	15.3.65, 16.3.65	10	50
4.	M.R. Masani	L.B. Shastri	4	23.8.65, 24.8.65, 25.8.65, 26.8.65	15	48
5.	H.N. Mukherjee	Indira Gandhi	4	1.8.66, 2.8.66, 3.8.66, 4.8.66	15	25
6.	U.M. Trivedi	Indira Gandhi	4	2.11.66, 3.11.66, 4.11.66, 7.11.66	13	27
7.	A.B. Vajpayee-I	Indira Gandhi	2	18.3.67, 20.3.67	8	13
8.	Madhu Limaye-I	Indira Gandhi	3	22.11.67, 23.11.67, 24.11.67	11	25
9.	Balraj Madhok	Indira Gandhi	2	27.2.68, 28.2.68	6	27
10.	Kanwar Lal Gupta	Indira Gandhi	3	11.11.68, 12-13.11.68	11	25

<i>S.No.</i>	<i>Mover</i>	<i>Prime Minister</i>	<i>Days</i>	<i>Date of discussion</i>	<i>Time Taken Hrs. Mts.</i>	
11.	P. Ramamurti	Indira Gandhi	3	18.2.69, 19.2.69, 20.2.69	10	6
12.	Madhu Limaye-II	Indira Gandhi	2	28.7.70, 29.7.70	9	20
13.	Jyotirmoy Bosu-I	Indira Gandhi	2	21.11.73, 22.11.73	11	21
14.	Jyotirmoy Bosu-II	Indira Gandhi	2	9.5.74, 10.5.74	11	16
15.	Jyotirmoy Bosu-III	Indira Gandhi	3	23.7.74, 24.7.74, 25.7.74	14	1
16.	Jyotirmoy Bosu-IV	Indira Gandhi	1	9.5.75	6	6
17.	C.M. Stephen	Morarji Desai	2	10.5.78, 11.5.78	10	19
18.	Y.B. Chavan	Morarji Desai	2	11.7.79, 12.7.79	9	13
19.	George Fernandes	Indira Gandhi	2	8.5.81, 9.5.81	10	40
20.	Samar Mukherjee	Indira Gandhi	1	17.9.81	9	47
21.	H.N. Bahuguna	Indira Gandhi	1	16.8.82	10	3
22.	C. Madhav Reddy	Rajiv Gandhi	2	10.12.87, 11.12.87	12	45
23.	Jaswant Singh	P.V. Narasimha Rao	3	15.7.92, 16.7.92, 17.7.92	14	00
24.	A.B. Vajpayee-II	P.V. Narasimha Rao	3	17.12.92, 18.12.92, 21.12.92	21	44
25.	Ajoy Mukhopadhyay	P.V. Narasimha Rao	3	26.7.93, 27.7.93, 28.7.93	18	20
26.	Sonia Gandhi	A.B. Vajpayee	2	18.8.03, 19.8.03	21	07
Total			68		339	15

<i>S.No.</i>	<i>Mover</i>	<i>Prime Minister</i>	<i>Days</i>	<i>Dates of discussion</i>	<i>Time Taken Hrs. Mts.</i>	
Confidence Motions						
1.	CharanSingh	CharanSingh		20.8.79*	-	
2.	V.P. Singh-I	V.P. Singh	1	21.12.89	5	20
3.	V.P. Singh-II	V.P. Singh	1	7.11.90	11	12
4.	Chandra Shekhar	Chandra Shekhar	1	16.11.90	6	21
5.	P.V. Narasimha Rao	P.V. Narasimha Rao	2	12.7.91, 15.7.91	7	35
6.	A.B. Vajpayee-I	A.B. Vajpayee	2	27.5.96, 28.5.96	10	43
7.	H.D. Deve Gowda-I	H.D. Deve Gowda	2	11.6.96, 12.6.96	12	28
8.	H.D. Deve Gowda-II	H.D. Deve Gowda	1	11.4.97	11	45
9.	I.K. Gujral	I.K. Gujral	1	22.4.97	9	3
10.	A.B. Vajpayee-II	A.B. Vajpayee	2	27.3.98, 28.3.98	17	56
11.	A.B. Vajpayee-III	A.B. Vajpayee	3	15.4.99, 16.4.99, 17.4.99	24	58
Total			16		117	21
Grand Total			84		456	36

* Motion not moved; P.M. resigned

Graph V
NCMs and CMs - Time Taken
(First to Thirteenth Lok Sabha)

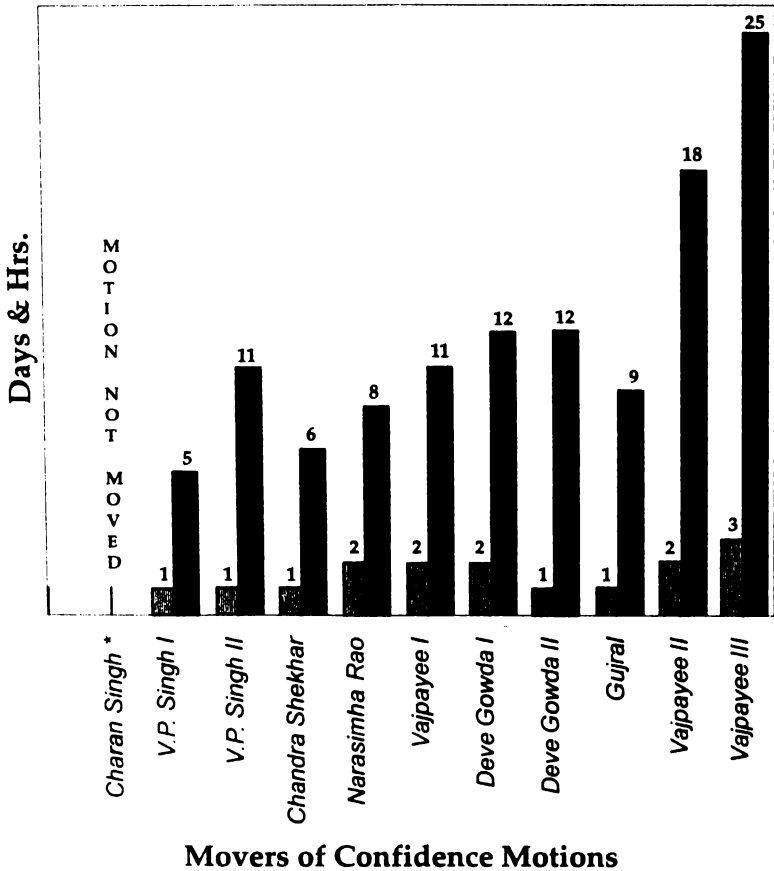


Movers of No-confidence Motions

■ Days ■ Hrs.

For Hrs. - Upto 30 mts. omitted
 Above 30 mts. equated to one hour

Graph V contd.
NCMs and CMs - Time Taken
(First to Thirteenth Lok Sabha)



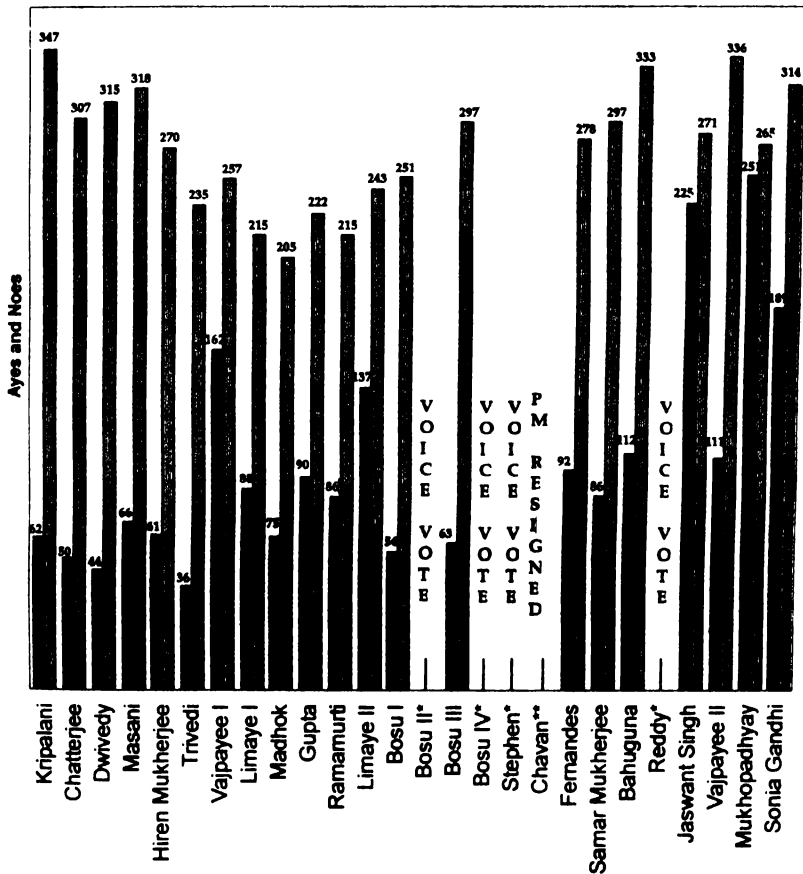
For Hrs. - Upto 30 mts. omitted
Above 30 mts. equated to one hour
* Motion not moved; P.M. resigned

**Table 6: NCMs and CMs - Division Result
(First to Thirteenth Lok Sabha)**

<i>S.No.</i>	<i>Mover</i>	<i>Prime Minister</i>	<i>Date of voting</i>	<i>Ayes</i>	<i>Noes</i>	<i>Result</i>
No-confidence Motions						
1.	J.B. Kripalani	J.L. Nehru	22.8.63	62	347	Negatived
2.	N.C. Chatterjee	L.B. Shastri	18.9.64	50	307	Negatived
3.	S.N. Dwivedy	L.B. Shastri	16.3.95	44	315	Negatived
4.	M.R. Masani	L.B. Shastri	26.8.65	66	318	Negatived
5.	H.N. Mukherjee	Indira Gandhi	4.8.66	61	270	Negatived
6.	U.M. Trivedi	Indira Gandhi	7.11.66	36	235	Negatived
7.	A.B. Vajpayee-I	Indira Gandhi	20.3.67	162	257	Negatived
8.	Madhu Limaye-I	Indira Gandhi	24.11.67	88	215	Negatived
9.	Balraj Madhok	Indira Gandhi	28.2.68	75	205	Negatived
10.	Kanwar Lal Gupta	Indira Gandhi	13.11.68	90	222	Negatived
11.	P. Ramamurti	Indira Gandhi	20.2.69	86	215	Negatived
12.	Madhu Limaye-II	Indira Gandhi	29.7.70	137	243	Negatived
13.	Jyotirmoy Bosu-I	Indira Gandhi	20.11.73	54	251	Negatived
14.	Jyotirmoy Bosu-II	Indira Gandhi	10.5.74	by voice vote		Negatived
15.	Jyotirmoy Bosu-III	Indira Gandhi	25.7.74	63	297	Negatived
16.	Jyotirmoy Bosu-IV	Indira Gandhi	9.5.75	by voice vote		Negatived
17.	C.M. Stephen	Morarji Desai	11.5.78	by voice vote		Negatived
18.	Y.B. Chavan	Morarji Desai	12.7.79	Inconclusive discussion		PM resigned
19.	George Fernandes	Indira Gandhi	9.5.81	92	278	Negatived
20.	Samar Mukherjee	Indira Gandhi	17.9.81	86	297	Negatived
21.	H.N. Bahuguna	Indira Gandhi	16.8.82	112	333	Negatived
22.	C. Madhav Reddy	Rajiv Gandhi	11.12.87	by voice vote		Negatived
23.	Jaswant Singh	P.V. Narasimha Rao	17.7.92	225	271	Negatived
24.	A.B. Vajpayee-II	P.V. Narasimha Rao	21.12.92	111	336	Negatived
25.	Ajoy Mukhopadhyay	P.V. Narasimha Rao	28.7.93	251	265	Negatived
26.	Sonia Gandhi	A.B. Vajpayee	19.8.03	189	314	Negatived

<i>S.No.</i>	<i>Mover</i>	<i>Prime Minister</i>	<i>Date of voting</i>	<i>Ayes</i>	<i>Noes</i>	<i>Result</i>
Confidence Motions						
1.	Charan Singh	Charan Singh				Motion not moved PM resigned
2.	V.P. Singh-I	V.P. Singh	21.12.89			by voice vote Adopted
3.	V.P. Singh-II	V.P. Singh	7.11.90	152	356	Negated
4.	Chandra Shekhar	Chandra Shekhar	16.11.90	280	214	Adopted
5.	P.V. Narasimha Rao	P.V. Narasimha Rao	15.07.91	240	109	Adopted
6.	A.B. Vajpayee-I	A.B. Vajpayee				Motion not put to vote PM announced his intention to resign
7.	H.D. Deve Gowda-I	H.D. Deve Gowda	12.06.96			by voice vote Adopted
8.	H.D. Deve Gowda-II	H.D. Deve Gowda	11.04.97	190	338	Negated
9.	I.K. Gujral	I.K. Gujral	22.04.97			by voice vote Adopted
10.	A.B. Vajpayee-II	A.B. Vajpayee	28.03.98	275	260	Adopted
11.	A.B. Vajpayee-III	A.B. Vajpayee	17.04.99	269	270	Negated

Graph VI
NCMs and CMs - Division Result
(First to Thirteenth Lok Sabha)

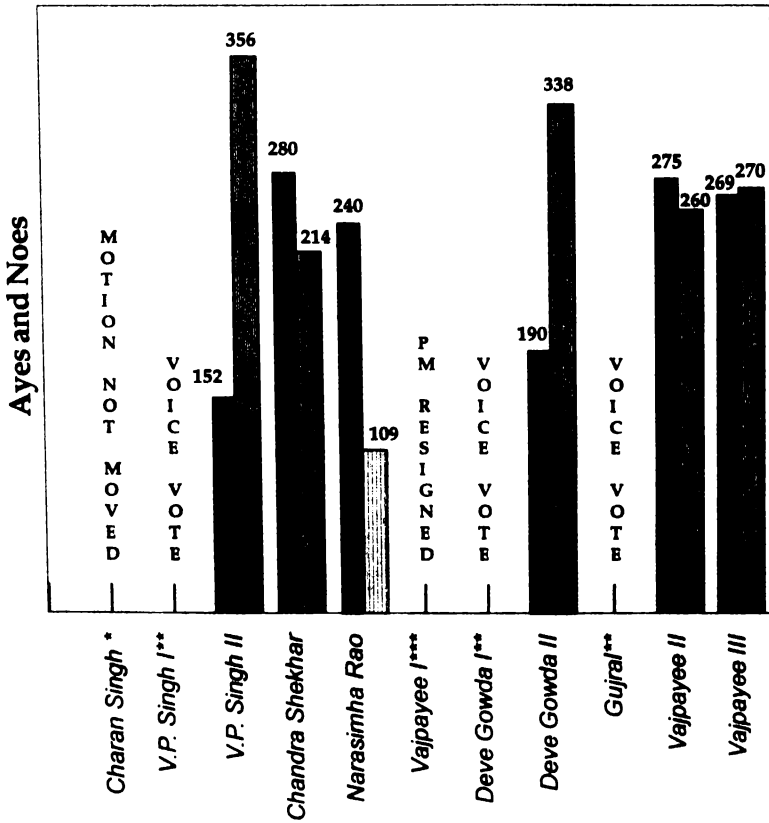


Movers of No-confidence Motions

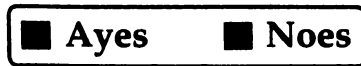
■ Ayes ■ Noes

* Negated by Voice Vote
 ** Inconclusive Discussion; PM resigned

Graph VI contd.
NCMs and CMs - Division Result
(First to Thirteenth Lok Sabha)



Movers of Confidence Motions



* Motion not moved; PM resigned

** Adopted by Voice Vote

*** Motion not put to vote as PM announced his intention to resign

Table 4 embodies statistical information about the participation of members in the debates on various Motions of Confidence and No-confidence, while Tables 5 and 6 show the time taken and the result of the division, respectively, at the end of the debate on each motion.

Participation by Members

A statistical analysis of Table 4 shows that in all 1009 members of the Lok Sabha participated in the debate on 36 motions, 748 members in 26 Motions of No-confidence and 261 members in the ten Motions of Confidence. On an average, 28 members participated in the debate on a motion. The average participation per No-confidence Motion comes to 29 while that for a Confidence Motion to 26. The highest number of 57 members each took part in the two No-confidence Motions, one moved by Shri N.C. Chatterjee in September 1964 and the other by Shri Atal Bihari Vajpayee in December 1992. Shri Jyotirmoy Bosu's Motion of No-confidence discussed in May 1975 on the other hand entailed the lowest participation by 16 members. As regards participation in the debates on Confidence Motions, the highest (41) and the lowest (16) figures pertained to the Motions of Shri A.B. Vajpayee voted on 28 March 1998 and Shri Chandra Shekhar on 16 November 1990, respectively.

Time taken

The debates on the 36 motions lasted a total of 456 hours and 36 minutes spanning 84 days - the 26 No-confidence Motions accounting for 339 hours and 15 minutes spread over 68 days and the ten Confidence Motions for 117 hours and 21 minutes spread over 16 days. The average time taken by a motion comes to 12 hours and fifty minutes while that for a No-confidence Motion and a Confidence Motion works out to 13 hours and a little less than 12 hours, respectively. Individually, Shri A.B. Vajpayee's Confidence Motion was discussed for the longest duration of 24 hours and 58 minutes spread over three days in April 1999 while the shortest discussion lasting only five hours and 20 minutes on 21 December 1989 pertained to the Confidence Motion of Shri. V.P. Singh (See Table 5)

Division

Of the 26 No-confidence Motions which were debated by the Lok Sabha, 25 were negatived - four by voice vote and 21 by division. While the first ever No-confidence Motion of Shri J.B. Kripalani against Pt. Jawaharlal Nehru voted on 22 August 1963 was defeated by the widest margin of 285 votes with 62 Ayes and 347 Noes, the No-confidence Motion of Shri Ajoy Mukhopadhyay against Shri P.V. Narasimha Rao voted on 28 July 1993 was negatived with the narrowest margin of 14 votes with 251 Ayes and 265 Noes. In one case in the Sixth Lok Sabha, when the motion moved by Shri Y.B. Chavan was under consideration of the House on 12 July 1979, the Government headed by Shri Morarji Desai resigned before the discussion

was concluded. As regards Confidence Motions, only one notice, the first of its kind, given on 13 August 1979 by the Prime Minister Ch. Charan Singh, was admitted and included in the List of Business for 20 August 1979. However, before it was moved, Ch. Charan Singh tendered the resignation of his Council of Ministers to the President. Six of the remaining ten Confidence Motions which were debated by the House were adopted (three by voice vote and three by division) and three lost (by division) while one was not put to the vote of the House as the mover Prime Minister Shri A.B. Vajpayee announced his resignation on the floor of the House (See Table 6). Incidentally, of the ten Confidence Motions discussed in the Lok Sabha, while the Confidence Motion moved by Shri A.B. Vajpayee on 27 March 1998 was adopted by the narrowest margin of 15 votes with 275 Ayes and 260 Noes, his other Confidence Motion voted on 17 April 1999 was defeated by the narrowest margin of just a single vote with 269 members voting in favour and 270 voting against the motion.

A brief account of the Motions of Confidence and No-confidence which have been debated during the tenures of the Cabinets of different Prime Ministers is given in the following Chapters. An attempt has been made to cull out from the debate on each motion the grounds necessitating its moving, the main arguments for and against it and the extent of participation and time taken along with the result of the division. The gist of the discussion is, however, neither exhaustive nor representative of the opinions expressed on the occasion.

Jawaharlal Nehru

In the first three General Elections, the Congress Party under the towering personality of Pt. Jawaharlal Nehru, won a huge three-fourth majority securing 74.44, 75.25 and 73.08 per cent of seats in the First, Second and Third Lok Sabhas, respectively (See Table 7). There was no strong Opposition Party or coalition of parties to numerically challenge the domination of the Congress Party. Pt. Nehru's leadership and his democratic method of functioning was widely acclaimed. No occasion arose for any notice of a No-confidence Motion being admitted against the first two of his three Cabinets during 1952-62. India's disastrous war with China during the tenure of his third Council of Ministers was a blow to Pt. Nehru, and his unquestioned leadership for the first time came under pressure.

Table 7: NCMs against Councils of Jawaharlal Nehru (13.5.52-27.5.64)

<i>Council of Ministers</i>	<i>Party; Seats won/ NCMs Total; (%)</i>	<i>CMs/ Mover; No. of Members participated</i>	<i>Dates of (grant of leave)/ discussion; time taken</i>	<i>Result</i>
Jawaharlal Nehru-I 13.5.52-16-4-57 in First Lok Sabha (17.4.52-4.4.57)	Congress; - 364/489 (74.44%)	-	-	-
Jawaharlal Nehru-II 17.4.57-9.4.62 in Second Lok Sabha (5.4.57-31.3.62)	Congress; - 371/491 (75.25%)	-	-	-
Jawaharlal Nehru-III 10.4.64-27.5.64* in Third Lok Sabha (2.4.62-3.3.67)	Congress; One 361/494 (73.08%)	J.B. Kripalani; Unattached 44 Members	(13.8.63); 19.8.63, 20.8.63, 21.8.63, 22.8.63; 21 hrs., 33 mts.	Negated Ayes - 62 Noes - 347

* Nehru died on 27.5.64; Gulzari Lal Nanda acted as Prime Minister from 27.5.64 to 9.6.64.

Kripalani's Motion

Shri J.B. Kripalani, an unattached member of the Third Lok Sabha, gave the notice for the first ever No-confidence Motion against Nehru's Council of Ministers, which was admitted. Before Shri Kripalani asked for leave of the House on 13 August 1963, the Speaker read out the text of the motion and mentioned in brief the grounds given in the notice. He, however, made it clear that the grounds did not form part of the motion. While asking for leave of the House to move the motion, which was granted, Shri Kripalani read out only the text of the motion and not the grounds. Moving the motion on 19 August 1963, he referred to the Chinese aggression and charged that the Government, which had always claimed that the Armed Forces of the country were sufficiently strong to meet any aggression, was not vigilant. The military decisions were taken in the capital without consulting field officers in NEFA (North East Frontier Agency). There was no need to wait for negotiations with the Chinese and India should be prepared both physically and psychologically for driving the aggressor out, he said.

Intervening in the discussion on 22 August 1963, Prime Minister Nehru said that the motion was unreal in that the Opposition groups were in no position to replace the Government. *Panchsheel* was the only rational basis for international relations. It could not be called nonsense merely because China broke faith in it. The Chinese had lost faith in peaceful co-existence. Breaking off of diplomatic relations with China would only hinder India. There was nothing to prevent India from strengthening her defences while keeping the door open for negotiations. The foreign policy pursued by the Government had put India in a better position than China vis-a-vis other countries as evidenced from the fact that the USSR was one of India's staunchest supporters. There was the hard task of facing the menace on the borders. Therefore, strength, unity and maintenance of morale of the people were of paramount importance, Nehru said.

At the end of a long debate that lasted 21 hours and 33 minutes spread over a period of four days from 19 to 22 August 1963 in which 44 members participated, the motion, when put to vote, was negatived with 62 voting in favour and 347 against it. The margin of 285 votes by which the motion was defeated was the widest of all the No-confidence Motions put to vote in the Lok Sabha.

Lal Bahadur Shastri

Shri Lal Bahadur Shastri, though a great believer in consensus, had to face three No-confidence Motions during his brief tenure of 19 months(See Table 8).

Table 8: NCMs against Council of Lal Bahadur Shastri (9.6.64-11.1.66)

<i>Council of Ministers</i>	<i>Party; Seats won/ Total; (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of (grant of leave)/ discussion; time taken</i>	<i>Result</i>
Lal Bahadur Shastri 9.6.64-11.1.66* in Third Lok Sabha (2.4.62-3.3.67)	Congress; 361/494 (73.08%)	Three NCMs	N.C. Chatterjee; Unattached; 57 Members	(7.9.64); 11.9.64, 14.9.64, 15.9.64, 16.9.64, 17.9.64, 18.9.64, 24 hrs. 34 mts.	Negated; Ayes - 50 Noes - 307
			S.N. Dwivedy; PSP; 19 Members	(9.3.65); (15.3.65, 16.3.65); 10 hrs. 50 mts.	Negated; Ayes - 44, Noes - 315
			M.R. Masani; Swatantra Party; 37 Members	(16.8.65); 23.8.65, 24.8.65, 25.8.65, 26.8.65; 15 hrs. 48 mts.	Negated; Ayes - 66 Noes - 318

Longest debate over Chatterjee's Motion

The first motion moved on 11 September 1964 by Shri N.C. Chatterjee (Unattached) was debated for 24 hours and 34 minutes spanning six days. This is the longest ever debate held on a No-confidence Motion in the Lok Sabha. A record

* Shastri died on 11.1.66. Gulzari Lal Nanda acted as Prime Minister from 11.1.66 to 24.1.66.

number of 57 members participated in the discussion. Some of the important reasons given by Shri Chatterjee for pressing his motion on 11 September 1964 were: failure to protect economic independence; utter dependence on imports of food; failure to hold price line; failure to provide security of life and property; and failure to maintain the territorial integrity of the country.

Reacting to the points made in the debate, the Prime Minister Shri Lal Bahadur Shastri said on 18 September 1964 that since the food situation was still difficult, there was no choice but to import a good quantity of foodgrains. As regards corruption, the Prime Minister said that the law was really not very effective. Certain conventions had to be built up. Whenever the Prime Minister or the Chief Minister told his colleague that there was a *prima facie* case against him, the latter should tender his resignation immediately. Affirming his Government's firm faith in democracy and socialism and whole-hearted endorsement of the policy of co-existence that was initiated by Pt. Nehru, Shri Shastri said that it would be his continuous endeavour to see that those objectives were realised and social and economic order was established. The motion was later negatived with 50 votes in favour and 307 against it.

Dwivedy's Motion

The second Motion of No-confidence in Shri Shastri's Council of Ministers was moved on 15 March 1965 by Shri S.N. Dwivedy of the Praja Socialist Party (PSP). He said that the prevailing state of emergency in the country had become a mockery. The law and order situation was such that day-light political murders were taking place. The Prime Minister had established a record for drift and indecision while his Ministers spoke in different voices and aired their differences publicly. The Cabinet lacked courage, ability, sincerity, determination and foresight. To tackle corruption, it was necessary that an autonomous institution should be created to deal with it, he said.

In his intervention on 16 March 1965, Shri Shastri said that certain steps had been taken in regard to the matter of corruption. A code of conduct had already been formulated. Efforts were being made to follow it. But the cooperation of all was required in the matter. He said that it was not clear in regard to which matter the charge of indecision was being levelled against the Government. The basic policies, whether it was the question of non-alignment or peaceful co-existence or disarmament, were very clear and there had been no departure from them. After the debate, in which 19 members spoke for 10 hours and 50 minutes, the motion, when put to vote, was negatived by 44 votes to 315.

Masani's Motion

The third and last motion against Shri Shastri was moved by Shri M.R. Masani

of the Swatantra Party. Moving the motion on 23 August 1965, he referred to the combined hostility of China and Pakistan and stressed the need for finding friends and allies on whom India could count on. Criticising the Fourth Five-Year Plan, he said that it was a mixture of wrong priorities, namely criminal neglect of agriculture, communication, and transportation which were the infrastructure on which alone industrial development could be raised. Shri Masani further stated that the Government was caught in a meaningless vicious cycle. The Government made Plans beyond their capacity and then raised taxes for finding resources. This led to inflation and fall in production. Reacting on 26 August, the Prime Minister Shri Shastri said that what had been planned in fact fell far short of the needs and requirements but efforts were made to find the maximum resources within the limited means. Considering the magnitude of the tasks involved, the Plans had to be big and a bigger Plan had to be made every time, because of the compulsion to catch up with the tempo which the earlier Plans had created. Otherwise, it would mean stagnation of the economy. The Planning Commission was preparing an integrated plan for agriculture which was expected to put agriculture on a sound footing. The situation in Kashmir was really grave and it was going to be a prolonged affair. The country must be prepared to meet that menace. Unity, he said, was the need of the hour.

The debate lasted 15 hours and 48 minutes in which 37 members participated. After the mover Shri Masani replied, the motion was put to vote and was negatived by 66 votes to 318.

First Phase of Indira Gandhi

Smt. Indira Gandhi occupied the Office of Prime Minister in two phases - first from 24 January 1966 to 24 March 1977 and thereafter from 14 January 1980 till her assassination on 31 October 1984. During the 16 years of her rule, Smt. Indira Gandhi faced 15 of the total of 26 No-confidence Motions moved in the entire life of the Lok Sabha. All of them were negatived.

The first phase of her premiership accounted for 12 No-confidence Motions (See Table 9).

Table 9: NCMs against Councils of Indira Gandhi (24.1.66-24.3.77)

<i>Council of Ministers</i>	<i>Party; Seats won/ NCMs Total; (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of (grant of leave)/ discussion; time taken</i>	<i>Result</i>
Indira Gandhi-I 24.1.66-12.3.67 in Third Lok Sabha (2.4.62-3.3.67)	Congress; 361/494 (73.08%)	Two NCMs	H.N. Mukherjee,	(25.7.66); 1.8.66, 2.8.66, 3.8.66, 4.8.66;	Negatived Ayes - 61 Noes - 270
			37 Members U.M. Trivedi, BJS; 29 Members	(1.11.66); 2.11.66, 3.11.66, 4.11.66, 7.11.66; 13 hrs. 27 mts.	Negatived Ayes - 36 Noes - 235
Indira Gandhi-II 13.3.67-17.3.71 in Fourth Lok Sabha (4.3.67-27.12.70)	Congress; 279/520 (53.65%)	Six NCMs	A.B. Vajpayee, BJS;	(18.3.67); 18.3.67, 20.3.67;	Negatived Ayes - 162 Noes - 257
			23 Members Madhu Limaye, SSP;	8 hrs. 13 mts. (22.11.67); 22.11.67, 23.11.67	Negatived Ayes - 88
			26 Members	24.11.67; 11 hrs. 25 mts.	Noes - 215

<i>Council of Ministers</i>	<i>Party; Seats won/ NCMs Total; (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of (grant of leave)/ discussion; time taken</i>	<i>Result</i>
			Balraj	(20.2.68);	Negated
			Madhok, BJS;	27.2.68, 28.2.68;	Ayes - 75
			20 Members	6 hrs. 27 mts.	Noes - 205
			Kanwar Lal	(11.11.68);	Negated
			Gupta, BJS;	11.11.68, 12.11.68,	Ayes - 90
			22 Members	13.11.68;	Noes - 222
				11 hrs. 25 mts.	
			P. Ramamurti,	(18.2.69);	Negated
			CPI-M;	18.2.69, 19.2.69,	Ayes - 86
			26 Members	20.2.69;	Noes - 215
				10 hrs. 6 mts	
			Madhu	(28.7.70);	Negated
			Limaye, SSP;	28.7.70, 29.7.70;	Ayes - 137
			29 Members	9 hrs. 20 mts.	Noes - 243
Indira Gandhi-III 17.3.71-24.3.77 in Fifth Lok Sabha (15.3.71-18.1.77)	Cong-R; 350/515; (67.96%)	Four NCMs	Jyotirmoy	(21.11.73);	Negated
			Bosu, CPI-M;	21.11.73, 22.11.73;	Ayes - 54
			19 Members	11 hrs. 21 mts.	Noes - 251
			Jyotirmoy	(9.5.74);	Negated
			Bosu, CPI-M;	9.5.74, 10.5.74;	by voice
			31 Members	11 hrs. 16 mts.	vote
			Jyotirmoy	(22.7.74);	Negated
			Bosu, CPI-M;	23.7.74, 24.7.74,	Ayes - 63
			25 Members	25.7.74;	Noes - 297
				14 hrs. 1 mts.	
			Jyotirmoy	(9.5.75);	Negated
			Bosu, CPI-M;	9.5.75;	by voice
			16 Members	6 hrs. 06 mts.	vote.

Indira Gandhi's First Cabinet

In the very first year of her taking over as the Prime Minister in the Third Lok Sabha, Smt. Indira Gandhi had to face two No-confidence Motions moved by Shri H.N. Mukherjee of the Communist Party of India (CPI) and Shri U.M. Trivedi of the Bharatiya Jan Sangh (BJS). Both the motions were debated for four days each - the first one for a period of 15 hours 25 minutes in which 37 members participated and

the second one for a period of 13 hours 27 minutes in which 29 members participated. Both, when put to vote, were negated by 61 votes to 270 and 36 votes to 235, respectively.

Hiren Mukherjee's Motion

In the first No-confidence Motion moved on 1 August 1966, Shri Hiren Mukherjee criticised the devaluation of the rupee and said that it was only the beginning of the rot. The collapse of the rupee would lead to the collapse of the Indian economy. The Government had neither the conviction nor the talent needed to nationalise banking and the export-import trade, two steps which could have rendered devaluation unthinkable. He lamented that India's attitude on the Vietnam war, which had been launched in defiance of every cherished principle of international conduct and even of humanity, was shocking. The present Government, Shri Mukherjee said, was inefficient, insensitive and corrupt.

Reacting on 4 August 1966 to the points made in the debate, the Prime Minister Smt. Indira Gandhi emphatically said that the Government had not been pressurised on the question of devaluation. It was an unhappy decision which had to be taken in order to stop the worsening of the economic situation. It was argued that had the Government nationalised foreign trade, there would not have been any need to devalue the rupee. But even in countries which had nationalised the foreign trade, they had to devalue their currency, she said. India was vitally concerned about the peaceful settlement of the conflict in Vietnam as the continuation of the war there was a threat to world peace. India would always continue to play as big a role as she could in reducing tensions, in preventing wars and in safeguarding peace, said the Prime Minister.

Trivedi's Motion

On 2 November 1966, in the second No-confidence Motion against Smt. Indira Gandhi, Shri U.M. Trivedi said that the Government had created an impression that agitation backed by force had to be carried on for getting any demand conceded. That was what lay behind the students' agitation. The growth of parochial tendency had resulted in large-scale destruction of public property. By refusing to listen to reason and giving way to violence, the Government was itself responsible for the present situation. Permit controls and licences had become a menace to the society. The Government had failed on the home front, on the foreign front and on the economic front; on the food front, it had failed miserably.

Participating in the debate on 4 November 1966, Shri S.K. Patil, Minister of Railways, said that if the students had some academic difficulties they had to be settled in an academic atmosphere. Intervening on 7 November 1966, Prime Minister Smt. Gandhi expressed her deep concern at the atmosphere of violence and defiance

of law prevailing in the country. The Government was prepared to look into the demands provided they were presented in a proper manner, she said.

Indira Gandhi's Second Cabinet

The Congress monopoly of power was broken after 1967. In the General Elections to the Fourth Lok Sabha, Congress was able to win just a simple majority securing 53.65 per cent of the total seats. In 1969, the Congress Party split and as a result the clear majority of the party in power was eroded. In her second rule spanning less than four years in the Fourth Lok Sabha, Smt. Gandhi had to face a tougher challenge from the Opposition. Six motions expressing want of confidence in her Council of Ministers were moved and debated during this period. They were tabled by Shri Atal Bihari Vajpayee, Shri Madhu Limaye, Shri Balraj Madhok, Shri Kanwar Lal Gupta, Shri P. Ramamurti and the last again by Shri Madhu Limaye. The participation of members in the debates ranged from 20 to 29 members. The time taken was between a low of 6 hours 27 minutes and a high of 11 hours 25 minutes spanning two to three days. All the motions were negatived with wide margins (See Table 9).

Vajpayee's Motion

The imposition of President's Rule in Rajasthan and the suspension of the State Legislative Assembly were the main grounds which led to the first No-confidence Motion on 18 March 1967. Narrating the events, Shri Vajpayee (BJS) said that the Opposition parties in the State had formed a joint front with an agreed programme and were having support of a majority of legislators. They should, therefore, have been invited to form the Government. The argument of the Governor that he did not take the Independent members into account while considering the strength of a party was wholly untenable because the Independents were also people's representatives and members of the Legislature for all purposes. He said that if the tide of the time was ignored and the non-Congress Governments were scuttled, the people would revolt and throw out the Congress.

The Home Minister Shri Y.B. Chavan, participating in the debate on 20 March 1967, said that there was no doubt that the imposition of President's Rule in Rajasthan was not a pleasant choice, but there was no alternative. The election results did not give clear majority to any political party. The Governor expressed his view that it was very difficult for him to accept the Independents as a reliable factor in calculating the strength of any party. Therefore, the only thing he could do was to invite the leader of the largest party in the Assembly to form the Government. When he did so, the Opposition parties combined to start an agitation resulting in disorder in the city of Jaipur. The leader of the majority party, however, expressed his inability to form the Government. In the circumstances that prevailed in the State, the Governor felt that to invite the Opposition leaders to form the Government would be putting a sort

of premium on violence. Therefore, it was decided to suspend the Assembly till the time conditions were created in which a responsible Government could be installed.

Intervening in the debate on the same day, *i.e.* on 20 March 1967, the Prime Minister Smt. Gandhi said that No-confidence Motions had become such a routine that their repeated and unsuccessful use would blunt their utility. The fact that non-Congress Governments had been formed in a number of States proved that the Central Government did not want to cling to power and act undemocratically. She earnestly hoped that very soon there would be a peaceful atmosphere in Rajasthan facilitating the formation of a responsible Government in the State.

Limaye's First Motion

In support of the second No-confidence Motion against Smt. Gandhi, moved on 22 November 1967, Shri Madhu Limaye of the Samyukta Socialist Party (SSP) referred to the political crises in Haryana and the fall of the non-Congress Government in West Bengal. He charged the Centre with the conspiracy of toppling of the non-Congress Governments in the States and said that the Government had destroyed democracy and had shattered the economy of the country.

Defending the action of the Government in West Bengal and Haryana on 23 November 1967, the Deputy Prime Minister Shri Morarji Desai said that the Governor of West Bengal had suggested to the Chief Minister to convene the Assembly within seven days as he had got evidence showing that the latter had lost the majority. The Chief Minister of West Bengal proposed to call a meeting, more than a month-and-half after the suggestion was made to him. It was not possible for the Governor to keep the Chief Minister in office for such a period. As regards Haryana, the Central Government did not interfere there. Only when the Governor found that democracy was becoming a mockery as a result of the defections, he had to dismiss the Ministry and order fresh elections. Defections as such were wrong under all circumstances, said Shri Desai.

In her intervention on 24 November 1967, Prime Minister, Smt. Indira Gandhi said that in a Motion of No-confidence, the Government looked for some alternative policy or at least for some broad framework of an alternative policy which could be followed by the Government. But, when there were not one alternative policy but as many alternative policies as there were parties, and sometimes as there were members in a party, then there was not much sense in a No-confidence Motion.

Madhok's Motion

In the third motion moved on 27 February 1968, Shri Balraj Madhok (BJS) said that the Government had failed in its duty to defend the sovereignty and territorial integrity of the country. He criticised the Rann of Kutch agreement between India and Pakistan as a bad agreement. Since the agreement was bad, the award was

perverse. The award had given an unnatural boundary cutting Kutch through the country. He charged that the Government was a weak one which was neither feared by our enemies nor respected by our friends. There was a need of nationalist forces coming together and forming a nationalist Government to keep the country united and democratic.

Intervening, the Deputy Prime Minister Shri Morarji Desai referred to article 51 of the Constitution pertaining to the Directive Principles which prescribed for the settlement of international disputes by arbitration and justified the agreement and award for the Rann of Kutch. Besides, the agreement to refer the matter for arbitration was discussed in the House and was accepted. The House resolution was binding on everybody.

On 28 February 1968, the Prime Minister Smt. Gandhi said that the Government must honour its commitments as the decision of the Tribunal was binding on both the Governments and could not be questioned on any grounds whatsoever. She added that the Government was certainly not fully satisfied with the decision of the Tribunal. But India must honour her international commitment in the earnest hope that the settlement of this issue would close an unfortunate chapter of conflict and promote the development of normal relations between the two countries.

Gupta's Motion

The fourth No-confidence Motion moved on 11 November 1968 by Shri Kanwar Lal Gupta (BJS) mainly related to the tragic events connected with the handling of the Government employees' strike on 19 September 1968. Shri Gupta charged that during the strike, the police had indulged in the most inhuman methods of repression against the employees of the Indraprastha Bhawan. The Government employees wanted their demand for a need based minimum wage to be referred to arbitration. By failing to do so, the Government forced them to go on strike.

On 12 November 1968, the Minister of Home Affairs, Shri Y.B. Chavan said that it had been argued for the last 20 years that the Government servants should not be allowed to go on strike and paralyse the Government machinery. At the same time, it was said that there must be a forum where the problems of the Government employees could be positively examined. For that purpose, a joint consultative machinery was constituted. As far as the Indraprastha firing was concerned, he agreed that there was certainly a very wrong use of force by the police. He was very sad that some people lost their lives in the firing.

When the Prime Minister Smt. Gandhi rose to react on 13 November on behalf of the Government, Opposition members sought commitment from her for revocation of suspension order against Government employees. Smt. Gandhi said that the Government could not be bullied into saying anything. There was uproar and intervention because of which Smt. Gandhi could not complete her speech. When

called upon by the Speaker to reply, Shri Kanwar Lal Gupta recommended payment of need based minimum wages to the employees.

Ramamurti's Motion

The fifth No-confidence Motion against Smt. Gandhi was jointly tabled by Shri P. Ramamurti of the CPI-M and other Opposition members. The sponsors of the motion sought to censure her Government for toppling the non-Congress Governments in some of the States, encouraging aggressive regional movements like the Shiv Sena and failure to ensure balanced regional development of the country as a whole. No sooner had the motion been admitted on 18 February 1969, the Prime Minister indicated her readiness to have an immediate discussion. The debate on the motion continued for three days and took more than 10 hours in which 26 members participated. Rising in defence of her Government, the Prime Minister appealed for a national consensus on regional and parochial issues.

Limaye's Second Motion

The grounds on which Shri Madhu Limaye (SSP) tabled on 28 July 1970 his Motion of No-confidence against Smt. Indira Gandhi were the likelihood of rigging in the ensuing mid-term poll in Kerala through manipulation of electoral rolls, and the excessive concentration of power in the hands of the Prime Minister. Defending her Government, Smt. Gandhi denied the charges and rejected the demand for issuing any direction to the Election Commission. She observed that elections in India had been free and fair, giving the people unfettered opportunities to express their preferences.

Indira Gandhi's Third Cabinet

In the normal course, the term of the Fourth Lok Sabha would have expired only in the year 1972. The General Elections, however, were advanced to 1971 in which Smt. Indira Gandhi's faction of the Congress Party won a two-third majority and formed the Ministry. During the tenure of Smt. Gandhi in the Fifth Lok Sabha, the country was brought under Emergency on 25 June 1975 which remained in force for 19 months. Moreover, the term of the Fifth Lok Sabha was extended by one year beyond its normal five-year period. There were four No-confidence Motions in her third Council of Ministers, all tabled by the CPI-M member Shri Jyotirmoy Bosu. In three cases, the discussion was initiated by the mover of the motion, Shri Jyotirmoy Bosu, while in one case discussed on 9 and 10 May 1974, the Speaker Dr. G.S. Dhillon permitted CPI-M member, Shri Samar Mukherjee to initiate the debate. The discussion on each of these motions lasted between six and 14 hours. All the motions, which were well participated, ended with their defeat - two of them having been negatived by voice vote.

Bosu's First Motion

Moving the motion on 21 November 1973 "that this House expresses its want of confidence in the Council of Ministers," Shri Bosu said that the Government had lost the credibility to continue in power. Intervening in the debate on 22 November 1973, the Minister of Finance Shri Y.B. Chavan said that the situation of inflation and rising prices was a passing phase. The Minister of Defence Shri Jagjivan Ram observed that the Government had at no time claimed that poverty had been eradicated or unemployment liquidated or the standard of living of the teeming millions raised to a satisfactory level. Observing that the country had a very bad experience of running of administration by coalitions of diametrically opposed Opposition parties, he said that the Congress was the only party which had the capacity to run the administration. Speaking on the motion, Smt. Gandhi said that democracy did impose certain responsibilities on the majority party to see that the voice of the minority was not suppressed and on the minority party too, specially in times of crisis, not to block programmes which had been passed by Parliament.

Bosu's Second Motion

The main ground in the second motion was the railway strike. Having been authorised by the Speaker to initiate the discussion on the motion moved by Shri Jyotirmoy Bosu on 9 May 1974, Shri Samar Mukherjee of the CPI-M said that the Government had forced the railwaymen to go on strike. Government should start negotiations without any preconditions, on the basis of which the strike might be called off. Speaking on behalf of the Government, the Minister of Railways Shri L.N. Mishra said that barring bonus and parity of pay scales with public undertakings, all the other demands of the railwaymen had been conceded. Intervening on 10 May 1974 in the 11-hour debate, the Prime Minister Smt. Gandhi said that while the Government had full sympathy with the suffering of the railway employees, it was to be considered whether the Government could go along the road of giving more and more at a time when there was less and less.

Bosu's Third Motion

Moving the third motion on 23 July 1974, Shri Jyotirmoy Bosu said that the ordinances that had been promulgated introducing Compulsory Deposit Scheme for income tax payers and putting restriction on dividends were wholly unjustified. The price rise had been caused by artificially contrived scarcity and there was widespread corruption in the country. Defending her Government, Smt. Gandhi solicited the cooperation of all sections of society in the implementation of anti-inflationary programmes and said that the menace of inflation would have to be fought with united will and determination. The Prime Minister also urged the social boycott of smugglers, tax evaders and hoarders.

Shortest debate over Bosu's Fourth Motion

In the fourth and the last No-confidence Motion moved on 9 May 1975 against the third Government of Smt. Gandhi, Shri Jyotirmoy Bosu alleged that the Government ostensibly talked of democracy and socialism, while in actual practice, it acted quite contrary to its profession. Intervening in the shortest ever debate on a No-confidence Motion in the Lok Sabha, the Minister of Agriculture and Irrigation, Shri Jagjivan Ram said that the Government was aware of the people's difficulties and was trying to solve them. The Prime Minister, Smt. Gandhi observed that India's voice was heard with respect in every world forum. No one had claimed that poverty in India would be banished suddenly. But it was a fact that the country's poverty was not the same as it was 10 or 15 years ago. In view of the continued infiltration and subversion on the border, accumulation of arms and ammunitions in the region and new pressures facing the country, the Government could not weaken itself by lifting the Emergency. She, however, maintained that there was no curb on legitimate political activity in the country.

Morarji Desai

In the elections to the Sixth Lok Sabha, the people of India, for the first time since Independence, voted for a non-Congress Government. The newly formed Janata Party won an impressive victory. The new Government led by the former Congress stalwart Shri Morarji Desai was given an overwhelming popular mandate.

During the tenure of Shri Morarji Desai, two No-confidence Motions were moved. The first was negatived. The discussion on the second remained inconclusive though it led to the fall of his Government (See Table 10).

Table 10: NCMs against Council of Morarji Desai (24.3.77-28.7.79)

<i>Council of Ministers</i>	<i>Party; Seats won/ Total, (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of (grant of leave)/ discussion; time taken</i>	<i>Result</i>
Morarji Desai 24.3.77-28.7.79 in Sixth Lok Sabha (23.3.77-22.8.79)	Janata Party* Two 297/540 (55%)	NCMs	C.M. Stephen, Cong.I; 28 Members	(10.5.78); 10.5.78, 11.5.78; 10 hrs. 19 mts.	Negatived by voice vote.
			Y.B. Chavan, Cong.I; 23 Members	(10.7.79); 11.7.79, 12.7.79; 9 hrs. 13 mts.	Discussion remained inconclu- sive.

Stephen's Motion

Moving the first motion on 10 May 1978, the Leader of the Opposition, Shri C.M. Stephen (Congress-I) said that taking the totality of the situation, there was no

* Janata Party came into existence with the merger of Congress(O), Bharatiya Jan Sangh, Bharatiya Lok Dal, Socialist Party and Congress for Democracy.

area where the Janata Party had succeeded since it came to power thirteen months ago. Social tensions were mounting and a new phenomenon of tension between the Centre and the States had arisen. The Government was aiming at bringing in multinationals against the indigenous industries. On behalf of the Government, Shri S.N. Mishra said that the root cause of the No-confidence Motion lay in the presentation of two reports by the Shah Commission which was going into the excesses committed during the Emergency. The Government was not vindictive. No Prime Minister who had put the entire country into a prison house would have escaped as lightly as the ex-Prime Minister, he said. In a brief intervention, the Minister of Steel and Mines, Shri Biju Patnaik, asserted that it was the first time in 30 years that the country had the most democratic Cabinet and Government. The Janata Party had problems as it had brought ten parties together and it would take time to fuse them into one powerful party. The Minister of Defence, Shri Jagjivan Ram, intervening in the discussion on 11 May 1978, said that the Janata Party was a living institution and difference of opinion would continue to be there so long as there were intellectuals in the party. Speaking on the motion, the Prime Minister Shri Morarji Desai said that the Janata Government had brought about many changes in the country. There was complete freedom for the Press and throughout the country everybody was free to say what he liked. For the first time, in the elections, the Opposition had the facility of speaking on the radio as much as the ruling party. The Leader of the Opposition had been recognised fully and the Opposition was being consulted on various issues, he said.

Chavan's Motion

The second motion against Shri Desai was discussed at a time when the ruling Janata Party was faced with dissensions in the party. Initiating the discussion on 11 July 1979, Shri Y.B. Chavan of the Congress (I) observed that there was a crisis of confidence involving all walks of life. The intellectuals and the elite were dissatisfied with the Government. The peasantry and the industrial workers were also unhappy. The communal trouble went on for months together and the Muslims were feeling unsafe in the country. The problems of the North-Eastern region was also not being wisely tackled. The situation on the economic front was no better. Production was falling and the prices were rising. Supporting the motion, Shri C.M. Stephen of the Congress (I) said that the Janata Government had collapsed in every area. It had become a minority Government. The Janata Party had splintered up and its identity had been lost. Speaking on the motion on 12 July 1979, the Minister of Industry, Shri George Fernandes said that despite problems in the economic sector, the Government was doing well. The industrial growth was eight per cent the previous year and agricultural production had surpassed all records. The discussion remained inconclusive when the House rose for the day. Later, on 15 July 1979, the Prime

Minister, Shri Morarji Desai tendered to the President Shri Neelam Sanjiva Reddy the resignation of his Council of Ministers. The President, while accepting the resignation, requested Shri Desai to continue in office till a new Government was formed. The two communications were laid on the Table of the House by the Secretary on 16 July 1979, whereafter the Speaker adjourned the House *sine die*.

Charan Singh

After the fall of the 28-month-old Janata Government headed by Shri Morarji Desai on 15 July 1979 and the subsequent expression of inability by the Leader of the Opposition in Lok Sabha Shri Y.B. Chavan on 26 July 1979 to form the Government, the President Dr. Neelam Sanjiva Reddy invited the leader of the newly formed 76-member Janata (Secular) Party, Chaudhary Charan Singh to form the Government. Ch. Charan Singh was supported by the Congress, the Congress(I), the Socialist group, the CPI, the Peasants and Workers Party and the Muslim League. A nine-member coalition Ministry headed by Ch. Charan Singh was sworn in by the President on 28 July. The Prime Minister was asked by the President to prove his majority at the earliest possible opportunity.

The Lok Sabha was summoned to meet on 20 August 1979. For the first time in the history of the Lok Sabha, a notice for a motion expressing confidence in the Council of Ministers was admitted and included in the List of Business on 20 August 1979 (see Table 11). Before the commencement of the House that day, the Congress(I) Party announced withdrawal of its support to the Charan Singh Ministry.

Table 11: CM in Council of Charan Singh (28.7.79-14.1.80)

<i>Council of Ministers</i>	<i>Party; Seats won/ Total; (%)</i>	<i>CMs/ NCMS</i>	<i>Mover; No. of Members participated time taken</i>	<i>Dates of (admission)/ discussion;</i>	<i>Result</i>
Charan Singh 28.7.79-14.1.80 in Sixth Lok Sabha (23.3.77-22.8.79)	Janata (S)* 76/540 (14%)	One CM		13.8.79	Motion listed for 20.8.79 not moved as PM tendered resignation

* Congress (75), Congress(I) (71), Socialist Group, CPI, Peasants and Workers Party and Muslim League assured support to the Charan Singh Government.

The House, when it assembled on 20 August, was informed of the resignation tendered that day by Ch. Charan Singh which had been accepted by the President. The President had requested Ch. Charan Singh to continue in office till other arrangements were made. The Confidence Motion slated for discussion thus could not be moved and the House was adjourned *sine die*. On 22 August 1979, President Reddy dissolved the Sixth Lok Sabha.

Second Phase of Indira Gandhi

There was another split in the Congress Party during the Janata Government period which formalised the creation of the Congress (Indira) Party. In the General Elections to the Seventh Lok Sabha held in January 1980, the Congress(I) secured a comfortable majority and the Ministry was formed under the leadership of Smt. Indira Gandhi.

Indira Gandhi's Fourth Cabinet

In her fourth Council of Ministers, Smt. Gandhi had to face three No-confidence Motions, all of which were negatived (See Table 12)

Table 12: NCMs against Council of Indira Gandhi (14.1.80-31.10.84)

<i>Council of Ministers</i>	<i>Party; Seats won/ Total; (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of (grant of leave)/ discussion; time taken</i>	<i>Result</i>
Indira Gandhi-IV 14.1.80-31.10.84* in Seventh Lok Sabha (10.1.80-31.12.84)	Cong.(I); 353/524 (67.37%)	Three NCMs	George Fernandes; Janata (S); 21 Members	(7.5.78); 8.5.81, 9.5.81;** 10 hrs. 40 mts.	Negatived; Ayes - 92 Noes - 278
	.		Samar, Mukherjee; CPI-M; 19 Members	(17.9.81); 17.9.81; 9 hrs. 47 mts.	Negatived; Ayes - 86 Noes - 297

* Indira Gandhi was assassinated on 31.10.84

**The discussion started on 8.5.81 and continued upto 0217 hours on 9.5.81 when, after the motion was negatived, the House was adjourned *sine die*.

<i>Council of Ministers</i>	<i>Party; Seats won/ Total; (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of (grant of leave)/ discussion; time taken</i>	<i>Result</i>
			H.N. Bahuguna; Democratic Socialist Party; . 25 Members	(13.8.82); 16.8.82; 10 hrs. 3 mts.	Negated; Ayes - 112 Noes - 333

Fernandes' Motion in the Absence of PM

During the debate held in May 1981 over the first No-confidence Motion, the Prime Minister was not present as she had gone abroad to address the World Health Organisation on an invitation that had been accepted long before the motion was admitted.

Earlier, on 7 May 1981, when Shri George Fernandes, Janata(S), sought the leave of the house to move the No-confidence Motion, Shri C.M. Stephen (Congress-I) observed that the motion was primarily against the Prime Minister and her Cabinet. Since the Prime Minister was abroad, the Congress (I) was not in favour of discussing the motion. Shri Stephen further stated that the constraint that the Prime Minister would not be there to reply should be considered at the stage of seeking leave of the House. The Speaker, Dr. Bal Ram Jakhar, however, observed that the motion was against the Council of Ministers and could, therefore, be taken up. Even though Shri Ram Vilas Paswan was the first signatory to the No-confidence Motion, he allowed Shri George Fernandes to seek leave of the House and initiate the discussion. As not less than 50 members rose in support of the motion, the leave of the House was granted.

Moving the motion on 8 May 1981, Shri George Fernandes alleged that prices of essential commodities had risen sky high. Besides a negative trade balance, the foreign exchange reserves had come down. The Government also had failed to flush out the black money. A sum of rupees 700 crore was being spent on the Asian Games resulting in stoppage of work on hospitals, bridges and irrigation projects. He further charged that there was police oppression on socially and economically suppressed people. Prof. Madhu Dandavate and Shri Indrajit Gupta accused the Government of misusing the National Security Act against political opponents.

Allaying the fears expressed by the members that there was a move to usher in Presidential form of Government, Giani Zail Singh, Minister of Home affairs, assured the House that no such proposal was under consideration of the Government.

Defending the National Security Act, he maintained that there was need for such an Act to curb the activities of miscreants and ensure the security of the common people. Shri R. Venkataraman, Minister of Finance, attributed the reduction in foreign exchange reserves to the enormous oil bill. As regards the holding of Asian Games in India in 1982, the Finance Minister said that the proposal had been approved by both the Congress and Janata Governments and in view of the commitment already made, it would be awkward to withdraw. After Shri George Fernandes replied to the debate on 9 May 1981, the motion was negatived by 92 to 278 votes.

Samar Mukherjee's Motion

The second No-confidence Motion against Smt. Gandhi's fourth Council of Ministers was moved by Shri Samar Mukherjee of the CPI-M on 17 September 1981. Shri Mukherjee expressed the fear that the situation in the country was drifting towards chaos. He called for a ban on wholesale trading of essential commodities with a view to ensuring their supply at cheaper rates to the poor. There was no urgency for issuing the Ordinance regarding maintenance of essential services and this had been done under compulsions from the International Monetary Fund (IMF). Unless the entire policy of the Government was changed, there was no future for the teeming millions of the country.

Shri C.M. Stephen, the Minister of Communications, said that the motion was politically motivated. Intervening in the discussion, the Prime Minister, Smt. Indira Gandhi said that the Government had been acting with clarity, decisiveness and vigour in the economic field, the overall domestic scene or in foreign policy related matters and the whole world knew that there was a Government and not a collection of disparate groups. She said that the Essential Services Maintenance Bill had been brought forward not because the Government did not have faith in the workers, but because there were enough people to mislead them for political purposes. On the question of loan from the I.M.F., the Prime Minister said that this was not the first time the Government had borrowed from abroad. At no time the country had such a strong position. She further stated that India would not accept any condition against the declared policy and national interest. The motion when put to vote was negatived by 86 votes to 297.

Bahuguna's Motion

The third No-confidence Motion against Smt. Gandhi's Council of Ministers was moved by Shri H.N. Bahuguna of the Democratic Socialist Party on 16 August 1982. He said that the Government represented monopoly capitalists. There was uneven economic development and draining of resources from the North Eastern region to other areas. The number of people below poverty line was increasing progressively. Supporting the motion, Shri Samar Mukherjee of the CPI-M contended

that the Bihar Press Bill had been brought to prevent leakage of news regarding corruption.

Intervening in the debate, Smt. Gandhi emphasised that self-reliance had been and would always remain India's basic objective. She made it clear that the Government was not throwing open the entire economy to foreign investment but only such segments which would increase exports and bring sophisticated knowhow. The Prime Minister assured the House of the commitment of her Government to a free Press. The Press, she, however, said, had to be not only free but responsible. As regards the Bihar Press Bill, she pointed out that it was not something new. Two Indian States, namely Tamil Nadu and Orissa, had earlier passed such bills. Referring to the problem of poverty, the Prime Minister said that millions of people had been raised above the poverty line. The motion was negatived by 112 to 333 votes.

Rajiv Gandhi

Shri Rajiv Gandhi was sworn in as the Prime Minister after the assassination of his mother Smt. Indira Gandhi on 31 October 1984. Since the term of the Seventh Lok Sabha, which was constituted on 10 January 1980, was coming to a close, he immediately went to the people for a fresh mandate. He was returned to power in the December 1984 elections with the biggest ever majority any political party had in the Lok Sabha so far, securing 415 of the 515 seats in the Eighth Lok Sabha.

In the entire tenure of his two Councils, one No-confidence Motion was moved by Shri C. Madhav Reddy of the Telugu Desam, and debated in December 1987. It was negatived by voice vote (see Table 13).

Table 13: NCMs against Councils of Rajiv Gandhi (31.10.84-1.12.89)

<i>Council of Ministers</i>	<i>Party; Seats won/ Total; (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of (grant of leave)/ discussion; time taken</i>	<i>Result</i>
Rajiv Gandhi-I 31.10.84-31.12.84 in Seventh Lok Sabha (10.1.80-31.12.84)	Cong.(I); 353/524 (67.37%)				
Rajiv Gandhi-II 31.12.84-1.12.89 in Eighth Lok Sabha (31.12.84-27.11.89)	Cong.(I); 415/515 (80.58%)	One NCM	C. Madhav Reddy;Telugu Desam; 22 Members	(10.12.87); 10.12.87,11.12.87; 12 hrs. 45 mts.	Negatived; by voice vote.

Reddy's Motion

Moving the motion on 10 December 1987, Shri C. Madhav Reddy (Telugu Desam) alleged that the style of functioning of the Prime Minister Rajiv Gandhi was in contrast to the earlier Prime Ministers inasmuch as he never cooperated with the

Chief Ministers of the State Governments run by the Opposition Parties. Shri Dinesh Goswami of the Asom Gana Parishad blamed the Government for failing to carry out electoral reforms in the last three years.

Participating in the discussion, Shri Narayan Datt Tiwari, Minister of Finance and Commerce, said that all parameters of the economy, except for some distortions brought about by drought, were showing satisfactory results. Denying any departure from the established policies being pursued by the Government, the Minister of Human Resource Development, Shri P.V. Narasimha Rao, said that there had to be re-orientation in the implementation of those policies as time passed by.

The Prime Minister, Shri Rajiv Gandhi affirmed that the Government had given a new orientation to the alleviation of the sufferings of the people below the poverty level. Progress and development of the country had been achieved through the utilization of science and technology in the daily lives of the people. In the agricultural sector, the Green Revolution was spreading eastwards for the first time. As regards Centre-State relations, Shri Rajiv Gandhi asserted that these had never been as cordial as they were in the last three years. There was no discrimination in allocation of funds between the States ruled by the Congress(I) and those ruled by the Opposition. The Government had complete faith in the Constitution, the Judiciary, the Parliament and in the law of the land. It stood for complete and total freedom of the Press and independence of the Judiciary.

The motion was negated by voice vote.

Vishwanath Pratap Singh

After the General Elections to the Ninth Lok Sabha, even though the Congress(I) happened to be the single largest party with 194 seats in its tally, it did not stake claim to form the Government. The National Front of Janata Dal and its alliance partners could muster a strength of 144 seats. The BJP which had won 86 seats and the Left Front with 55 seats agreed to support the V.P. Singh-led National Front from outside. Shri V.P. Singh was, therefore, invited by the President Shri R. Venkataraman on 1 December 1989 to form the Government. It was the second time since Independence that the Opposition parties had succeeded in wresting power from the Congress at the Centre. For the first time in its parliamentary history, India had a "minority government with majority support." Since Shri V.P. Singh did not have a clear majority on his own, he was asked by the President to prove his majority within 30 days.

Table 14: CMs in Council of V.P. Singh (2.12.89-10.11.90)

<i>Council of Ministers</i>	<i>Party; Seats won/ Total; (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of (admission)/ discussion; time taken</i>	<i>Result</i>
V.P. Singh 2.12.89-10.11.90 in Ninth Lok Sabha (2.12.89-13.3.91)	National Front; 144*/520 (27.22%)	Two CMs	V.P. Singh; National Front; 17 Members	(18.12.89); 21.12.89; 5 hrs. 20 mts.	Adopted by voice vote
			V.P. Singh; National Front; 23 Members	(29.10.90); 7.11.90; 11 hrs. 12 mts.	Negatived; Ayes - 152 Noes - 356

*BJP (86) and Communist Parties (55) supported from outside.

V.P. Singh's First Motion

On 18 December 1989, the opening day of the First Session of the Ninth Lok Sabha, Shri V.P. Singh gave notice of the motion "that this House expresses its confidence in the Council of Ministers", which was admitted and listed for discussion on 21 December 1989. This was the first Confidence Motion which was discussed by the House and later adopted by voice vote. (See Table 14).

After Shri V.P. Singh moved the Confidence Motion, Shri A.R. Antulay (Congress-I) said that the very fact that such a motion had to be tabled by the Government demonstrated that the Government was lacking confidence at the time of appointment of the Prime Minister by the President.

Shri L.K. Advani (BJP) said that the motion moved by the Prime Minister was in accordance with the directive of the President. The President had established the very right convention by doing so and it would become a convention for ever. While Shri Somnath Chatterjee (CPI-M) observed that the present Government should be given an opportunity to implement their manifesto, the CPI leader Shri Indrajit Gupta said that not supporting the Government at that stage would leave the country without a Government as no single party had an absolute majority in the House.

The Prime Minister Shri V.P. Singh candidly admitted that his minority Government had its own limitations. He, however, expressed happiness that Indian democracy had demonstrated its maturity by moving from personalised politics to issue based politics. Referring to the problems in Punjab, Jammu and Kashmir and the issue of Ram Janmabhoomi-Babri Masjid, the Prime Minister pointed out that these were burning problems as the fires had been stoked much earlier. There was a need for reconciliation but there was no question of compromise with the secessionists. Shri Singh further emphasised the need for democratisation in political, economic and social fields. He added that the Government would bring decentralisation to the village level, which would keep the federal structure intact and bring power to the people. The Government would come up with a Lokpal Bill for probity in public life and also a Bill providing for the right to information.

The motion was adopted by voice vote.

V.P. Singh's Second Motion

The BJP withdrew support from the National Front Government on 23 October 1990. Consequently, the Government was reduced to a minority. The President Shri R. Venkataraman thereupon advised Shri Singh to prove his majority by 7 November 1990. Shri Singh tabled the notice of the Confidence Motion under Rule 184 which was admitted for discussion on 26 October 1990. Meanwhile, 18 notices of No-confidence Motion under Rule 198 expressing want of confidence in the Council of Ministers of Shri V.P. Singh were also received. The Speaker Shri Rabi Ray, however, gave priority to the moving of the Confidence Motion by Shri V.P. Singh.

Opposing the motion moved by Shri V.P. Singh, Shri Chandra Shekhar (Janata Dal) commented that if the Prime Minister had tendered his resignation instead of talking about principles, that would have been much better and would have saved the pride of the nation. Shri Devi Lal of the Janata Dal apprehended that attempts were being made to create tension in the country so as to enable the Prime Minister V.P. Singh to win the elections. The Leader of the Opposition, Shri Rajiv Gandhi observed that the Government had provoked communalism to raise its head by deliberately dividing the society. The BJP leader Shri L.K. Advani felt that had there been no intervention by the Government in the Ayodhya matter, the leaders of Hindus and Muslims could have solved the problem by mutual discussions. Had the Government given its resignation immediately after the withdrawal of support by the BJP on 23 October 1990, the country could have been saved from a blood bath.

Supporting the motion, Shri Somnath Chatterjee (CPI-M) felt that a vote against the motion was a vote against secularism and for the disintegration of the country. Shri Indrajit Gupta (CPI), appealed to the Congress (I), which was committed to secularism, not to be seen in the company of the BJP by voting together to bring down the Government. The Minister of Textiles and Food Processing Industries, Shri Sharad Yadav assured that if the caste system was abolished and an amendment to this effect was made in the Constitution, the Government would withdraw the Mandal Commission Report.

The Prime Minister Shri V.P. Singh said that the Government had made a decision about their fate when the BJP passed a resolution about withdrawal of support to the Government in case their *Rath Yatra* or *Kar Seva* was stopped. If the Government had made a compromise with the BJP on this issue, they would have survived. But, when the choice before the Government was opting either for power or principle, they thought it better to opt for the latter. As regards the Ram Janmabhoomi-Babri Masjid controversy, the Prime Minister stated that a Bill should be brought in the House to maintain *status quo* in respect of all the religious places in the country taking into account a certain definite date, so that no dispute arose in future. Shri V.P. Singh also maintained that unless the backward classes entered the power structure, their problems would not be solved. The Government's decision to implement the Mandal Commission Report was a step in the right direction. The Prime Minister appealed to the members to vote according to their conscience, irrespective of party affiliations, keeping in view the interests of the depressed and exploited sections of the society and with a view to safeguarding secularism, the Constitution and the unity of the country.

The Confidence Motion was debated for 11 hours 12 minutes and when put to vote was negatived by 152 to 356 resulting in the fall of Shri V.P. Singh's Government. The House was adjourned *sine die* on 7 November 1990 and later prorogued on 11 November 1990.

Chandra Shekhar

After the fall of the V.P. Singh Government, the President Shri R. Venkataraman invited one by one leaders of Congress(I), BJP and Left Parties to form the Government. They declined. The Leader of Congress(I), Shri Rajiv Gandhi, however, suggested that Shri Chandra Shekhar, Leader of the Janata Dal (Socialist) Party, to whom his party extended unconditional support, be invited by the President to form the Government. Accordingly, Shri Chandra Shekhar was invited by the President to form the Government on 10 November 1990 and asked to prove his majority in the Lok Sabha "on or before 20 November 1990."

Chandra Shekhar's Motion

On 13 November, Shri Chandra Shekhar tabled the Confidence Motion which was admitted and published in the *Bulletin* the same day. It was listed for 16 November 1990 on which date the Session was specially convened for testing the majority support. Shri Chandra Shekhar demonstrated his majority on the floor of the House that day. Brief particulars of the Confidence Motion are indicated in the Table below.

Table 15: CM in Council of Chandra Shekhar (10.11.90-21.6.91)

<i>Council of Ministers</i>	<i>Party; Seats won/ Total; (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of (admission)/ discussion; time taken</i>	<i>Result</i>
Chandra Shekhar 10.11.90-21.6.91 in Ninth Lok Sabha (2.12.89-13.3.91)	Janata Dal (S)*; 68/520 (13.08%)	CM	Chandra Shekhar; Janata Dal(S); 16 Members	(13.11.90); 16.11.90 6 hrs. 21 mts.	Adopted; Ayes - 280 Noes - 214

*Congress-I, AIADMK, Bahujan Samaj Party, Muslim League, National Conference, Kerala Congress(M), Akali Dal (Panthic) and a few Independent members supported from outside.

After the motion was moved, Prof. Madhu Dandavate (Janata), participating in the discussion, observed that the new Government was flouting the promises given to the electorate that they would fight the policies of the past Congress(I) Government. He urged the Prime Minister to give a categorical assurance that no withdrawal of cases arising out of the Bofors gun deal would be allowed under pressure from Congress(I). The BJP leader, Shri L.K. Advani said that the formation of the Government was in violation of the popular mandate since the mandate was positively against Congress(I). Shri Somnath Chatterjee (CPI-M) said that combinations of persons and parties with no common policies and programmes would solve none of the basic problems facing the country.

Intervening in the discussion, the Deputy Prime Minister, Shri Devi Lal noted that the recommendations of the Mandal Commission had not been implemented with good intentions. The Prime Minister Shri Chandra Shekhar said that the previous Government had collapsed as a result of internal differences. The economic situation had worsened during the previous eleven months and the need of the hour was to have unity among all on the question of removal of poverty, communalism and casteism from the country so as to assuage the hurt feelings of the people and build a new India. As for building a temple at the birth place of Lord Rama, the Prime Minister appealed to the religious leaders of both the Hindu and Muslim communities to sit together and try to find a solution and not to politicise the issue. Regarding the Bofors case, Shri Chandra Shekhar said that the law would take its own course and nobody would be spared, if found guilty. The motion was adopted by 280 to 214 votes.

Shri Chandra Shekhar's splinter group - Janata Dal (S) - commanded an insignificant strength in the Lok Sabha and depended critically upon the outside support of Congress(I). The tie-up with Congress(I) could not, however, last long. Later, when the Congress(I) withdrew support, Shri Chandra Shekhar, while replying in the Lok Sabha on 6 March 1991 to the Motion of Thanks on the President's Address, announced his resignation. This led to another General Election to the Lok Sabha in May-June 1991.

P.V. Narasimha Rao

The Tenth Lok Sabha was constituted on 20 June 1991. By-elections for 13 seats where elections had been countermanded were held in November 1991. Later, elections for the Lok Sabha seats in Punjab were held in February and June 1992. The party position that finally emerged in respect of the first three parties was Congress(I) 231; BJP 119; and JD 59 out of the total strength of 520. Since Congress(I) was the single largest party after the General Elections, even though it did not enjoy an absolute majority, its leader Shri P.V. Narasimha Rao was invited by the President Shri R. Venkataraman to form the Government and prove his majority on the floor of the House within four weeks. Shri Rao took over as the Prime Minister on 21 June 1991. He won a confidence vote in the Lok Sabha on 15 July 1991. Shri Rao, who was not a member of either House of Parliament, was later elected to the Lok Sabha from Nandyal (Andhra Pradesh) parliamentary constituency. During the tenure of the Tenth Lok Sabha, there were splits in Shiv Sena, Telugu Desam and Janata Dal. With the merger of split-away groups of these parties and the one-member parties, the Congress(I) managed by January 1996 a working majority with a strength of 260 members.

Shri P.V. Narasimha Rao ruled for the full term of the Tenth Lok Sabha. Besides winning the July 1991 Motion of Confidence, all the three No-confidence Motions moved against his Council of Ministers were negated by the House. Table 16 gives a bird's eye-view of the four motions.

**Table 16: CM in and NCMs against Council of P.V. Narasimha Rao
(21.6.91 -16.5.96)**

<i>Council of Ministers</i>	<i>Party; Seats won/ Total; (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of admission/(grant of leave)/discussion; time taken</i>	<i>Result</i>
P.V. Narasimha Rao 21.6.91-16.5.96 in Tenth Lok Sabha (20.6.91-10.5.96)	Cong..(I); 231/520 (44.42%)	One CM	P.V. Narasimha Rao; Cong-I; 18 Members	(8.7.91); 12.7.91-15.7.91; 7 hrs. 35 mts.	Adopted; Ayes - 240 Noes - 109

<i>Council of Ministers</i>	<i>Party; Seats won/ Total; (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of admission/(grant of leave)/discussion; time taken</i>	<i>Result</i>
		Three NCMs	Jaswant Singh; BJP; 24 Members	(8.7.92); 15.7.92-16.7.92; 17.7.92; 14 hrs.	Negated; Ayes - 225 Noes - 271
			A.B. Vajpayee; BJP; 57 Members	(17.12.92); 17.12.92-18.12.92; 21.12.92; 21 hrs. 44 mts.	Negated Ayes - 111 Noes - 336
			Ajoy Mukhopadhyay; CPI-M; 30 Members	(26.7.93); 26.7.93-27.7.93; 28.7.93; 18 hrs. 20 mts.	Negated; Ayes - 251 Noes - 265

Rao's Motion

The Prime Minister, Shri Narasimha Rao moved a Motion of Confidence in the Lok Sabha on 12 July 1991 which was also discussed on 15 July. Opposing the motion, the Leader of the Opposition in the Lok Sabha, Shri L.K. Advani (BJP) said that since the Government assumed office it had not been able to instil confidence on the political level as well as on the economic level. Shri Indrajit Gupta (CPI) said that a minority Government had to function on the basis of consultations and consensus and taking the Opposition into confidence. Shri Nani Bhattacharya (RSP) said that the Government was absolutely dependent on the mercy of the Left parties. Participating in the discussion, the Minister of Human Resource Development, Shri Arjun Singh said that the people had posed a challenge to the sagacity and wisdom of every single political party and whatever they had chosen to decide in their wisdom would have to be taken as it was. Replying to the debate, the Prime Minister Shri Rao said that his style of functioning would be one of consensus. He added that the Government would give final touches to the industrial policy reforms and to the public distribution system. The motion was carried by 240 to 109 votes.

Jaswant Singh's Motion

The first No-confidence Motion against the Ministry of Shri Rao was moved by the BJP leader Shri Jaswant Singh on 15 July 1992. Moving the motion, Shri Singh said that the Government had replaced consensus by cleverness. Instead of joint

participation, the ruling party wanted blind conformity. He stated that he had moved the No-confidence Motion on four grounds - economic policies of the Government; corruption; management of internal and such external matters which infringed upon national security; and collapse of the system. In policy making, there continued to be a lack of direction and in policy implementation there continued to be inefficiency and corruption. Unless the Government addressed itself to the cancer of corruption, the management of economic change would not take place, added Shri Jaswant Singh. In his speech, the former Prime Minister Shri Chandra Shekhar said that the much publicised new economic policy would lead to the path of destruction. A Government which could not check prices of essential commodities could not claim to be a Government for the poor. The Forward Bloc leader Shri Chitta Basu remarked that the Government had dismally failed to protect and preserve the economic and political sovereignty of the country.

Participating in the discussion, the Minister of Human Resource Development, Shri Arjun Singh stated that the first concern of the Prime Minister when he assumed office was to maintain the financial equilibrium of the country and the steps taken by the Government had saved the country from a grim situation. Shri Sontosh Mohan Dev, Minister of State in the Ministry of Steel, said that the only alternative to the present Government was a mid-term poll. The Minister of Finance, Dr. Manmohan Singh said that collective wisdom would have to be applied to find meaningful solutions to the problems of unemployment and rising prices. The basic thrust of the Government policy was to work towards self-reliance. In his intervention, the Prime Minister, Shri Rao said that the thrust of the Government was on economic programmes and keeping issues of tension in a low profile. Specific steps had been taken to encourage investment in areas like telecommunications and power. As regards the Ayodhya issue, the Government had on many occasions expressed the view that a negotiated solution of the dispute should be found. The Government would pursue the Bofors case diligently and without any hindrance in order to unearth the truth, he said. The motion was negated by 225 votes to 271.

Vajpayee's Motion

The second No-confidence Motion against Shri Rao's Ministry was moved by the BJP leader Shri Atal Bihari Vajpayee on 17 December 1992. Shri Vajpayee said that the motion had been moved due to the murder and mayhem which took place in the country before and after 6 December 1992. He called upon the Prime Minister to dissolve the Lok Sabha and seek fresh mandate.

Participating in the discussion, the Minister of Human Resource Development, Shri Arjun Singh said that all democratic forces should come forward to face the challenge posed by forces inimical to the unity and integrity of the country. The Minister of Parliamentary Affairs, Shri Ghulam Nabi Azad said that the secular

image of the country had been tarnished due to the developments in Ayodhya. That was a slur on the nation and that sin could not be condoned. The Minister of Welfare, Shri Sitaram Kesri deplored the act of demolition of the mosque and called for its reconstruction at the same site. The CPI-M leader Shri Somnath Chatterjee observed that all secular forces should come together to fight the cancer of communalism. The nation and the Parliament must affirm categorically the commitment to secularism and the unity and integrity of the country, he said.

The Prime Minister, Shri Narasimha Rao said that the Union Government had advised the State Governments to take strong action against officers who were guilty of dereliction of duty in maintaining law and order during the communal violence. The Union Government would see to it that assistance to riot victims was given on uniform scale by all the State Governments. The Prime Minister also informed the House that a fund would be set up for repair and reconstruction of all places of worship which were damaged in the disturbances. At the end of the 21 hours and 44 minutes debate in which a record number of 57 members participated, the motion was negated by a vote of 111 to 336.

Mukhopadhyay's Motion

Shri P.V. Narasimha Rao had to face yet another No-confidence Motion on 26 July 1993 which was moved by the CPI-M member Shri Ajoy Mukhopadhyay. While initiating the debate, Shri Mukhopadhyay said that the Government's economic and industrial policy had led to a situation where the base of a self-reliant economy had been seriously endangered. Supporting the motion, the Leader of the Opposition in the Lok Sabha, Shri Atal Bihari Vajpayee said that two years ago when the Government came into existence, people had hoped for a new chapter in politics. The Prime Minister had talked of running the country on the basis of consensus. But such a situation did not last long. Foreign debts were increasing and the new economic policy which was thought to remove unnecessary controls, had instead resulted in the security scam. Shri Somnath Chatterjee (CPI-M) alleged that the Government had lost all its credibility. It had neither the capability nor the will to govern. The former Prime Minister, Shri V.P. Singh accused the Government of repeatedly breaking the promises made by them to the people. In his observation, Shri Ebrahim Sulaiman Sait (Muslim League) said that corruption was increasing and there was no security for the minorities and the *dalits*. Shri Indrajit Gupta (CPI) said if there was a single issue on which the Government deserved to go, it was the event of 6 December 1992, the other one being that of external debt.

Opposing the motion, the Finance Minister, Dr. Manmohan Singh said that right from the day the Government came into office, they had recognised corruption as a formidable problem and had started the process of dismantling the license permit raj and the process of reducing tax rates. The Government's commitment to

deal with corruption should never be in doubt. The Minister said that as far as economic policies were concerned, the process of reforms had started, and started well.

Intervening in the debate, the Prime Minister, Shri P.V. Narasimha Rao said that liberalisation had become necessary because the Indian economy had to integrate itself with the world economy. At the same time, the ill-effects of liberalisation that could be anticipated in advance were effectively forestalled. There had been a record procurement of 180.3 million tonnes of foodgrains and an unprecedented breakthrough in oil seeds. He also informed the House that steps were being taken to curb the use of religion in politics and to bring forward a comprehensive package in electoral reforms. The Prime Minister said that the Bodoland problem and the problem pertaining to Darjeeling had been solved. The motion was later negatived by a narrow margin of 251 votes to 265.

First Phase of Atal Bihari Vajpayee

The 1996 General Elections led to a hung Lok Sabha. No single party got an absolute majority. The regional parties which had been playing a peripheral role in the past were at the centre-stage having won a large chunk of seats. Out of a total of 543 seats for which elections were held, the BJP won 161 seats while the Congress came second with 140 seats. On their own, the tally of each of the other parties was far behind. Being the leader of the single largest party, Shri Atal Bihari Vajpayee was invited by the President, Dr. Shanker Dayal Sharma to form the Government. He was sworn in as the Prime Minister on 16 May 1996 and asked to prove his majority by 31 May 1996.

Vajpayee's Motion

The Prime Minister Shri Vajpayee moved the Motion of Confidence in the Lok Sabha on 27 May 1996. Brief particulars of the motion are given in Table 17 below.

Table 17: CM in Council of A.B. Vajpayee (16.5.96-1.6.96)

<i>Council of Ministers</i>	<i>Party; Seats won/ Total; (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of (admission)/ discussion; time taken</i>	<i>Result</i>
A.B. Vajpayee 16.5.96-1.6.96 in 11th Lok Sabha (15.5.96-4.12.97)	BJP; 161/543 (29.65%)	One CM	A.B. Vajpayee; BJP; 29 Members	(20.5.96); 27.5.96, 28.5.96; 10 hrs. 43 mts.	Motion not put to vote

Initiating the discussion on the motion, Shri Vajpayee said that those countries which had attained Independence almost simultaneously had left India behind in the race for progress. There was no dearth of resources in the country, but we had not been able to utilize them properly. The question of electoral reforms had been lingering for years. If black money was being collected for contesting elections, then the

economy could not be free from black money after the elections. If today we had a hung Parliament the electorate could not be blamed for that. If a coalition Government had to be formed, it should be on the basis of a common programme. There were certain policies such as the policy of non-alignment on which there was complete unanimity. We were committed to social justice. We wanted to have social equality as well as social harmony. Those parties which had fought the last elections separately were now uniting to vote out the BJP Government. The previous Lok Sabha witnessed the conversion of a minority into a majority overnight. Adopting immoral or corrupt means to continue in power was a sin which our Government would never commit, the Prime Minister asserted.

Opposing the motion, Shri Sharad Pawar, Congress(I), observed that the BJP did not get even one-third seats in the Eleventh Lok Sabha nor did it get even a single seat in several States in the country. They formed the Government without a popular mandate and without a majority in the House. He said that the Congress (I) chose to extend support to the United Front from outside. Shri Chandra Shekhar said that Shri Vajpayee should have held consultations with other parties before accepting the President's invitation to form the Government. Shri Somnath Chatterjee (CPI-M) said that the people had decisively voted for secularism and against communalism. Shri Murasoli Maran (DMK) observed that if the President, instead of appointing Shri Vajpayee as the Prime Minister, had asked him to find out and explore the possibilities of getting the majority, things would have been different. Shri Mulayam Singh Yadav (SP) said that communalism should not be allowed to raise its head in India. Shri Indrajit Gupta (CPI) said that the current battle was one between conflicting ideologies. The country could never survive except on the basis of pluralism.

Supporting the motion, Shri George Fernandes of the Samata Party said that the present situation facing the House was not the creation of any political party. It was the voting pattern of the electorate that chose not to give any party a clear majority. The Minister of Home Affairs, Dr. Murli Manohar Joshi said that the mandate of 1996 had two connotations. Firstly, the Congress(I) had been denied a majority by the people and secondly, the BJP had emerged as the single largest party. The Finance Minister, Shri Jaswant Singh stressed that the mandate of 1996 clearly and unambiguously rejected the Congress(I). The disharmony was between the spirit of the mandate and the arithmetic of Parliament.

Replying to the debate, Shri Vajpayee asked whether the BJP should have rejected the mandate when the people had voted them as the single largest party. When the President invited the BJP to form the Government, should the party have run away from shouldering the responsibility? Shri Vajpayee said that during his 40 years of association with the Parliament, he had been witness to the formation of Governments, change of Governments and installation of new Governments. The fact remained that on every occasion, democracy had emerged stronger in the country.

He expressed confidence that the present occasion would not be an exception. The Prime Minister said that the BJP recognised India's multi-religious, multi-lingual and multi-ethnic character. The Government was committed to social justice. While concluding, the Prime Minister announced that he was going to tender his resignation to the President of India.

The Speaker, Shri P.A. Sangma, thereupon, observed that in view of the resignation announced by the Prime Minister on the floor of the House, the putting of the Motion of Confidence to the vote of the House had become infructuous. He, therefore, adjourned the House *sine die*.

H.D. Deve Gowda

After the resignation of Shri Atal Bihari Vajpayee, the President Dr. Shanker Dayal Sharma called upon Shri H.D. Deve Gowda, the leader of the United Front consisting of 13 parties, supported from outside by the Congress(I) to form the Government and prove his majority on the floor of the House by 12 June 1996. Shri H.D. Deve Gowda was sworn in as Prime Minister on 1 June 1996. The Motion of Confidence moved by him in the Lok Sabha on 11 June was adopted by voice vote on 12 June 1996.

On 30 March 1997, the Congress(I) withdrew support from Shri Deve Gowda's ten-month-old United Front Government which, as a result, was reduced to a minority. The President Dr. Shanker Dayal Sharma asked the Prime Minister Shri Deve Gowda to prove his majority in the Lok Sabha by 11 April 1997. A Motion of Confidence was accordingly moved by Shri Deve Gowda on 11 April which was defeated by 190 votes to 338 (See Table 8).

Table 18 : CMs in Council of H.D. Deve Gowda (1.6.96 - 21.4.97)

<i>Council of Ministers</i>	<i>Party; Seats won/ Total; (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of (admission)/ discussion; time taken</i>	<i>Result</i>
H.D. Deve Gowda 1.6.96 - 21.4.97 in 11th Lok Sabha (15.05.96-4.12.97)	United Front of 13 parties* 179/543# (32.97%)	Two CMs	H.D.Deve Gowda; JD; 30 Members	(5.6.96); 11.6.96-12.6.96; 12 hrs. 28 mts.	Adopted by voice vote
			H.D.Deve Gowda; JD; 26 Members	(3.4.97); 11.4.97; 11 hrs. 45 mts.	Negated; Ayes - 190 Noes - 338

* JD-45; CPI-M-32; TMC-20; SP-17; TDP-17; DMK-17; CPI-12; RSP-5; Asom Gana Parishad (AGP)-5; Congress(T)-4; Forward Bloc-3; Maharashtra Gomantak Party-1; and Bharatiya Kisan Kamgar Party (BKKP)-1. Congress(I) with a strength of 139 supported from outside.

Excluding two nominated later.

Deve Gowda's First Motion

Moving the Motion of Confidence in the Lok Sabha on 11 June 1996, the Prime Minister Shri H.D. Deve Gowda said that the mandate of the people was not to any particular political party. The United Front had come up with a Common Minimum Programme which was placed before the nation. At the moment, we should all function with the necessary cooperation.

Opposing the motion, Shri Jaswant Singh (BJP) said that what was disturbing about the Government was the absence before coming into coalition, of a common economic or political philosophy. The United Front was created as an alliance of convenience only after the coming into existence of the Eleventh Lok Sabha. Shri Madhukar Sirpotdar (Shiv Sena) pointed out that the present coalition had come about only to acquire power. Smt. Sushma Swaraj (BJP) pointed out that it was the fear of exposure of their crimes that had brought the different constituents of the United Front together. She said that there was need for a nationwide debate on secularism versus communalism. The Leader of the Opposition in the Lok Sabha, Shri Atal Bihari Vajpayee said the coalition arrangements would become successful if the major party got the cooperation of smaller parties to form a majority. The constituents of the United Front neither forged an alliance before the elections nor did they put forward a common programme. They had since united simply to keep the BJP out of power.

Participating in support of the motion, Shri Somnath Chatterjee (CPI-M) said that the Lok Sabha would shortly prove to the world that there was a legitimate Government having the support of 77 per cent of the electorate and a majority support inside the House. The Minister of Defence, Shri Mulayam Singh Yadav (Samajwadi Party) said that the United Front had already prepared its policies and programmes and placed them before the country. Shri Chitta Basu (Forward Bloc) observed that the installation of the United Front Government symbolized the victory of all progressive, democratic and secular forces in the country. It also represented a new era in the Indian political system - an era of coalitions. The Minister of Finance, Shri P. Chidambaram of the Tamil Manila Congress (TMC) reminded the House that it was not the first time that political parties had come together to form the Government. We had put together a programme having a tremendous appeal to the hard-working middle classes and to the peasants of India. He appealed to all sections of the House to give the United Front's Common Minimum Programme a chance to be implemented. In his observations, Shri Narayan Datt Tiwari (Congress-T) complimented all political parties which constituted the United Front for agreeing to come together in the larger national interests, forgetting their differences, bitterness and rigidity.

The former Prime Minister Shri P.V. Narasimha Rao (Congress-I) said that the BJP programmes had some very salient points on which the Congress(I) party had

not only a very strong reservation but was diametrically opposed to those programmes. He assured that the Congress(I) would not allow the United Front Government to fall under any circumstances. The Prime Minister would get full support from the Congress(I) in all matters in the implementation of the programme, the Rule of Law and eradication of corruption.

Replying to the the debate, the Prime Minister Shri. H.D. Deve Gowda said that the mandate of the people in the 1996 General Elections was for a coalition Government. The Government had a Common Minimum Programme which had spelt out the priorities. He observed that the Congress(I), while extending support to the Government, had not put any conditions. The Prime Minister said that it would be his endeavour to try his best to discharge his duties.

The motion was adopted by voice vote.

Deve Gowda's Second Motion

The Lok Sabha, which had gone into recess for a period of one month adjourning on 21 March 1997 to enable the Departmentally Related Standing Committees to consider the Demands for Grants and was to meet again on 21 April 1997, however, resumed its sitting on 11 April 1997 to debate on the Prime Minister's one-line motion "that this House expresses its confidence in the Council of Ministers". Moving the motion, the Prime Minister Shri Deve Gowda narrated the circumstances under which the United Front of 13 parties with differing ideologies and regional aspirations was formed. Recalling the debate on his first Confidence Motion, he said that the Congress Party had then stood squarely behind the United Front and its then leader, Shri P. V. Narasimha Rao had categorically and unequivocally stated that the party would not withdraw its support and would see the Government through to its full term. Shri Gowda then narrated the achievements of his Government both in democratising governance and in the economic front during its ten months in office.

Opposing the motion, Shri Jaswant Singh, Deputy Leader of the BJP, launched a frontal attack on the United Front and its supporting parties, Congress and CPI(M), which, he alleged, wielded power without responsibility and accountability. He charged both the defenders and the offenders of bringing about a wholly artificial, spurious and avoidable crisis. Cataloguing the failures of the United Front Government, he charged it of deliberately misusing Article 356 of the Constitution relating to imposition of President's Rule in the States; misusing the office of Governors as evidenced by developments in the State of Gujarat and Uttar Pradesh; and neglecting the energy and petroleum sectors and the needs of the defence of the country.

The Leader of the Opposition, Shri Atal Bihari Vajpayee (BJP), strongly disapproved the political untouchability in the name of secularism. He said that the country was secular, is secular and would remain secular and nobody can change its secular fabric. Shri Vajpayee said that the United Front experiment was not a waste as several regional parties came to the Centre and participated in the governance which, in turn, had led to their developing an all India perspective. If coalition Governments could be successful in other countries, why could it not be successful here, he argued. All that was required was mutual trust and transparency.

Shri Surjit Singh Barnala (Shiromani Akali Dal) observed that in the present political milieu, there should be a National Government in the country. The former Prime Minister Shri Chandra Shekhar (Samajwadi Janata Party-Rashtriya) disapproved the timing and manner in which the Congress withdrew support which had created economic uncertainty. He said political differences should be on policies and not on personal egos.

Shri Priya Ranjan Dasmunsi (Congress-I) accused the Prime Minister of trying to marginalise the Congress. He said that a communication had been sent to the United Front to revise its policies and change its direction. But the whole approach was very casual. When it was found that things were going beyond an extent, the Congress felt that it was time to ask our friends in the United Front to change the leader, he said. The former Speaker Shri Shivraj V. Patil (Congress-I) expressed concern over the possibility of political instability stemming from fragile coalitions.

The Minister of External Affairs Shri I.K. Gujral said that the Government of India had not yielded to any pressure from any side. The Minister of Railways, Shri Ram Vilas Paswan observed that frequent elections would result in the wastage of poor people's money. He asserted that there was no question of the United Front changing its leader at the dictates of the Congress. The Minister of Home Affairs, Shri Indrajit Gupta said that political instability would have adverse effects on the nation's life. Supporting the motion, Shri Somnath Chatterjee (CPI-M) appealed to the House to think whether the country could afford to go to polls within one year. And if it went to polls, there could still be a hung Parliament.

Replying to the debate, the Prime Minister Shri H.D. Deve Gowda denied the charges levelled against him by the Congress President Shri Sita Ram Kesri in his letter to the President, Dr. Shanker Dayal Sharma. He also denied having received any letters from the Congress, as mentioned by Shri P.R. Dasmunsi. He asserted that he had never tried to marginalise or create a split in the Congress Party. He had not ordered a single case for inquiry by the Central Bureau of Investigation (CBI). He took exception to the use of strong language by Shri Kesri charging him of incompetence, inefficiency and being a communalist. He asserted that his Government had come clean without any scams or corruption cases. The Prime

Minister said that during the previous ten months, all steps that were taken had clearly proved that the national parties and regional parties together had run the Government better than the previous regimes. At the end of the discussion, the Speaker Shri Sangma put the Confidence Motion to vote which was negatived by 190 votes to 338.

As a consequence of the defeat of the Confidence Motion, the Prime Minister Shri H.D. Deve Gowda tendered his resignation. The President Dr. Shanker Dayal Sharma accepted his resignation on 12 April 1997 and requested him to continue in office till alternative arrangements were made.

Inder Kumar Gujral

After the resignation of Shri H.D. Deve Gowda, parleys among different constituents of the United Front began, which led to the choice by consensus of Shri Inder Kumar Gujral as the new leader of the United Front on 19 April 1997. Thereupon, the United Front staked claim before the President to form the Government. Earlier, on 18 April, the Congress had sent a letter to the President extending support to the United Front in forming a Government under a new leader.

Consequently, the President Dr. Shanker Dayal Sharma appointed the new Leader of the United Front Shri I.K. Gujral as Prime Minister on 21 April 1997 and asked him to prove his majority on the floor of the House by the next day, i.e. 22 April 1997.

Gujral's Motion

Commending on 22 April 1997 his one-line motion (See Table 19) seeking the confidence of the Lok Sabha in his Council of Ministers, Shri I.K. Gujral, Prime Minister, asserted that the hallmark of his Government would be transparency and accountability. In the democratic system of governance in our country, we had evolved a new tradition of mobilising a national consensus on certain basic issues. It would be his endeavour, he said, to carry this tradition forward so that the country could tread the path of progress. He sought the cooperation of all parties in ensuring stability of the administration and protecting the traditions of secularism and social justice promoted by the founding fathers of the nation like Mahatma Gandhi and Jawaharlal Nehru. He promised to preserve the economic policies of the previous Government. He also assured that his Government would follow the foreign policy as enunciated by his predecessors.

Opposing the motion, Smt. Sushma Swaraj (BJP) asked the United Front and the Congress to state why the Congress had withdrawn support from the Deve Gowda Government. She charged that the previous Government was removed to stall the corruption cases against Congress members. The Leader of the Opposition, Shri Atal Bihari Vajpayee (BJP) expressed serious apprehension over the stability of

the new Government as the TMC, CPI-M and Congress were all supporting the Government from outside. He said that 419 members out of a total strength of 545 members were not sharing power. The experience revealed that power sharing was a necessary ingredient of stability, he observed.

Table 19: CM in Council of I.K. Gujral (21.4.97- 18.03.98)

<i>Council of Ministers</i>	<i>Party; Seats won/ Total; (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of (admission)/ discussion; time taken</i>	<i>Result</i>
I.K. Gujral+ 21.4.97-18.03.98 in 11th Lok Sabha (15.5.96-4.12.97)	United Front One of 13 parties;* 179*/543# (32.97%)	One CM	I.K. Gujral; JD; 24 Members	(21.4.97); 22.4.97; 9 hrs. 3 mts.	Adopted by voice vote

Shri Sharad Pawar (Congress-I) justified his party's withdrawal of support to the previous Government and said that it was not sudden. He alleged that Shri Deve Gowda failed to contain communal forces. He extended his party's full support to Shri Gujral's Government and hoped that under his leadership efforts would be made to discourage the anti-Congress feelings of the United Front constituents.

Supporting the motion, Shri Somnath Chatterjee (CPI-M) said that the Gujral Government had made a good beginning by giving priority to issues of social justice, economic progress, women's empowerment and population control. He made it clear that the United Front would never yield ground to forces of fundamentalism. The Defence Minister, Shri Mulayam Singh Yadav (Samajwadi Party) declared that the Government would do its utmost to safeguard the interests of the minorities. He said that the United Front will remain united like a rock. Shri P. Chidambaram (TMC) said that we did not determine the composition of this House. Our duty was to understand the mandate, however complex it might be, interpret it creatively and work a Government for five years.

Replying to the debate, the Prime Minister, Shri I.K. Gujral said that India was a country of diverse religions and languages. Yet, there was unity across the whole

+ Gujral resigned on 28.11.97. The President accepted his resignation and requested him to continue in office till alternative arrangements were made.

* JD-45; CPI-M-32; TMC-20; SP-17; TDP-17; DMK-17; CPI-12; RSP-5; Asom Gana Parishad (AGP)-5; Congress(T)-4; Forward Bloc-3; Maharashtra Gomantak Party (MGP)-1; Bharatiya Kisan Kamgar Party (BKMP)-1 and Congress(I) with a strength of 139 members supported from outside.

Excluding two nominated members.

social fabric and that must be preserved. Every endeavour would be made to uphold all the traditions and conventions of secularism. The State was supreme and it did not belong to a single party, to a single ideology, to a single religion or to a single caste. India belonged to all the citizens and it would survive only if faith was placed on it. The Prime Minister observed that the country had entered an era of coalition Governments. It was easy to form a coalition Government but it would take time to imbibe a coalition culture. At the end of the debate, the Speaker Shri P.A. Sangma put the motion to vote which was adopted by the House by voice vote.

The Gujral Government resigned on 28 November 1997 following the withdrawal of support by the Congress. The Congress decision came after the United Front Government refused to drop the three Ministers belonging to the DMK party, which was reported to have been indicted in the interim report of the Jain Commission probing the Rajiv Gandhi assassination. The President, Shri K.R. Narayanan later dissolved the Eleventh Lok Sabha on 4 December 1997 and ordered fresh elections and constitution of the Twelfth Lok Sabha by 15 March 1998.

Second Phase of Atal Bihari Vajpayee

The General Elections to the Twelfth Lok Sabha held in February-March 1998 resulted in a hung House as no single party or alliance of parties could get a majority. Shri Atal Bihari Vajpayee, Leader of the Bharatiya Janata Party (BJP), which had won the largest number of seats, was invited by the President, Shri K.R. Narayanan to form the Government after he was assured of majority support on the strength of his coalition parties which included the All India Anna Dravida Munnetra Kazhagam (AIADMK), Biju Janata Dal (BJD), Shiromani Akali Dal (SAD), West Bengal Trinamool Congress, Shiv Sena, Pattali Makkal Katchi (PMK), Haryana Lok Dal (HLD), Marumalarchi Dravida Munnetra Kazhagam (MDMK), Lok Shakti Party, Arunachal Congress, Haryana Vikas Party (HVP) and some Independents as also on the basis of the declared stand of the Telugu Desam Party (TDP) to remain neutral. On 19 March 1998, a 42-member BJP-led coalition Ministry headed by Shri Vajpayee was sworn in by the President and was asked to prove its majority before 29 March 1998. The Confidence Motion moved by Shri Vajpayee on 27 March 1998 was adopted by the Lok Sabha on 28 March 1998.

Nearly 13 months later, Shri Vajpayee's Government was reduced to a minority when on 14 April 1999, the AIADMK party, a coalition partner, withdrew support from the Government. The President, Shri K.R. Narayanan, thereupon, directed the Prime Minister Shri Vajpayee to seek a vote of confidence.

Kumari Jayalalithaa (AIADMK) had earlier demanded the removal of the Defence Minister Shri George Fernandes; reinstatement of the sacked Naval Chief Admiral Vishnu Bhagwat; and a Joint Parliamentary Committee (JPC) probe into the charges levelled by Admiral Bhagwat against the Defence Minister. On 3 April 1999, the AIADMK leader had said that the continuance of her party in the Vajpayee-led Government would depend on its response to these demands. The Coordination Committee of the coalition had earlier, on 27 March, unanimously rejected the Opposition demand for a JPC probe into the dismissal of Admiral Bhagwat. The Union Cabinet, on 5 April, rejected all the three demands of Kumari Jayalalithaa. The Cabinet meeting was not attended by the Ministers of the AIADMK party.

Consequently, on 6 April, the two AIADMK Ministers, Shri M. Thambi Durai and Shri K.M.R. Janarthanan submitted their resignation to the Prime Minister which were accepted on 8 April 1999. When the possibility of any rapprochement was ruled out, the AIADMK withdrew on 9 April from the Coordination Committee of the BJP-led coalition. The final step of breaking away from the coalition was taken on 14 April, when the AIADMK chief Kumari Jayalalithaa handed over the letter of withdrawal of support to the President.

Another party, the Indian National Lok Dal, led by Shri Om Prakash Chautala, which had four members in the Lok Sabha, had earlier withdrawn support to the Vajpayee Government in February 1999 following the rejection of his demand for withdrawal of the price hike on urea. On 15 April, Shri Vajpayee moved a Motion of Confidence in the Lok Sabha which was rejected by one vote by the House on 17 April. Brief particulars of the two Confidence Motions are given in Table 20.

Vajpayee's First Motion

On 27 March 1998, the Prime Minister Shri Atal Bihari Vajpayee moved the Motion of Confidence in the Lok Sabha seeking the trust of the House in his Council of Ministers.

Table 20: CMs in Council of A.B. Vajpayee (19.3.98 - 13.10.1999)

<i>Council of Ministers</i>	<i>Party; Seats won/ Total; (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of admission/ discussion; time taken</i>	<i>Result</i>
A.B. Vajpayee	BJP	Two	A.B. Vajpayee;	(24.03.1998);	Adopted
19.03.1998 -	264*/539●	CMs	BJP;	27.03.1998,	Ayes - 275
13.10.1999 in	(48.97%)		41 members	28.03.1998;	Noes - 260
the 12th Lok				17 hrs.	
Sabha					
(10.03.1998 -					
26.04.1999)			A.B. Vajpayee;	(15.04.1999);	Negatived
			BJP;	15.04.1999,	Ayes - 269
			37 members	16.04.1999,	Noes - 270
				17.04.1999;	
				24 hrs.	

* Break-up of BJP and allies was: BJP 179; AIADMK 18; Samata Party 12; BJD 9; SAD 8; West Bengal Trinamool Congress 7; Shiv Sena 6; PMK 4; MDMK 3; Lok Shakti 3; Janata Party 1; HVP 1; Arunachal Congress 2; HLD(R) 4; Sikkim Democratic Front 1; and Independents 6.

● Excluding two members, nominated later, and four vacancies.

Moving the motion, Shri Vajpayee asserted that his Government enjoyed majority in the House. He said that there was a vast difference between the present situation and the one prevailing at the time of his reply on 28 May 1996 to the debate on his first Confidence Motion moved in the Eleventh Lok Sabha. The politics of untouchability and the endeavours of alienation had since met with a fiasco. The BJP had since emerged as the single largest party and their alliance as the largest alliance. Shri Vajpayee said that the country had suffered immensely because of instability during the previous 18 months. The mandate to rule was clearly for the BJP and its allies in the absence of a clear majority to any party. There was a need to install a stable, capable and honest Government. Urging all members to face the challenges of the ensuing century collectively, he said that the onus rested not on a single party or an alliance of different parties alone. The nation and its interests were paramount. The Prime Minister said that his Government would like to grant more autonomy to the States. The National Agenda of his Government was a programme of all round development of the nation, he added.

Opposing the motion, the Leader of the Opposition in the Lok Sabha Shri Sharad Pawar (Congress-I) challenged the Vajpayee Government to resolve its inherent contradictions on major issues like Ayodhya, corruption, secularism and *Swadeshi* and remove the apprehensions in the minds of the people before claiming the mandate to rule. Shri Pawar wanted the BJP and its allies in the Government to clarify their position on what he described as the hidden agenda of the BJP in the light of its own manifesto and the National Agenda of the ruling coalition.

The CPI(M) leader Shri Somnath Chatterjee said that the BJP alliance was a fragile one and the so called pre-poll alliance was a myth. It was a dubious, power hungry and opportunistic political combination and the so called National Agenda was nothing but a 'National *tamasha*'. The former Defence Minister and Samajwadi Party leader Shri Mulayam Singh Yadav said that the BJP was exposed when it wavered on the appointment of the Finance Minister. He described the contents of the National Agenda as contrary to the BJP's promises to the country and termed their claim of following consensus as shallow because they believed in the politics of confrontation. The Defence Minister and Samata Party leader, Shri George Fernandes said that the Congress and the United Front constituents always criticised each other. The present occasion, he said, would have never arisen had the Congress not thrust the election on the country by bringing down the United Front Government. The West Bengal Trinamool Congress leader Kumari Mamata Banerjee said that her party would continue to support the Vajpayee Government for stability and economic development. Shri Rajesh Pilot (Congress-I) said that the Government had not shown any indication towards consensus, transparency in administration and in tackling corruption. The Minister of Chemicals and Fertilizers and Shiromani Akali Dal leader

Shri Surjeet Singh Barnala said that the people of India did not want elections every six months or every year. He suggested a fixed term of five years for the Lok Sabha on the pattern of the six-year term for the Rajya Sabha and desired that a consensus be evolved to bring forward a constitutional amendment for this purpose.

Opposing the motion, Shri P. Chidambaram (TMC) said that Shri Vajpayee might eventually win the vote of confidence. The Government, however, ought to know that this was not its last test because it would be tested every day on the floor of the House. He stated that the Government had no programme but had only a hidden agenda. Supporting the motion, the Minister for Information and Broadcasting, Smt. Sushma Swaraj (BJP) said her party had the mandate to rule and the Opposition should respect it. She said that the country was anxiously waiting for an efficient Government and the BJP held the promise of rebuilding the nation.

Resuming the debate on the motion on 28 March, Shri P. Shiv Shanker (Congress-I) said that the BJP got only 25 per cent of the total votes and together with its allies it got 37 per cent of the total votes. The ruling coalition also had no mandate as its constituents had gone to poll with contradictory ideas and proposals. The Lok Shakti leader and Minister of Commerce, Shri Ramakrishna Hegde said that the exercise of debating the Confidence Motion for testing majority support was a futile exercise, particularly after the Speaker's election which had amply proved the majority support of the House. But it was necessary to fulfil the condition stipulated by the President of India that this Government must get the confidence vote of the House. He defended the resolve of the BJP and its allies to review the Constitution in the light of the changing times. Shri Laloo Prasad (RJD) claimed that the combination of the BJP and its allies would not last long. The Human Resource Development Minister, Dr. M.M. Joshi (BJP) said the only agenda of the Government was the National Agenda adopted by all the ruling partners. He said that the Government would provide better governance through the process of consensus. Shri Jaipal Reddy (Janata Dal) said he was opposed to the Government as it had come to power on the basis of political opportunism and compromises. The former Prime Minister, Shri Chandra Shekhar (SJP) cautioned the Prime Minister against the statements made by several Union Ministers on international issues and reminded him about the collective responsibility of the Council of Ministers. He also came down heavily on the move to create more States, saying it would lead to further demands for creation of more States, which would weaken the unity of the country. Shri K. Yerranna (TDP) supported the motion and said that the TDP's manifesto was now included in the BJP National Agenda. He said that the coalition era had come to stay in the country and nobody could form a Government at the Centre without the help of the regional parties. The CPI leader Shri Indrajit Gupta said that those parties which had joined the BJP alliance or sought the protection of the BJP umbrella, had done so not because

of any great ideological affection or affinity with the BJP. They had done it purely on practical and opportunistic grounds. Supporting the motion, the Minister of Steel and Mines, Shri Naveen Patnaik (BJD) said his party had decided to support the Government as the National Agenda, among other things, had assured to fulfil the aspirations of the people of Orissa. Shri Mufti Mohammad Sayeed (Congress-I) sought an assurance that article 370 of the Constitution would not be scrapped. He wanted the Government to have a dialogue with the militants in Kashmir to bring about lasting peace in the State.

The former Speaker of Lok Sabha Shri P.A. Sangma (Congress-I) called for self-introspection by political parties and their leaders as to why people were giving a fractured mandate, making national parties irrelevant.

In his reply to the debate, the Prime Minister Shri Atal Bihari Vajpayee touched upon all major issues raised by the Opposition and asserted that there was no change in the country's foreign policy. The BJP-led coalition had jointly drawn up the National Agenda and it would be implemented with all sincerity and pleaded for consensus on all major issues. Referring to the National Agenda which provided for the constitution of a Commission to review the Constitution, Shri Vajpayee said that fifty years had elapsed since the Constitution came into being. The Constitution, therefore, needed a fresh look. About the criticism of RSS' interference in the formulation of the policies by the BJP-led coalition, the Prime Minister strongly refuted the charge and said his Government was not run by remote control. He further stated that the country was passing through a new era of political polarisation and the smaller parties had their role to play in the development of the nation. If anybody could claim the mandate, it was only the BJP and its allies, added the Prime Minister.

At the end of the debate, the Vajpayee Government won the Motion of Confidence in the Lok Sabha by 275 to 260 votes.

Vajpayee's Second Motion

On 15 April 1999, the Prime Minister, Shri Vajpayee gave notice of a Confidence Motion seeking the trust of the Lok Sabha in his Council of Ministers. The motion was admitted by the Speaker Shri G.M.C. Balayogi and included in the Supplementary List of Business for that day, i.e. 15 April 1999. When the House met, the Question Hour was suspended on a motion moved under Rule 388 by the Minister of Parliamentary Affairs, Shri P.R. Kumaramangalam and adopted by the House in order to take up the Confidence Motion. This was for the second time in thirteen months that the Vajpayee Government came before the House with a Confidence Motion.

Moving the Confidence Motion, Shri Vajpayee said that the Opposition wanted to remove the Government but the picture thereafter was not clear. It was the demand

of democracy that those who wanted to oust the Government should explain as to what type of Government they would bring, who would lead that Government and what would be its programmes.

Initiating the debate, the Leader of the Opposition in the Lok Sabha, Shri Sharad Pawar of the Congress(I) welcomed the AIADMK's decision to withdraw support from the Vajpayee Government and said it was in tune with what he called "the people's disenchantment" with the 13-month-old Vajpayee Government which had failed to ameliorate the problems of poverty and unemployment. The Government had been a total failure on all fronts, be it the economic front, in respect of the industrial sector or insofar as promotion of social harmony was concerned. It had been instrumental in stoking communal animosity as well. Therefore, the Government had forfeited the right to rule the nation. He claimed that the Opposition would unitedly get a new Government for the 21st century soon after this Government was voted out.

Supporting the motion, the Home Minister, Shri L.K. Advani called upon the Congress(I) to desist from playing negative politics. In fact, there was nothing to say against the Government which conducted the nuclear test at Pokhran, test-fired the Agni missile, started a bus service to Lahore, dynamically improved the situation in Kashmir and brought stability in the country's economy. It was amazing that the Left parties, who were critical of the Congress(I), were willing to extend support to a Congress(I) led Government. The Constitution of India provided for a secular state and all citizens were treated equally for the purpose of justice and providing security. The Government was fully committed to this principle, said the Home Minister. The Government was proud that the year 1998 had been a riot-free year, by and large. The RJD leader Shri Laloo Prasad asked the Prime Minister to resign without waiting for the voting. He claimed that the Government was falling on its own because the party supporting it had withdrawn support.

Participating in the discussion, the Finance Minister, Shri Yashwant Sinha cautioned political parties against doing anything that would push back the nation's economy which, he said, for the first time since Independence, had been put back on the rails. The economy of the country was not the responsibility of any particular party alone but of the whole House and everybody should try to understand that aspect. The former Speaker of Lok Sabha and Congress(I) leader Shri P.A. Sangma decried the lack of governance and the denigration of institutions by the Government which would permanently damage the democratic system. He observed that if the institutions could be preserved and strengthened, the country could move forward even if there was instability. Defending his party's decision to withdraw support to the Vajpayee Government, the AIADMK leader Shri R. Muthaiah accused the ruling alliance of betrayal on various fronts, including non-implementation of the Sethu

Samudram project, in the Cauvery Water issue, neglecting the views of the AIADMK leader Dr. J. Jayalalithaa in the Vishnu Bhagwat issue and not acceding to his party's demand for the dismissal of the DMK Government in Tamil Nadu. Shri Vaiko, MDMK, cautioned the Opposition parties not to be a pawn in the hands of the Congress(I) which, he said, pursued the politics of destabilisation. The Vajpayee Government brought glory and credit to the country before the eyes of the world when the Pokhran tests were conducted and India became a nuclear weapon state. Shri Vajpayee's bus journey to Pakistan gave a message for peaceful co-existence. If this Government fell, there would be no option other than an election. Shri N.K. Premachandran, RSP, felt that Shri Vajpayee, though an eminent personality, could not prove himself as an able leader, as his hands were tied. This Government was governed by pressure groups of the coalition partners. Before taking any decision, the Prime Minister had to take directives from some headquarters which were remote controlling the Government.

The Minister of State for Information and Broadcasting, Shri Mukhtar Abbas Naqvi observed that the Prime Minister was an able leader and regretted that a deliberate propaganda had been unleashed that the minorities would not be safe under this Government. However, the fact was that the confidence among the minorities had built up. The Government wanted to give due rights to the minorities, weaker sections of society, backward people and the downtrodden. Shri Sudhakar Reddy, CPI, claimed that the Pokhran nuclear tests had brought more serious threats to the country's security, contrary to the Government's claims. He accused the Government of unleashing a psychological terror against the minorities by carrying out of attacks on Christian missionaries by the *Sangh Parivar* which is their associate. Shri Prabhunath Singh, Samata Party, observed that the Prime Minister had demonstrated his statesmanship by resolving the Cauvery Waters dispute and undertaking the historic bus journey to Lahore.

Resuming the debate on 16 April 1999, Shri Prabhunath Singh, Samata Party, observed that economic sanctions which were imposed on the country by USA after the nuclear explosion were faced boldly under the leadership of Shri Vajpayee. The CPI-M leader Shri Somnath Chatterjee said that the unity and integrity of the country was in danger and appealed to every section of the House to ensure that secularism was not compromised. He charged the Central Government with misusing political power by appointing an active politician belonging to the ruling party as the Governor of Bihar, a State governed by another political party. He also blamed the Government for neglecting the working people. Shri Murasoli Maran, DMK, said that in a federal country of continental proportions like India, a coalition Government was the best unifying factor. He added that the DMK had decided to support the continuance of

the present Government in the national interest and in the interest of the people of Tamil Nadu.

Opposing the motion, the Samajwadi Party leader and former Defence Minister Shri Mulayam Singh Yadav alleged that the Government had failed on all fronts, including external affairs and finance. He said that the Government's failure to control prices had hit the common man badly. When the Government invoked article 356 in Bihar on the recommendation of the Governor and failed to get the relevant Resolution passed in both the Houses of Parliament, it should have resigned then itself, observed Shri Yadav. He held the view that matters concerning the security of the nation should not be made public. He was, therefore, against the constitution of a Joint Parliamentary Committee to look into such matters. The West Bengal Trinamool Congress leader, Kumari Mamata Banerjee warned the House about the consequences of instability brought in by political turmoil; frequent elections also had an adverse impact on the nation's economy. She said the Vajpayee Government had come to power at a difficult time but had managed to bring some financial discipline and stability.

Participating in the discussion, the Deputy Leader of the Congress(I), Shri P. Shiv Shanker said that each Minister of this Government spoke in his own way and the Prime Minister had lost his own allies because of his mismanagement. This Government was a Government of contradictions. It flawed in its working, it flawed in its priorities and the flaw was inherent in its very ideology itself. He charged the Government of being inefficient, unprincipled, dishonest and apathetic to the cause of the downtrodden. He alleged that the Government was only talking of consensual politics but it did not, at any point of time, develop a consensus on important issues like the Prasar Bharati Bill which could not be passed in the Rajya Sabha. The CPI leader and former Home Minister, Shri Indrajit Gupta said that very often the BJP Government had to carry out the directions and decisions of the RSS which was practising back-seat driving and remote control. He pointed out that Shri Vajpayee never took a strong and firm stand against those forces and organisations which were putting pressures on him. On the issue of the removal of the Naval Chief, Shri Gupta observed that not allowing the House to discuss this issue amounted to contempt of Parliament. The Defence Minister, Shri George Fernandes alleged that it had been the strategy of the Congress Party to destabilise the Government of Shri Vajpayee. He said that the attacks on Christians were part of a big conspiracy being hatched by some people. The Government was not following the manifestoes of the different parties who were in the NDA but the National Agenda for Governance. Kumari Mayawati, BSP, alleged that the Governments formed by the Congress Party, the BJP and the Third Front had ignored the interests of the Dalits, Backward Classes

and minorities. She said that keeping in view the interest of the *Bahujan Samaj*, her party had decided to abstain from the voting.

The former Prime Minister and Samajwadi Janata Party leader Shri Chandra Shekhar said that it was not justified to conduct a debate on corruption in Parliament as it created an impression before the world that the country had nothing except corruption. In respect of the Pokhran explosion, he said that a nuclear bomb was a weapon of destruction and not meant for protection. Shri Chandra Shekhar also said that people who introduced liberalisation in the country had committed a crime. Many small scale industries and cottage industries had closed down or were facing extinction due to liberalisation. The TDP leader Shri K. Yerrainaidu said that his party had extended issue based support to the BJP-led Government on the basis of the National Agenda for Governance. He said the nation needed stability which was the need of the hour. The Janata Dal leader and former Prime Minister Shri H.D. Deve Gowda said the Government was a traders' Government, which had neglected the farming community.

The Minister of Chemicals and Fertilisers and Food and Consumer Affairs, Sardar Surjit Singh Barnala, SAD, said Pokhran-II was a step for strengthening the security of India. The country today had security and the Government should continue as it was doing well. He observed that the Prime Minister's bus journey to Pakistan had helped in changing the attitudes of the people of both the countries. The former Finance Minister Shri P. Chidambaram, TMC, observed that the period 1998-99, in terms of economic development, was a wasted year. He charged the Government with making India virtually friendless in the world. He went on to say that his party would fight against the twin evils of communalism and corruption. Shri Madhukar Sirpotdar, Shiv Sena, pleaded that once a person was elected as an MP he should continue to be a member for a period of five years. Shri K. Natwar Singh, Congress(I), said that the performance of the BJP-led Government had been dismal and charged the Government with destroying the national consensus on foreign policy and ruining India's relations with China, Pakistan, the United States and Europe. Dr. Subramanian Swamy, JP, observed that the AIADMK withdrew support to the Government as it had gravely jeopardised national security and demoralised the Armed Forces by dismissing Admiral Vishnu Bhagwat. The mere fact that the Government stoutly refused to agree to the formation of a JPC to look into the matter proved that there was something which it wanted to hide. Shri Anand Mohan, the lone member of AIRJP, supported the motion saying that there was no difference between the Congress and the BJP in regard to economic policies. Shri Kishan Singh Sangwan of the Indian National Lok Dal, which had earlier withdrawn the support of its four members from the coalition Government on the question of cut in the subsidies on food and fertilisers, however, supported the motion while making an appeal to the Government to be sympathetic to the farmers and safeguard their interests. Shri G.M.

Banatwalla, Muslim League, alleged that the Government had destroyed the secular credentials of India. The ideological sister organisations of BJP were given a free hand to instigate communal animosity, unleash violence and liquidate secularism.

Supporting the motion, the Minister of Steel and Mines, Shri Naveen Patnaik, BJD, observed that the Government had kept India's economy stable when the economy of the world was crashing. Shri P.C. Thomas, Kerala Congress(M), said that many incidents of atrocities on the minorities took place in Orissa, Madhya Pradesh and other parts of the country.

Replying to the debate on 17 April 1999, the Prime Minister Shri Atal Bihari Vajpayee spoke of the Pokhran nuclear tests and Agni missiles and asserted that his Government neither buckled under international pressure nor would it ever do so on the question of national security which was of paramount importance. Shri Vajpayee also offered to consider the demand for a Joint Parliamentary Committee to go into the issue relating to the sacking of Admiral Vishnu Bhagwat after a discussion with senior leaders.

Accusing the Congress(I) of plotting sinister designs to remove his Government, the Prime Minister said the BJP took the initiative of forming the coalition Government since no other party had the ability to do so. He regretted that the AIADMK had no consideration for the nation's vital interests when it decided to withdraw support to the Government. Shri Vajpayee said he was being accused by Opposition parties of ignoring the democratic norms. He said instead of knocking at the door of the Rashtrapati Bhawan, the Opposition could have moved a No-confidence Motion. Both Smt. Indira Gandhi and Shri P.V. Narasimha Rao had led minority Governments, but never sought a confidence vote. Why was the Congress(I) and others making it an issue now, he wanted to know. He asserted that the Opposition was taken into confidence on issues of national importance as a big country like India could not be governed without taking everyone along. The Opposition had its own responsibility towards the Government which it should carry out, said Shri Vajpayee.

The Prime Minister charged the Opposition with sabotaging the Women's Reservation Bill and said that the Government was ready to take up the issue now, if the Opposition was sincere on this. The Prime Minister, however, admitted that as the Government did not enjoy a majority in the Rajya Sabha, important Bills of national importance were adopted with the support of the Opposition but some could not be taken up because of differences within the Opposition itself. Referring to the economic situation, he said his Government had inherited an economy in shambles but during the previous six months, the situation had improved. He, however, cautioned that political instability was bound to have an adverse impact on the economy, particularly when it was deliberately created so frequently. Shri Vajpayee said his Government had made spectacular achievements in building national security, improving the economy, maintaining internal peace and enlisting the support of the people on national issues.

Before the final voting, the House witnessed various arguments and counter-arguments from the Treasury and Opposition benches on the voting right of Shri Giridhar Gamang, a Congress(I) MP who had become the Chief Minister of Orissa. Shri Gamang had not resigned from the membership of the Lok Sabha and was yet to be elected to the Orissa Legislative Assembly. The Speaker Shri G.M.C. Balayogi referred to certain similar instances in the past where it was observed by the Chair that while such Ministers continued to be members, it would not be desirable for them to participate in the deliberations of the House. Accordingly, such members withdrew from the House forthwith. Since Shri Gamang continued to be a member of the Lok Sabha, the Speaker Shri Balayogi left it to the good sense of the member as regards the question of casting his vote on the Confidence Motion. Shri Gamang later voted against the motion.

The Confidence Motion moved by the Prime Minister, when put to vote, was lost by 269 to 270 votes. The fall of the Government was triggered by the change of stand by the Bahujan Samaj Party which had five members in the Lok Sabha. The Bahujan Samaj Party earlier had declared that it would abstain from voting. However, it voted against the Confidence Motion. The National Conference member, Prof. Saifuddin Soz, going against his party's decision to support the motion, also voted against the motion. However, six members and the lone member of AIRJP, Shri Anand Mohan, who were hitherto with the Opposition, voted in support of the Vajpayee Government.

Thereafter, Shri Vajpayee met the President Shri K.R. Narayanan and submitted his resignation. He was, however, asked by the President to continue in office till alternative arrangements were made.

On 21 April, the President invited the Congress(I) President Smt. Sonia Gandhi for consultation and asked her to explore the possibility of forming a new Government at the Centre. The President also received suggestions from various political parties, including the BJP and its allies, and individuals in this regard. On the evening of 21 April, a delegation of the BJP and its allies also met the President and submitted a list of 270 MPs, including the Speaker, supporting them. Shri Narayanan, meanwhile, consulted legal and constitutional experts on the subject.

On 25 April 1999, Smt. Sonia Gandhi met the President and expressed her inability to form the Government. She also said that her party would not back the Third Front alternative. Later in the night, the President summoned the Prime Minister for consultation and conveyed his assessment that the Twelfth Lok Sabha was not capable of yielding a Government with a reasonable prospect of stability. On 26 April, the Union Cabinet recommended to the President to dissolve the Lok Sabha and order fresh elections as early as possible. The President, Shri K.R. Narayanan, on the recommendation of the Union Cabinet, dissolved the Twelfth Lok Sabha on 26 April 1999.

A Rashtrapati Bhawan communique said that "the ruling alliance lost its majority because of lack of cohesion within its ranks and those who voted out the alliance showed the same disunity while trying to form an alternative Government. ... In this situation, the President reached the conclusion that time had arrived for the democratic will of the people to be ascertained once again, so that a Government can be formed, which can confidently address the urgent needs of the people".

Third Phase of Atal Bihari Vajpayee

The General Elections to the Thirteenth Lok Sabha were held in September-October 1999. The BJP and its allies in the National Democratic Alliance (NDA) which included the Dravida Munnetra Kazhagam (DMK), Biju Janata Dal (BJD), Shiromani Akali Dal (SAD), All India Trinamool Congress, Shiv Sena, Pattali Makkal Katchi (PMK), Indian National Lok Dal (INLD), Marumalarchi Dravida Munnetra Kazhagam (MDMK), Akhil Bharatiya Loktantrik Congress, Tamizhaga Rajiv Congress (TRC), MGR-Anna Dravida Munnetra Kazhagam, (MGR-ADMK), National Conference, Manipur State Congress Party (MSCP), Himachal Vikas Congress (HVC) and Janata Dal (United) [JD(U)] secured a majority in the Thirteenth General Elections. The Telugu Desam Party (TDP) with 29 members decided to extend issue-based support to the NDA.

On 10 October 1999, the Thirteenth Lok Sabha was constituted with the Election Commission issuing a notification under Section 73 of the Representation of the People Act, 1951. On 11 October 1999, the President Shri K.R. Narayanan invited the Leader of the single largest party in the Lok Sabha, Shri Atal Bihari Vajpayee of the BJP, to form the Government. A 70-member Council of Ministers headed by Shri Atal Bihari Vajpayee was sworn in on 13 October 1999.

A Motion of No-confidence against Shri Vajpayee was moved on 18 August 2003 which was negatived by a margin of 125 votes. Incidentally, this was the first Motion of No-confidence against Shri Vajpayee during his three terms as the Prime Minister. During his earlier two terms, Shri Vajpayee had moved motions seeking the confidence of the House thrice of which the last one moved in April 1999 was lost by a margin of one vote, resulting in the premature dissolution of the 12th Lok Sabha.

The Motion of No-confidence of August 2003 was moved after a gap of ten years, the previous motion being the one moved against the Narasimha Rao Government in July 1993.

Table 21: NCM against Council of A.B.Vajpayee (13.10.1999-till date)

<i>Council of Ministers</i>	<i>Party; Seats won/ Total; (%)</i>	<i>CMs/ NCMs</i>	<i>Mover; No. of Members participated</i>	<i>Dates of (grant of leave)/ discussion; time taken</i>	<i>Result</i>
Atal Bihari Vajpayee III (13.10.1999-till date) in the Thirteenth Lok Sabha (10.10.1999-06.02.2004)	BJP led NDA Coalition* 274 / 537@ (51.02%)	1 NCM	Smt. Sonia Gandhi (Congress(I); 39 Members	(18.08.2003); 18.08.2003, 19.08.2003; 21 hrs. 07 mts.	Negatived Ayes 189 Noes 314

* NDA Coalition - BJP 182; DMK 12; All India Trinamool Congress 8; MDMK 4; Biju Janata Dal 10; PMK 5; JD(U) 20; SAD 2; INLD 5; HVC 1; Shiv Sena 15; National Conference 4; MSCP 1; Akhil Bharatiya Loktantrik Congress 2; MGR-ADMK 1; Independents 2.

@ Excluding two nominated members and six vacancies.

Sonia Gandhi's Motion

On 18 August 2003, when the House assembled at 11.00 A.M., the Minister of Health and Family Welfare and Minister of Parliamentary Affairs Smt. Sushma Swaraj moved a motion under Rule 32 for the suspension of the Question Hour in order to take up certain urgent financial and other Legislative Business. The motion was adopted by the House. After transacting the necessary business, the Speaker Shri Manohar Joshi, at 12.00 O'clock, informed the House that he had received a notice of Motion of No-confidence in the Council of Ministers under Rule 198 from Smt. Sonia Gandhi (Congress-I): The notice for the motion was given on 14 August 2003. The Speaker read the motion to the House and requested those members who were in favour of leave being granted to the motion to rise in their places. As not less than 50 members had risen in support of the motion, the Speaker informed that leave of the House was granted. He then said that if the House agreed, the discussion on the motion could be taken up immediately, which was agreed to.

Moving the motion, Smt. Sonia Gandhi said that the motion was being moved not for partisan reasons but out of a deep sense of responsibility towards the people of India. She charged the Government with jeopardizing the country's defences, weakening national security, wilfully wrecking social harmony, subverting the secular character of the educational system, destroying probity in administration and in public life, increasing unemployment and dismantling the public sector, causing

untold sufferings to the *kisans* and *khet mazdoors*, denigrating key institutions of parliamentary democracy and undermining the independence of foreign policy. Referring to the Women's Reservation Bill pending in the Lok Sabha, she alleged that the Government had no intention of getting the Bill passed. She also accused the Government of impeding the functioning of the Public Accounts Committee (PAC) by refusing to give it access to the Central Vigilance Commission (CVC) Report which had examined some transactions relating to 'Operation Vijay' during the Kargil war. Smt. Gandhi stressed that the BJP-led Government had betrayed the mandate of the people.

The Leader of the Opposition also raised the alleged politicization of the Central Bureau of Investigation (CBI) on the Ayodhya issue. She observed that the consensus that had underpinned India's foreign policy for almost five decades had been wilfully eroded in the last five years. She added that the BJP led Government had shown itself to be incompetent, insensitive and irresponsible.

Speaking on the motion, the Deputy Prime Minister Shri L.K. Advani contended that the stature of India had risen all over the world during the previous five years. This, he said, was because of the collective effort of the Government and the masses, including everyone present in the House. He described the 1998 Pokhran nuclear tests as a turning point in enhancing the prestige of India internationally. The foreign policy pursued by the Government during the previous five years had resulted in at least 30 countries, including the U.K. and France, advocating the cause of India getting a permanent seat in the U.N. Security Council. Terrorism, he said, was being combated on two fronts. While on the one hand the Armed Forces were fighting terrorism, the Government was mobilizing international opinion against this global menace on the other. A Joint Working Group against Terrorism had been formed with 15 other countries, including USA, Canada, UK, France, Russia and China.

Referring to the Women's Reservation Bill, Shri Advani said the Government was ready to accept any of the three alternatives - the proposal made by the Election Commission, or on the basis of double member constituency or the Bill in its original form - provided there was a consensus among political parties. He regretted that India did not have a Germany type provision where it was mandatory that when a party brought a No-confidence Motion against the Government it must disclose the name of the alternative leader.

Supporting the motion, the CPI(M) leader Shri Somnath Chatterjee admitted that the motion was likely to be defeated because of the temporary majority contrived by the ruling NDA. The vast majority of the people outside the Parliament who did not support corruption and who believed in the secular traditions of the country had decided to consign the Government to the dustbin of history and were waiting for the right opportunity to do so. He called for the removal of the BJP led NDA Government lock, stock and barrel.

The All India Trinamool Congress leader Kumari Mamata Banerjee said that in spite of the many odds like the Kargil war, earthquake, super cyclone and many other things, there was stability in the country. Shri Atal Bihari Vajpayee had shown to the country that the NDA was able and stable. But the Opposition was totally divided. They would not pick and choose a leader who could be projected as a Prime Ministerial candidate. She congratulated the Prime Minister for the road revolution, increasing the foreign reserves and the GDP growth rate which was about 6.8 per cent.

The Samajwadi Party leader Shri Mulayam Singh Yadav said the Government had tarnished the image of India abroad. Earlier, whenever human rights were violated, India used to strongly oppose such violations. But today, the country could not utter even a single word in the matter. As regards economy, the per capita income of Maldives and Sri Lanka was more as compared to that of India. Referring to the Prime Minister's address on 15 August that foodgrains were available in plenty in the godowns, he wondered as to why there were starvation deaths, if that were so. He alleged that nothing had been done for the welfare of the farmers which had led to a decline in production.

The former Prime Minister, Shri Chandra Shekhar (SJP-R) said it was not for the first time that a report was not shown to the Public Accounts Committee on the grounds of confidentiality and the usual practice was to solve it at a meeting among the Lok Sabha Speaker, the Minister concerned and the PAC Chairman. He said he had tried to arrange a meeting between the PAC Chairman and the Minister for Defence Shri George Fernandes but they kept shifting their stand. However, when the Rajya Sabha was told that there was no CVC Report on defence procurements made during the Kargil conflict, it was decided to make the No-confidence Motion a weapon in view of the coming State Assembly elections.

The Defence Minister Shri George Fernandes (Samata Party) elaborated on the NDA Government's continuing efforts to provide more budgetary support to the Armed Forces than any previous Government. As regards Kargil, Shri Fernandes said it was not proper to term the situation as an intelligence failure or the failure of the Army. Referring to the allegation that the Defence Ministry was withholding from the Public Accounts Committee a report by the CVC on Kargil purchases, he said the date on which he was to meet the then PAC Chairman Shri Narayan Datt Tiwari, Shri Tiwari was appointed the Chief Minister of Uttaranchal. He said he was ready to go to any extent for the sake of transparency. Shri Fernandes also rejected the charges of corruption levelled against him in the purchase of coffins for the Kargil martyrs and accused the Congress(I) of demoralizing the Army. He challenged the Opposition to substantiate these charges and declared that he would quit if the charges were proved.

Shri S. Jaipal Reddy (Congress-I) focused on the Tehelka expose and described the reinduction into the Council of Ministers of Shri George Fernandes after his resignation as the coronation of corruption. He also gave details of five 'Operation Vijay' related procurements dealt with by the CVC in its report that was held back from the PAC.

The Minister of Health and Family Welfare and Minister of Parliamentary Affairs, Smt. Sushma Swaraj refuted all the allegations levelled against the Vajpayee Government. Detailing the achievements of the Government, she referred to the fields of telecom, petroleum, uplinking of TV channels, *kisan* credit card, food security programme, highway development and tackling of the dreaded SARS as the high points of its performance.

The TDP leader Shri K. Yerranaidu said his party was extending support from outside to the NDA Government based on the National Development Agenda, that is the Common Minimum Programme. They were watching the Government's functioning and not allowing them to deviate even an inch from the Common Minimum Programme. The former Lok Sabha Speaker, Shri P.A. Sangma (NCP) referred to the manifesto of the BJP and said the performance of the Government was far below than what had been promised. Shri Chandrakant Khaire (Shiv Sena) said the No-confidence Motion had been moved with an eye on the forthcoming elections to the five State Assemblies. The development works undertaken during the NDA Government far surpassed those accomplished during the governance of the Congress Party. The Minister of Environment and Forests, Shri T.R. Baalu (DMK) pointed to the issues of balance of payments, inflation and shortage of food grains which, he said, the Government had inherited in its inception phase and listed its achievements in the field of telecommunications, road development and environment. Kumari Uma Bharati (BJP) said the tenure of Shri Atal Bihari Vajpayee would be remembered for the Pokhran nuclear test, the Golden Quadrilateral Project, the Pradhan Mantri Gram Sadak Yojana, Swajal Dhara Yojana, the Lahore Bus Yatra and for the Kargil victory. She appealed to the members that the Women's Reservation Bill be allowed to be considered by the House and the amendments to the Bill could be suggested in the House itself. Shri Rashid Alvi (BSP) said the need of the hour was to forget internal differences and strive for creating an atmosphere of mutual confidence and harmony in the country and work towards strengthening India. He further said that irrespective of the Government of the day, any communal riots or terrorist activity should be strongly condemned.

The former Prime Minister Shri H.D. Deve Gowda (JD(S)) asked as to what steps had been taken to improve the plight of the farmers. He also enquired whether the purchase of the Russian made T-90 tanks, self-propelled guns and multi-barrel single rockets were made through a single window system or by inviting global tenders. Dr. Raghuvansh Prasad Singh (RJD) said the No-confidence Motion had

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been brought at the right time; unemployment was rising in the country while foodgrains production was declining. Shri Ajay Singh Chautala (INLD) opposed the motion and said the nation had become economically strong under the leadership of Shri Vajpayee. Shri Ram Vilas Paswan (LJSP) felt that a No-confidence Motion should be brought in the House every six months as it provided the members an opportunity to speak and the Government an opportunity to put forth its views before the public.

Highlighting the achievements of the NDA Government, Smt. Maneka Gandhi (Independent) wanted to know whether there were truly any grounds for moving the motion or this was just one more attempt to make political mileage by the Opposition. Shri Sanat Kumar Mandal (RSP) alleged that the Government was not doing anything for the public, farmers and the small industries. Shri Ajoy Chakraborty (CPI) said the Government had utterly failed in every sector - be it the agricultural, industrial or financial sector. Shri G.M. Banatwalla (MLKSC) said that every section of society was feeling uncomfortable and the Government was the enemy of the masses and secularism. Shri Rajesh Ranjan (Independent) said the warfare of allegations and counter-allegations was not going to do any good for the farmers or labourers. Shri Amar Roy Pradhan (AIFB) said the situation in the country was very bad. Unemployment was growing and the agricultural labourer was the poorest in the country. Shri Prakash Ambedkar (BBM) wanted to know from the Finance Minister the reason why the market borrowing was going to increase in 2003-04 by more than 100 per cent and asked whether the country was on the verge of bankruptcy. Shri Sultan Salahuddin Owaisi (AIMEM) said the Government had failed on every front and the country was witnessing complete anarchy. The stand of the Government as regards secularism was controversial. Dr. Jayanta Rongpi (CPI-ML) said the problems of the North-Eastern region had remained unsolved. Sardar Simranjit Singh Mann (SAD(M)) said that the NDA was a unique example in coalition Government. Shri S.K. Bwiswmuthiary (Independent) thanked the NDA Government for taking the initiative of bringing the Constitution Amendment Bill to include the Bodo language in the Eighth Schedule of the Constitution. Shri Ram Jeevan Singh (JD(U)) said that a No-confidence Motion should be judiciously used either to expose or oppose the Government. Shri Ramdas Athawale (Independent) said the Government should have worked for the welfare of the poor and the *dalits*.

Replying to the debate on the motion, the Prime Minister Shri Atal Bihari Vajpayee said that he had been in Parliament since 1957 but had never seen such a No-confidence Motion. He pointed out that a No-confidence Motion was usually brought when a Government was on the verge of collapse or to keep it on its toes. But he wondered why such a motion had been moved now when there was no question of the Government breaking nor was there any intention to break it. Referring to the Opposition charge that the Government had jeopardized the defence security system

of the country, Shri Vajpayee said they should have substantiated it by producing concrete evidence. He objected to the allegations that the Government had mortgaged its foreign policy and asked whether India was so cheap that anyone could mortgage it. He contended that there was always a consensus on India's foreign policy and said that there should not be any polarization in the country on the question of foreign policy. Shri Vajpayee reiterated that his Government did not buckle under pressure from any foreign power and if the Government moulded the country's foreign policy postulations to meet the international challenges, it should be welcomed by all.

The Prime Minister emphasized that the Defence Minister Shri Fernandes had been instrumental in boosting the morale of the Armed Forces by frequently visiting the border areas. Refuting the Opposition charge that the Government had betrayed the mandate of the people, the Prime Minister concluded that the Government would remain in power till the people wanted them.

In her reply to the debate, Smt. Sonia Gandhi said there were a number of instances when No-confidence Motions were brought forth to expose the failures of the Government and not to replace the Government as such. She accused the NDA Government of not replying to any of the charges levelled against it. The Government was silent on the issue of social harmony because its track record came in its way of defence. If the Government had not been under any external pressure it would not have taken so long to condemn the war on Iraq and in taking the decision not to send the Forces to Iraq. The Government, she said, had a lot to hide on the points she had raised. The NDA Government was camouflaging its failures by blaming them as the legacy of the previous Congress Governments. The truth, however, was that their so called achievements emanated from this legacy, she added.

The discussion on the motion lasted 21 hours and 7 minutes in which 39 members participated. The motion was negatived with 189 members voting in favour and 314 members voting against it.

Annexure I

Relevant Provisions of the Constitution

Union Council of Ministers

Council of Ministers to aid and advise President

- 74.(1) There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President who shall, in the exercise of his function, act in accordance with such advice:

Provided that the President may require the Council of Ministers to reconsider such advice, either generally or otherwise, and the President shall act in accordance with the advice tendered after such reconsideration.

- (2) The question whether any, and if so what advice was tendered by Ministers to the President shall not be inquired into in any court.

Other provisions as to Ministers

- 75.(1) The Prime Minister shall be appointed by the President and the other Ministers shall be appointed by the President on the advice of the Prime Minister.
- (2) The Ministers shall hold office during the pleasure of the President.
- (3) The Council of Ministers shall be collectively responsible to the House of the People.
- (4) Before a Minister enters upon his office, the President shall administer to him the oaths of office and of secrecy according to the forms set out for the purpose in the Third Schedule.
- (5) A Minister who for any period of six consecutive months is not a member of either House of Parliament shall at the expiration of that period cease to be a Minister.
- (6) The salaries and allowances of Ministers shall be such as Parliament may

from time to time by law determine and, until Parliament so determines, shall be as specified in the Second Schedule.

State Council of Ministers

Council of Ministers to aid and advise Governor

- 163.(1) There shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor in the exercise of his functions, except in so far as he is by or under this Constitution required to exercise his functions or any of them in his discretion.
- (2) If any question arises whether any matter is or is not a matter as respects which the Governor is by or under this Constitution required to act in his discretion, the decision of the Governor in his discretion shall be final, and the validity of anything done by the Governor shall not be called in question on the ground that he ought or ought not to have acted in his discretion.
- (3) The question whether any, and if so what, advice was tendered by Ministers to the Governor shall not be inquired into in any court.

Other provisions as to Ministers

- 164.(1) The Chief Minister shall be appointed by the Governor and the other Ministers shall be appointed by the Governor on the advice of the Chief Minister, and the Ministers shall hold office during the pleasure of the Governor:

Provided that in the State of Bihar, Madhya Pradesh and Orissa, there shall be a Minister in charge of tribal welfare who may in addition be in charge of the welfare of the Scheduled Castes and backward classes or any other work.

- (2) The Council of Ministers shall be collectively responsible to the Legislative Assembly of the State.
- (3) Before a Minister enters upon his office, the Governor shall administer to him the oaths of office and of secrecy according to the forms set out for the purpose in the Third Schedule.
- (4) A Minister who for any period of six consecutive months is not a member of the Legislature of the State shall at the expiration of that period cease to be a Minister.
- (5) The salaries and allowances of Ministers shall be such as the Legislature of the State may from time to time by law determine and, until the Legislature of the State so determines, shall be as specified in the Second Schedule.

Annexure II

Relevant Rules of Procedure of Lok Sabha

Motions

Discussion on matter of public interest

184. Save in so far as is otherwise provided in the Constitution or in these rules, no discussion of a matter of general public interest shall take place except on a motion made with the consent of the Speaker.

Notice of motion

185. Notice of motion shall be given in writing addressed to the Secretary-General.

Admissibility of motions

186. In order that a motion may be admissible it shall satisfy the following conditions, namely:-

- (i) it shall raise substantially one definite issue;
- (ii) it shall not contain arguments, inferences, ironical expressions imputations or defamatory statements;
- (iii) it shall not refer to the conduct or character of persons except in their public capacity ;
- (iv) it shall be restricted to a matter of recent occurrence;
- (v) it shall not raise a question of privilege;
- (vi) it shall not revive discussion of a matter which has been discussed in the same session;
- (vii) it shall not anticipate discussion of a matter which is likely to be discussed in the same session;
- (viii) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India;

- (ix) if it contains a statement the member shall make himself responsible for the accuracy of the statement;
- (x) it shall not seek discussion on a paper or document laid on the Table by a private member;
- (xi) it shall not ordinarily relate to matters which are under consideration of a Parliamentary Committee;
- (xii) it shall not ask for an expression of opinion or the solution of an abstract legal question or of a hypothetical proposition;
- (xiii) it shall not relate to a matter which is not primarily the concern of the Government of India;
- (xiv) it shall not raise a matter under the control of bodies or persons not primarily responsible to the Government of India;
- (xv) it shall not relate to a matter with which a Minister is not officially concerned;
- (xvi) it shall not refer discourteously to a friendly foreign country;
- (xvii) it shall not refer to or seek disclosure of information about matters which are in their nature secret such as Cabinet discussions or advice given to the President in relation to any matter in respect of which there is a constitutional, statutory or conventional obligation not to disclose information; and
- (xviii) it shall not relate to a trivial matter.

Speaker to decide admissibility

187. The Speaker shall decide whether a motion or a part thereof is or is not admissible under these rules and disallow any motion or a part thereof when in his opinion it is an abuse of the right of moving a motion or is calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules.

Matters before tribunals, commissions, etc.

188. No motion which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasijudicial functions or any commission or court of enquiry appointed to enquire into or investigate any matter shall ordinarily be permitted to be moved:

Provided that the Speaker may, in his discretion, allow such matter being raised in the House as it concerned with the procedure or subject or stage of enquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry.

Publication of admitted motions

189. If the Speaker admits notice of a motion and no date is fixed for the discussion of such motion, it shall be notified in the *Bulletin* with the heading: 'No-Day-Yet-Named Motions'.

Allotment of time for discussion

190. The Speaker may, after considering the state of business in the House and in consultation with the Leader of the House or on the recommendation of the Business Advisory Committee, allot a day or days or part of a day for the discussion of any such motion.

Putting of question at appointed time

191. The Speaker shall, at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith put every question necessary to determine the decision of the House on the original question.

Time limit for speeches

192. The Speaker may, if he thinks fit, prescribe a time limit for speeches.

Motion of No-confidence in the Council of Ministers

Procedure regarding Motion of No-confidence in the Council of Ministers

198. (1) A motion expressing want of confidence in the Council of Ministers may be made subject to the following restrictions, namely:-

- a) leave to make the motion shall be asked for by the member when called by the Speaker;
- b) the member asking for leave shall, by 10.00 hours on that day, give to the Secretary-General a written notice of the motion which he proposes to move.

Provided that notices, received after 10.00 hours, shall be deemed to have been received at 10.00 hours on the next day on which the House sits.

- (2) If the Speaker is of opinion that the motion is in order, he shall read the motion to the House and shall request those members who are in favour of

leave being granted to rise in their places, and if not less than fifty members rise accordingly, the Speaker shall declare that leave is granted and that the motion will be taken up on such day, not being more than ten days from the date on which the leave is asked for as he may appoint. If less than fifty members rise, the Speaker shall inform the member that he has not the leave of the House.

- (3) If leave is granted under sub-rule(2), the Speaker may, after considering the state of business in the House, allot a day or days or part of a day for the discussion of the motion.
- (4) The Speaker shall, at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith put every question necessary to determine the decision of the House on the motion.
- (5) The Speaker may, if he thinks fit, prescribe a time limit for speeches.

General Rules of Procedure

Motions

Repetition of motion

338. A motion shall not raise a question substantially identical with one on which the House has given a decision in the same session.

Withdrawal of motion

- 339(1) A member who has made a motion may withdraw the same by leave of the House.
- (2) The leave shall be signified not upon question but by the Speaker taking the pleasure of the House. The Speaker shall ask: 'Is it your pleasure that the motion be withdrawn?' If no one dissents, the Speaker shall say: The motion is by leave withdrawn. But if any dissentient voice be heard or a member rises to continue the debate the Speaker shall forthwith put the motion:

Provided that if an amendment has been proposed to a motion, the original motion shall not be withdrawn until the amendment has been disposed of.

Adjournment of debate on motion

340. At any time after a motion has been made, a member may move that the debate on the motion be adjourned.

Motion in abuse of rules or dilatory motion

- 341(1) If the Speaker is of opinion that a motion for the adjournment of a debate

is an abuse of the rules of the House, he may either forthwith put the question thereon or decline to propose the question.

- (2) If the Speaker is of opinion that a motion for recirculation of a Bill to elicit further opinion thereon is in the nature of a dilatory motion in abuse of the rules of the House inasmuch as the original circulation was adequate or comprehensive or that no circumstance has arisen since the previous circulation to warrant the recirculation of the Bill, he may forthwith put the question thereon or decline to propose the question.
- (3) If the Speaker is of opinion that a motion for recommitment of a Bill to a Select Committee of the House or a Joint Committee of the Houses or circulation or recirculation of the Bill after the Select Committee of the House or the Joint Committee of the Houses has reported thereon, is in the nature of a dilatory motion in abuse of the rules of the House inasmuch as the Select Committee of the House or the Joint Committee of the Houses, as the case may be, has dealt with the Bill in a proper manner or that no unforeseen or new circumstance has arisen since the Bill emerged from such Committee, he may forthwith put the question thereon or decline to propose the question.

**Motion to consider policy,
situation, statement or
any other matter**

342. A motion that the policy or situation or statement or any other matter be taken into consideration shall not be put to the vote of the House, but the House shall proceed to discuss such matter immediately after the mover has concluded his speech and no further question shall be put at the conclusion of the debate at the appointed hour unless a member moves a substantive motion in appropriate terms to be approved by the Speaker and the vote of the House shall be taken on such motion.

Suspension of Rules

388. Any member may, with the consent of the Speaker, move that any rule may be suspended in its application to a particular motion before the House and if the motion is carried the rule in question shall be suspended for the time being.

Residuary Powers

389. All matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may, from time to time, direct.

Annexure III

Presidents of India (1950-2004)

Name	Tenure
Dr. Rajendra Prasad	26.01.1950 - 13.05.1962
Dr. S. Radhakrishnan	13.05.1962 - 13.05.1967
Dr. Zakir Husain	13.05.1967 - 03.05.1969
Shri V.V. Giri	03.05.1969 -20.07.1969 (Acting)
Justice M. Hidayatullah	20.07.1969-24.08.1969 (Acting)
Shri V.V. Giri	24.08.1969 -24.08.1974
Shri Fakhruddin Ali Ahmed	24.08.1974-11.02.1977
Shri B.D.Jatti	11.02.1977 -25.07.1977(Acting)
Dr. Neelam Sanjiva Reddy	25.07.1977-25.07.1982
Giani Zail Singh	25.07.1982-25.07.1987
Shri R. Venkataraman	25.07.1987-25.07.1992
Dr. Shanker Dayal Sharma	25.07.1992 -25.07.1997
Shri K.R. Narayanan	25.07.1997-25.07.2002
Dr. A.P.J. Abdul Kalam	25.07.2002-till date

Annexure IV

Prime Ministers of India (1947-2004)

Name	Tenure
Pandit Jawharlal Nehru	15.08.1947-27.05.1964
Shri Gulzari Lal Nanda	27.05.1964-09.06.1964 (Acting)
Shri Lal Bahadur Shastri	09.06.1964-11.01.1966
Shri Gulzari Lal Nanda	11.01.1966-24.01.1966 (Acting)
Smt. Indira Gandhi	24.01.1966-24.03.1977
Shri Morarji Desai	24.03.1977-28.07.1979
Ch. Charan Singh	28.07.1979-14.01.1980
Smt. Indira Gandhi	14.01.1980-31.10.1984
Shri Rajiv Gandhi	31.10.1984 -01.12.1989
Shri Vishwanath Pratap Singh	02.12.1989-10.11.1990
Shri Chandra Shekhar	10.11.90-21.06.1991
Shri P.V. Narasimha Rao	21.06.1991-16.05.1996
Shri A.B. Vajpayee	16.05.1996-01.06.1996
Shri H.D. Deve Gowda	01.06.1996-21.04.1997
Shri I.K. Gujral	21.04.1997 -18.03.1998
Shri A.B. Vajpayee	19.03.1998 -till date

Annexure V

Speakers of Lok Sabha (1952-2004)

Name	Tenure
Shri G.V. Mavalankar	15.05.1952-27.02.1956*
Shri M.A. Ayyangar	08.03.1956-16.04.1962
Sardar Hukam Singh	17.04.1962-16.03.1967
Dr. N. Sanjiva Reddy	17.03.1967-19.07.1969#
Dr. G.S. Dhillon	08.08.1969-19.03.1971 22.03.1971-01.12.1975@
Shri B.R. Bhagat	05.01.1976-25.03.1977
Dr. N. Sanjiva Reddy	26.03.1977-13.07.1977\$
Shri K.S. Hegde	21.07.1977-21.01.1980
Dr. Bal Ram Jakhar	22.01.1980-15.01.1985 16.01.1985-18.12.1989
Shri Rabi Ray	19.12.1989-09.07.1991
Shri Shivraj V. Patil	10.07.1991-22.05.1996
Shri Purno A. Sangma	23.05.1996-23.03.1998
Shri G.M.C. Balayogi	24.03.1998-20.10.1999 22.10.1999-03.03.2002**
Shri Manohar Joshi	10.05.2002 - till date

* Died on 27.02.1956.

@ Resigned on 01.12.1975

**Died on 03.03.2002

Resigned on 19.07.1969.

\$ Resigned on 13.07.1977.

PART III

**MOTIONS OF CONFIDENCE
AND NO-CONFIDENCE
IN STATE LEGISLATIVE ASSEMBLIES
(1952-2003)**

Motions of Confidence and No-confidence in the State and Union territory Legislative Assemblies (1952-2003) - An Overview -

As discussed earlier, the Union Council of Ministers is responsible to the Lok Sabha in accordance with article 75(3) of the Constitution. An analogous provision exists in respect of the State Legislative Assemblies also. Article 164(2) provides that the Council of Ministers in a State shall be responsible to the respective Legislative Assembly. Governments, both at the Centre and in the States, have to enjoy majority support in the popular House to remain in office. Should the Government lose a Confidence Motion brought by it or should a Motion of No-confidence brought against it be adopted, the Government has to resign.

Motions of No-confidence in the State and Union Territory Legislative Assemblies

Every Legislative Assembly, in accordance with article 208 of the Constitution, may frame its own Rules of Procedure and Conduct of Business to regulate the business of the House. Accordingly, all State Legislatures in the country have framed their own Rules of Procedure.

Rules re: No-confidence Motions

As in the case of the Lok Sabha, which has a specific rule governing the Motion of No-confidence, all the 28 State Legislative Assemblies, the Delhi Legislative Assembly and the Union territory of Pondicherry which also has a Legislative Assembly, provide for a specific rule in respect of the Motion of No-confidence. The procedure for giving the notice and admitting the motion broadly is the same; however,

there are some minor variations relating to the support of the number of members required for admitting the motion, depending on the strength of the Assembly of each State or Union territory. For example, while it requires not less than one-third of the members' support in the Legislative Assembly of Himachal Pradesh for admitting a Motion of No-confidence, the support of not less than one-fifth of the members of the House is required in the case of Goa, Rajasthan, Tripura, Uttaranchal, Uttar Pradesh, Delhi and Pondicherry Legislative Assemblies and not less than one-tenth in the case of the Andhra Pradesh, Arunachal Pradesh, Assam, Chhattisgarh and Jharkhand Legislative Assemblies. The Punjab Legislative Assembly requires not less than one-fifth of the then existing strength of the House for a motion to be admitted. In the Jammu & Kashmir Legislative Assembly (with a strength of 100 members, including 24 seats remaining vacant for Pakistan-occupied Kashmir), not less than 20 members' support is required for a motion to be admitted in the House. Several Legislative Assemblies have specified the number of minimum members whose support is required for a motion to be admitted as under: Bihar (31); Gujarat (17); Haryana (18); Karnataka (23); Kerala (20); Maharashtra (29); Manipur (10); Meghalaya (10); Mizoram (10); Orissa (14); Sikkim (6); and Tamil Nadu (24).

The Legislative Assemblies have amended their respective Rules of Procedure, in this regard, from time to time. Thus, in the case of the West Bengal Legislative Assembly, the rule was amended to reduce the number of members supporting the Motion of No-confidence from 48 to 30 in the 295-member House during the Budget Session of 1992 to enable the Opposition which had a strength of less than 48 to move a Motion of No-confidence against the Council of Ministers.

Similarly, there is a slight variation with regard to the period within which a Motion of No-confidence, once admitted, is to be taken up for discussion. Generally, after the motion is admitted, the day for discussion so fixed must not be beyond ten days from the date on which the leave is asked for. However, in the case of the Sikkim Legislative Assembly, the motion should be taken up on such day for debate not being more than five days from the day on which leave is asked for. In the case of the Maharashtra Legislative Assembly, the motion should be taken up for discussion not earlier than three days and not more than seven days from the day on which leave is asked. In the Arunachal Pradesh and Meghalaya Legislative Assemblies, the debate should be held within a period which is not less than 24 hours and not more than ten days from the time at which leave is asked for. In respect of the Delhi Legislative Assembly, the motion should be taken up for debate on such day which should not be more than three days from the date of grant of leave. In the Karnataka Legislative Assembly, once leave is granted, the motion may be taken up the next day, or within three days thereafter as the Speaker decides.

Thus, the time factor is very important when it comes to the admissibility of a motion. For instance, in the Maharashtra Legislative Assembly, a notice of Motion of

No-confidence against the Progressive Democratic Front (PDF) Ministry was given by the Opposition. Leave of the House was granted on 10 August 1979. After grant of leave of the House, the Speaker said that as the last day of working of the House was 11 August 1979, and as per the rules, such motion had to be taken up for discussion not earlier than three days and not later than seven days from the day on which leave was granted, there was no sufficient period available for taking up the motion for discussion in the current Session. He, therefore, kept the matter before the House to take a final decision to decide the day of discussion.

Members of the ruling party insisted on taking up the motion for discussion on the same day and the Minister for Parliamentary Affairs moved the motion to suspend the concerned rule and to discuss the motion on the same day. The Leaders of the Opposition and several other Opposition members raised objections to the suspension of the rule so as to take up the discussion on the motion on the same day as they thought the time for discussion would be very short. The ruling party insisted on suspending the rule. Several members from the Opposition and the ruling parties expressed their opinion on this point but no unanimous decision could be arrived at. At the end, the members of the Opposition party walked out of the House, protesting against the attitude of the ruling front.

After passing the motion seeking suspension of the rule, the Speaker asked for moving the Motion of No-confidence but the Opposition members had already walked out the House and nobody was there in the House to move the motion. Therefore, the Speaker announced that the motion had lapsed.

In another instance, in the Gujarat Legislative Assembly, under the rules, the Speaker fixes a day for discussion of the motion which shall not be earlier than three days and later than seven days from the day on which leave is granted. On 10 September 2003, the Leader of the Opposition moved a motion expressing want of confidence in the Council of Ministers headed by Shri Narendra Modi. As all the members of the Opposition rose in support of the motion, the Speaker declared that leave was granted. At this juncture, the Minister of Parliamentary Affairs drew the attention of the House towards the provisions of Rule 106 of the Gujarat Legislative Assembly under which the Speaker has to fix a day not earlier than 3 days and later than 7 days from the day on which leave is granted. Since only two days were left for the adjournment of the House from the day on which leave to move the motion was granted, accordingly, the motion could not be taken up for discussion.

However, in another instance, in the Orissa Legislative Assembly, a notice for a Motion of No-confidence received on 17 April 1964 - the last day of the Session - was admitted and taken up on the same day, even though, under the rules, the motion shall be taken up on such day, not being more than ten days from the date on which the leave is asked for.

Similarly, in the Madhya Pradesh Legislative Assembly, on 15 September 1989,

on the last day of the Monsoon Session, a notice of a Motion of No-confidence against the Council of Ministers headed by Shri Motilal Vora was given by the Leader of the Opposition, Shri Kailash Joshi. As more than 32 members stood in favour of the motion, leave of the House was granted on the same day and the debate was fixed for 16 September 1989, by extending the Monsoon Session by one day. In this case too, under the rules, the motion shall be taken up not more than ten days from the day on which the leave is asked for.

No-confidence Motions in different Legislative Assemblies

Almost all the State Legislative Assemblies in the country have taken up at least one or more Motions of No-confidence, except the Assemblies of Jammu and Kashmir and Jharkhand which have not taken up any such motion till December 2003.

In all, 312 Motions of No-confidence have been admitted/discussed in all the Legislative Assemblies put together till date. The first Motion of No-confidence in the Legislative Bodies in post-Independence India was taken up in the Rajasthan Legislative Assembly on 10 October 1952 which was against the Chief Minister, Shri Tikaram Paliwal. After a two-day discussion, the motion was negated by voice vote.

The second Motion of No-confidence in the Legislative Assemblies in India was taken up in the Travancore-Cochin Legislative Assembly on 30 October 1952 against the Council of Ministers of Shri A.J. John. The motion was negated.

The third Motion of No-confidence among the Indian Legislative Assemblies after Independence was taken up in the Orissa Legislative Assembly against the Nabakrushna Choudhury Government in April 1953 which was negated.

The fourth Motion of No-confidence among the State Legislative Assemblies in the country was taken up in the erstwhile Andhra State Legislative Assembly on 4 November 1954 against the T. Prakasam Ministry which was adopted after a three-day debate by a margin of one vote, resulting in the fall of the Government. Incidentally, this is the first ever No-confidence Motion to be adopted by a State Legislative Assembly in the country, leading to the fall of the State Government. The last Motion of No-confidence (till December 2003) was taken up in the Uttaranchal Legislative Assembly on 22 December 2003 against the Ministry of Shri N.D. Tiwari which was negated.

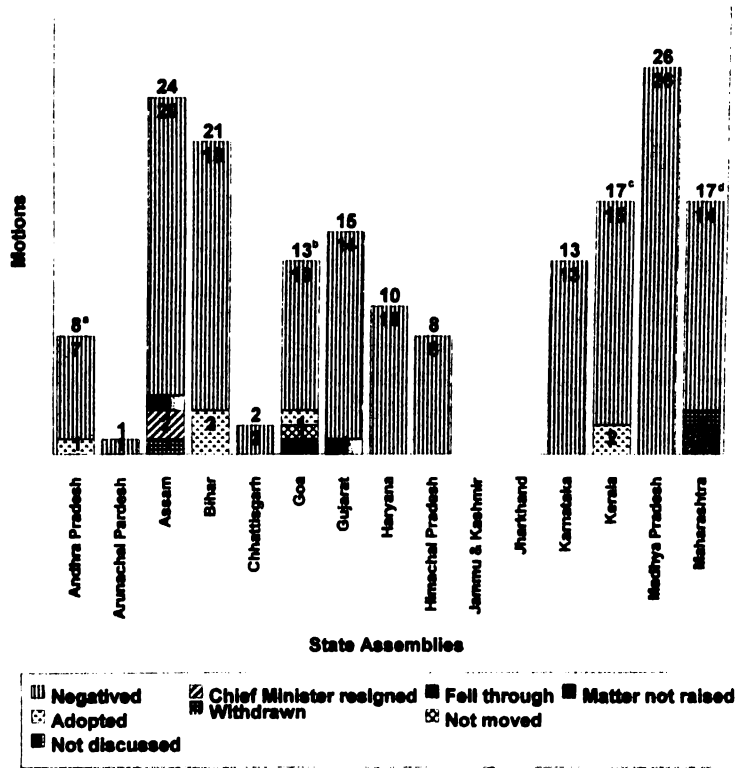
Number of No-confidence Motions

Among the 28 Legislative Assemblies which have taken up Motions of No-Confidence, the highest number of 26 motions were moved in the Madhya Pradesh Legislative Assembly and all these were negated. This is followed by the Assam Legislative Assembly in which 24 motions were admitted. While one motion was

States	Admitted/ Discussed	Negatived	Adopted	Not discussed	Chief Minister resigned	Withdrawn	Fell through	Not moved	Matter not raised	Inconclusive discussion
Sikkim	1	1	-	-	-	-	-	-	-	-
Tamil Nadu	12	11	-	-	-	1	-	-	-	-
Tripura	11	10	1	-	-	-	-	-	-	-
Uttaranchal	1	1	-	-	-	-	-	-	-	-
Uttar Pradesh	17	17	-	-	-	-	-	-	-	-
West Bengal	18(f)	17	-	1	-	-	-	-	-	-
Delhi	5(g)	5	-	-	-	-	-	-	-	-
Pondicherry	6	5	-	-	1	-	-	-	-	-
Total	312	280	12	3	7	5	2	1	1	1

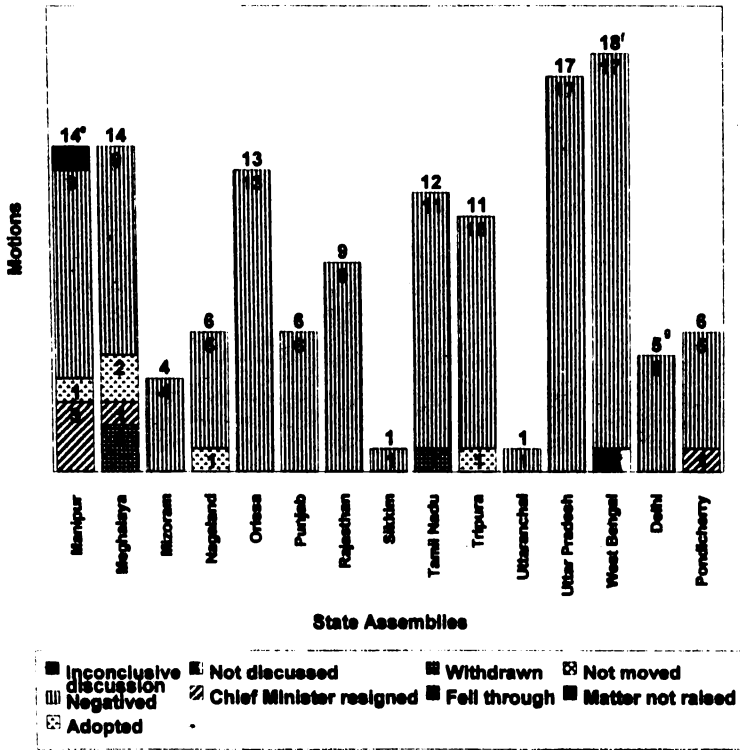
- (a) Including one motion moved in the Andhra State Legislative Assembly
 (b) Including eleven motions moved in the Goa, Daman and Diu (UT) Legislative Assembly
 (c) Including three motions moved in the Travancore-Cochin Legislative Assembly
 (d) Including one motion moved in the Bombay State Legislative Assembly
 (e) Including three motions moved in the Manipur (UT) Legislative Assembly
 (f) Following the terrorist attack on the Parliament on 13 December 2001, the motion was not taken up
 (g) Excluding five Censure Motions moved in the Delhi Metropolitan Council

Graph VII
NCMs admitted and discussed in the State Legislative Assemblies
(1952-2003)



(a) Including one motion moved in the Andhra State Legislative Assembly
 (b) Including eleven motions moved in the Goa, Daman and Diu (UT) Legislative Assembly
 (c) Including three motions moved in the Travancore-Cochin Legislative Assembly
 (d) Including one motion moved in the Bombay State Legislative Assembly

Graph VII
NCMs admitted and discussed in the State Legislative Assemblies
(1952-2003)



(e) Including three motions moved in the Manipur (UT) Legislative Assembly
 (f) Following the terrorist attack on the Parliament on 13 December 2001, the motion was not taken up.
 (g) Excluding the five Censure Motions moved in the Delhi Metropolitan Council.

not discussed, one was withdrawn. In one case, the concerned Chief Minister resigned before the motion was taken up for discussion and in another case the Chief Minister resigned during the lunch recess while the House was discussing the motion. The third highest number of 21 Motions of No-confidence was moved in the Bihar Legislative Assembly. The number of No-confidence Motions admitted/discussed in the various Legislative Assemblies is as under: West Bengal 18 motions, of which one was not taken up by the House following the attack by terrorists on the Parliament on 13 December 2001; Uttar Pradesh 17; Kerala 17 (including three motions moved in the Travancore-Cochin Legislative Assembly); Maharashtra 17 (including one moved in the Bombay State Legislative Assembly; of these, one was withdrawn and two motions fell through); Gujarat 15, of which one was not taken up for discussion because of a procedural lacuna; Manipur 14 (including 3 motions moved in the Manipur Union territory Legislative Assembly). Of the 14 motions in Manipur, two were not discussed as the Chief Minister resigned before the discussion was to be taken up. In one case, the Chief Minister resigned as the House was debating the motion. The discussion on one motion in the Manipur Union territory Legislative Assembly remained inconclusive with the Speaker, the Deputy Speaker and the Panel of Presiding Officers resigning from their office and the House failing to nominate a Presiding Officer); Meghalaya 14 of which 2 were withdrawn and in one case the Chief Minister resigned before the discussion was taken up; Goa 13 (including 11 motions moved in the Goa, Daman and Diu Union territory Legislative Assembly. In the Union territory Legislative Assembly, one motion was not moved by the member who had given notice. In the State Legislative Assembly, one motion was not raised by the member concerned); Karnataka and Orissa 13 each; Tamil Nadu 12, of which one was not voted upon as the Opposition members walked out of the House and the Speaker held that the motion might be treated as withdrawn; Tripura 11; Haryana 10; Rajasthan 9; Andhra Pradesh 8, including one moved in the Andhra State Legislative Assembly; Himachal Pradesh 8; Nagaland and Punjab 6 each; Pondicherry 6, including one case in which the Chief Minister resigned before the motion was taken up; Delhi 5, excluding the 5 Censure Motions moved against the Executive Council in the Delhi Metropolitan Council; Mizoram 4; Chhattisgarh 2; and Arunachal Pradesh, Sikkim and Uttaranchal, one motion each.

Of the 312 Motions of No-confidence that were admitted, 280 were negatived while 12 were adopted, resulting in the fall of the respective Governments.

No-confidence Motions against Chief Ministers

In the State Legislative Assemblies of the country, the highest number of ten No-confidence Motions was faced by Shri Jyoti Basu during his 23-year tenure as the Chief Minister of West Bengal. Shri V.P. Naik, who was the Chief Minister of Maharashtra for a period of over eleven years, faced 9 Motions of No-confidence

(including one which was subsequently withdrawn by the mover). They were followed by Shri Dayanand B. Bandodkar, who was the Chief Minister of the erstwhile Union territory of Goa, Daman and Diu, who faced seven motions (including one which the mover did not move for not being given sufficient time). The Chief Minister of Manipur, Shri Rishang Keishing also faced seven motions against his Ministry of which six were negatived and in one instance in February 1981, he resigned without facing the motion in the Legislative Assembly.

Fall of Governments following adoption of No-confidence Motions

As mentioned above, 12 Motions of No-confidence were adopted resulting in the fall of the respective Governments in various States. These States are: Andhra State - Shri T. Prakasam (November 1954); Bihar - Shri Mahamaya Prasad Sinha (January 1968), Shri Bindeshwari Prasad Mandal (March 1968) and Shri Daroga Prasad Rai (December 1970); Goa - Shri Pratapsingh Raoji Rane (March 1990) (the Chief Minister, however, stated in the House that he had already resigned); Travancore-Cochin Assembly (present Kerala State) - Shri Pattom Thanu Pillai, (February 1955); Kerala - Shri R. Sankar (September 1964); Manipur - Shri M. Koireng Singh (September 1969); Meghalaya - Shri B.B. Lyngdoh (March 1983) and Shri E.K. Mawlong (December 2001); Nagaland - Shri P. Shilu Ao (August 1966); and Tripura - Shri Sukhamoy Sengupta (March 1977).

No-confidence Motions moved by Individual Members

In the 28 Legislative Assemblies which have till now taken up 312 No-confidence Motions, the highest number of six motions each were moved by Dr. Jack de Sequeira in the erstwhile Union territory of Goa, Daman and Diu Legislative Assembly, all against the Ministry headed by Shri Dayanand B. Bandodkar; and by Shri Karpoori Thakur (Bihar Legislative Assembly), Shri S. Shivappa (Karnataka Legislative Assembly) and Shri K.N. Dhulup (Maharashtra Legislative Assembly).

Presiding Officers chairing No-confidence Motions

As regards the Presiding Officers who chaired or during whose tenure Motions of No-confidence were taken up, Shri Hashim Abdul Halim, who has been the Speaker of the West Bengal Legislative Assembly since June 1982, presided over the highest number of 14 Motions of No-confidence; another motion, though admitted, was not taken up by the House on 13 December 2001 following the terrorist attack on the Parliament on that day. Shri Kunji Lal Dubey, Speaker of the Madhya Pradesh Legislative Assembly for 11 years and Shri T. S. Bharde, Speaker of the Maharashtra Legislative Assembly for 10 years, presided over seven Motions of No-confidence each. The Speaker of the Uttar Pradesh Legislative Assembly, Shri A.G. Kher also presided over the debate on seven motions.

Participation by Members

On the basis of available information, in all, 6119 members participated in the debates on the Motions of No-confidence in different Legislative Assemblies. The highest number of 695 members took part in the debate on the 17 Motions of No-confidence in the Uttar Pradesh Legislative Assembly. The second highest number of 524 members participated in the debate on the 26 motions in the Madhya Pradesh Legislative Assembly while 482 members took part in the debate on the 17 motions in the Kerala and Travancore-Cochin Legislative Assemblies. This is followed by 399 members who participated in the discussion on the 17 Motions of No-confidence in the West Bengal Legislative Assembly.

Individually, the highest participation of members was recorded in respect of the Motion of No-confidence against Smt. Sucheta Kripalani's Ministry in the Uttar Pradesh Legislative Assembly in July 1964, wherein 81 members took part. This is followed by the debate on the motion against Chief Minister, Shri Bhairon Singh Shekhawat in the Rajasthan Legislative Assembly in September 1979, in which 63 members took part. 58 members participated in the debate on the motion against the Ministry of Shri Digvijay Singh in the Madhya Pradesh Legislative Assembly in August 1998. Only one member took part in the debate on the Motion of No-confidence against Shri P.K. Mahanta's Ministry in the Assam Legislative Assembly in December 1997, while 2 members took part in the debate on the motions of March 1974 and March 1977 in the Tripura Legislative Assembly, both against the Ministry of Shri Sukhamoy Sengupta.

Time Taken

Information relating to time taken is not available in respect of some Motions of No-confidence taken up in various State Legislative Assemblies. Of the particulars available, a total time of 1736 hours and 12 minutes was spent on various Motions of No-confidence in the Legislative Assemblies of the country.

The highest time of 213 hours and 41 minutes was recorded in the Madhya Pradesh Legislative Assembly followed by 199 hours and 57 minutes in the Tamil Nadu Legislative Assembly and 163 hours and 46 minutes in the Kerala and Travancore-Cochin Legislative Assembly.

The Motion of No-confidence against the Ministry of Shri J.H. Patel in the Karnataka Legislative Assembly in October-November 1998 was debated for the longest duration of 32 hours spread over three days, which was followed by the motion moved in the Tamil Nadu Legislative Assembly against the Ministry of Shri M.G. Ramachandran in January 1978 which was debated for 20 hours and 6 minutes; another motion, also moved in the Tamil Nadu Legislative Assembly, against the Chief Minister Dr. M. Karunanidhi in August 1973 recorded 20 hours. The Motion of

No-confidence of December 2001 against the Ministry of Shri E.K. Mawlong in the Meghalaya Legislative Assembly was discussed for the shortest duration of fifteen minutes.

Number of Days spent on debate

As per the available information, in all, 520 days were taken up in discussing the motions in various Legislative Assemblies. Some Motions of No-confidence in the State/Union territory Legislative Assemblies were debated and disposed of on the same day while the debate on some motions extended beyond one day. The Motion of No-confidence of April 1953 against the Ministry of Shri Nabakrushna Choudhury in the Orissa Legislative Assembly was debated for the longest period of seven days followed by the motion against the Ministry of Shri M.G. Ramachandran in the Tamil Nadu Legislative Assembly which was debated for six days in November 1983.

Division

The fate of the Motions of No-confidence and Confidence taken up is generally decided either by way of division or by voice vote.

The Motion of No-confidence taken up in the erstwhile Bombay Legislative Assembly in October 1956 against the Ministry of Shri Morarji Desai and the motion moved against the Ministry of Shri C.B. Gupta in the Uttar Pradesh Legislative Assembly in August 1961 were negatived with the widest margin of 201 votes. The motion moved against the Dayanand Bhandarkar Ministry in the Goa, Daman and Diu Union territory Legislative Assembly in September 1971 was negatived with the narrowest margin of two votes. The No-confidence Motion against the Sukhamoy Sengupta Ministry in the Tripura Legislative Assembly was carried with the widest margin of 31 votes with all the ruling party members remaining absent. The motion moved against Shri T. Prakasam in the erstwhile Andhra State Legislative Assembly in November 1954 was carried by the narrowest margin of one vote resulting in the fall of his Government.

Casting Vote by Speaker

The Motion of No-confidence moved against the Ministry of Shri K. Karunakaran in the Kerala Legislative Assembly in February 1982 polled even votes of 70 each in favour of and against the motion. The Speaker, Shri A.C. Jose, then exercised his casting vote against the motion, leading to the motion being negatived.

Motions of Confidence in the State and Union territory Legislative Assemblies

Unlike a Motion of No-confidence, for which there is a specific rule under the

Rules of Procedure of the Legislative Assembly, no specific rule exists in the case of a Motion of Confidence.

Rules re: Confidence Motions

As in the case of the Lok Sabha, which takes up the Motion of Confidence under Rule 184 dealing with general motions on matters of public importance, several Legislative Assemblies also have a similar provision. However, in the case of the Legislative Assemblies of Himachal Pradesh, Karnataka, Meghalaya, Punjab, Rajasthan and Tamil Nadu, the Motion of Confidence is entertained under the same rule as that of the Motion of No-confidence.

In the Goa Legislative Assembly, the Speaker gave rulings on various occasions in respect of the Motion of Confidence. In his observation on 13 February 1991, the Speaker of the Goa Legislative Assembly said that a meeting of the Business Advisory Council was required as per Rule 241(3). He also observed that a Motion of Confidence in the Council of Ministers shall be given priority over other business before the House. On 18 February 1991, the Speaker held that the Motion of Confidence was a special type of motion as there was no provision for a Confidence Motion in the Council of Ministers under the Rules of Procedure.

In the Uttar Pradesh Legislative Assembly, in the absence of a specific rule, the convention evolved over the years is that after receipt of such a motion, it is put up for consideration and recommendation of the Business Advisory Committee. Though the Motion of Confidence is not taken up under the rule governing the Motion of No-confidence, the procedure for the debate on such a motion is more or less the same as in case of a Motion of No-confidence. There is no specific ground for moving of a Motion of Confidence.

In the case of the Kerala Legislative Assembly, in March 1970, the Speaker gave a ruling on the procedure for the moving of a Motion of Confidence in the House which *inter alia* stated that there is no necessity to ask for the leave of the House to move such a motion. The Speaker shall, in consultation with the Leader of the House, declare that the motion will be taken up on such day as he may appoint and allot day(s) for discussion of the motion.

In the Sikkim Legislative Assembly, the Speaker, in the absence of any specific rule for the Motion of Confidence, has admitted such Motion of Confidence in May and June 1994 under the residuary power vested in him under Rule 332 of the Rules of Procedure and Conduct of the Business in the Sikkim Legislative Assembly. The rule states that all matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may, from time to time, direct.

Table 23

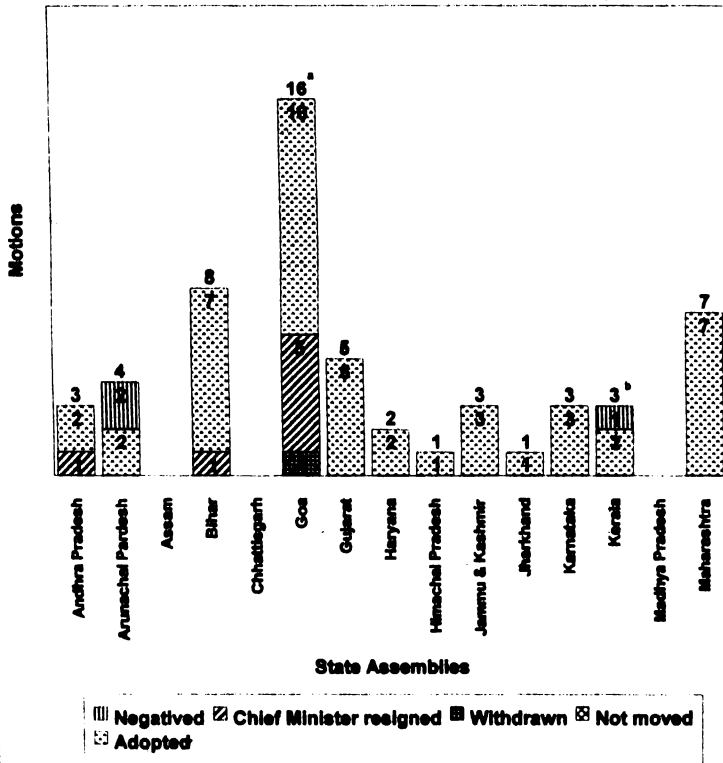
**CMs admitted/discussed in the State Legislative Assemblies
(1952 - 2003)**

<i>States</i>	<i>Admitted/ discussed</i>	<i>Nega- tived</i>	<i>Adop- ted</i>	<i>Chief Minister resigned</i>	<i>With- drawn</i>	<i>Not moved</i>
Andhra Pradesh	3	-	2	1	-	-
Arunachal Pradesh	4	2	2	-	-	-
Assam	-	-	-	-	-	-
Bihar	8	-	7	1	-	-
Chhattisgarh	-	-	-	-	-	-
Goa	16(a)	-	10	5	1	-
Gujarat	5	-	5	-	-	-
Haryana	2	-	2	-	-	-
Himachal Pradesh	1	-	1	-	-	-
Jammu and Kashmir	3	-	3	-	-	-
Jharkhand	1	-	1	-	-	-
Karnataka	3	-	3	-	-	-
Kerala	3(b)	1	2	-	-	-
Madhya Pradesh	-	-	-	-	-	-
Maharashtra	7	-	7	-	-	-
Manipur	8	3	5	-	-	-
Meghalaya	11	2	8	1	-	-
Mizoram	-	-	-	-	-	-
Nagaland	1	-	1	-	-	-
Orissa	-	-	-	-	-	-
Punjab	1	-	1	-	-	-
Rajasthan	3	-	3	-	-	-
Sikkim	2	1	1	-	-	-
Tamil Nadu	3	-	3	-	-	-
Tripura	-	-	-	-	-	-

<i>States</i>	<i>Admitted/ discussed</i>	<i>Nega- tived</i>	<i>Adop- ted</i>	<i>Chief Minister resigned</i>	<i>With- drawn</i>	<i>Not moved</i>
Uttaranchal	-	-	-	-	-	-
Uttar Pradesh	7(c)	-	7	-	-	-
West Bengal	-	-	-	-	-	-
Delhi	-	-	-	-	-	-
Pondicherry	7	-	6	-	-	1
Total	99	9	80	8	1	1

- (a) Including one motion moved in the Goa, Daman and Diu (UT) Legislative Assembly
 (b) Including two motions moved in the Travancore-Cochin Legislative Assembly
 (c) Excluding the Composite Floor-Test held on 26 February 1998

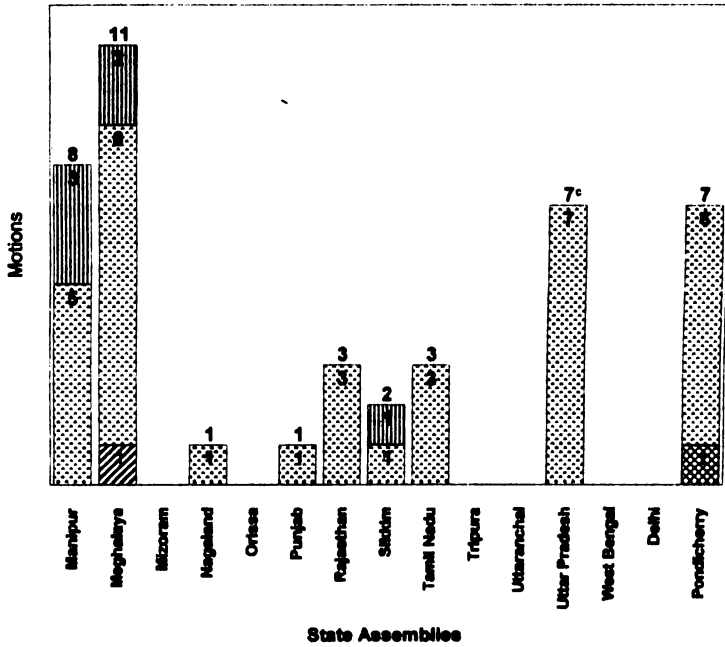
Graph VIII
CMs admitted and discussed in the State Legislative Assemblies
(1962-2003)



(a) Including one motion moved in the Goa, Daman and Diu (UT) Legislative Assembly

(b) Including two motions moved in the Travancore-Cochin Legislative Assembly

Graph VIII
CMs admitted and discussed in the State Legislative Assemblies
(1952-2003)



Negative
 Chief Minister resigned
 Withdrawn
 Not moved
 Adopted

(c) Excluding the Composite Floor-Test held on 26 February 1998

Confidence Motions in different Legislative Assemblies

Although Confidence Motions were moved in a few State Legislative Assemblies in the early fifties itself, the 1990's witnessed a phenomenal increase in the number of Motions of Confidence in both the Lok Sabha and several State and Union territory Legislative Assemblies. Interestingly, almost one-third of the State Legislative Assemblies have not taken up such motions so far. Of the 30 Legislative Assemblies in the country, Motions of Confidence have been taken up in 21 State and Union territory Legislative Assemblies. The nine Legislative Assemblies which have so far not taken up any Motion of Confidence are Assam, Chhattisgarh, Delhi, Madhya Pradesh, Mizoram, Orissa, Tripura, Uttaranchal and West Bengal.

The first Motion of Confidence in the legislative history of post-Independence India was taken up way back in June-July 1952 in the Tamil Nadu Legislative Assembly when such a motion was moved and won by the Ministry headed by Shri C. Rajagopalachari. The second Motion of Confidence was taken up in the following year, in September 1953, in the Travancore-Cochin Assembly (in the present Kerala State) when the motion moved by the Chief Minister, Shri A.J. John was negated, resulting in the fall of his Government. Incidentally, this was the first Motion of Confidence which was negated by a Legislative Assembly in Independent India. In October 1953, in the Jammu and Kashmir Constituent Assembly (Legislative), the Prime Minister, Shri Bakshi Ghulam Mohammed moved a Motion of Confidence which was carried.

The last Motion of Confidence to be taken up (till December 2003) was in the Uttar Pradesh Legislative Assembly on 8 September 2003, when the Chief Minister Shri Mulayam Singh Yadav moved and won a vote of confidence of the House.

Number of Confidence Motions

Of the 99 Motions of Confidence taken up by the 21 Legislative Assemblies since 1952 till December 2003, the highest number of 16 such motions were admitted and discussed in the Goa Legislative Assembly followed by the Meghalaya Legislative Assembly which discussed 11 motions and Bihar and Manipur Legislative Assemblies with 8 motions each. The Legislative Assemblies of Maharashtra, Pondicherry and Uttar Pradesh debated 7 motions each.

The Motions of Confidence that were admitted and discussed in the other Legislative Assemblies are as under: Gujarat 5; Arunachal Pradesh 4; Andhra Pradesh, Jammu and Kashmir, Karnataka, Kerala, Rajasthan and Tamil Nadu 3 each; Haryana and Sikkim 2 each; and Himachal Pradesh, Jharkhand, Nagaland and Punjab one each.

As mentioned above, in all, 99 Motions of Confidence were taken up in the 21 Legislative Assemblies from 1952 till date. Of these, 80 motions were adopted while

9 were negatived, resulting in the fall of the respective Governments on the floor of the House. In eight cases, the respective Chief Ministers resigned either before the motion was taken up by the House or during inconclusive discussions. These are as under: five in Goa and one each in Andhra Pradesh, Bihar and Meghalaya. In one case in the Goa Legislative Assembly, the Speaker held that the motion might be treated as withdrawn. In another instance, in the Pondicherry Legislative Assembly, the motion was not moved in December 1990 as no one from the ruling side was present in the House.

Confidence Motions moved by different Chief Ministers

The highest number of five Confidence Motions was moved by the Chief Minister of Meghalaya, Shri B.B. Lyngdoh of which four were adopted and one was negatived, resulting in the fall of his Government. The second highest number of Motions of Confidence were moved by Smt. Rabari Devi, the Chief Minister of Bihar, who moved four motions, all of which were adopted and Shri Rishang Kishhing, the Chief Minister of Manipur who also moved four motions of which two were adopted and the other two were negatived leading to the fall of his Ministry twice. Chief Minister Shri Bhairon Singh Shekhawat moved three motions in the Rajasthan Legislative Assembly and all were adopted.

The States where the Governments resigned following the defeat of the Confidence Motions are: Arunachal Pradesh: Shri Gegong Apang (January 1999) and Shri Mukut Mithi (August 2003); Manipur: Shri Rishang Keishing (December 1994 and December 1997), and Shri Radhabinod Kojiam (May 2001); Meghalaya: Shri D.D. Pugh (May 1979), and Shri B.B. Lyngdoh (October 1991) [the motion was negatived following the exercise of the casting vote by the Speaker Shri P.R. Kyndiah against the Government]; Sikkim: Shri Nar Bahadur Bhandari (May 1994); and Travancore-Cochin (present Kerala State) Shri A.J. John (September 1953).

Presiding Officers chairing Confidence Motions

Six Motions of Confidence were taken up during the tenure of Shri Tomazinho Cardozo in the Goa Legislative Assembly of which four were actually voted upon by the House. Shri P.R. Kyndiah's tenure in the Meghalaya Legislative Assembly witnessed four motions, in one of which he exercised his casting vote against the Government. The Uttar Pradesh Legislative Assembly Speaker Shri Keshari Nath Tripathi, besides presiding over the debates on three Motions of Confidence, also chaired the deliberations of the Composite-Floor Test held in February 1998.

Participation by Members

In all, based on information available, 889 members took part in the debate on the various Motions of Confidence. The highest participation of 142 members is in

the Uttar Pradesh Legislative Assembly, followed by the Goa Legislative Assembly with 121 members and the Rajasthan Legislative Assembly with 105 members. The highest number of 71 members took part in the debate on the first Confidence Motion moved by the Chief Minister, Shri C. Rajagopalachari in June-July 1952 in the Tamil Nadu Legislative Assembly. This was followed by the motion moved by the Chief Minister Shri Bhairon Singh Shekhawat in November 1990 in the Rajasthan Legislative Assembly in which 47 members took part. 43 members participated in the debate on the motion of December 1993 moved by the Chief Minister Shri Shekhawat in the same Legislative Assembly. The Motion of Confidence moved by Shri Gegong Apang, Chief Minister of Arunachal Pradesh, in January 1999 recorded the lowest participation of one member - the Chief Minister himself - as Shri Apang left the House with his Council of Ministers soon after his speech and there was no further debate.

Several Motions of Confidence in various State Legislative Assemblies were adopted without discussion.

Time Taken

Insofar as the time spent on the various Motions of Confidence is concerned, according to the available information, a total time of 249 hours and 1 minute was spent on these motions debated in the various Legislative Assemblies. The highest total recorded time of 43 hours and 13 minutes is in the Tamil Nadu Legislative Assembly followed by the Goa Legislative Assembly with 27 hours and 23 minutes and the Uttar Pradesh Legislative Assembly with 26 hours and 35 minutes. The Motion of Confidence moved by the Chief Minister Shri C. Rajagopalachari in June-July 1952 in the Tamil Nadu Legislative Assembly was debated for 25 hours and 20 minutes spread over four days which is the highest in terms of time spent on any Motion of Confidence taken up in any of the Legislative Assemblies so far. Another motion moved in the Tamil Nadu Legislative Assembly by the Chief Minister, Dr. M. Karunanidhi in December 1972 was debated for 17 hours and 53 minutes spread over four days. On the other hand, the Motion of Confidence moved by the Chief Minister, Shri D.D. Lapang in the Meghalaya Legislative Assembly in March 2003 was carried within 15 seconds. As stated earlier, in several Legislative Assemblies, the Motions of Confidence were disposed of without discussion.

Number of Days spent on debate

A total of 105 days have been spent by various Legislative Assemblies in discussing various Motions of Confidence, as per available information. The Goa Legislative Assembly has spent 17 days on these motions followed by the Legislative Assemblies of Meghalaya and Tamil Nadu which spent 11 and 9 days, respectively. The Motions of Confidence moved by the Chief Minister, Shri C. Rajagopalachari

and Dr. M. Karunanidhi in the Tamil Nadu Legislative Assembly in June-July 1952 and December 1972, respectively, were discussed for 4 days each, while several such motions taken up in various Legislative Assemblies were moved, debated and disposed of on the same day itself or the next day.

Division

Insofar as the Motions of Confidence which were adopted are concerned, the widest margin of 249 votes against nil was recorded in respect of the Motion of Confidence moved by the Chief Minister, Kumari Mayawati in June 1995 in the Uttar Pradesh Legislative Assembly, with the Opposition walking out of the House and members belonging to several other parties abstaining from voting. While the motion moved by the Chief Minister, Shri N. Chandrababu Naidu in the Andhra Pradesh Legislative Assembly in September 1995 was carried by a margin of 227 votes (none against and 31 abstentions), the motion moved in October 1997 by the Chief Minister, Shri Kalyan Singh in the Uttar Pradesh Legislative Assembly recorded a margin of 222 to nil. In another case, the motion taken up by the Goa Legislative Assembly in the Ministry of Shri Luizinho Faleiro in November 1998 was adopted by a margin of one vote. On the other hand, the Motion of Confidence moved by Shri D.D. Pugh in May 1979 in the Meghalaya Legislative Assembly was negated by a margin of one vote, resulting in the fall of his Ministry.

Casting Vote by Speaker

In respect of the Motion of Confidence moved in the Meghalaya Legislative Assembly by the Chief Minister, Shri B.B. Lyngdoh in October 1991, the Speaker, Shri P.R. Kyndiah exercised his casting vote against the motion when there was a tie of 26 votes each, thus leading to the fall of the Government.

Composite Floor-Test in Uttar Pradesh Legislative Assembly

Motions of Confidence and No-confidence are the two familiar devices which have been resorted to by the ruling Party and the Opposition, respectively, to test the strength of the Government on the floor of the House. The procedures and rules, etc. in respect of the two are formulated by the Legislative Assemblies.

For the first time in the history of the Legislative Bodies in India, a trial of strength between the two contending claimants to the post of Chief Minister was held in the Uttar Pradesh Legislative Assembly in February 1998 as per the directive of the Supreme Court. When the claim for the Chief Ministership arose between Shri Kalyan Singh and Shri Jagadambika Pal in the Uttar Pradesh Legislative Assembly in February 1998, the Supreme Court ordered that the trial of strength be held by way of a "Composite Floor-Test" and formulated a procedure therefor. There was no discussion on the day. A total of 8 hours and 20 minutes was taken in completing the procedure. In the Composite Floor-Test, Shri Kalyan Singh polled 225 votes and

Shri Jagadambika Pal secured 196 votes. The result of the test was subsequently submitted to the Supreme Court.

Confidence and No-confidence Motions (1952-2003): Some Facts

In the Assam Legislative Assembly, a No-confidence Motion against the Council of Ministers headed by Maulavi Saiyid Sir Muhammad Saadulla was taken up on 21 February 1938 and was negatived with 49 members voting in favour of the motion and 50 against it. There is record also of one No-confidence Motion which was not moved by the member concerned and one Confidence Motion which was not admitted because no notice was given in the First pre-Independence Assembly in Orissa on 18 February 1942.

In post-Independence India, a Confidence Motion was taken up before a No-confidence Motion was debated by any Legislative Body. The first Confidence Motion was moved in the Tamil Nadu Legislative Assembly in June-July 1952 expressing Confidence in the Council of Ministers headed by Shri C. Rajagopalachari which was adopted. The first No-confidence Motion was moved in the Rajasthan Legislative Assembly in October 1952 against the Tikaram Paliwal Ministry which was negatived.

Starting 1952 till the late 1980's, the Lok Sabha and the State Legislative Assemblies discussed more Motions of No-confidence than Motions of Confidence. The trend, however, changed substantially from the 1990s onwards. Thus, between 1952 and 1989, the Lok Sabha discussed as many as 22 Motions of No-confidence whereas only one Motion of Confidence was admitted during the same period. In contrast, starting 1990 till the end of the Thirteenth Lok Sabha, the House debated only 4 Motions of No-confidence as opposed to 10 Motions of Confidence during the same period.

From 1952 till 1989, the State Legislative Assemblies together discussed 241 No-confidence Motions (excluding the 5 Censure Motions against the Executive Council in the Delhi Metropolitan Council) as against 17 Confidence Motions during the same period. As many as 71 No-confidence Motions were debated in the State Legislative Assemblies from 1990 till December 2003 whereas 82 Confidence Motions were discussed during the same period.

Total Number of Confidence and No-confidence Motions

A total number of 411 Motions of Confidence and No-confidence was taken up by the Legislative Assemblies of the country till December 2003. As per available information, in all, 7008 members participated in the discussions on these motions. The discussions were spread over 625 days, taking a total of 1985 hours and 13 minutes.

Chief Ministers who faced both Confidence and No-confidence Motions

In the last more than fifty years, 29 Chief Ministers of States/Union territories faced both types of motions, *viz.* Confidence and No-confidence, and 22 Speakers presided over both these motions. The Chief Ministers are: Sarvashri Gegong Apang (Arunachal Pradesh); Laloo Prasad Yadav and Smt. Rabari Devi (Bihar); Dayanand B. Bandodkar, Pratapsingh Raoji Rane and Dr. Wilfred D' Souza (Goa); Chimanbhai Patel and Keshubhai Patel (Gujarat); Bansilal and Om Prakash Chautala (Haryana); P.K. Dhumal (Himachal Pradesh); S. Bangarappa and J.H. Patel (Karnataka); A.J. John (Travancore-Cochin); Pattom Thanu Pillai and C. Achutha Menon (Kerala); A.R. Antulay (Maharashtra), R.K. Ranbir Singh, Rishang Keishing and W. Nipamacha Singh (Manipur); B.B. Lyngdoh and S.C. Marak (Meghalaya); Darbara Singh (Punjab); Bhairon Singh Shekhawat (Rajasthan); N.B. Bhandari (Sikkim); Dr. M. Karunanidhi (Tamil Nadu); Ch. Charan Singh and Kumari Mayawati (Uttar Pradesh); and Shri V. Vaithilingam (Pondicherry).

In August 1979, the Prime Minister Ch. Charan Singh gave notice of a Confidence Motion in the Lok Sabha which was admitted for discussion. However, he resigned before the motion was taken up by the Lok Sabha. Ch. Charan Singh, as Chief Minister of Uttar Pradesh, had moved in the State Legislative Assembly a Confidence Motion in July 1970 which was adopted. He also faced two No-confidence Motions in his Ministry in the Uttar Pradesh Legislative Assembly in July 1967 and March 1970, both of which were negated.

Speakers who presided over the debates on both Confidence and No-confidence Motions

The Speakers who presided over the debates on both Motions of Confidence and No-confidence are: Sarvashri Gulam Sarwar and Sadanand Singh (Bihar); Gopal Apa Kamat, Luis Proto Barboza and Haji Sheikh Hasan Haroon (Goa); Gulab Singh Thakur (Himachal Pradesh); S.M. Krishna and Ramesh Kumar (Karnataka); K.P. Nilakanta Pillai and V. Gangadharan (Kerala); Shri Sharad Dighe (Maharashtra); E.D. Marak, P.R. Kyndiah, E.K. Mawlong, W. Syiemiong (Meghalaya); Dr. H. Borobabu Singh, W. Nipamacha Singh and Dr. S. Dhananjoy Singh (Manipur); Brij Bhushan Mehra (Punjab); A.G. Kher and Keshari Nath Tripathi (Uttar Pradesh); and P. Kannan (Pondicherry).

Some Procedural Matters

No-confidence Motion against a Caretaker Government

The moving of the first Motion of No-confidence in India's post-Independence legislative history in the Rajasthan Legislative Assembly on 10 October 1952 was

marked by some political as well as procedural developments. On 8 October 1952, the Chief Minister Shri Tikaram Paliwal tendered his resignation to the Rajpramukh, who asked him to carry on the administration till a new Ministry was formed. In the meanwhile, a notice of a Motion of No-confidence by Shri Indra Nath Modi (Independent) against the Paliwal Government was received by the Speaker Shri Narottam Lal Joshi on 10 October 1952. The motion read as: "In the opinion of this House, the Ministry formed by the Congress Party has lost the confidence of the House". Shri Paliwal then pointed out that his Ministry had already submitted its resignation on 8 October 1952.

Giving his opinion in the matter, the Advocate General, Shri K.S. Hazela, submitted that so far as a No-confidence Motion is concerned, it is supposed to be directed against the existing Government and that meant, in the instant case, against a caretaker Government. As such, the mover of the motion was well aware that the Ministry had already resigned. The motion was obviously intended to serve another purpose of indirectly suggesting to the Rajpramukh that the party in power had lost the confidence of the House and that immediate steps be taken for changing the Government not merely by changing its personnel but by forming it from a party other than the party of the present Government. The motion was infructuous and not in conformity with the procedure and practice of the House and undoubtedly there was no precedent for it. It was not a proper legislative procedure to move a Motion of No-confidence in a non-existing Government, presumably with a view to prejudicing the issue of the formation of a new Government, the Advocate General opined.

The Speaker, without going into the details, declared that the motion was in order. After a two-day discussion, the motion was rejected by voice vote.

Opposition's 'Potentiality' to form an Alternate Government

Insofar as moving of No-confidence Motions against incumbent Governments by the Opposition is concerned, in the Orissa Legislative Assembly, in 1961, the then Chief Minister Shri Biju Patnaik made a specific observation. Participating in the debate on the Motion of No-confidence of 6 December 1961 against his Ministry, Shri Biju Patnaik stressed that such a motion should be brought in only when the Leader of the Opposition had the 'potentiality' to form an alternative Government. The mover of the motion Shri R.N. Singh Deo, however, said that a vote of censure was brought in not only when the Opposition was prepared to step into the Government on its defeat but also to expose various omissions and commissions of the Government of the day.

Earlier, when the Motion of No-confidence was sought to be moved, the Speaker

Shri Lingaraj Panigrahi said that it should be taken up immediately. When the Deputy Chief Minister Shri Biren Mitra wanted to know the time allotted for discussion, the Speaker said that the whole day would be given. Thereupon, Shri Singh Deo said that in the past, in the case of a Motion of No-confidence of a general nature, seven days were given for the discussion, while for a specific motion, less time was given; he urged the Speaker to fix the debate on the motion within ten days. The Speaker observed that he did not propose to keep the motion pending and further said that he would consider giving more time if the mover so wanted. Shri Singh Deo said that as per the general practice, the date of discussion was fixed after the grant of leave by the House.

The Speaker ruled that motions of such type should not be kept pending and should be immediately discussed. He further observed that the mover could not ask for time when the notice of vote of censure was given. Shri R.N. Singh Deo then moved the motion expressing want of confidence in the Council of Ministers.

No-confidence Motion against the Chief Minister and not the entire Cabinet

In the Nagaland Legislative Assembly, a Motion of No-confidence was admitted on 8 August 1966 expressing its want of confidence in Shri P. Shilu Ao, the then Chief Minister. When the motion was taken up on 11 August 1966, a member pointed out that the Motion of No-confidence, which was specifically against the Chief Minister and not against the Cabinet as a whole, could not be admitted. The Speaker then observed as under: "...it is laid down in the Constitution that the Council of Ministers is responsible to the Legislative Assembly even when a No-confidence Motion is moved against a particular Minister. I have not seen such rules that No-confidence Motion cannot be moved against a particular Minister. When the leave of the House was granted, nobody among the members raised any objection at that time. Now we are discussing the motion. Moreover, I do not see that we are violating the rules. So we will continue our business listed in the programme." Accordingly, the Motion of No-confidence was debated in the House.

No-confidence Motion not moved; Confidence Motion taken up subsequently

In February 1981, in the Punjab Legislative Assembly, a notice of Motion of No-confidence was given by Dr. Bhagat Singh against the Darbara Singh Ministry. Leave to move the motion was granted on 4 February 1981. The Speaker Shri Brij Bhushan Mehra allotted two hours for the discussion on the motion and asked Dr. Bhagat Singh to move it. However, Dr. Bhagat Singh did not actually move the motion despite the Speaker asking him to do so. Later, the Opposition members staged a walk out in protest against the ruling of the Speaker refusing to allot some other day for debate

on the motion. Dr. Bhagat Singh also staged a walk out. The Chief Minister Shri Darbara Singh then enquired about the position of the motion that had been moved by Dr. Bhagat Singh. The Speaker replied that as the motion had not been moved, it should be deemed to have been disposed of. The Chief Minister contended that since the Speaker had admitted the motion and asked the mover to initiate discussion on it, which the mover failed to do, the other members who wanted to discuss it should be allowed and voting should take place subsequent to that. Thereafter, Shri Gurnaub Singh Brar moved a Motion of Confidence reposing faith in the Council of Ministers for which leave was granted. Another member moved an amendment to the motion, inserting the words 'rejecting the motion of Dr. Bhagat Singh' which was accepted by the House. The Speaker then put the amended motion to the vote of the House which was declared carried by voice vote. This was, however, challenged and division was demanded. Thereupon, the motion was declared carried with 61 members voting in favour of the motion and none against it.

Demand for replacing the words "want of confidence" with "fullest confidence" in a No-confidence Motion not acceded to

In the West Bengal Legislative Assembly, when a Motion of No-confidence was moved against the Ministry headed by Shri Jyoti Basu in March 1983, a member moved an amendment seeking the deletion of the words "want of confidence" with the words "fullest confidence" and cited an instance of March 1959 wherein a similar amendment in a Motion of No-confidence against the Speaker had been allowed by the Deputy Speaker, who was in the Chair. However, in the instant case, some members objected to the amendment sought to be moved. The Speaker Shri Hashim Abdul Halim, while rejecting the amendment, ruled that the Opposition's right to move a No-confidence Motion should not be curtailed under any circumstances.

Motion of Confidence moved by a Private Member

In the Travancore-Cochin Legislative Assembly, the Praja Socialist Party Government of Shri Pattom Thanu Pillai suffered a defeat on 31 July 1954 when the Supplementary Demand for a grant of Rs. 1,94,000 for the Administration of Justice was voted down by the House, with 34 members voting in favour, 74 members voting against and 27 members remaining neutral. Following this, Shri Panampilli Govinda Menon, Leader of the Congress Party, in a letter to the Chief Minister, stated that the adverse vote of the Congress in the Legislative Assembly need not be construed as expressing want of confidence in the Government. If a vote for confidence was moved by the Government in the Legislative Assembly, the Congress Party would support the motion.

On 2 August 1954, Shri Joseph Chazhikattu (Independent) moved a Motion of

Confidence in Shri Pattom Thanu Pillai's Government. The Chief Minister stated that subsequent to the adverse vote of 31 July, the Leader of the Congress Legislature Party had written to say that his party's negative vote need not be considered as registering a lack of confidence in the Ministry or as a censure vote. In the light of this, he doubted whether there was any need for the Confidence Motion tabled by Shri Joseph Chazhikattu. In reply to the points raised as to whether a private member could move such a motion at this stage and whether it was not the Ministry that could move it, the Speaker ruled that the moving of the motion by a private member was quite in order. The Chief Minister then stated that he was prepared to accept the motion moved by Shri Joseph Chazhikattu. Accordingly, Shri Joseph Chazhikattu moved the Motion of Confidence, which was later adopted by the House with 61 members voting in favour and 40 members voting against it; one member remained neutral.

Relative Precedence of Various Motions

As regards the precedence being given to one of the Motions before the House - the Motion of Confidence, Motion of No-confidence and Motion of Thanks to the Governor for his Address - in March 1993, the Pondicherry Legislative Assembly Speaker allowed the Motion of Confidence to be moved first. In October 1994 and in December 1998 also, in the Pondicherry Legislative Assembly, the Speaker gave precedence to moving the Motion of Confidence over the Motion of No-confidence.

In the Goa Legislative Assembly, a notice seeking a vote of confidence in the Council of Ministries was given by the Chief Minister in August 1970. Another motion was also proposed to be moved by the Leader of the Opposition, Dr. Jack de Sequeira and six others expressing no-confidence in the Council of Ministers.

The Speaker, Shri Gopal Apa Kamat withheld consent to the motion tabled by Dr. Jack de Sequeira and others and ruled that he had admitted the notice of the Confidence Motion given by the Chief Minister Shri Bandodkar. The Speaker observed that the two motions - one expressing confidence and the other expressing want of confidence - did not admit of different or unequal scope or opportunity for debate in the House. If the two motions had the same or similar wording, the names of the movers could have been called in the order shown in the bracket, but only one of them could have been allowed to move the motion. Even though the two motions were exactly on the same matter, they were worded in opposing terms and, therefore, the bracketing of the names of the two movers was not possible and also would not be fair to either of them.

In respect of the notice of the amendment proposed to be moved by Dr. Jack de Sequeira to the motion tabled by the Chief Minister, the Speaker said that both motions were in order and had been circulated. As such, the admission of the motion tabled

by Dr. Sequeira and others was superfluous and unnecessary; if admitted, it could create unnecessary and avoidable difficulties of procedure.

The Speaker also pointed out that the question was whether the two motions should be taken up simultaneously or separately and which of them should be taken up first, if they were to be taken up separately. Since there were two motions, any member might like to speak on either of them at different times. It would not be possible to put the two motions to vote simultaneously or separately as the result of either of the two motions would make the other completely superfluous. The Speaker, hence, withheld consent to the Motion of No-confidence tabled by Dr. Jack de Sequeira and others.

Thereupon, Dr. Jack de Sequeira, requesting the Speaker to reconsider the matter, observed that the power of admitting a Motion of No-confidence did not vest in the Speaker but in the House as the Speaker could only see if the motion was in order or not. The Motion of Confidence moved by the Chief Minister was under the general rule of motion, which did not have a specific clause dealing with such motion, but the Motion of No-confidence was moved under a specific rule. He emphasised that it was only the House that could decide as to whether the motion should be admitted or not. If the motion tabled by him and other colleagues was not allowed, it would tantamount to the denial of a right which otherwise was permitted under the law, rules and procedure.

The Speaker then held that his ruling was not subject to any discussion in the House and said that the discussion on the Motion of Confidence would take place for two days on 20 and 21 August 1970.

In another procedural development, as per the directive of the Governor, a Motion of Confidence was tabled by the Chief Minister Dr. Wilfred D'Souza which was admitted and fixed for discussion on 26 November 1998. Earlier, on 25 November 1998, a notice of a Motion of No confidence was given by a member Smt. Victoria Fernandes against the D'Souza Ministry. However, this notice was not admitted by the Speaker Shri Tomazinho Cardozo as there was already a Motion of Confidence in the Council of Ministers which was fixed for discussion on 26 November 1998. In the meanwhile, following certain political developments, Dr. D'Souza resigned from the Chief Ministership on 25 November 1998, a day before he was to seek the vote of confidence of the House.

In the Tripura Legislative Assembly, on 30 March 1977, two notices expressing want of confidence in the Sukhamoy Sengupta Ministry were received by the Speaker Shri Manindralal Bhowmick. Thirty-one members out of the total membership of sixty rose in support of the motion and accordingly the leave to move the motion was granted. The House then debated whether to put the motion immediately to the vote of the House after discussion or first to dispose of other business before the House and then start discussion on the motion. The Speaker was of the opinion that since

the Supplementary Budget and several other business were listed for the day, these should be disposed of first and only then the discussion on the Motion of No-confidence should be taken up. At this, a ruling party member pointed out that since in the House of sixty, 31 members had already voted in favour of taking up the Motion of No-confidence for discussion, automatically the Government had lost the confidence of the House. As such, he stressed, there was no point in transacting any Government business.

The Leader of the Opposition, Shri Nripendra Chakraborty, however, demanded a proper discussion on the motion followed by voting. The Speaker then asked Shri Prafulla Kumar Das (CFD) who was the first to give the notice, to move the motion. Later, the No-confidence Motion was declared carried with 31 members voting in its favour, with the Government members remaining absent.

In March 1990, as per the gubernatorial directive, the Rajasthan Chief Minister Shri Bhairon Singh Shekhawat moved on 23 March 1990 a one-line motion seeking vote of confidence of the House. The motion was moved by the Chief Minister as part of the Agenda item of Supplementary List of Business, mid-way during the debate on the Address by the Governor. There was a combined debate on the Motion of Confidence and the Motion of Thanks to the Governor for his Address. Later, the Motion of Confidence was put to voice vote by the Speaker Shri Hari Shankar Bhabhra before the voting on the Motion of Thanks to the Governor for his Address was taken up.

No-confidence Motion in the Same Session

In the Madhya Pradesh Legislative Assembly, the notice for a Motion of No-confidence in the Council of Ministers headed by Shri Arjun Singh was given by the Leader of the Opposition, Shri Sunderlal Patwa on 15 September 1981. Leave of the House was granted on 15 September 1981 and the debate on the motion was fixed for 17 September 1981.

As Shri Patwa was seeking the leave of the House on 15 September 1981, the Law Minister Shri Krishna Pal Singh raised a point of order saying that under Rule 241, a Motion of No-confidence could not be tabled again as the House had already rejected two No-confidence Motions earlier in the same Session on 14 September 1981. Opposing the Law Minister's contention, another member Shri Sheetala Sahay said that those two motions were not discussed in the House as leave was not granted to them; as such, the point of order raised by the Law Minister was not correct.

The Speaker Shri Y.D. Sharma then ruled that granting of leave of the House to a motion was entirely different from a motion being passed or rejected by the House. Leave of the House was only an initial process - whether the permission to debate the motion should be given or not. There was a specific process prior to that; only

when the required number of members stood in support of the motion, the leave would be granted, otherwise not. As far as the rejection or acceptance of the motion was concerned, it demanded discussion first. After discussion, the fate of the motion would have to be decided. The Speaker then referred to Kaul and Shakhder's *Practice and Procedure of Parliament*: "No conditions of admissibility of a Motion of No-confidence are laid down in the Rules, except that once a decision, after discussion, is taken by the House on such a Motion, no motion raising an identical matter can be moved in the same Session". The Speaker also quoted from the same book as under: "there is no restriction on the moving of more than one No-confidence Motion in a session, although this has not been done so far, but the second motion is admissible only if it raises new matters not covered by the discussion on the previous motion."

The Speaker then ruled that as leave was not granted to the two motions tabled on the previous day, and no discussion having taken place on those motions, the notice of Motion of No-confidence given by Shri Patwa could be raised for asking leave of the House. Accordingly, the objection raised by the Law Minister was rejected. Subsequently, the House took up the motion.

Removal of Speaker before moving of Motions

In the Jammu and Kashmir Legislative Assembly, when the Motion of Confidence in the Ministry of Shri G.M. Shah was to be taken up on 31 July 1984, the Minister of Revenue and Education, Shri Ali Mohammed Naik, demanded that the Motion of No-confidence against the Speaker Shri Wali Mohammed Itoo be taken up as the first item of the Agenda. The Speaker, however, insisted that the Motion of Confidence in the Council of Ministers be taken up first. 43 members then rose and refused to resume their seats till the Speaker changed the order of the List of Business. Accordingly, the Speaker changed the order and vacated the Chair for Shri S. Ragil Singh, a member of the Panel of Chairmen. Thereafter, a Resolution seeking the removal of Shri Wali Mohammad Itoo from the office of the Speaker was moved and adopted unanimously. In his place, Shri Mangat Ram Sharma of the Congress(I) was elected Speaker of the House and he subsequently presided over the proceedings of the Motion of Confidence.

In the Uttar Pradesh Legislative Assembly, a Special Session was convened on 20 June 1995 to enable Kumari Mayawati to prove her majority as per the directive of the Governor. However, prior to the moving of the motion seeking the vote of confidence, the House adopted a resolution seeking the removal of the Speaker Shri Dhaniram Verma for acting in a partisan manner, undermining the Constitution, etc. The proceedings for the removal of Shri Verma were presided over by a member, Shri Barkhu Ram Verma who also presided over the proceedings of the Confidence Motion.

In the Manipur Legislative Assembly, on 16 October 1967, leave was granted to Shri M. Koireng Singh, a member, to move a Motion of No-confidence against the

United Front Government of Shri Longjam Thambou Singh. The Speaker Shri S. Tombi Singh fixed 23 October 1967 as the date for discussion. When the House met on that day, the Speaker announced that Shri Kh. Chaba had resigned from the Office of the Deputy Speaker and Shri Paokhohang from the Panel of Presiding Officers. At the end of the day's discussion, the Speaker informed the House that all the members on the Panel of Presiding Officers had resigned one by one and adjourned the House to meet on 24 October 1967 to consider the motion further. On 24 October 1967, when the House met, the Secretary of the Legislative Assembly announced the resignation of Shri S. Tombi Singh from the Office of the Speaker. He then asked for the appointment of a Presiding Officer under Rule 12 of the Rules of Procedure and Conduct of Business of the Manipur Legislative Assembly, 1964. After some discussion on the rule, the Secretary announced that as the House could not appoint a Presiding Officer, he was referring the matter to the Administrator. When the House assembled after recess, the Secretary informed the House that the Administrator had prorogued the Legislative Assembly.

The Manipur Legislative Assembly also witnessed some important procedural and political developments in the early 1990's. On 27 November 1991, the Supreme Court quashed an earlier order of the Speaker of the Legislative Assembly, Dr. Borobabu Singh disqualifying seven Congress(I) members on the grounds of alleged defection. On 9 December 1991, the Chief Minister Shri R.K. Ranbir Singh moved a Motion of Confidence in the special one-day Session of the Assembly which was adopted by a voice vote with all the 29 members present in the House voting for it. The Congress(I) and its allies boycotted the Session in protest against the non-allocation of seats to the seven party MLAs, whose disqualification had been quashed by the Supreme Court. The Speaker had not permitted these seven members to vote, saying that he was yet to get the judgment copy from the Supreme Court.

Following the withdrawal of support by five members, the Ranbir Singh Ministry was reduced to a minority on 6 January 1992. The State was brought under President's Rule on 7 January 1992 and the State Assembly kept in suspended animation. On 8 April 1992, Shri R.K. Dorendra Singh was sworn in as the Chief Minister of the State heading a Congress(I) coalition Ministry. In the wake of disturbed conditions, President's rule was imposed in the State on 31 December 1993. Subsequently, a Congress Ministry headed by Shri Rishang Keishing was sworn in on 13 December 1994. On 15 December 1994, the Governor, summoned the Assembly to meet on 23 December to enable the new Chief Minister to seek a vote of confidence. On 22 December 1994, four petitions were filed in the Guwahati High Court challenging the Speaker's notice issued to 23 MLAs on 31 December 1993 to show cause why they should not be disqualified under the Anti-Defection Act. The High Court then issued a stay order. The Speaker, however, went ahead with the hearing on the disqualification cases. He said later that the stay order of the High Court had reached him after he had issued the disqualification orders.

When the Assembly met on 23 December 1994, the Congress(I) members boycotted the Session called for the day terming it unconstitutional. The Speaker then took up the items of business on the Agenda which included the Confidence Motion in the Council of Ministers of Shri Rishang Keishing. The Speaker announced that since no member from the Treasury Benches was present in the House, the Ministry had lost the vote of confidence. The Assembly Session, attended by 22 members, also passed a resolution ratifying the Speaker's decision to disqualify 23 MLAs from their membership. The House later adjourned *sine die*. Subsequently, the Governor prorogued the State Legislative Assembly with immediate effect and fixed 9 January 1995 as the fresh date for a trial of strength of the Keishing Government.

On 9 January 1995, the Speaker, Dr. Borobabu Singh said that since he had appealed to the Supreme Court against the judgment of the Guwahati High Court staying the expulsion of 23 members who were earlier disqualified by him on 23 December 1994, the matter was *sub judice* and could not be discussed till its disposal by the Supreme Court.

Dr. Borobabu Singh then adjourned the House *sine die* and left with the Opposition members. The Chief Minister, however, did not agree with the decision of the Speaker. The moment the Speaker and the Opposition walked out of the House, Shri Keishing said the Speaker's decision was unacceptable and that the business of the House should continue. He proposed that Shri W. Angou Singh preside over the sitting. This proposal was immediately approved by the House. Thereafter, the vote of confidence in the Ministry was passed unanimously.

It was then proposed that the proceedings of the House of 23 December 1994 be suspended. This was unanimously adopted. Four members proposed that the Speaker Dr. Borobabu Singh be suspended and expelled from the House till the end of the Session. This was passed unanimously. A request for extension of the session to elect a Speaker was granted. When the House reconvened at 2 p.m., Shri E. Birdman Singh was unanimously elected as the Speaker.

In the Meghalaya Legislative Assembly, on 7 December 2001, when the House met on the first day of the Winter Session, the Speaker Shri E.D. Marak informed the members of the notice tabled by Shri R.G. Lyngdoh intending to move a Motion of No-confidence against the Mawlong Ministry. As all the members of the Opposition rose in support, the Speaker granted leave and fixed 10 December 2001 for taking up the motion. Thereupon, Shri R.G. Lyngdoh urged the Speaker to suspend sub-rule (3) of Rule 133 by taking up the motion then itself in view of its urgency and importance. Acceding to this request, the Speaker put the question to the vote of the House which was carried. At this, the Chief Minister Shri Mawlong urged the Speaker to give him the minimum mandatory 24-hour notice before the No-confidence Motion was taken up and that the Speaker stick to the listed business which included a no-trust move against the Speaker as well. The Speaker ruled that since a majority

of the members had approved the moving of the No-confidence Motion, the normal business could be suspended under Rule 316. The Speaker also admitted the no-trust move against himself and fixed it for debate on 10 December 2001. After a debate, the motion was adopted with 42 members standing in its favour while 17 members opposed it. Following the fall of the Government, a new Ministry led by Dr. F.A. Khonglam was administered the oath of office and secrecy by the Governor on 8 December 2001. The Governor directed the Chief Minister to prove his strength on the floor of the House.

On 10 December 2001, the House took up two Motions - the Motion of Confidence in the Council of Ministers headed by Dr. Khonglam and a No-trust Motion against the Speaker Shri E.D. Marak.. The proceedings of the day were conducted by Shri A.T. Mondal, who was in the Chair. The Confidence Motion was adopted while the No-trust Motion against the Speaker was negatived.

Andhra Pradesh Legislative Assembly

The State of Andhra was the first State under the Indian Union to have been formed on a linguistic basis. Comprising the undisputed Telugu speaking areas of the erstwhile Madras State, now known as Tamil Nadu, the State of Andhra was officially formed with Kurnool as its capital on 1 October 1953. As provided for in the Andhra State Act, 1953, a unicameral Legislature was set up and the membership of the Legislative Assembly was fixed at 140, which was later increased to 196 in 1955.

In the old Hyderabad State, the first elected body, *i.e.*, the Hyderabad Legislative Assembly, came into being on 1 March 1952. In November 1956, the former Hyderabad State was trifurcated and the elected members from Telangana, Marathwada and Karnataka regions of the Hyderabad State joined the elected Legislatures of Andhra, Maharashtra and Karnataka, respectively, on 1 November 1956. The nine Telugu speaking districts of the former Hyderabad State were added to the Andhra State and the State was renamed as Andhra Pradesh. The number of seats in the Legislative Assembly was fixed at 302. The Legislature became bicameral with the constitution of the Legislative Council on 1 July 1959. The Council was, however, abolished on 1 June 1985.

Motion of No-confidence

As per clause (1) of article 208 of the Constitution of India, each House of a State Legislature is empowered to make rules for regulating its procedure and the conduct of its business. In accordance with this constitutional provision, the State Legislative Assembly framed its own Rules of Procedure and Conduct of Business. Rule 75 of the Rules of Procedure and Conduct of Business in the Legislative Assembly provides for moving of a Motion of No-confidence against the Council of Ministers subject to the following restrictions: leave to make the motion is to be asked by the member when called by the Speaker; and the member asking for leave must, before the commencement of the sitting for that day, give to the Secretary, a written notice of

the motion which he proposes to move. The leave to make the motion is deemed to be granted if not less than one-tenth of the total membership of the Assembly rise in their seats when the leave is sought for. After the leave has been granted, the Speaker fixes a day or days for discussion of the motion, which shall not be later than ten days and before the House is adjourned *sine die*, in consultation with the Business Advisory Committee.

Motion of Confidence

There is no specific rule governing the Motion of Confidence. The Motion of Confidence is, however, taken up by the House in accordance with Rule 53 which deals with discussion on a matter of public interest by motion. The rule provides that save insofar as is otherwise provided in the Constitution or in these rules, no discussion on a matter of general public interest shall take place except on a motion made with the consent of the Speaker. Notice of such a motion shall be given in writing addressed to the Secretary of the Assembly.

Motions in different Legislative Assemblies

A brief account of the various Motions of Confidence and No-confidence which were debated in the Andhra State/Andhra Pradesh Legislative Assembly is given below. In all, eight Motions of No-confidence and two Motions of Confidence have so far been moved in the various Legislative Assemblies. One Motion of Confidence, though listed in the Agenda, was not taken up by the House as the Chief Minister resigned before the motion was to be taken up on 31 August 1995. For statistical details in respect of these motions, see Tables 1 to 4. A graphical presentation of the motions is available in Graphs I, II and III. Table 5 enumerates the Governors of Andhra Pradesh while Table 6 lists out the Chief Ministers of the State.

First Legislative Assembly of the Andhra State (1953-54)

In the elections held in 1952 to the Legislative Assembly of the erstwhile Madras State, out of the 140 seats allocated to the Andhra region, the Congress Party won 40 seats while the Communist Party won 41 seats. The remaining seats were won by the Kisan Mazdoor Praja Party, the Krishikar Lok Party, the Swatantra Party and others. With the formation of a separate Andhra State on 1 October 1953, Shri Tanguturi Prakasam formed the first Congress-led coalition Government of the newly created State.

No-confidence Motion

One Motion of No-confidence was debated and carried in the First Legislative Assembly of the erstwhile Andhra State. The motion was brought against the coalition Government headed by Shri Tanguturi Prakasam. There were three motions which stood in the names of Shri T. Nagi Reddy (Communist Party), Shri Gouthu Latchanna

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Andhra State Legislative Assembly			
First Legislative Assembly*	October 1953 - November 1954	1	-
Second Legislative Assembly*	April 1955 - December 1956	-	-
Andhra Pradesh State Legislative Assembly			
First Legislative Assembly@	March 1952 - October 1956	-	-
Second Legislative Assembly	December 1956 - December 1961	-	-
Third Legislative Assembly	March 1962 - November 1966	2	-
Fourth Legislative Assembly	March 1967 - December 1971	1	-
Fifth Legislative Assembly	18.03.1972 - 01.03.1978	-	-
Sixth Legislative Assembly	01.03.1978 - 07.01.1983	2	-
Seventh Legislative Assembly	08.01.1983 - 22.11.1984	-	1
Eighth Legislative Assembly	08.03.1985 - 28.11.1989	-	-
Ninth Legislative Assembly	30.11.1989 - 10.12.1994	2	-
Tenth Legislative Assembly	12.12.1994 - 09.10.1999	-	2§
Eleventh Legislative Assembly	10.10.1999 - 14.11.2003	-	-
Total		8	3

* A separate State of Andhra was formed on 1 October 1953 comprising the undisputed Telugu speaking areas of the erstwhile Madras State. The First Assembly comprised of the elected members belonging to those Telugu speaking areas. The Second Legislative Assembly was constituted in April 1955 after the mid-term elections following the fall of the Government with the adoption of the No-confidence Motion in November 1954.

@ In the erstwhile Hyderabad State, the First Legislative Assembly was constituted in March 1952 which continued till 31.10.1956.

§ One Motion of Confidence listed for 31 August 1995 was not taken up following the resignation of the Chief Minister.

Table 2

**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1952-2003)**

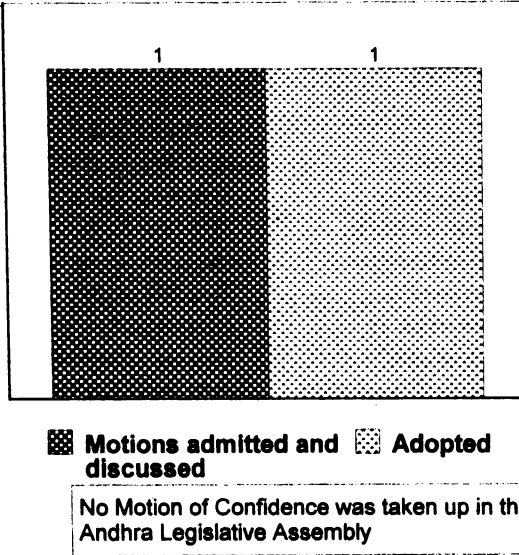
<i>Sl.No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri Kashinatharao Vaidya*	22.03.1952 - 31.10.1956	-	-
2.	Shri Nallapati Venkataramaiah®	24.11.1953 - 14.11.1954 28.03.1955 - 21.04.1955	1	-
3.	Shri Rokkam Lakshminarasimham Dora	23.04.1955 - 03.12.1956	-	-
4.	Shri Ayyadevara Kaleswara Rao	04.12.1956 - 26.02.1962	-	-
5.	Shri B.V. Subba Reddy	19.03.1962 - 14.03.1967 19.03.1967 - 31.07.1970 03.12.1970 - 29.09.1971	3	-
6.	Shri K.V. Vema Reddy	25.11.1971 - 19.03.1972	-	-
7.	Shri Pidatala Ranga Reddy	21.03.1972 - 25.09.1974	-	-
8.	Shri R. Dasaratharama Reddy	28.01.1975 - 14.03.1978	-	-
9.	Shri Divi Kondaiah Chowdary	16.03.1978 - 10.10.1980	2	-
10.	Shri Kona Prabhakar Rao	24.02.1981 - 22.09.1981	-	-
11.	Shri Agarala Eswara Reddy	07.09.1982 - 16.01.1983	-	-
12.	Shri Tangi Satyanarayana	18.01.1983 - 28.08.1984	-	-
13.	Shri Nissankararao Venkataratnam	20.09.1984 - 10.01.1985	-	1
14.	Shri G. Narayana Rao	12.03.1985 - 26.09.1989	-	-
15.	Shri P. Ramachandra Reddy	04.01.1990 - 21.12.1990	1	-
16.	Shri D. Sripada Rao	09.09.1991 - 12.01.1995	1	-
17.	Shri Yanamala Ramakrishnudu	13.01.1995 - 10.10.1999	-	2**
18.	Smt. Kavali Prathibha Bharathi	11.11.1999 - till date	-	-
Total			8	3

* Speaker of the Legislative Assembly of the erstwhile Hyderabad State

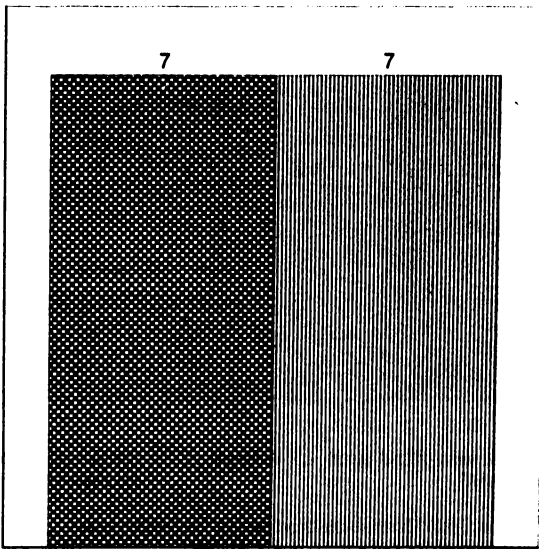
® Speaker of the Legislative Assembly of the erstwhile Andhra State

** One Motion of Confidence listed for 31 August 1995 was not taken up following the resignation of the Chief Minister.

Graph I
NCMs in Andhra Legislative Assembly
(1953-1956)

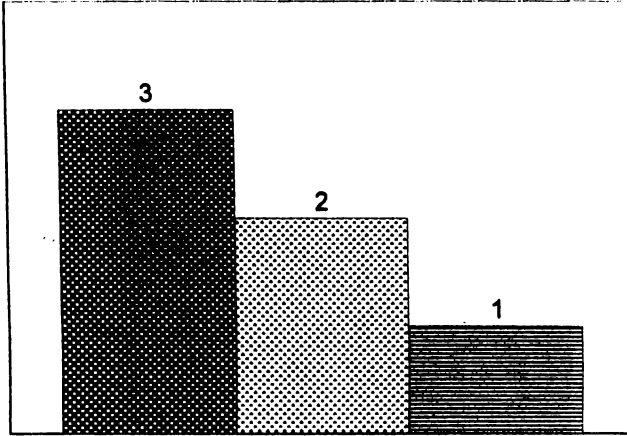


Graph II
NCMs in Andhra Pradesh Legislative Assembly
(1956-2003)



 **Motions admitted and discussed**  **Negated discussed**

Graph III
CMs in Andhra Pradesh Legislative Assembly
(1956-2003)



Motions admitted and discussed

Adopted

Chief Minister resigned*

* The Chief Minister resigned before the motion was taken up for discussion in August 1995

Table 3

**NCMs against/CMs in the Council of Ministers
(1952-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Andhra State Legislative Assembly					
Tanguturi Prakasam (First Legislative Assembly)	Congress & Allies 93/140 (66.42%)	NCM	Gouthu Latchanna (46)	(03.11.1954) 04.11.1954 05.11.1964 06.11.1954	Adopted Ayes - 69 Noes - 68 Abstentions - 1
Andhra Pradesh State Legislative Assembly					
K. Brahmananda Reddy (Third Legislative Assembly)	Congress 177/300 (59%)	NCM	P. Venkateswarlu (37)	(26.11.1964) 28.11.1964 30.11.1964 01.12.1964 02.12.1964 03.12.1964	Negatived Ayes - 65 Noes - 167
-do-		NCM	Tenneti Viswanatham (24)	(17.11.1966) 17.11.1966 18.11.1966	Negatived by voice vote
K. Brahmananda Reddy (Fourth Legislative Assembly)	Congress 165/287 (57.5%)	NCM	C.V.K. Rao (27)	(30.03.1970) 31.03.1970 01.04.1970 02.04.1970	Negatived Ayes - 62 Noes - 159 Abstentions - 1
M. Channa Reddy (Sixth Legislative Assembly)	Congress(I) 175/294 (59.52%)	NCM	Gouthu Latchanna (15)	(07.03.1979) 15.03.1979 16.03.1979 07.05	Negatived by voice vote

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
-do-		NCM	S. Jaipal Reddy (25)	(30.09.1980) 01.10.1980 03.10.1980 09.00	Negatived Ayes - 27 Noes - 189
N.T. Rama Rao (Seventh Legislative Assembly)	Telugu Desam Party 198/294 (67.37%)	CM	N.T. Rama Rao	20.09.1984 01.00	Adopted Ayes - 161 Noes - Nil
M. Charana Reddy (Ninth Legislative Assembly)	Congress(I) 181/294 (61.56%)	NCM	N.T. Rama Rao (18)	(11.10.1990) 12.10.1990 13.10.1990 09.33	Negatived Ayes - 87 Noes - 182 Abstentions - 07
K. Vijaya-bhaskara Reddy (Ninth Legislative Assembly)	Congress(I) 181/294 (61.56%)	NCM	Vidya-dhar Rao (19)	(24.03.1994) 30.03.1994 31.03.1994 18.51	Negatived Ayes - 97 Noes - 162
N.T. Rama Rao (Tenth Legislative Assembly)	Telugu Desam 213/294 (72.4%)	CM	N.T. Rama Rao	31.08.1995	Chief Minister resigned before motion was to be taken up.
N. Chandrababu Naidu (Tenth Legislative Assembly)	Telugu Desam 216/294 (73.47%)	CM	N. Chandrababu Naidu	07.09.1995 02.00	Adopted Ayes - 227 Noes - Nil Abstentions - 31

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952 - 2003)

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Andhra State Legislative Assembly										
Nallapati Venkata- ramaiah	NCM	Tanguturi Prakasam	Gouthu Lachanna	04.11.1954 05.11.1954 06.11.1954	46	-	06.11.1954	69	68	Adopted
Andhra Pradesh State Legislative Assembly										
B.V. Subba Reddy	NCM	K. Brahma- nanda Reddy	P. Venkat- eswarlu	28.11.1964 30.11.1964 01.12.1964 02.12.1964 03.12.1964	37	-	03.12.1964	65	167	Negated
-do-	NCM	-do-	Tenneti Viswa- natham	17.11.1966 18.11.1966	24	-	18.11.1966	-	-	Negated by voice vote
-do-	NCM	-do-	C.V.K. Rao	31.03.1970 01.04.1970 02.04.1970	27	-	02.04.1970	62	159	Negated

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.-Mts.	Date of Voting	Ayes	Noes	Result
Divi	NCM	M.	Gouthu	15.03.1979	15	07.05	16.03.1979	-	-	Negated by voice
Kondaiah		Channa Reddy	Latchanna	16.03.1979						
Chowdary										
-do-	NCM	-do-	S. Jaipal Reddy	01.10.1980 03.10.1980	25	09.00	03.10.1980	27	189	Negated
Nissankarao	CM	N.T.	N.T.	20.09.1984	-	01.00	20.09.1984	161	Nil	Adopted
Venkatratnam		Rama Rao	Rama Rao							
P.	NCM	M. Channa Reddy	N.T.	12.10.1990 13.10.1990	18	09.33	13.10.1990	87	182	Negated
Ramechandra Reddy			Rama Rao							
D. Sripada Rao	NCM	K. Vijaya- bhaskara Reddy	K. Vidiya- dhar Rao	30.03.1994 31.03.1984	19	18.51	31.03.1994	97	162	Negated
Yanamala Ramakrish- nudu	CM	N.T. Rama Rao	-	31.08.1995	-	-	-	-	-	The Chief Minister res- igned before motion was to be taken up

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	CM	N. Chandra- babu Naidu	N. Chandra- babu Naidu	07.09.1995	-	02.00	07.09.1995	227	Nil	Adopted

Table 5

Governors of Andhra Pradesh

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
Andhra State		
1.	Shri C.M. Trivedi	01.10.1953-31.10.1956
Hyderabad State		
1.	Shri H.E.H. Osman Ali Khan-VII Nizam	01.12.1949-30.10.1956
Andhra Pradesh State		
1.	Shri C.M. Trivedi	01.11.1956-31.07.1957
2.	Shri Bhimsen Sachar	01.08.1957-06.09.1962
3.	Gen. S.M. Nagesh	07.09.1962-03.03.1964
4.	Shri Pattom Thanu Pillai	04.05.1964-10.04.1968
5.	Shri Khandhubhai K. Desai	11.04.1968-25.01.1975
6.	Chief Justice S. Obul Reddy(Acting)	26.01.1975-10.01.1976
7.	Shri Mohan Lal Sukhadia	11.01.1976-15.06.1976
8.	Shri R.D. Bhandare	16.06.1976-16.02.1977
9.	Chief Justice B.J. Diwan (Acting)	16.02.1977-04.05.1977
10.	Smt. Sharda Mukerjee	05.05.1977-13.08.1978
11.	Shri K.C. Abraham	14.08.1978-12.08.1983
12.	Shri Ram Lal	13.08.1983-19.08.1984
13.	Dr. Shanker Dayal Sharma	20.08.1984-25.11.1985
14.	Smt. Kumud Ben Joshi	26.11.1985-06.02.1990
15.	Shri Krishan Kant	07.02.1990-21.08.1997
16.	Shri G. Ramanujam (Acting)	22.08.1997-24.11.1997
17.	Dr. C. Rangarajan	24.11.1997-02.01.2003
18.	Shri S.S. Barnala	03.01.2003-till date

Table 6

Chief Ministers of Andhra Pradesh

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
Andhra State		
1.	Shri Tanguturi Prakasam	01.10.1953-15.11.1954
	President's Rule	15.11.1954-28.03.1955
2.	Shri Bezawada Gopala Reddy	28.03.1955-31.10.1956
Hyderabad State		
1.	Dr. Burgula Ramakrishna Rao	06.03.1952-31.10.1956
Andhra Pradesh State		
1.	Dr. Neelam Sanjiva Reddy	01.11.1956-10.01.1960
2.	Shri Damodaram Sanjivayya	11.01.1960-11.03.1962
3.	Dr. Neelam Sanjiva Reddy	12.03.1962-28.02.1964
4.	Shri Kasu Brahmananda Reddy	29.02.1964-29.09.1971
5.	Shri P.V. Narasimha Rao	30.09.1971-18.01.1973
	President's Rule	18.01.1973-10.12.1973
6.	Shri Jalagam Vengala Rao	11.12.1973-05.03.1978
7.	Dr. Marri Channa Reddy	06.03.1978-10.10.1980
8.	Shri Tanguturi Anjaiah	11.10.1980-24.02.1982
9.	Shri B. Venkatram Reddy	24.02.1982-20.09.1982
10.	Shri K. Vijayabhaskara Reddy	20.09.1982-08.01.1983
11.	Shri N.T. Rama Rao	09.01.1983-16.08.1984
12.	Shri Nadendla Bhaskara Rao	16.08.1984-16.09.1984
13.	Shri N.T. Rama Rao	16.09.1984-09.03.1985
	Shri N.T. Rama Rao	09.03.1985-02.12.1989
14.	Dr. Marri Channa Reddy	03.12.1989-17.12.1990
15.	Shri N. Janardhan Reddy	17.12.1990-09.10.1992
16.	Shri K. Vijayabhaskara Reddy	09.10.1992-12.12.1994
17.	Shri N.T. Rama Rao	12.12.1994-31.08.1995
18.	Shri N. Chandrababu Naidu	01.09.1995-10.10.1999
		10.10.1999-till date

(Krishikar Lok Party) and Shri Pillalamarri Venkateswarlu (Communist Party). All the three were granted leave of the House on 3 November 1954. On 4 November the motion of Shri Gouthu Latchanna was taken up for discussion in the House. The reason for bringing the motion was the Government's failure to respect and implement the recommendations of the Ramamurthy Committee as decided by the Assembly on 27 May 1954. The motion was discussed for three days on 4, 5 and 6 November 1954 in which 46 members took part, which is so far the largest participation in a discussion on a No-confidence Motion in the State Assembly.

Initiating the debate, Shri Gouthu Latchanna said that the Ramamurthy Committee was appointed by the Government to assess the pros and cons of the Prohibition Act. The Government was not effectively implementing the prohibition policy and as it did not implement the Resolution passed by the House in this regard, the Government had no right to be in office.

Replying to the three-day debate, Dr. Neelam Sanjiva Reddy, Deputy Chief Minister, said that the Ramamurthy Committee itself had observed that the Government had implemented the prohibition policy with good intentions. The Government agreed with the Committee's observation that corruption had increased due to the prohibition policy. He further said that the Government was considering various methods to eliminate corruption, including by providing employment opportunities to ex-toddy tappers.

In the voting held on 6 November, 69 members voted in favour and 68 members voted against the motion while one member abstained in the 140-member House. The motion was carried, and the coalition Government headed by Shri Tanguturi Prakasam fell, paving the way for the dissolution of the Assembly.

The Second Legislative Assembly of Andhra State and the First and Second Legislative Assemblies of the State of Andhra Pradesh did not take up any Motion of Confidence or No-confidence.

Third Legislative Assembly (1962-1966)

In the third General Elections held in 1962, the Congress Party secured 178 seats in the 300-member House, while the Communist Party with 51 seats emerged as the main Opposition party. The remaining seats were won by other parties and the Independents. Dr. Neelam Sanjiva Reddy once again became the Chief Minister on 12 March 1962. However, following the judgment by the Supreme Court quashing a proposal by the State Government to nationalize bus services in Kurnool district, Shri Sanjiva Reddy resigned and he was succeeded by Shri K. Brahmananda Reddy on 29 February 1964. In all, two Motions of No-confidence were moved during the Third Legislative Assembly.

First No-confidence Motion

In the newly created State of Andhra Pradesh, a No-confidence Motion was moved for the first time in the Third Legislative Assembly by Shri P. Venkateswarlu (Legislative Communist Party) against the Congress Government headed by Shri K. Brahmananda Reddy. The reason for tabling the motion was the alleged failure of the Government in inspiring confidence in the public in the State Administration, particularly on the food front. The leave for moving the motion was granted on 26 November 1964. Shri P. Venkateswarlu held the Government and in particular the policy of the Minister of Food, Shri Balarami Reddy, responsible for the food situation in the State. He observed that the Government did not rise to the occasion though the issue had been discussed in the House and members had expressed their anguish over the matter as far back as in 1963. In spite of this, the Government did not take any measures to control the prices nor did it take any preventive measures. He further said that the Government had failed in matters relating to the construction of projects, Government servants, agricultural labour, the entire working class and the general public.

Speaking on the motion, the Chief Minister rebutted the charges of the Opposition and deplored the tendency of politicising every issue and every problem confronting the people. He further said that one needed to think as to why food shortage occurred in the State and enumerated various steps taken by his Government to check and control the smuggling of rice to other States.

The motion was discussed for five days on 28 and 30 November and 1, 2 and 3 December 1964 in which 37 members took part. The motion was negatived with 65 members voting in favour and 167 members voting against the motion.

Second No-confidence Motion

Another Motion of No-confidence was brought by Shri Tenneti Viswanatham (National Democrats) against the Brahmananda Reddy Government in November 1966. The reason for bringing the motion was that the State Government had in complicity with the Central Government completely prejudiced the issue of the location of the steel plant at Vizag and also against the indiscriminate police firings on peaceful, unarmed men, resulting in 32 deaths and injuries to hundreds. The leave for moving the motion was granted on 17 November 1966. The debate on the motion continued for two days on 17 and 18 November, in which 24 members participated.

Initiating the debate, Shri P. Venkateswarlu (Legislative Communist Party) said that though the House had unanimously passed a Resolution on the Steel Plant issue, today, that Resolution stood disregarded. Participating in the debate, other members also highlighted the issue relating to the location of the steel plant at Vizag and the police firings.

Intervening in the debate, the Chief Minister Shri Brahmananda Reddy said that the Government of India was committed to set up the steel plant at Vizag and stated how efforts were being made in that direction by appointing a Cabinet sub-committee which had recommended the setting up of the steel plant at Vizag. He added that if anti-social elements were to be given the upper hand, it would not result in the establishment of an orderly society. The motion was negated by a voice vote on 18 November 1966.

Fourth Legislative Assembly (1967-1971)

In the elections held to the Fourth Legislative Assembly, the Congress Party was returned to power by securing 165 seats in the House of 287. Shri K. Brahmananda Reddy was again sworn in as the Chief Minister. One No-confidence Motion was moved in the Fourth Legislative Assembly.

No-confidence Motion

Leave was granted on 30 March 1970 for Shri C.V.K. Rao to move the Motion of No-confidence. The reason for bringing the motion was the alleged failure of the Government in reviving the land-holdings as per the A.P. Agricultural Ceilings on Land Holdings Act, 1961 and to acquire the excess land and distribute it among the poor and others. The discussion on the motion continued for three days on 31 March and 1 and 2 April 1970. Though the motion stood in the name of Shri C.V.K. Rao, (Independent), it was moved by Shri K. Govind Rao (CPI).

Initiating the debate on 31 March 1970, Shri Govind Rao said that after the 22-year-long Congress rule, there was discontent in the general public due to various factors, including agitations and corruption at all levels of the administration. He further said that this motion was but a reflection of that general discontentment of the public. It was the Government's basic duty to win the trust of the people by trying to resolve their problems after analysing the economic and political factors behind such discontent.

Intervening in the debate, the Chief Minister Shri Brahmananda Reddy said that the reasons for such general discontent among the public in the country as well as in the State were mostly economic and the rest political. It required Himalayan effort for the country to attain progress and eradicate poverty. He also said that all concerned, including Governments, Legislatures and elected representatives, should make efforts to reduce and to remove such discontentment among the public. At the end of the debate, in which 27 members took part, the motion was put to vote on 2 April 1970. It was defeated with 159 members voting against and 62 in favour, while one member abstained.

No Motion of Confidence or No-confidence was taken up in the Fifth Legislative Assembly.

Sixth Legislative Assembly (1978-1983)

In the elections held to the Legislative Assembly in February 1978, the Congress (I) won 175 seats in the 294-member House and the Janata Party secured 60 seats. Dr. M. Channa Reddy formed the Government on 6 March 1978. Two No-confidence Motions were moved against the Channa Reddy Government during the tenure of the Sixth Legislative Assembly.

First No-confidence Motion

A No-confidence Motion was brought against the Ministry of Dr. Channa Reddy by Shri Gouthu Latchanna (Janata Party) for which leave was granted on 7 March 1979. The motion was brought for the Government's failure in implementing the promises made by it during the elections. The discussion was held on 15 and 16 March 1979 for seven hours and five minutes in which 15 members participated.

Initiating the debate, Shri S. Jaipal Reddy said that the House was debating this motion at a time when there was discontent and anger among the public and frustration among the weaker sections. During the one year of Congress rule, there was a stalemate in the administration. Shri Gouthu Latchanna, in whose name the motion stood, also enumerated the failures of the Government on various fronts.

Intervening in the debate, the Chief Minister Dr. M. Channa Reddy said that he wanted to improve the conditions in the State and that various developmental activities had been undertaken by his Government, including housing schemes in tribal areas, construction of office buildings, etc.

The motion was negated by voice vote.

Second No-confidence Motion

A second Motion of No-confidence was moved by Shri S. Jaipal Reddy (Janata Party) against the Channa Reddy Government in September 1980. The leave of the House was granted on 30 September 1980 and the motion was discussed for two days on 1 and 3 October 1980 in which 25 members participated in the nine hours long debate.

Though the motion stood in the name of Shri S. Jaipal Reddy of the Janata Party, the debate was initiated by Shri Sundarayya (CPI(M)). Initiating the debate, Shri Sundarayya said that the Government had not solved the basic problems of the people; there were only tall promises without their implementation. He also drew the attention of the House to the Government's failure in the field of land reforms and distribution of land and questioned as to how the Government could provide employment to the landless labour living below poverty line without providing them land.

Intervening in the debate, the Chief Minister Dr. Channa Reddy defended the actions of his Government and rebutted the criticism of the Opposition. As regards

many things in the manifesto, no promise other than entry-tax abolition had been fulfilled. In place of the entry-tax, the Government had brought forth the multi-point turn-over tax, which was nothing but hoodwinking the people. The State was caught in the grip of a power crisis, and the sufferings of the farmers were acute.

Intervening in the debate, the Chief Minister Shri K. Vijayabhaskara Reddy, listing out the achievements of the Government, said that out of the six power projects approved by the Centre, three had been allotted to the State. The State Government had also worked hard to get a wind power project with a view to procuring an additional 800 to 900 MW of electricity to the State.

On 31 March 1994, the motion was negatived with 97 members voting in favour and 162 members voting against it in the 294-member House.

Tenth Legislative Assembly (1994-1999)

The elections to the Tenth Legislative Assembly were held in December 1994. The Telugu Desam Party emerged victorious by winning 213 seats in the 294-member House, while the Congress (I) got 26 seats and the remaining seats were won by other parties and Independents. Shri N.T. Rama Rao, who was elected as the Leader of the Telugu Desam Legislature Party, was sworn in as the Chief Minister on 12 December 1994 by Governor Shri Krishan Kant.

First Motion of Confidence

On 24 August 1995, 144 legislators belonging to the ruling Telugu Desam Party, under the leadership of Finance Minister, Shri N. Chandrababu Naidu, passed a resolution expressing lack of confidence in the leadership of Shri N.T. Rama Rao and electing Shri Chandrababu Naidu in his place. The resolution also called upon the State Governor not to honour any request from the Chief Minister Shri Rama Rao to dissolve the State Legislative Assembly. On 26 August, the Governor asked Shri Rama Rao to prove his majority on the floor of the House by 31 August 1995. Accordingly, the Motion of Confidence was listed in the Agenda for 31 August 1995. However, on 31 August, hours before the Special Session, the Chief Minister was admitted to a hospital and later, he handed over his resignation to the Governor who visited him at the hospital. The Raj Bhavan sent a communication in this regard to the Speaker. The House was to take up the motion at 4.00 PM on 31 August 1995. The Speaker announced that as per the communication received from the Raj Bhavan, which he read out in the House, Shri N.T. Rama Rao had resigned as the Chief Minister and the same had been accepted by the Governor. The Speaker observed that there was no need to take up the Motion of Confidence which was listed for the day and the House was adjourned *sine die* within two minutes.

Following the resignation of Shri N.T. Rama Rao, Shri N. Chandrababu Naidu, who was earlier unanimously elected President of the Telugu Desam Party, was administered the oath of office and secrecy as Chief Minister on 1 September 1995.

Second Motion of Confidence

The House was convened on 7 September 1995 to take up the Motion of Confidence in the Council of Ministers headed by Shri N. Chandrababu Naidu. Amidst interruptions, the Speaker asked the House to allow the Chief Minister to move the Motion of Confidence. At this point, Shri P. Janardhan Reddy (Congress-I), rising on a point of order under Rule 302, wanted to know as to which of the two whips would be valid - the one issued by Shri N.T. Rama Rao or the one issued by Shri N. Chandrababu Naidu. The Speaker said that it was not a question as to which whip was valid but the question was that of the vote of confidence and asked the Chief Minister to move the motion. At this stage, some members of the Telugu Desam Party led by Shri Rama Rao approached the Speaker's podium and demanded that permission be given to Shri Rama Rao to speak first. Amidst interruptions, the Chief Minister Shri Chandrababu Naidu moved the motion expressing the confidence of the House in the Council of Ministers headed by him. The Speaker then announced that the motion had been moved and permitted Shri Rama Rao to speak.

As interruptions continued to persist, the Speaker appealed to all the members to take their seats and said he would proceed as per the procedure and the rules. He further said if anyone wanted to speak on any issue other than the motion, he could speak afterwards. The pandemonium in the House continued. At around 1 PM, some members at the podium raised slogans and broke the mike and table glass of the Speaker and shouted slogans against him. At this, the Speaker retired to his Chambers. When the House re-assembled at 2.30 PM, the Speaker observed that what had happened was unfortunate and wanted some of the floor leaders to react on the incident.

Members belonging to various parties expressed agony and deplored the incidents which took place in the House and emphasised the need for protecting the honour and dignity of the Office of the Speaker and appealed to all members to maintain decorum and decency in the House. Shri N.T. Rama Rao said it was an expression of distress on the part of his partymen and not an attack on the Speaker as such. They were hurt at the Chair's alleged remark 'who cared for N.T. Rama Rao'. At this, the Speaker denied having made such remark. When a member said that Speaker had in fact said so, the Speaker said that if the member thought that he had used those words, then he was withdrawing them. Shri N.T. Rama Rao apologized to the Chair on behalf of his partymen.

However, some members continued to stand at the podium. The Speaker asked the members standing at the podium to resume their seats failing which he would take disciplinary action against all those members. However, interruptions continued to persist.

Meanwhile, Shri P. Ashok Gajapathi Raju (Minister of Legislative Affairs), describing the incidents as unfortunate, assured the Chair of his party's support for

whatever action the Chair deemed fit against the members standing at the podium. Amidst repeated interruptions and slogan shouting, the Speaker said he was taking up the motion for discussion. When his requests for calm were not heeded, he warned the members interrupting the proceedings of action against them. He then requested the Minister for Legislative Affairs, Shri P. Ashok Gajapathi Raju to move a motion in this regard. Thereafter, the Minister moved the motion seeking the suspension of 28 members from the service of the House for the day. As the suspended members continued to raise slogans at the podium, the Speaker instructed the Marshals to take those members out of the House. Thereafter, the members under suspension were escorted out of the House by the Marshals.

The Speaker then announced that following the discussion with the Floor Leaders, there would be no discussion on the Motion of Confidence and it would be straightaway taken up for voting.

A member Shri Ch. Vidyasagar Rao (BJP) pressed for division following which the House divided with 227 members voting in favour of the motion with none against it. 31 members abstained. The motion was accordingly adopted by a margin of 227 votes. Though the motion was not discussed, the entire process took 2 hours.

The Eleventh Legislative Assembly did not take up a Motion of Confidence or No-confidence.

Motions of Confidence and No-confidence in the Andhra Pradesh Legislative Assembly - An Analysis

In all, eight Motions of No-confidence were moved against different Councils of Ministers and two Motions of Confidence were moved by the incumbent Chief Ministers. Another Motion of Confidence, though listed in the Agenda on 31 August 1995, was not taken up by the House following the resignation of the Chief Minister Shri N.T. Rama Rao. Out of the eight Motions of No-confidence, one was moved in November 1954 in the erstwhile Andhra State against the coalition Government headed by Shri Tanguturi Prakasam. The motion was adopted resulting in the fall of the one-year-old Ministry and subsequently the House was dissolved.

Since the formation of the State of Andhra Pradesh on 1 November 1956, seven No-confidence Motions and two Motions of Confidence were taken up by the different Legislative Assemblies. While the two Motions of Confidence moved by the incumbent Chief Ministers were adopted, all the seven Motions of No-confidence were defeated in the House. Table 1 gives the number of No-confidence Motions and Confidence Motions admitted/discussed in each Legislative Assembly along with the duration of the Assembly.

Table 2 gives the number of No-confidence and Confidence Motions admitted and discussed during the tenures of different Speakers of the Legislative Assembly. Speaker Shri B.V. Subba Reddy presided over debates on three No-confidence

Motions. No debate took place on the two Motions of Confidence moved during the Speakership of Shri N. Venkataratnam and Shri Y. Ramakrishnudu in the Seventh and the Tenth Legislative Assembly, respectively.

Table 3 gives an account of the No-confidence Motions and Confidence Motions debated during the different Councils of Ministers. Of the eight No-confidence Motions, Shri K. Brahmananda Reddy and Dr. M. Channa Reddy faced three each. As regards Motions of Confidence, one each was moved by Shri N.T. Rama Rao and Shri N. Chandrababu Naidu; both were adopted. Another motion expressing confidence in the Council of Ministers headed by Shri N.T. Rama Rao was listed on the Agenda on 31 August 1995 but was not taken up following the resignation of the Chief Minister, hours before the House met.

Table 4 gives statistical information about the participation of members in the debates on the various motions. It also depicts the time taken and the result of the division. As may be seen, there was no discussion on the two Motions of Confidence.

Participation by Members

An analysis of the statistical information contained in Table 4 shows that, in all, 211 members of the Legislative Assembly (including that of the erstwhile Legislative Assembly of the Andhra State) participated in the debates on the Motions of No-confidence. The highest number of 46 members took part in the debate on the motion moved by Shri Gouthu Latchanna in the Legislative Assembly of the erstwhile Andhra State in 1954. Shri Gouthu Latchanna's second motion, which was discussed in 1979, on the other hand, entailed the lowest participation of 15 members. Incidentally, Shri Gouthu Latchanna moved two No-confidence Motions - one in 1954 in the erstwhile Andhra State Assembly and the second, in the Andhra Pradesh Legislative Assembly after a gap of 25 years, in 1979.

Time taken

The total time spent on debating four Motions of No-confidence came to 44 hours and 29 minutes (excluding the first four Motions of No-confidence, for which figures are not available), while the time taken on the two Motions of Confidence was 3 hours. The total number of days taken to discuss the eight Motions of No-confidence (for which figures of the first four are also available), comes to 21 days. Individually, the motion moved by Shri P. Venkateswarlu in 1964 was discussed for five days followed by Shri Gouthu Latchanna's motion in the Legislative Assembly of the erstwhile Andhra State in 1954 and also Shri C.V.K. Rao's motion in 1970 which were debated for 3 days each. The other motions of No-confidence were debated for two days each. As regards the time taken on each of the motions (for which figures are available only for the last four motions), the motion moved by Shri

K. Vidyadhara Rao in 1994 was debated for the longest duration, i.e. eighteen hours and fifty-one minutes spread over two days, while the shortest duration was taken by the motion moved by Shri Gouthu Latchanna in 1979 which was debated for 7 hours and 5 minutes spanning two days.

Division

Of the eight Motions of No-confidence which were debated by the Legislative Assembly, two were negatived by voice vote, while five were negatived by division, and another motion was carried by way of division. Two Motions of Confidence were also adopted by division, one in 1984 and the other in 1995. The first motion of No-confidence, moved by Shri Gouthu Latchanna against the Ministry of Shri T. Prakasam in the erstwhile Andhra State in 1954, was adopted with the narrowest margin of one vote, while all the other seven motions were negatived by varying margins, two of which were negatived by voice vote. The motion of No-confidence of Shri S. Jaipal Reddy against Dr. M. Channa Reddy, voted on 3 October 1980, was defeated by the widest margin of 162 votes, while the motion moved by Shri K. Vidyadhara Rao against Shri K. Vijayabhaskara Reddy, voted on 31 March 1994, was negatived by the lowest margin of 65 votes. As regards the two Motions of Confidence, the one moved by the Chief Minister N. Chandrababu Naidu in September 1995 was adopted with the widest margin of 227 votes, while the second motion moved by the Chief Minister Shri N.T. Rama Rao in September 1984 was adopted by a margin of 161 votes.

Arunachal Pradesh Legislative Assembly

Arunachal Pradesh, the erstwhile North East Frontier Agency (NEFA), was constitutionally a part of Assam before 1962. It was administered by the Ministry of External Affairs until 1965 and subsequently by the Ministry of Home Affairs, through the Governor of Assam.

With the enactment of the NEFA Panchayat Raj Regulation (No.3 of 1967), the grounding for the Legislative Assembly of Arunachal Pradesh was prepared. This Regulation introduced a three-tier system: Gram Panchayat at the village level, Anchal Samiti at the Block level and Zilla Parishad at the District level. An apex Advisory Body, known as the Agency Council, with the Governor of Assam as its Chairman, came into being on 29 December 1969.

A further step was taken with the enactment of the NEFA (Administration) Supplementary Regulation, 1971 (No.4 of 1971) which provided for the replacement of the Agency Council with the Pradesh Council and the appointment of five Counsellors, one from each District, who were in charge of various development Departments. This Pradesh Council came into being on 2 October 1972.

In 1972, Arunachal Pradesh became a Union territory by an Act of Parliament called the North-Eastern Areas (Reorganisation) Act, 1971. In 1975, Parliament passed the Constitution (Thirty-seventh Amendment) Act, 1975 by providing for a Legislative Assembly and a Council of Ministers for the Union territory. On 15 August 1975, the Legislative Assembly of Arunachal Pradesh came into being when the Pradesh Council was converted into a Provisional Legislative Assembly. This followed the consistent demand made by the Pradesh Council. Thus, all the members of the Pradesh Council became members of the Provisional Legislative Assembly which consisted of 33 members, out of whom 30 were directly elected and three were nominated by the Union Government.

Shri P.K. Thungon assumed office as the first Chief Minister of the newly created Union Territory of Arunachal Pradesh on 15 August 1975.

Arunachal Pradesh was conferred statehood *vide* the Constitution (Fifty-fifth Amendment) Act, 1986. Consequent upon the formation of the State of Arunachal Pradesh with effect from 20 February 1987, the total number of seats in the Legislative Assembly was raised from 30 to 60 in 1988. The Legislature is unicameral.

Motion of No-confidence

The Arunachal Pradesh State Legislative Assembly is governed by its own Rules of Procedure and Conduct of Business. Rule 149 provides for a Motion of No-confidence in the Ministry. A motion expressing want of confidence in the whole Ministry or a motion censuring a Minister or a group of Ministers or a motion disapproving the action or actions of a Minister may be made with the consent of the Speaker, provided that no motion expressing want of confidence shall be made against an individual Minister or a group of Ministers and provided further that no motion expressing want of confidence in the Ministry shall be allowed to be made, if a similar motion has been made in the same Session.

The Speaker shall not give his consent to make a motion unless the member desiring to move the motion has, before the commencement of the sitting of the day, given a written notice to the Secretary of the Assembly of his intention to move the motion together with a copy of the motion and leave to make the motion has been asked for after the Questions and before List of Business of the day is entered upon.

If the Speaker is of the opinion that the motion is in order, he shall read the motion to the Assembly and shall request those members who are in favour of leave being granted to rise in their seats and, if not less than one-tenth of the total number of members of the House rise accordingly, the Speaker shall intimate that leave is granted and that the motion will be taken on such day, not being more than ten days, and not less than twenty-four hours from the time at which leave is asked, as he may appoint.

If less than one-tenth of the total number of members of the House rise, the Speaker shall inform the member that he has not the leave of the Assembly.

The Speaker shall, at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith put every question necessary to determine the decision of the House on the motion. The Speaker may, if he thinks fit, prescribe a time limit for speeches.

Motion of Confidence

The Motion of Confidence is taken up under Rule 147(1). It provides that save insofar as is provided by the Constitution or by these rules, a motion on a matter of general public interest can be discussed only with the consent of the Speaker.

Motions in different Legislative Assemblies

In the Arunachal Pradesh Legislative Assembly, one Motion of No-confidence

and four Motions of Confidence have been moved so far. The lone Motion of No-confidence was admitted and discussed in 1983 when Arunachal Pradesh was a Union territory, while the two Motions of Confidence were taken up within a span of a few days in January 1999, nearly twelve years after it had attained Statehood, and two other Motions of Confidence were taken up by the House in 2003.

For statistical details in respect of these five motions, see Tables 1 to 4. A graphical presentation of the motions is available in Graphs I and II. Tables 5 and 6 mention, respectively, the Chief Commissioners/Lt. Governors/Governors and Chief Ministers of Arunachal Pradesh.

First Legislative Assembly of the Union Territory of Arunachal Pradesh (1978-1980)

Elections to the First Legislative Assembly of the Union Territory of Arunachal Pradesh were held in 1978. However, the Governments of Shri P.K. Thungon and Shri Tomo Riba formed subsequently did not survive for long due to shifting party loyalties of members.

President's Rule was imposed in the State on 3 November 1979 and the elections to the Second Legislative Assembly of the Union territory of Arunachal Pradesh were held in January 1980. The First Legislative Assembly did not take up any Motion of Confidence or No-confidence.

Second Legislative Assembly of the Union Territory of Arunachal Pradesh (1980-1985)

In the General Elections of 1980, no single party secured an absolute majority in the 30-member Legislative Assembly. The Congress(I) and the People's Party of Arunachal Pradesh secured 13 seats each, while Independents secured four seats. However, after the elections, the strength of the Congress(I) increased from 13 to 21 following shifting of loyalties by some members. A Congress(I) Ministry headed by Shri Gegong Apang was sworn in by the Governor Shri R.N. Haldipur on 18 January 1980.

No-confidence Motion

The first No-confidence Motion in the history of the Arunachal Pradesh Legislative Assembly was moved on 22 September 1983 during the Ninth Session of the Second Legislative Assembly against the Congress(I) Ministry led by Shri Gegong Apang.

Though the motion was moved by Shri Tomo Riba (PPA), the debate was initiated by Shri Tumpak Ete (PPA) in which nine members took part.

Initiating the debate, Shri Tumpak Ete said that the Opposition was compelled to bring the motion against the Ministry as governance was not upto the expectations of the public. He accused the Government of nepotism as the relatives of leaders and

Table 1

NCMs/CMs admitted/discussed in different Legislative Assemblies
(1975-2003)

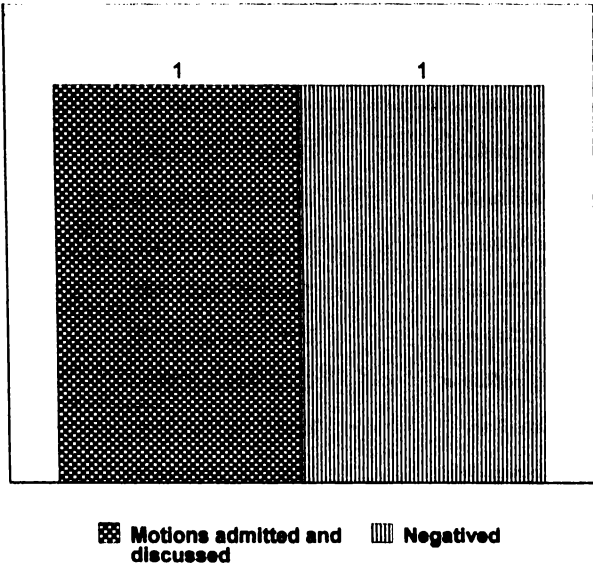
<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Union territory of Arunachal Pradesh Legislative Assembly			
First Legislative Assembly	15.08.1975-03.11.1979	-	-
Second Legislative Assembly	02.01.1980-02.01.1985	1	-
Third Legislative Assembly	02.01.1985-05.03.1990	-	-
Arunachal Pradesh State Legislative Assembly			
First Legislative Assembly	06.03.1990-18.03.1995	-	-
Second Legislative Assembly	19.03.1995-27.07.1999	-	2
Third Legislative Assembly	13.10.1999-till date	-	2
Total		1	4

Table 2

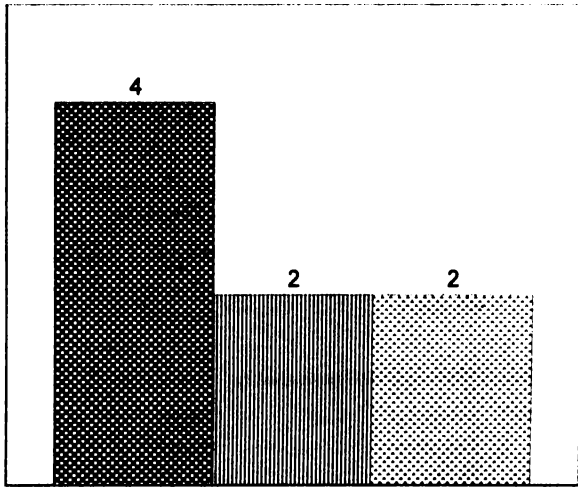
NCMs/CMs admitted/discussed during the tenures of different Speakers
(1975-2003)

<i>Sl.No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri N. Nimati	18.08.1975-13.03.1978	-	-
2.	Shri Padi Yubbe	22.03.1978-17.09.1979	-	-
3.	Shri N. Nimati	30.10.1979-28.01.1980	-	-
4.	Shri T.L. Rajkumar	29.01.1980-22.03.1985	1	-
	Shri T.L. Rajkumar	22.03.1985-06.03.1990	-	-
5.	Shri Lijum Ronya	27.03.1990-21.03.1995	-	-
6.	Shri Tako Dabi	25.03.1995-21.05.1998	-	-
7.	Shri Chowna Mein	25.05.1998-10.10.1999	-	2
8.	Shri Tamiyo Taga	14.10.1999-04.08.2003	-	1
9.	Shri Setong Sena	18.08.2003-till date	-	1
Total			1	4

Graph I
NCMs in Arunachal Pradesh Legislative Assembly
(1975-2003)



Graph II
CMs in Arunachal Pradesh Legislative Assembly
(1975-2003)



■ Motions admitted **▨ Negative** **▩ Adopted and discussed**

Table 3

**NCMs against/CMs in the Council of Ministers
(1975-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Union territory of Arunachal Pradesh Legislative Assembly					
Gegong Apang (Second Legislative Assembly)	Congress(I) 13/30 (43.31%)	NCM	Tomo Riba (9)	22.09.1983 06.00	Negated by voice vote
Arunachal Pradesh State Legislative Assembly					
Gegong Apang (Second Legislative Assembly)	Arunachal Congress 14/60 (23.3%)	CM	Gegong Apang* (1)	18.01.1999 03.00	Not adopted**
Mukut Mithi (Second Legislative Assembly)	Arunachal Congress 24/60 (40%)	CM	Mukut Mithi (6)	21.01.1999 0.53	Adopted by voice vote
Mukut Mithi (Third Legislative Assembly)	Congress(I) 50/60 (83%)	CM	-do- (23)	02.08.2003 07.50	Negated by voice vote
Gegong Apang	UDF 42/60 (70%)	CM	-do- (13)	18.08.2003 03.50	Adopted by voice vote

● Immediately after his speech, Chief Minister Gegong Apang left the House with his Council of Ministers and there was no further debate on the motion.

●● Speaker announced/ruled that the 'Motion was not adopted'

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies.
(1975-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Union territory of Arunachal Pradesh Legislative Assembly										
T.L. Raj Kumar	NCM	Gegong Apang	Tomo Riba	22.09.1983	9	06.00	22.09.1983	-	-	Negated by voice vote
Arunachal Pradesh State Legislative Assembly										
Chowna Mein	CM	Gegong Apang	Gegong Apang	18.01.1999	1	08.00	18.01.1999	-	-	'Not adopted'
-do-	CM	Mukut Mithi	Mukut Mithi	21.01.1999	6	08.53	21.01.1999	-	-	Adopted by voice vote
Tamiyo Taga	CM	-do-	-do-	02.08.2003	23	07.50	02.08.2003	-	-	Negated by voice vote
Setong Sena	CM	Gegong Apang	Gegong Apang	18.08.2003	13	03.50	18.08.2003	-	-	Adopted by voice vote

Table 5

Lt. Governors/Governors of Arunachal Pradesh

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
Lt. Governors		
1.	Shri K.A.A. Raja	15.08.1975 - 17.01.1979
2.	Shri R.N. Haldipur	18.01.1979 - 22.07.1981
3.	Shri H.S. Dubey	23.07.1981 - 09.08.1983
4.	Shri T.V. Rajeswar	10.08.1983 - 20.11.1985
5.	Shri Shiva Swarup	21.11.1985 - 19.02.1987
Governors		
1.	Dr. Bhisma Narain Singh (Acting)	20.02.1987 - 18.03.1987
2.	Shri R.D. Pradhan	19.03.1987 - 16.03.1990
3.	Dr. Gopal Singh (Acting)	17.03.1990 - 08.05.1990
4.	Shri D.D. Thakur (Acting)	09.05.1990 - 16.03.1991
5.	Shri Loknath Mishra (Acting)	17.03.1991 - 25.03.1991
6.	Shri S.N. Dwivedi	26.03.1991 - 04.07.1993
7.	Shri Madhukar Dighe (Acting)	05.07.1993 - 20.10.1993
8.	Shri Mata Prasad	21.10.1993 - 01.04.1996
9.	Shri M.M. Jacob (Acting)	02.04.1996 - 12.04.1996
10.	Shri Mata Prasad	13.04.1996 - 16.05.1999
11.	Lt. Gen (Retd.)S.K. Sinha (Acting)	17.05.1999 - 01.08.1999
12.	Shri Arvind Dave	02.08.1999 - 09.06.2000
13.	Lt. Gen (Retd.)S.K. Sinha, (Acting)	09.06.2000 - 08.07.2000
14.	Shri Arvind Dave	08.07.2000 - 13.06.2003
15.	Shri V. C. Pandey	13.06.2003 - till date

Table 6

Chief Ministers of Arunachal Pradesh

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1	Shri P.K. Thungon	16.08.1975-06.09.1979
2.	Shri Tomo Riba	18.09.1979-03.11.1979
	President's Rule	03.11.1979-18.01.1980
3.	Shri Gegong Apang	18.01.1980-19.01.1999
4.	Shri Mukut Mithi	19.01.1999-02.08.2003
5.	Shri Gegong Apang	03.08.2003-till date

Ministers were always getting benefited through various acts of omission and commission. He appealed to all the members to support the motion for the benefit of the people and the State.

Replying to the debate, the Chief Minister Shri Gegong Apang described his Government's tenure as a successful and golden tenure in the history of the State as they had a good take off; he stressed that with the same spirit and tempo, they could build Arunachal Pradesh as one of the worthy, prosperous and economically sound States. He also refuted the allegations of the Opposition members which, he said, were without any substance.

In all, nine members took part in the six hours long debate. Thereafter, the motion was negated by voice vote.

After attaining of the Statehood in 1987, elections to the Arunachal Pradesh Legislative Assembly were held in 1990. However, no Motion of Confidence or No-confidence was taken up in the First Legislative Assembly.

Second Legislative Assembly of the State of Arunachal Pradesh (1995-1999)

In the second General Elections held to the 60-member Arunachal Pradesh State Legislative Assembly in March 1995, the Congress(I) secured 43 seats and the remaining seats were won by other parties and Independents.

Shri Gegong Apang of the Congress(I) was sworn in as the Chief Minister on 19 March 1995 for the fourth time.

Within eighteen months of assuming the office of the Chief Minister, on 20 September 1996, the Chief Minister Shri Gegong Apang resigned from the Congress(I) following differences with the party high command and formed a new party, namely the "Arunachal Congress" and claimed the support of 40 members in the 60-member House. The Speaker Shri Tako Dabi recognized the breakaway faction. As the leader of the newly formed party, Shri Gegong Apang was sworn in as the Chief Minister on 21 September 1996.

In the Second Legislative Assembly, after it became a State in 1987, two Motions of Confidence were moved during the Twelfth Session in a span of three days. The first Confidence Motion moved on 18 January 1999 was "not adopted" resulting in the fall of the Government headed by Shri Gegong Apang and swearing in of a new Government by Shri Mukut Mithi. The second Motion of Confidence moved by Shri Mukut Mithi of the ruling Arunachal Congress(M) was adopted on 21 January 1999. Both the motions were moved following a directive from the Governor to that effect.

First Motion of Confidence

The first Motion of Confidence was moved on 18 January 1999. It was preceded by swift political developments in the State.

On 9 January 1999, seven Ministers belonging to the Nyishi community of the

State resigned from the Gegong Apang Ministry in response to a call given by the Nyishi Elite Society and the All Nyishi Students Union. Following this, on 10 January, the Governor of Arunachal Pradesh, Shri Mata Prasad, asked the Chief Minister Shri Gegong Apang to prove his majority on the floor of the House on 18 January. Subsequently, six more Ministers resigned from the Gegong Apang Ministry.

On 14 January 1999, the breakaway group of the ruling Arunachal Congress claimed a split. Before the vertical split in the party, the ruling Arunachal Congress had enjoyed the support of 56 MLAs, comprising 45 of its own and eleven Independents as its associates.

In pursuance of the Governor's directive, a Special Session was called on 18 January 1999. Being the first Session of the year, the Governor Shri Mata Prasad addressed the Session. After the Governor's Address, the Chief Minister Shri Gegong Apang moved the Motion of Confidence. Shri Apang said that the Government had started together in a very sentimental and emotional way and important public issues were taken to the Central Government jointly, irrespective of party affiliation, in order to save Arunachal Pradesh. Subsequently, all of them took a collective decision to form a regional political party; however, many friends had betrayed him. He further said that his intention was crystal clear which was to guide the people and serve the people so that the State and the people could stand on their own feet.

At the end of his speech and before the voting on the motion took place, Shri Apang requested the Speaker to inform the members that his Cabinet was proceeding to the Raj Bhawan and no further debate took place on the motion thereafter.

A few members observed that the Chief Minister should have informed the House the purpose of proceeding to Raj Bhawan, *i.e.* whether for submitting his resignation or not.

Shri Mukut Mithi, Leader of the Arunachal Congress(M) Legislature Party, observed that as the Motion of Confidence had been moved by the Chief Minister, the Speaker should put the same to vote. The Speaker, however, stated that the motion stood infructuous as the Chief Minister Shri Apang had gone to Raj Bhawan, presumably to submit his resignation.

As members challenged the ruling of the Speaker, the motion was later put to the vote of the House and the Speaker declared that the motion was 'not adopted'.

Following the defeat of his Ministry on the floor of the House on 18 January 1999, Shri Apang submitted his resignation to the Governor, Shri Mata Prasad. The Governor thereafter, invited the leader of the 24-member Arunachal Congress(M) Party, Shri Mukut Mithi who had earlier staked his claim to form the Government, to form a new Government in the State. Shri Mithi was supported by the seven-member Arunachal Congress(T) and the four-member Congress (I).

Second Motion of Confidence

Within a few days of assuming the office of the Chief Minister, Shri Mukut Mithi moved a Motion of Confidence in the House on 21 January 1999.

Moving the motion, Shri Mithi assured the House that he would provide a stable Government and an effective and efficient administration to the people of the State. He also assured the House that his Government would bring a new era of peace and prosperity for the people of Arunachal Pradesh.

Supporting the motion, Shri Neelam Toram, Leader of the Congress(I) Legislature Party, put before the House some problems which should be taken into account for the betterment of the State and also suggested administrative reformation, and a transparent and people-friendly Government.

The leader of the 7-member Arunachal Congress(T) Shri Tobar Jamoh, while extending his support to the Mithi Government, urged the Chief Minister not to commit the mistakes committed by the previous Government.

In all, six members took part in the debate. The Speaker Shri Chowna Mein presided over the proceedings of the Confidence Motion initially. At the end of the debate, the Deputy Speaker, who was in the Chair, put the motion to vote. The motion was adopted by a voice vote, with all the Opposition members remaining absent during the debate.

Third Legislative Assembly (1999-till date)

In the elections to the Third Legislative Assembly held on 3 October 1999, the Congress(I) secured more than three-fourth majority by winning 53 seats in the 60-member House. The Nationalist Congress Party secured 4 seats and the Arunachal Congress one seat. The remaining seats were won by Independents. Subsequently, 9 members joined the Congress(I) taking its strength to 59.

A Congress(I) Ministry headed by Shri Mukut Mithi was administered the oath of office and secrecy by the Governor on 11 October 1999. The Third Legislative Assembly has so far taken up two Motions of Confidence. While one was negatived on 2 August 2003 resulting in the fall of the Mukut Mithi Government, the second one moved a fortnight later by Shri Gegong Apang was adopted.

After four years of assuming the office, the Congress(I) Government headed by Shri Mukut Mithi was reduced to a minority following a split in the party after 38 of the 59 Congress(I) MLAs, including some Ministers, resigned and formed a new party - Congress(D) - under the leadership of former Minister Shri Kameng Dolo. Subsequently, the newly formed Congress(D), along with two Independents and one unattached member, formed a coalition - the United Democratic Front (UDF) - and elected the former Chief Minister Shri Gegong Apang as their leader.

Following this development, the Governor Shri V.C. Pandey asked the Chief Minister, Shri Mukut Mithi to prove his majority on the floor of the House.

Meanwhile, on 29 July 2003, the Speaker Shri Tamiyo Taga recognized the split in the Congress(I) and the newly formed United Democratic Front led by Shri Apang. However, the order of the Speaker recognizing the splinter group was challenged in the Itanagar Bench of the Guwahati High Court saying that it was not legally tenable as the Speaker himself was one of the MLAs who had resigned from the Congress. The Chief Minister Shri Mukut Mithi also urged the Governor to put off the Special Session pending a ruling by the Court on the petition. Finding some technical faults in the petition, the single-judge Bench told the petitioner, Shri Hari Notung, Minister for Health and Family Welfare, to file a fresh petition by amending the plea.

First Motion of Confidence

Meanwhile, the Special Session was convened at 3.00 P.M. on 2 August 2003. Soon after the announcement of the nomination of the Panel of Chairmen for the Session by the Speaker, Shri Tamiyo Taga, some Ministers raised a question regarding the legality of conducting the Session by the Speaker Shri Taga saying that he was one of the signatories along with some other members who had formed the Congress(D) Party and that he had also recognized the Congress(D) Party. They suggested adjournment of the House since a writ petition on the matter was before the Itanagar Bench, hearing of which was fixed for 4 August 2003.

The Speaker refused to adjourn the House saying that insofar as any matter relating to the House was concerned, no one, including the Government, could enter into an argument or controversy with the Speaker. He said the Governor had summoned the Special Session which he had to conduct as per the Constitution. There were arguments from both the sides over the issue. The Speaker pointed out that he did not receive any specific order from the Hon'ble Court restraining the conduct of the House. Therefore, he stated that there was no impediment for conducting the House.

The Speaker, thereafter, presented to the House the Eleventh Report of the Business Advisory Committee which was adopted. Before the discussion on the Motion of Confidence could be taken up, the Speaker in his brief speech appealed to all the members to maintain dignity and decorum in the House while participating in the discussion.

Thereafter, the House took up the motion expressing confidence in the Council of Ministers headed by Shri Mukut Mithi.

Initiating the debate, the Chief Minister Shri Mukut Mithi wondered as to the reason why these MLAs had gone out of the party - whether it was due to ideological difference or whether it was in the interest of the State or in their own interest - and said if they could highlight the reason he would respond accordingly. He further observed that everyone had to learn a lesson from such a situation as they were with Shri Apang earlier and with him today and he wondered whether they would be

with a third group the next time.

Opposing the motion, Shri Gegong Apang (Arunachal Congress) said he had nothing to do with the motion as he was not in the splinter group Congress(D) and he was not after power.

Replying to the debate, the Chief Minister Shri Mithi said he appreciated the free and frank manner in which members spoke against him and expressed their grievances. He was unhappy that he could not look into them; at the same time he said he also felt happy that the grievances were not of serious nature. He appealed to all to fight collectively against poverty and other issues confronting the people and the State.

In the seven hours and fifty minutes long debate that followed, 23 members participated. The Motion of Confidence was thereafter taken up for voting by the House. The motion was declared not adopted thereby resulting in the fall of the Government of Shri Mithi.

Second Motion of Confidence

Following the defeat of the Mukut Mithi Government, the Governor Shri V.C. Pandey invited the leader of the newly formed UDF, Shri Gegong Apang to form a Government. Shri Apang, who was the Chief Minister for 19 years from 1980-1999, was once again administered the oath of office and secrecy on 3 August 2003. He was directed by the Governor to prove his majority on the floor of the House.

Accordingly, a two-day Special Session was convened on 18 August 2003 at 10.00 AM. As both the Speaker Shri Tamiyo Taga and the Deputy Speaker Shri Rajesh Tacho had resigned on 4 August 2003, and had subsequently joined the Ministry on 7 August, the proceedings of 18 August 2003 were conducted by the *pro tem* Speaker Shri Kito Sora. Shri Sora nominated the Panel of Chairmen. Thereafter, Shri Setong Sena and Shri Ninong Ering of the ruling UDF were unanimously elected Speaker and the Deputy Speaker, respectively.

The House then took up the Motion of Confidence in the Council of Ministers headed by Shri Gegong Apang which was moved by the Chief Minister. He said that his Government was committed to provide a clean, effective and accountable administration. Shri Apang *inter alia* said that his Government had decided to initiate administrative reforms. To ensure intra-ministerial coordination on vital policy issues, a Group of Ministers had been constituted by the Government. He said that the development of the State would be the main agenda of his Government and sought cooperation from all the members in this regard.

The former Chief Minister Shri Mukut Mithi said his party would oppose the Confidence Motion as they had no confidence in the Council of Ministers, particularly in the Chief Minister, as appointing Shri Apang as Chief Minister was in total violation of all norms of parliamentary democracy. However, his party would be

lending total cooperation for the development of the State and betterment of the people.

Replying to the debate, the Chief Minister, Shri Gegong Apang called on everyone to join together in making Arunachal Pradesh a jewel of India and requested the members to support the motion.

In all, 13 members took part in the debate lasting three hours and fifty minutes. The motion was adopted by voice vote.

Motions of Confidence and No-confidence in the Arunachal Pradesh Legislative Assembly - An Analysis

One Motion of No-confidence and four Motions of Confidence have been moved in the Arunachal Pradesh Legislative Assembly till date. The Second Legislative Assembly of the Union territory of Arunachal Pradesh took up one Motion of No-confidence against the Gegong Apang Ministry in September 1983. The Second and the Third Legislative Assemblies of the State of Arunachal Pradesh took up two Motions of Confidence each. The Motions of Confidence of 18 January 1999 and 2 August 2003 brought down the Governments, respectively, of Shri Gegong Apang and Shri Mukut Mithi. Table 1 gives details of motions admitted/discussed in each Legislative Assembly along with its duration.

Table 2 illustrates the number of Motions of Confidence and No-confidence admitted and discussed during the tenures of different Speakers. The tenure of Shri Chowna Mein witnessed two Motions of Confidence. Speakers Shri Tamiyo Taga and Shri Setong Sena presided over the debate on one motion each while Shri T.L. Raj Kumar presided over the debate on the Motion of No-confidence of September 1983.

Table 3 gives an account of the Motions of Confidence and No-confidence admitted and debated during the tenure of different Councils of Ministers. While the only Motion of No-confidence was moved against the Gegong Apang Ministry and moved by Shri Tomo Riba, four Motions of Confidence were moved by the incumbent Chief Ministers to prove their majority in the House. Of the four, two motions each were moved by Shri Apang and Shri Mukut Mithi. While the Motion of No-confidence was taken up by the Legislative Assembly in 1983 when Arunachal Pradesh was a Union territory, four Motions of Confidence were debated and voted upon in the Legislative Assembly after it became a State.

The lone Motion of No-confidence moved in September 1983 against the Gegong Apang Ministry was defeated. Of the four Motions of Confidence, two motions - one moved by Shri Mithi on 21 January 1999 and another one moved by Shri Apang on 18 August 2003 - were adopted. Two other Motions of Confidence were lost resulting in the fall of the Gegong Apang Ministry on 18 January 1999 and the Ministry of Shri Mukut Mithi on 2 August 2003. Thus, Shri Gegong Apang faced and survived a Motion of No-confidence in 1983; sixteen years later, he moved a Motion of

Confidence, which was, however, 'not adopted' and yet another Motion of Confidence moved by him was adopted on 18 August 2003. Shri Mukut Mithi, who won the confidence vote in January 1999, lost the confidence of the House four and a half years later when the motion moved by him was declared not adopted.

Table 4 gives statistical information pertaining to the participation of members in the debates on various Motions of Confidence and No-confidence. It also depicts the time taken and the result of the division.

Participation by Members

In all, 52 members took part in the debate on the five motions. While nine members participated in the debate on the lone Motion of No-confidence in 1983, 43 members participated in the debate on the four Motions of Confidence. The highest number of 23 members took part in the debate on the Motion of Confidence of 2 August 2003. Only one member took part in the debate on the Motion of Confidence moved by Shri Apang in January 1999 as the Chief Minister, soon after his speech and after moving the motion, announced his decision to proceed to Raj Bhawan.

Time taken

The total time taken on the four Motions of Confidence and one Motion of No-confidence was twenty-one hours and thirty-three minutes. The longest duration of seven hours and fifty minutes was spent on the Motion of Confidence moved by Shri Mukut Mithi on 2 August 2003, followed by the Motion of No-confidence against the Gegong Apang Ministry in September 1983 which took six hours. The Confidence Motion of January 1999 was over within 53 minutes. Proceedings of all the five motions commenced and concluded on the same day.

Division

The result of all the five motions - one Motion of No-confidence in 1983 and four Confidence Motions - was decided by way of voice vote.

While the Motion of No-confidence was negatived, two Motions of Confidence were defeated which resulted in the fall of the Gegong Apang Ministry on 18 January 1999 and the Mukut Mithi Ministry on 2 August 2003. Two other motions seeking to express confidence in the Mukut Mithi and Gegong Apang Ministry, respectively on 21 January 1999 and 18 August 2003, were carried.

Assam Legislative Assembly

Situated in the North-East of India, Assam, under the provisions of the Indian Councils Act, 1861, did not have any representative institutions of its own. In 1905, Assam was tagged along with Eastern Bengal and provided with the "Legislative Council of Eastern-Bengal and Assam". In 1909, the Council had a strength of 40 members out of which Assam was allotted 5 seats. Later, in 1913, Assam was granted a Legislative Council with 24 members, of which 13 were nominated by the Chief Commissioner and 11 were elected by the people. The first meeting of the Assam Legislative Council was held on 13 April 1913.

Under the Government of India Act, 1919, the strength of the Legislative Council was raised to 53 with effect from 1 April 1921. A majority of the members were elected. Forty-one seats were distributed community-wise. Of the remaining 12 seats, seven officials and five non-officials were nominated. The Legislative Council was a permanent body but as near as one-third of its members retired every third year. Under the Government of India Act, 1935 provisions were made for a Legislative Assembly in each Province and as a result the Legislature in Assam became bicameral. Accordingly, the Assam Legislative Assembly came into existence with a strength of 108 members, with all of them being elected members.

At the time of partition of India in 1947, Sylhet district of Assam was transferred to East Pakistan by a referendum and the strength of the members of the Assembly was reduced to 71. The strength of members was again raised to 108 after Independence, out of which 77 seats were allotted for general candidates, 5 for Scheduled Castes, 7 for Plains Tribals and 19 for Hill Tribals.

When the State of Nagaland was carved out of Assam in December 1963, the strength of members of the Assam Assembly was reduced by three. However, based on the 1961 Census, the strength of the Legislative Assembly was again raised to 126 in 1967. With the creation of Meghalaya as a full-fledged State and Mizoram as a Union territory in 1972, the strength of the Assam Legislative Assembly was reduced to 117 but it was again raised to 126 in 1978 on the basis of the 1971 Census. Under the India (Provincial Legislatures) Order, 1947, the Legislative Council was abolished

with effect from 14 August 1947. Since then, the Legislature of Assam has been having only one House. The present strength of the Assam Legislative Assembly is 126.

Motion of No-confidence

As per Rule 133 of the Rules of Procedure and Conduct of Business of the Assam Legislative Assembly, a motion expressing want of confidence in the whole Ministry or a motion censuring a Minister or a group of Ministers or a motion disapproving the action or actions of a Minister may be made with the consent of the Speaker. No motion expressing want of confidence is made against an individual Minister or a group of Ministers. The consent of the Speaker is subject to the following conditions namely: (i) the member desiring to move the motion has, at least an hour before the commencement of the sitting of the day, to give a written notice to the Secretary of his intention to move the motion together with a copy of the motion; and (ii) leave to make the motion has to be asked for after the Questions and before the List of Business of the day is entered upon.

If the Speaker is of the opinion that the motion is in order, he reads the motion to the Assembly and requests those members who are in favour of leave being granted to rise in their places and if not less than one-tenth of the total number of members of the House rise accordingly, the Speaker intimates that leave is granted and that the motion will be taken up on such day, not being more than ten days and not less than twenty-four hours from the time at which leave is asked, as he may appoint. The Speaker, at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith puts every question necessary to determine the decision of the House on the motion. The Speaker may, if he thinks fit, prescribe a time limit for speeches.

Motion of Confidence

There is no separate rule governing the Motion of Confidence in the Rules of Procedure and Conduct of Business in the Assam Legislative Assembly. Incidentally, no Motion of Confidence has been discussed in the Legislative Assembly.

Motions in different Legislative Assemblies

In all, twenty-four Motions of No-confidence against the Council of Ministers have been admitted for discussion in the Assam Legislative Assembly till date. The First, Second and Seventh Legislative Assemblies did not discuss any such motion. A brief account of the No-confidence Motions discussed by the House is given below. Tables 1 to 4 provide statistical details in respect of these motions. A graphical presentation of the motions is available in the Graph. Tables 5 and 6 enumerate the Governors and Chief Ministers, respectively, of the State.

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)**

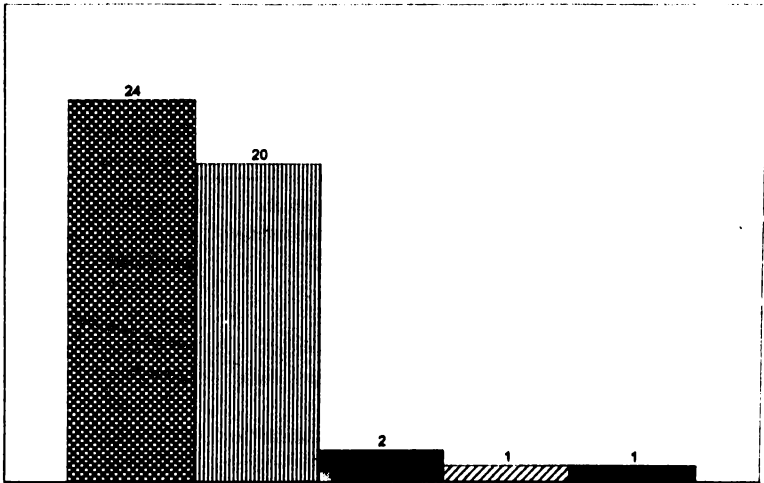
<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	04.03.1952-21.12.1956	-	-
Second Legislative Assembly	02.04.1957-01.03.1962	-	-
Third Legislative Assembly	03.03.1962-01.03.1967	2	-
Fourth Legislative Assembly	01.03.1967-15.03.1972	6	-
Fifth Legislative Assembly	15.03.1972-03.03.1978	3	-
Sixth Legislative Assembly	03.03.1978-19.03.1982	4	-
Seventh Legislative Assembly	21.03.1983-18.08.1985	-	-
Eighth Legislative Assembly	23.12.1985-30.06.1991	2	-
Ninth Legislative Assembly	30.06.1991-12.06.1996	4	-
Tenth Legislative Assembly	12.06.1996-30.05.2001	2	-
Eleventh Legislative Assembly	30.05.2001-till date	1	-
Total		24	-

Table 2

NCMs/CMs admitted/discussed during the tenures of different Speakers
(1952-2003)

<i>Sl. No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri Lakshewar Barooah	05.11.1947-03.03.1952	-	-
2.	Shri Kuladhar Chaliha	05.03.1952-07.06.1957	-	-
3.	Shri Dev Kanta Barooah	08.06.1957-15.09.1959	-	-
4.	Shri Mahendra Mohan Choudhury	09.12.1959-19.03.1967	2	-
5.	Shri Hareswar Goswami	20.03.1967-10.05.1968	2	-
6.	Shri Mohi Kanta Das	27.08.1968-21.03.1972	4	-
7.	Shri Ramesh Chandra Barooah	22.03.1972-20.03.1978	3	-
8.	Shri Jogendra Nath Hazarika	21.03.1978-04.09.1979	1	-
9.	Shri Sheikh Chand Mohammad	07.11.1979-07.01.1986	3	-
10.	Shri Pulakesh Baruah	09.01.1986-27.07.1991	2	-
11.	Shri Jiva Kanta Gogoi	29.07.1991-09.12.1992	2	-
12.	Shri Debesh Chandra Chakravorty	21.12.1992-11.06.1996	2	-
13.	Shri Ganesh Kutum	12.06.1996-28.05.2001	2	-
14.	Shri Prithibi Majhi	30.05.2001-till date	1	-
Total			24	-

Graph
NCMs in Assam Legislative Assembly.
(1952-2003)



▣ Motions admitted and discussed ▣ Chief Minister resigned* ▨ Motion withdrawn ▣ Not discussed
▤ Negatived

* The Chief Minister resigned during the lunch recess while the House was discussing the motion in September 1979 and in March 1982 the Chief Minister resigned before the discussion was taken up.

No Motion of Confidence was taken up in the Assam Legislative Assembly.

Table 3

**NCMs against/CMs in the Council of Ministers
(1952-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Bimala Prasad Chaliha (Third Legislative Assembly)		NCM	Tarapada Bhattacharjee (15)	(19.08.1963) 23.08.1963 24.08.1963 26.08.1963 27.08.1963	Negated Ayes - 17 Noes - 73
-do-		NCM	Hoover Hynniewta	(03.09.1966) 08.09.1966 09.09.1966	Negated by voice vote
Bimala Prasad Chaliha (Fourth Legislative Assembly)	Congress 73/126 (57.9%)	NCM	Gaurisankar Bhattacharyya (36)	(07.11.1967) 08.11.1967 09.11.1967 08.00	Negated Ayes - 38 Noes - 62
-do-		NCM	Phani Bora (31)	22.02.1968 23.02.1968	Negated by voice vote
-do-		NCM	-do- (23)	(29.08.1968) 30.08.1968 02.09.1968	Negated Ayes - 37 Noes - 67
-do-		NCM	-do- (32)	04.08.1969 05.08.1969	Negated by voice vote
Mahendra Mohan Choudhury (Fourth Legislative Assembly)		NCM	Gaurisankar Bhattacharyya (25)	(09.11.1970) 12.11.1970	Negated Ayes - 38 Noes - 61

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
-do-		NCM	Govinda Kalita (13)	(25.10.1971) 09.11.1971	Negated Ayes - 21 Noes - 63
Sarat Chandra Sinha (Fifth Legislative Assembly)	Congress 95/114 (83.3%)	NCM	Gaurisankar Bhattacharyya (7)	(29.11.1973) 04.12.1973 05.12.1973	Negated by voice vote
-do-		NCM	-do- (28)	(16.09.1974) 18.09.1974 19.09.1974 02.30	Negated Ayes - 13 Noes - 78
-do-		NCM	-do-	(31.10.1977) 01.11.1977 02.11.1977 03.11.1977	Negated Ayes-22 Noes-68 Absen- tions - 4
Golap Borbora (Sixth Legislative Assembly)	Janata 53/126 (42.06%)	NCM	Giasuddin Ahmed (3)	(03.09.1979) 04.09.1979	Chief Minister resigned
Jogendra Nath Hazarika (Sixth Legislative Assembly)		NCM	Golap Borbora (15)	(06.11.1979) 07.11.1979 08.11.1979 14.11.1979	Negated by voice vote
Sayed Anwara Taimur (Sixth Legislative Assembly)	Congress(I)	NCM	Atul Goswami (13)	(19.03.1981) 23.03.1981 24.03.1981 08.00	Negated Ayes - 43 Noes - 53 Absen- tions - 23

Table 3

**NCMs against/CMs in the Council of Ministers
(1952-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Bimala Prasad Chaliha (Third Legislative Assembly)		NCM	Tarapada Bhattacharjee (15)	(19.08.1963) 23.08.1963 24.08.1963 26.08.1963 27.08.1963	Negatived Ayes - 17 Noes - 73
-do-		NCM	Hoover Hynniewta	(03.09.1966) 08.09.1966 09.09.1966	Negatived by voice vote
Bimala Prasad Chaliha (Fourth Legislative Assembly)	Congress 73/126 (57.9%)	NCM	Gaurisankar Bhattacharyya (36)	(07.11.1967) 08.11.1967 09.11.1967 08.00	Negatived Ayes - 38 Noes - 62
-do-		NCM	Phari Bora (31)	22.02.1968 23.02.1968	Negatived by voice vote
-do-		NCM	-do- (23)	(29.08.1968) 30.08.1968 02.09.1968	Negatived Ayes - 37 Noes - 67
-do-		NCM	-do- (32)	04.08.1969 05.08.1969	Negatived by voice vote
Mahendra Mohan Choudhury (Fourth Legislative Assembly)		NCM	Gaurisankar Bhattacharyya (25)	(09.11.1970) 12.11.1970	Negatived Ayes - 38 Noes - 61

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
-do-		NCM	Govinda Kalita (13)	(25.10.1971) 09.11.1971	Negated Ayes - 21 Noes - 63
Sarat Chandra Sinha (Fifth Legislative Assembly)	Congress 95/114 (83.3%)	NCM	Gaurisankar Bhattacharyya (7)	(29.11.1973) 04.12.1973 05.12.1973	Negated by voice vote
-do-		NCM	-do- (28)	(16.09.1974) 18.09.1974 19.09.1974 02.30	Negated Ayes - 13 Noes - 78
-do-		NCM	-do-	(31.10.1977) 01.11.1977 02.11.1977 03.11.1977	Negated Ayes-22 Noes-68 Absen- tions - 4
Golap Borbora (Sixth Legislative Assembly)	Janata 53/126 (42.06%)	NCM	Giasuddin Ahmed (3)	(03.09.1979) 04.09.1979	Chief Minister resigned
Jogendra Nath Hazarika (Sixth Legislative Assembly)		NCM	Golap Borbora (15)	(06.11.1979) 07.11.1979 08.11.1979 14.11.1979	Negated by voice vote
Sayeda Anwara Taimur (Sixth Legislative Assembly)	Congress(I)	NCM	Atul Goswami (13)	(19.03.1981) 23.03.1981 24.03.1981 08.00	Negated Ayes - 43 Noes - 53 Absen- tions - 23

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Keshab Chandra Gogoi (Sixth Legislative Assembly)		NCM	Sarat Chandra Sinha	(17.03.1982) 18.03.1982	Chirf Minister resigned
Prafulla Kumar Mahanta (Eighth Legislative Assembly)	AGP 64/126 (50.8%)	NCM	Abdul Muhib Mazumdar (19)	(05.08.1986) 07.08.1986 08.08.1986 07.00	Motion withdrawn
-do-		NCM	Golok Rajbongshi (23)	02.04.1990 03.04.1990	Negated by voice vote
Hiteswar Saikia (Ninth Legislative Assembly)	Congress 65/126 (51.58%)	NCM	Zoii Nath Sarma	(09.09.1991) 17.09.1991	Not discussed
-do-	-do-	NCM	Prafulla Kumar Mahanta (15)	(15.06.1992) 16.06.1992 06.00	Negated by voice vote
-do-	-do-	NCM	Pramode Gogoi (18)	(21.12.1992) 22.12.1992 05.30	Negated by voice vote
-do-	-do-	NCM	Prafulla Kumar Mahanta	15.10.1993	Negated Ayes - 50 Noes - 68
Prafulla Kumar Mahanta (Tenth Legislative Assembly)	AGP led coalition 58/126 (46.03%)	NCM	Silvius Condpan (1)	(26.12.1997) 30.12.1997	Negated by voice vote

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
-do-		NCM	-do- (11)	(30.11.1998) 05.12.1998	Negatived Ayes - 34 Noes - 64
Tarun Gogoi (Eleventh Legislative Assembly)	Congress(I) 70/126 (55.55%)	NCM	Brindaban Goswami (8)	(06.08.2003) 08.08.2003 02.00	Negatived by voice vote

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Mahendra Mohan Choudhury	NCM	Bimala Prasad Chaliha	Tarapada Bhatta- charjee	23.08.1963 24.08.1963 26.08.1963 27.08.1963	15	-	27.08.1963	17	73	Negated
-do-	NCM	-do-	Hoover Hynniewta	08.09.1966 09.09.1966	-	08.00	09.09.1966	-	-	Negated
Hareswar Goswami	NCM	-do-	Gaurisankar Bhatta- charyya	08.11.1967 09.11.1967	36	08.00	09.11.1967	38	62	Negated
-do-	NCM	-do-	Phani Bora	22.02.1968 23.02.1968	31	-	23.02.1968	-	-	Negated
Mohi Kanta Das	NCM	-do-	-do-	30.08.1968 02.08.1968	23	-	02.09.1968	37	67	Negated
-do-	NCM	-do-	-do-	04.08.1969 05.08.1969	32	-	05.08.1969	-	-	Negated by voice vote

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	NCM	Mahendra Mohan Choudhury	Gauri- sankar Bhatta- charyya	12.11.1970	25	-	12.11.1970	38	61	Negated
-do-	NCM	-do-	Govinda Kalita	09.11.1971	13	-	09.11.1971	21	63	Negated
Ramesh Chandra Barooah	NCM	Sarat Chandra Sinha	Gauri- sankar Bhatta- charyya	04.12.1973 05.12.1973	7	-	05.12.1973	-	-	Negated by voice vote
-do-	NCM	-do-	-do-	18.09.1974 19.09.1974	28	02.30	19.09.1974	13	78	Negated
-do-	NCM	-do-	-do-	01.11.1977 02.11.1977	-	-	03.11.1973	22	68	Negated
Jogendra Nath Hazarika	NCM	Golap Borbora	Giasuddin Ahmed	03.11.1977 04.09.1979	3	-	-	-	-	Chief Minister resigned

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Sheikh Chand- Mohammad	NCM	Jogendra Nath	Golap Borbora	07.11.1979 08.11.1979	15	-	14.11.1979	-	-	Negativged by voice vote
-do-	NCM	Hazarika Sayeda Anwara	Atul Goswami	14.11.1979 23.03.1981 24.03.1981	13	08.08	24.03.1981	43	53	Negativged
-do-	NCM	Taimur Keshab Chandra Gogoi	Serat Chandra Sinha	18.03.1982	-	-	-	-	-	Chief Minister resigned
Pulakesh Baruah	NCM	Prafulla Kumar Mahanta	Abdul Muhib Mazumdar	07.08.1986 08.08.1986	19	07.08	08.08.1986	-	-	Motion withdrawn by mover
-do-	NCM	-do-	Golok Rajbongshi	02.04.1990 08.04.1990	23	-	08.04.1990	-	-	Negativged by voice vote
Jiva Kanta Gogoi	NCM	Hiteswar Saikia	Zoi Nath Sarua	17.09.1991 16.06.1992	-	-	-	-	-	Not discussed
-do-	NCM	-do-	Prafulla Kumar Mahanta	16.06.1992	15	08.08	16.06.1992	-	-	Negativged by voice vote

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Debesh Chandra Chakravorty	NCM	-do-	Pramode Gogoi	22.12.1998	18	05.30	22.12.1992	-	-	Negated by voice vote
-do-	NCM	-do-	Prafulla Kumar Mahanta	15.10.1993	-	-	15.10.1993	50	68	Negated
Ganesh Kutum	NCM	Prafulla Kumar Mahanta	Silvius Condpan	30.12.1997	1	-	-	-	-	Negated by voice vote
-do-	NCM	-do-	-do-	05.12.1998	11	-	05.12.1998	34	64	Negated
Prithibi Majhi	NCM	Tarun Gogoi	Brindaban Goswami	08.08.2003	8	02.00	08.08.2003	-	-	Negated by voice vote

Table 5

Governors of Assam

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Sri Prakasa	16.02.1949-26.05.1950
2.	Shri Jairam Das Daulatram	27.05.1950-14.05.1956
3.	Shri Sayid Fazal Ali	15.05.1956-22.08.1959
4.	Justice Chandreswar Prasad Sinha	23.08.1959-13.10.1959
5.	Gen.Satyavant Mallannath Shrinagesh	14.10.1959-12.11.1960
6.	Shri Vishnu Sahay	12.11.1960-12.02.1961
7.	Gen. Satyanvant Mallannath Shrinagesh	13.02.1961-07.09.1962
8.	Shri Vishnu Sahay	07.09.1962-16.04.1968
9.	Shri B.K. Nehru	17.04.1968-07.12.1970
10.	Justice P.K. Goswami	08.12.1970-04.01.1971
11.	Shri B.K. Nehru	05.01.1971-18.09.1973
12.	Shri L.P. Singh	19.09.1973-11.08.1981
13.	Shri P. Mehrotra	12.08.1981-27.03.1984
14.	Shri T.S. Mishra	28.03.1984-15.04.1984
15.	Shri B.N. Singh	16.04.1984-11.05.1989
16.	Shri Harideo Joshi	11.05.1989-26.07.1989
17.	Shri Anisetti Roghubir	27.07.1989-01.05.1990
18.	Shri D.D. Thakur	02.05.1990-16.03.1991
19.	Shri Lok Nath Misra	17.03.1991-31.08.1997
20.	Lt. Gen. (Retd.) S.K. Sinha	01.09.1997-04.06.2003
21.	Lt. Gen. (Retd.) Ajai Singh	05.06.2003-till date

Table 6

Chief Ministers of Assam

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Gopinath Bordoloi (Premier)	19.09.1938-06.08.1950
2.	Shri Bishnu Ram Medhi	08.08.1950-27.12.1957
3.	Shri Bimala Prasad Chaliha	28.12.1957-06.11.1970
4.	Shri Mahendra Mohan Choudhury	06.11.1970-30.10.1972
5.	Shri Sarat Chandra Sinha	31.01.1972-12.03.1978
6.	Shri Golap Borbora	12.03.1978-09.09.1979
7.	Shri Jogendra Nath Hazarika	09.09.1979-11.12.1979
	President's rule	12.12.1980-06.12.1980
8.	Smt. Syeda Anwara Taimur	06.12.1980-30.06.1981
	President's rule	30.06.1981-13.01.1982
9.	Shri Keshab Chandra Gogoi	13.01.1982-19.03.1982
	President's rule	19.03.1982-27.02.1983
10.	Shri Hiteswar Saikia	27.02.1983-23.12.1985
11.	Shri Prafulla Kumar Mahanta	24.12.1985-27.11.1990
	President's rule	27.11.1990-30.06.1991
12.	Shri Hiteswar Saikia	30.06.1991-22.04.1996
13.	Dr. Bhumidhar Barman	22.04.1996-14.05.1996
14.	Shri Prafulla Kumar Mahanta	15.05.1996-17.05.2001
15.	Shri Tarun Gogoi	18.05.2001-till date

Besides, during the Fourth Legislative Assembly, on 4 April 1968, notice of a No-confidence Motion against Shri L.P. Goswami, Minister for Panchayat, was received from Sarvashri Phani Bora, Atul Goswami, Bhadrakanta Gogoi and Shamsul Huda on the ground that the Minister was involved in a deep rooted conspiracy in connection with the ensuing Panchayat elections. The Speaker, Shri Hareswar Goswami ruled that a No-confidence Motion could be moved only against the Leader of the House who is the Chief Minister, because only he was expected to enjoy the confidence of the House. The other Ministers need not enjoy the confidence of the House. They were to enjoy the confidence of the Chief Minister or the Leader of the House. Therefore, a No-confidence Motion was to be moved against the whole Council of Ministers. Secondly, there might be three types of motions in this respect. One was a No-confidence Motion, another a Censure Motion and yet another was the disapproval of a particular action or policy. The No-confidence Motion had to be moved against the Council of Ministers and no reasoning was also necessary. It was a subjective motion. So far as the Censure Motion was concerned, it was an objective motion and one had to be clear in one's mind as to what were the reasons for moving the Censure Motion. Disapproval was another type. Censure against a particular Minister might lead the Chief Minister to resign or he may just drop that Minister. The rules were silent in this regard.

Shri Phani Bora pointed out that the rule provided that a No-confidence Motion against the Council of Ministers or an individual Minister could be moved, and they were trying to make use of that rule to discuss a particular matter which was agitating their minds. A motion against the Ministry could be moved, but it could not be done, because in this Session they had already moved a motion against the Ministry. So there was no other way. If they moved a substantive motion, that would not come up during the course of the next few days, because in the List of Business there were many business to be disposed of, and the only alternative left to them was to take recourse to this.

At this, the Speaker said that it could be treated as a matter of urgent public importance and it could be discussed under Rule 50. It need not be discussed as a Censure Motion. Shri Phani Bora agreed to the Speaker's observations.

Two other Censure Motions disapproving the actions of a Minister were discussed in the House during the Fourth Legislative Assembly. The first one was moved on 9 April 1969 by Shri Dulal Chandra Barua against Shri M.N. Hazarika, Minister-in-Charge of Fisheries, Khadi and Village Industries for his activities in his capacity as a member of Shri B.P. Chaliha's Cabinet which were detrimental to the interest of the people of the State. The motion was debated for 3 hours in which 9 members participated. The motion was negatived with 29 members voting in favour and 61 members voting against it.

The second motion was brought against Shri Lakshmi Prasad Goswami, Minister-in-Charge of Cooperation and Agriculture on 26 March 1970 for acting against the interest of the cooperative societies in general and the Assam Apex Marketing Society in particular by his personal intervention in the matter of export of rice to other States during the year 1969-70, thereby causing the greatest harm to the cause of the cooperative movement in the State of Assam.

Leave to move the motion was granted on 17 March 1970. The discussion on the motion was held for two days on 26 and 31 March 1970 in which 10 members participated.

The First and the Second Legislative Assemblies did not take up a Motion of Confidence or No-confidence.

Third Legislative Assembly (1962-1967)

Elections to the 105-member Legislative Assembly were held in February 1962. The Congress secured 79 seats, All Party Hill Leaders' Conference (APHLC) 11, Praja Socialist Party 6, Revolutionary Communist Party of India (RCP) 1 and Independents 8 seats. On 16 March 1962, Shri Bimala Prasad Chaliha was sworn in as the Chief Minister by the Governor Shri S.M. Shrinagesh.

In the Third Legislative Assembly, two Motions of No-confidence were discussed against the Cabinet of Shri Bimala Prasad Chaliha and both were negatived.

First Motion of No-confidence

A Motion of No-confidence against the Council of Ministers of Shri Bimala Prasad Chaliha, tabled by Shri Tarapada Bhattacharjee and others, was admitted by the Speaker, Shri Mahendra Mohan Choudhury on 19 August 1963. The motion was debated for four days on 23, 24, 26 and 27 August 1963 in which 15 members took part.

Initiating the discussion, Shri Tarapada Bhattacharjee charged the Government with misrule. He mentioned about the administration under the Chief Ministership of Shri Gopinath Bordoloi and Shri Bishnu Ram Medhi while commenting on the deteriorating administration of the present Government. Referring to the unauthorized ferry services at Karinganj, he said the Government could not take any action against such illegal plying of ferries. He charged that the Government had failed miserably in addressing the basic issues concerning the State's integrity and security. Democracy had been reduced to a mockery which had brought its evil effects on the administration. The people had lost all faith in the Government.

Replying to the debate on 27 August 1963, the Chief Minister, Shri Bimala Prasad Chaliha said that the Government was endeavouring to solve all basic problems. He admitted that as human beings, they did not claim infallibility. Omission and commission might be there. However, the Government was succeeding

in overcoming the basic problems. He explained the situation that prevailed in Cachar where starvation deaths occurred due to the failure of crops and scarcity of food. Regarding the issue of corruption, the Chief Minister said to root out corruption and for increasing administrative efficiency, cooperation from all sides was necessary. Referring to the problem of infiltration from Pakistan, Shri Chaliha said that on the basis of the 1961 Census, there were about three lakh Pakistani Muslims in the State staying illegally. He admitted that the ongoing system of issuing passport and visas required to be modified.

At the end of the debate, the motion was negated with 17 members voting in favour and 73 members voting against it.

Second Motion of No-confidence

On 3 September 1966, Shri Hoover Hynniewta and others tabled a No-confidence motion against the Cabinet of Shri Bimala Prasad Chaliha. The discussion on the motion was held on 8 and 9 September 1966.

Moving the motion, Shri Hoover Hynniewta said that of all the States in India, Assam had the largest number of peculiar and difficult problems. Many of these problems were caused by the manifold commissions and omissions on the part of the Government. During the course of his speech, he referred to the flood situation in Assam, firing incidents which took place in Shillong and elsewhere as well as the need for a judicial enquiry in this regard. He expressed his dissatisfaction on the statement given by the Minister-in-charge about the firing incidents.

Replying to the debate, the Chief Minister, Shri Bimala Prasad Chaliha referred to the No-confidence Motion moved in 1963 and said he was not convinced of the grounds forwarded that the No-confidence motion was tabled because the House did not agree to discuss certain subjects which the members wanted to discuss through adjournment motions. He expressed his regret over the incidents of firing and said that such things were very unfortunate.

The motion was negated by voice vote.

Fourth Legislative Assembly (1967-1972)

In the elections to the Legislative Assembly held in February 1967, the Congress secured an absolute majority of 73 in a House of 126. The Swatantra got 2 seats, CPI 7, PSP 5, SSP 4, Independents 24 and others 9 seats. Two seats were vacant as no nominations were received for one seat and one had fallen vacant because of the resignation of the successful candidate who had also won from another seat. Shri Bimala Prasad Chaliha, who was re-elected Leader of the Congress Legislature Party on 7 March 1967, was sworn in as the Chief Minister.

In all, six Motions of No-confidence were discussed and negated during the Fourth Legislative Assembly. Of these, four Motions of No-confidence were moved

against the Congress Ministry of Shri Bimala Prasad Chaliha and two against the Cabinet of Shri Mahendra Mohan Choudhury.

First Motion of No-confidence

A No-confidence Motion sponsored by Shri Gaurisankar Bhattacharyya, Leader of the United Legislature Party, and supported by 30 other Opposition members against the Congress Ministry of Shri Chaliha was admitted by the Speaker, Shri Hareswar Goswami on 7 November 1967. The motion was brought on the grounds of the disturbances in the Nowgong town. The discussion was held on 8 and 9 November 1967 for 8 hours in which 36 members participated.

Initiating the debate, Shri Phani Bora (Independent) charged the Government of being incapable of running the administration of the State. He said that the people of Nowgong who produced paddy for the whole of the State were going without food. There was an agitation going on there within the framework of democratic principles. The people offered Satyagaha and were on hunger strike to make the Government realize their difficulties. He alleged that the police was instructed to hit on the heads of the agitationists so as to disperse them. Besides, curfew was imposed to harass the people. He accused the Government of failing to check corruption, black marketing and Pakistani infiltration into the State and said all kinds of divisive forces were raising their ugly heads.

Supporting the motion, Shri Gaurisankar Bhattacharyya said that in spite of tall promises made by the Government about raising the per capita income of the people, nothing much had happened. Referring to the report of Prof. Goswami of the Agro-Economic Research Centre for North East India, he said the report clearly showed that whatever increase in food production had been achieved was mainly due to the increase in cultivable area and not due to improvement in agricultural methods or due to manuring or any such measure.

In his reply, the Chief Minister, Shri Bimala Prasad Chaliha, referring to the reorganization of Assam, remarked that new forces were coming up in the plains which could not be ignored. The explosions near the Secretariat the previous month testified to the uneasy situation which needed special vigilance. On the deportation of Pakistani nationals from Assam, he said the Government was determined not to allow any foreign national to stay illegally.

The motion was defeated with 38 members voting in favour and 62 members against it.

Second Motion of No-confidence

A Motion of No-confidence was brought by Sarvashri Phani Bora (Independent) and Bhadeshwar Gogoi against the Congress Government of Shri Chaliha on 22 February 1968. The reasons for bringing the motion were the failure: (i) to defend

the honour of the National Flag on the Republic Day at Guwahati; (ii) to maintain peace at Guwahati on 26 January 1968; (iii) to safeguard the property and dignity of citizens; (iv) to bring the real culprits to book; (v) to prevent the forces of disruption and disunity which were raising their heads in Assam; (vi) to solve the unemployment problem in the State; and (vii) to solve the problems of the teachers, Government employees, peasants and workers. The motion was discussed for two days in which 31 members participated.

Initiating the discussion, Shri Phani Bora said there was deep discontent among the people for various reasons - economical and political. Referring to the Guwahati incident, he said it was being talked that the Chinese or the Pakistanis or the CIA were behind the incident but he felt that all these attempts were to detract attention from the real facts. The real fact was that some people were taking advantage of the discontent of the Assamese youth. He said he was constrained to say that the Government sheltered the persons who were responsible for the happenings at Guwahati. The Government was fully in the know that such type of things were going to happen beforehand. He also said the police had failed miserably. Not a single shot was fired in the sky to scare away the miscreants. He alleged that it was all pre-planned. Even the National Flag was not protected by the Government. Blackmarketing was going on in the State; prices of essential commodities were rising by leaps and bounds and the common people were not getting any food.

In his reply, the Chief Minister, Shri Bimala Prasad Chaliha said that the House had absolute right to take decisions for the welfare of the people. All the people belonging to different castes and creed living in Assam were Assamese people. Referring to the Guwahati incident, he assured the House that those responsible would get proper punishment. He said he would not like to say anything as to whether the incident was pre-planned because the matter was under investigation by an Inquiry Commission. He further said that though there were many industries in the State, they were not sufficient to solve the unemployment problem; more industries were needed for that.

On 23 February 1968, the motion was negated by voice vote.

Third Motion of No-confidence

A notice of a No-confidence Motion from Shri Phani Bora, Shri Dulal Barua and others against the Congress Government of Shri Chaliha was received by the Speaker, Shri Mohi Kanta Das on the grounds: (i) that he had withheld from the Legislature facts and circumstances relating to several issues of vital importance for the State; (ii) he had failed to give proper lead on the issue of re-organisation of Assam; (iii) he had failed to give a proper lead in the matter of industrialization of Assam, with particular reference to the setting up of a second oil refinery in Assam in the Public Sector; and (iv) failure to tackle the food problem in the State.

Leave to move the motion was granted on 29 August 1968. In all, 23 members participated in the two-day discussion held on 30 August 1968 and 2 September 1968. The motion was negatived with 37 members voting in favour and 67 members voting against it.

Fourth Motion of No-confidence

The fourth Motion of No-confidence was moved by Shri Phani Bora on 4 August 1969 on the grounds of failure to fulfil the aspirations of the people. In all, 32 members participated in the two-day debate.

Initiating the discussion, Shri Phani Bora said that the Chief Minister had made a statement in the House regarding the division of N.F. Railway, a second oil refinery, extension of broad gauge rail line and the flood situation in the State. In the N.F. Railway Division scheme, there was only one Division in Assam at Lumding and the other two were outside of Assam. He asked the Government to make their position clear whether the decision taken at the AICC session at Faridabad in April 1969 with regard to the Railway Division Scheme would be implemented or not. He also wanted the Government to make its stand clear as regards the second oil refinery. He further said that the flood problem in the State was of prime concern as it affected the economic and social life of Assam. The Government, he said, had totally failed to solve the problems.

Replying to the debate on 5 August 1969, the Chief Minister, Shri Chaliha appreciated the sentiments and feelings of the Opposition members and said the Government shared the same feelings as regards the establishment of the third Railway Division in Assam, the second oil refinery and extension of the broad gauge rail line from Jogighopa to Guwahati. The members of the Opposition knew very well that the Government was taking steps and initiatives with regard to these matters. The Government was equally anxious to enable the socio-economic and industrial development of the State. At the Faridabad AICC Session, a threadbare discussion was made about the third Railway Division in Assam. The Union Minister for Railways rang up the State Finance Minister at Rangia and said that the Divisional Headquarter would be set up soon as the traffic position justified it. Regarding the broad gauge rail line on the south bank of the Brahmaputra, the Chief Minister said the Union Railway Ministry was being pressed for this and also for another bridge over the Brahmaputra as well as a rail line from Goalpara to Guwahati. An Expert Committee had been constituted and the Committee had started work to find out the quantity of crude oil available in the State and the possibility of setting up a second oil refinery.

The motion was negatived by voice vote.

On 30 October 1970, Shri Bimala Prasad Chaliha who had been ailing for sometime, resigned from the Chief Ministership of the State. The same day, Shri

Mahendra Mohan Choudhury was unanimously elected the Leader of the Congress Legislature Party. On 6 November 1970, a new 26-member Ministry was sworn in by the Governor.

Fifth Motion of No-confidence

Leave was granted to Shri Gaurisankar Bhattacharyya on 9 November 1970 to move a Motion of No-confidence against the Council of Ministers of Shri Mahendra Mohan Choudhury on the grounds of forming a Cabinet of 26 Ministers in a poor State like Assam. The motion was discussed on 12 November 1970 in which 25 members took part.

Moving the motion, Shri Gaurisankar Bhattacharyya said that there was great resentment in the State against the large size of the new Cabinet. He alleged that during the previous monsoon, the Government not only did not do anything to prevent the floods but also failed to provide proper and timely help to the affected people. He pointed out that from the day Meghalaya came into being, the Assam Government had no administration in Shillong. He charged that on matters of policy, the Government was not truthful and not responsive to the people.

In his reply, the Chief Minister, Shri Mahendra Mohan Choudhury said he was happy to listen to the valuable views and suggestions given by the House. Shri Choudhury said the Ministry had been constituted with 26 members for smooth administration and to provide representation to all communities. He had taken advice from different personalities before forming the Ministry. He further said that if any allegation against any person was received with facts and figures, he would take drastic action against such person and it would be reported to the House.

At the end of the debate, the House divided with 38 members voting in favour and 61 members voting against it.

Sixth Motion of No-confidence

Two notices of No-confidence Motion - one by Shri Govinda Kalita (CPI) and 4 other members and the other by Sarvshri Dulal Chand Barua (Janata Dal) and Gaurisankar Bhattacharyya (CPI) and six other members - were received against the Cabinet of Shri Mahendra Mohan Choudhury on 25 October 1971. Both the motions were taken up together. The grounds for bringing the motion was the complete failure to fulfil the aspirations of the people of Assam economically and politically as well as administratively. The motion was discussed on 9 November 1971. In all, 13 members took part in the debate.

Initiating the discussion, Shri Govinda Kalita said that the people of the Assam had expected a clean and efficient rule and fulfilment of their hopes and aspirations. He alleged that the Government had failed to achieve the progress of the State and the welfare of the people. The common people were facing many

problems like rising prices of essential commodities and unemployment. He further alleged that there were cases of misappropriation in the State Electricity Board and the same was the case with land settlement.

Replying to the debate, the Chief Minister, Shri Mahendra Mohan Choudhury said the Government shared the feelings and sentiments of the common people who wanted free education, development of irrigation, safe drinking water and supply of essential commodities at low rates. It was difficult to solve these problems within one or two years. The burning problem was of scarcity of food and the price hike in essential commodities. He said the State was not self-sufficient in the production of essential commodities. Most of the goods were imported from other parts of the country. Besides, the transport and communication system of the State was in a very bad condition. Moreover, the floods damaged the roads and railway lines thereby affecting the supply of essential commodities. Regarding the unemployment problem, he said some cottage industries were being set up because Assam was resourceful in bamboo and cane and the youth could engage themselves in these sectors.

The motion was negatived with 21 members voting in favour and 63 members voting against it.

Fifth Legislative Assembly (1972-1978)

Out of the 114 seats in the State Assembly, elections to 112 seats were held on 7 and 11 March 1972. There were two uncontested returns. The Congress won 95 seats, including two uncontested returns, CPI 3, Socialist 4, Swatantra 1 and Independents 11 seats. Shri Sarat Chandra Sinha was sworn in as the Chief Minister by the Governor Shri B.K. Nehru.

In the Fifth Legislative Assembly, three Motions of No-confidence were debated against the Council of Ministers of Shri Sarat Chandra Sinha and all of them were negatived.

First Motion of No-confidence

The main grounds on which Shri Gaurisankar Bhattacharyya tabled a No-confidence Motion against the Government of Shri Sarat Chandra Sinha were: (i) profession and practice of the Government had proved to be diametrically opposite; (ii) the basic necessities of life had not been assured to the masses; (iii) the problem of unemployment had become more acute; (iv) prices of essential commodities had risen to unprecedented and spiralling heights; (v) abuse of official positions for securing pecuniary and other benefits; (vi) misappropriation of funds of the State; and (vii) maladministration in matters of public services. Leave to move the motion was granted on 29 November 1973. Seven members took part in the discussion held on 4 and 5 December 1973.

Initiating the debate on 4 December 1973, Shri Gaurisankar Bhattacharyya said the people had voted the Ministry to power with an overwhelming majority. But their hopes and aspirations proved to be shortlived. He cited examples of the Government's wrong policies and failure to remove poverty. Shri Bhattacharyya also gave examples of how Calcutta had gained from the oil company and tea industry situated in Assam, thereby resulting in heavy losses to the State exchequer. He further alleged that the Government had cut down expenditure in the important fields of social welfare and had lost its credibility. The education policy of the Government had not helped the people at all and several anomalies were found in the education system. He also referred to the growing unemployment problem and demanded 80 per cent reservation in the Government and semi-Government jobs for the local people. He further alleged that the Government's policy for the eradication of corruption was far from satisfactory.

Replying to the debate, the Chief Minister, Shri Sarat Chandra Sinha explained in detail about the cooperative movement and said that the entire State had been uniformly divided into 663 societies and about 30 lakh families were represented in the cooperatives. He further said that power would be decentralized at the sub-divisional level and the cropping pattern would also be changed. Referring to tea estates, he said that in pursuance of the resolution passed by the House that the ownership of the tea gardens in the State should be taken over, a Committee had been constituted to examine the feasibility of the proposal. He conceded that agricultural income had not increased in the same proportion as industrial income. It was easy to develop industries faster than agriculture, because within the limited resources, agricultural income could be increased to a certain extent. He refuted the allegation that the Government had not taken any action on the PWD corruption case and said that departmental proceedings against three officers were in progress.

The motion was negated by voice vote.

Second Motion of No-confidence

On 18 September 1974, Shri Gaurisankar Bhattacharyya (CPI) moved the second Motion of No-confidence against Shri Sarat Chandra Sinha's Cabinet on the grounds of the general failure of the administration on different fronts, particularly in the food front which had led to famine and near famine conditions causing starvation deaths in different parts of the State. Leave of the House was granted on 16 September 1974. The debate on the motion lasted 2 hours and 30 minutes spanning two days in which 28 members participated.

Moving the motion, Shri Gaurisankar Bhattacharyya charged that the administration of the Government was an offensive one; the Government machinery was corrupt and antipathic to the people. Referring to the sufferings of the people during floods, he said that although newspapers were giving vivid and graphic

descriptions of starvation deaths, the Government denied this and attributed the death to malnutrition or some disease. He said that all development programmes were directed for the benefit of the elite class. Quoting statistics from the Government documents, he criticised the Government for destroying the financial resources and bringing not only financial ruin but bankruptcy. He also levelled charges of misuse of raw materials procured for pipes and fittings in North Cachar.

In his reply, the Chief Minister, Shri Sarat Chandra Sinha read out the letter requesting the Government of India to allot raw material to the Government of Assam for meeting the demand of pipes and fittings for North Cachar Hills District Council, Haflong and said precautionary measures had been taken to prevent any misuse of raw materials. If there was any such misuse of raw material, the Government would definitely make an inquiry and necessary action would be taken against the concerned party.

The motion put to vote on 19 September 1974 was negated with 13 members voting in favour and 78 members voting against it.

Third Motion of No-confidence

The third Motion of No-confidence against the Ministry of Shri Sarat Chandra Sinha was moved on 1 November 1977. Leave to move the motion was granted on 31 October 1977. The debate on the motion was held for 3 days.

Moving the motion, Shri Gaurisankar Bhattacharyya (CPI) alleged that the Chief Minister had joined the procession on 9 October in the streets of Guwahati demanding curbing of price rise, resignation of the Union Home Minister, Shri Charan Singh, stopping of atrocities on Harijans and undemocratic activities of the Janata Government. He wondered if the Chief Minister who was also the Home Minister of the State behaved in this manner whether that amounted to inciting lawlessness or rebellion. He accused that the Government had not utilized 13 crores of rupees given for fighting floods and extending relief to the people and was misusing it for political and party purposes.

Replying to the debate on 3 November 1977, the Chief Minister Shri Sarat Chandra Sinha thanked the Centre for conceding to the State's point of view on the matter of grants and said that there was a financial relation between a State and the Centre and under that relationship, the Centre was certainly under obligation to help the State. If any help comes, that should not be construed as favour from the Centre. Whatever was due must be paid to the State. He denied the charge that the financial position of the State was weak and said that because of economic discipline introduced in 1972, there was no overdraft problem and the ways and means position had improved considerably.

The motion was negated with 22 members voting in favour and 68 members voting against and 4 members abstaining.

Sixth Legislative Assembly (1978-1982)

In the elections to the 126-member State Assembly held on 25 February 1978, the Janata Party secured 53 seats, Congress (Socialist) 26, Congress (I) 8, CPI 5, CPI(M) 11, Plains Tribals Council of Assam 4, Revolutionary Communist Party of India 4 and Independents 15 seats. A 12-member Ministry headed by Janata leader Shri Golap Borbora was sworn in on 12 March 1978.

Four Motions of No-confidence, each against a new Council of Ministers, were discussed in the Sixth Legislative Assembly.

First Motion of No-confidence

A Motion of No-confidence against the 18-month-old Janata Ministry headed by Shri Golap Borbora was admitted by the Speaker Shri Jogendra Nath Hazarika on 3 September 1979. The No-confidence Motion was moved by Shri Giasuddin Ahmed (CPI) and supported by most of the Opposition parties.

Initiating the debate, Shri Pramode Gogoi (CPI) criticized the failure of the Janata Ministry on all fronts and demanded its resignation. He said the party had lost the people's confidence and had been reduced to a minority. Shri Nagen Baruah, the deputy leader of the Janata Legislature Party, defended the Government and said that during its 18-month rule, a number of socio-economic development projects were undertaken for the uplift of the poor.

With several of his partymen shifting loyalities and with the CPI(M) deciding to withdraw support, the Chief Minister Shri Golap Borbora sent in his resignation on 4 September 1979 during the lunch recess of the Assembly. The Assembly had adjourned for recess pending discussion on the No-confidence motion. During the recess, the Speaker, Shri Jogendra Nath Hazarika also announced his resignation from the Janata Party to lead the breakaway Assam Janata Dal.

The Deputy Speaker Shri Sheikh Chand Mohammad announced in the House when it met after the recess at 2.30 P.M. that the Governor Shri L.P. Singh, in a communication to the Assembly, had conveyed his acceptance of the resignation of Shri Borbora.

An eight-member Ministry headed by Shri Jogendra Nath Hazarika was sworn in on 9 September 1979 by the Governor Shri L.P. Singh. The Assam Janata Dal formed the Government with the support of the Congress (I) and the CPI.

Second Motion of No-confidence

On 7 November 1979, a Motion of No-confidence was moved by Sarvashri Golap Borbora, Nagen Baruah and Jiban Bora (Janata) against the 66-day-old Jogendra Nath Hazarika Ministry for its failure to: (i) make an enactment replacing the Ordinance on the Consolidated Fund of the State; (ii) to maintain law and order in the State, resulting in a growing sense of insecurity in the minds of the

people; (iii) to revise the electoral rolls as per directives of the Election Commission; (iv) to patronize the State enterprises in the field of industry and commerce; (v) to tackle effectively the drought and flood situation; and (vi) to declare programmes and policies of the Government in clear terms for solving the basic problems of the State. Leave to move the motion was granted on 6 November 1979. The motion was debated on 8 and 14 November 1979 in which 15 members participated.

Initiating debate, Shri Nagen Baruah referred to a ruling given by the Speaker of the Lok Sabha and challenged the recognition of the Assam Janata Dal as it had fulfilled neither of the conditions laid down in the ruling. He charged that the Government had been involved in financial irregularities. The law and order problem also was not properly handled. The foreign nationals' problem had been serious, especially due to the agitation launched by the All Assam Gana Sangram Parishad (AAGSP) and the All Assam Students Union (AASU). The Naga-Assam border situation still continued to be tense. The problem of unemployment also could not be solved by the Government.

Supporting the motion, Shri Golap Borbora said the Government had failed to maintain law and order. He urged the Government to adopt a practical approach in tackling the foreigners' issue.

In his reply, the Chief Minister Shri Jogendra Nath Hazarika assured the members that the Government would try to remove the anomalies in the revision of electoral rolls. He further said all foreign nationals would be deported from Assam through constitutional and legal procedures. No Indian would be deported or harassed. The law and order problem would be dealt with firmly.

During the discussion, 7 MLAs, 6 belonging to Janata (S) and one belonging to the PDF, withdrew their support to the Ministry. The Speaker then put the motion to vote which was declared lost by voice vote.

Following the withdrawal of support by the Congress and the CPI Legislature Parties, all the 13 Ministers of the 14-member Ministry tendered their resignations to the Chief Minister on 9 December 1979. On 12 December, the President Dr. N. Sanjiva Reddy issued a Proclamation under article 356 of the Constitution bringing the State under President's Rule.

The year-old President's Rule in the State came to an end with the swearing in on 6 December 1980 of an eight-member Congress (I) Ministry headed by Smt. Anwara Taimur.

Third Motion of No-confidence

Six notices of No-confidence Motion against the Ministry of Smt. Anwara Taimur were received on 19 March 1981. Speaker Shri Sheikh Chand Mohammad gave priority in point of time to the notice submitted by Shri Atul Chandra Goswami

(PDF) and Shri Premadhar Bora (Independent). The discussion on the motion was held on 23 and 24 March 1981 for 8 hours in which 13 members participated.

Initiating the discussion, Shri Atul Chandra Goswami said that the Government was a minority one as it had a strength of only 48 out of an effective strength of 121 members in the Assembly. He referred to the repressive measures taken by the Government by requisitioning 39 battalions of CRPF, 12 battalions of BSF and 6 battalions of the Madhya Pradesh Police. The mass movement in the State had been branded as anti-Bengali and anti-Indian by some members of the Ministry. He further alleged that one Minister had been patronizing big business houses for the supply of rape seed oil, salt, etc. against the interests of local youths. Government officers also had been harassed with more than 700 officers being transferred during a short span.

During the debate, Opposition members criticised the Ministry for its alleged lack of initiative to find a solution to the foreign nationals' issue. They charged that the Government had not taken any initiative for negotiations despite the Assam agitation leaders' preparedness for talks with the Centre without any pre-conditions. The ruling party members, however, claimed that the Government had restored peace and normalcy to help expedite developmental programmes.

Replying to the debate, the Chief Minister Smt. Anwara Taimur said it would be her Government's endeavour to restore complete peace and tranquility in the State by bringing about a solution to the foreign nationals' issue and sought the cooperation of all members of the House. She further said that after a long period of disturbed conditions due to the prolonged agitation, normalcy was being restored in the State with the academic life becoming almost normal. She expressed her happiness over the AASU's decision to sit across the negotiating table, without pre-conditions. Referring to the Opposition charge that Press censorship was imposed in the State to suppress freedom of the Press, Smt. Taimur countered that the Press had published misleading and exaggerated reports which had threatened communal harmony. Censorship would be withdrawn the moment the Government felt satisfied that there was no necessity for it.

The motion was negated with 43 members voting in favour, 53 members voting against it and 23 members abstaining in a House with an effective strength of 121.

The 7-month-old Congress(I) Ministry headed by Smt. Anwara Taimur resigned on 28 June 1981, when the Budget Session of the Legislative Assembly was scheduled to begin the next day on 29 June. The State was, for the second time, brought under President's Rule on 30 June 1981. The Legislative Assembly was, however, kept under suspended animation. On 13 January 1982, Presidents' Rule was revoked and a new Congress(I) Ministry headed by Shri Keshab Chandra Gogoi was sworn in by the Governor Shri Prakash Mehrotra.

Fourth Motion of No-confidence

On 17 March 1982, a Motion of No-confidence was moved against the 65-day-old Congress(I) Ministry of Shri Keshab Chandra Gogoi jointly by Sarvashri Sarat Chandra Sinha (Congress-S), Golap Borbora (Janata), Hemen Das(CPI-M), Promode Gogoi (CPI), Zainal Abedin (SUCI), Premadhar Bora (Independent) and Ramesh Mohan Kuli. The Speaker, Shri Sheikh Chand Mohammad, admitted the motion and fixed the discussion for 18 March 1982. Shortly before the Legislative Assembly was to meet to consider the Motion of No-confidence, the Chief Minister Shri Gogoi resigned. The Speaker adjourned the House *sine die* after reading a message from the Governor saying he had accepted the resignation of Shri Gogoi's Cabinet. On 19 March 1982, President Dr. N. Sanjiva Reddy issued a Proclamation dissolving the Legislative Assembly and bringing the State under President's Rule.

The Seventh Legislative Assembly did not take up a Motion of Confidence or No-confidence.

Eighth Legislative Assembly (1985-1991)

The elections to the State Legislative Assembly were held on 16 December 1985. The newly formed Asom Gana Parishad (AGP) secured an absolute majority by winning 64 seats as against 25 won by the Congress(I). The United Minorities Front won 17 seats, Congress (S) 4, Plains Tribals Council of Assam 3, CPI(M) 2 and Independents 10 seats. Polling in one constituency was countermanded. On 22 December, the Governor Shri Bhishma Narain Singh invited Shri Prafulla Kumar Mahanta to form the Ministry. Shri Mahanta was sworn in as the Chief Minister on 24 December 1985.

The Eighth Legislative Assembly witnessed debates on two Motions of No-confidence.

First Motion of No-confidence

The first Motion of No-confidence against the Ministry headed by Shri Prafulla Kumar Mahanta was brought by Shri Abdul Muhib Mazumdar (Congress-I) on 5 August 1986. The motion was debated on 7 and 8 August 1986 for seven hours. 19 members took part in the debate.

Moving the motion, Shri Abdul Muhib Mazumdar said that the random transfer of officers had demoralized the bureaucracy and greatly retarded the functioning of the administrative machinery. Justifying his claim, he said that out of the 66 IAS officers, including the Chief Secretary, 60 officers were transferred since the AGP Government came to power. He further said that the Press which had given full support to the Assam agitation leaders was not giving the same support as the AGP Government had failed to keep their commitments to the people of Assam.

In his reply to the two-day debate, the Chief Minister Shri Prafulla Kumar

Mahanta sought the cooperation of all sections of the House for speedy implementation of the Assam Accord and various development programmes for all round economic development of the State. He accused some political parties of fomenting trouble. Referring to the allegation about the circular relating to the Secondary Education Board of Assam (SEBA) declaring Assamese as a compulsory subject in the schools of the State, the Chief Minister said the decision was taken by the earlier Congress(I) Government and the Board had issued the circular this year as per the education policy of the Government of India. The Government had not yet introduced the circular in schools as there was some opposition from some parts of the State and the matter was under review.

At the end of the debate, Shri Abdul Muhib Mazumdar who moved the motion said that his purpose had been served and he did not want to press for it any more. The motion was hence withdrawn.

Second Motion of No-confidence

Another Motion of No-confidence against the Council of Ministers of Shri Prafulla Kumar Mahanta was moved by Shri Golok Rajbongshi [Congress(I)] for its alleged inaction against the United Liberation Front of Assam (ULFA) activists and failure on other fronts. The motion was discussed on 2 and 3 April 1990 in which 23 members took part.

Moving the motion, Shri Golok Rajbongshi said that Assamese youths were joining the ULFA because the AGP had failed to fulfil the aspirations of the people. The AGP's wrong policies had darkened the future of the Assamese people. He alleged that an AGP MLA himself had demanded the Chief Minister's resignation.

Replying to the debate, the Chief Minister, Shri Prafulla Kumar Mahanta, enumerated the State Government's achievements during the previous four years and compared the AGP's performance favourably with that of the earlier Congress(I) Government. He said the Congress(I) had no right to criticize his Government as they had committed too many misdeeds while in power. He refuted the charges that the AGP Government had neglected the Scheduled Castes and Tribes and said that his Government had spent crores of rupees each year for the development of these communities and was filling up the vacancies in jobs reserved for them which the previous Government had never attempted.

Referring to the allegations of financial mismanagement, Shri Mahanta said it was easy to level such charges but it was not possible to do away with rules which were in operation since Independence and which were the main reasons behind the financial crisis in the State. He said that the AGP Government had provided jobs to 20,000 youths despite the recommendations of the Ninth Finance Commission against it. As regards corruption, Shri Mahanta said his Government had never hidden facts from the public and whenever there had been any allegation even against Ministers

they were enquired into. Shri Mahanta stated that despite charges in the Press, none of his Ministers was involved with the ULFA. He said that his Government had held all-party meetings to combat extremism in Assam and sought the views of all the political parties in this regard.

The motion was defeated by voice vote.

Ninth Legislative Assembly (1991-1996)

Elections to the 126-member State Assembly were held on 6 and 8 June 1991. The Congress(I) gained a clear majority by winning 65 out of the 125 seats for which elections were held. The position of the other parties was as follows: AGP 19, BJP 10, NAGP 5, CPI 4, CPI(M) 1, Janata Dal 1, UMF 1 and others 19.

Following the elections, Shri Hiteswar Saikia of the Congress(I) was sworn in as the Chief Minister by the Governor Shri Lok Nath Mishra on 30 June 1991.

Four Motions of No-confidence against the Cabinet of Shri Hiteswar Saikia were discussed during the tenure of the Ninth Legislative Assembly.

First Motion of No-confidence

On 9 September 1991, Shri Zoi Nath Sarma (AGP) tabled a Motion of No-confidence against the Congress Government of Shri Hiteswar Saikia on the grounds of alleged failure to check price rise, corruption and failure to maintain law and order. The Speaker, Shri Jiba Kanta Gogoi fixed 17 September 1991 for discussion.

On the midnight of 16 September 1991, Army was deployed by the Centre to combat the ULFA menace. On 17 September 1991, immediately after the House assembled, the Opposition members demanded that the House should be adjourned to discuss the situation after the deployment of the Army. Thereafter, the House witnessed uproarious scenes. The Speaker, finding no alternative, adjourned the House *sine die*. As such, the No-confidence motion could not be taken up for disposal.

Second Motion of No-confidence

Leave was granted to Shri Prafulla Kumar Mahanta on 15 June 1992 to move a Motion of No-confidence against the Cabinet of Shri Hiteswar Saikia. The motion was debated on 16 June 1992 for about 6 hours in which 15 members participated.

Moving the motion, Shri Prafulla Kumar Mahanta, Leader of the Opposition, said the Chief Minister had disclosed in the Assembly on 10 April 1992 that 30 lakh people from Bangladesh immigrated into Assam in the year 1987. But surprisingly, Shri Saikia changed his speech under pressure from certain quarters and stated that the data of immigration of foreigners into Assam which was disclosed in the Assembly on 10 April 1992 was not correct. On the other hand, the Central Government, along with Department of Home Affairs, had also admitted the foreigners' issue. Shri Mahanta accused the Ministry of failure in deporting the

infiltrators from Assam. The Leader of the Opposition also pointed out that the Government had failed in maintaining law and order in the State. Referring to the Bodoland issue and the ULFA problem, Shri Mahanta said the Government had not come out with a concrete policy to solve these burning problems.

In his reply, the Chief Minister Shri Hiteswar Saikia said that a meeting was held on 24 March 1982 between the Home Secretary, Government of India and the Chief Secretaries of all States. He read out the agenda notes of the meeting according to which the total number of infiltrators was nearly 5 million and for Assam the estimated figure was 2.23 million. Regarding the problem of unemployment, Shri Saikia said it was not possible to provide jobs for all educated youth. The Government had tried to engage the educated youth on a self-employment basis in small industries and other training programmes. Referring to the appointment of teachers, he said three thousand teachers for lower primary schools had been appointed and necessary financial sanction had been made. He also said that the Government had been trying to control the price of essential commodities.

The motion was negated by voice vote.

Third Motion of No-confidence

The third Motion of No-confidence in the Ninth Legislative Assembly was tabled by Shri Pramode Gogoi (CPI) on the grounds of failure to maintain law and order and solve the burning problems confronting the State. The motion was discussed on 22 December 1992 in which 18 members participated. The debate on the motion lasted approximately 5 hours and 30 minutes.

Moving the motion, Shri Pramode Gogoi asked the Government to take strict measures to tackle the radical forces, allegedly inciting communal violence in the State. Referring to the recent violence in Assam, he said it was a direct onslaught on the secular fabric of the State. He alleged that the violence was mainly confined to the ruling party represented constituencies and the district administration had totally failed to maintain law and order. On the Bodoland and Karbi Anglong problems, he urged the State Government to resolve the issues through dialogue. He criticized the Government for the worsening financial conditions, mounting corruption and alleged lawlessness in the State.

Replying to the debate, the Chief Minister, Shri Hiteswar Saikia, stoutly denied that his Government lacked sincerity in solving the ULFA, Bodo and Karbi Anglong problems. About the ULFA, he said that 3,002 militants had already surrendered while about 500 were yet to join them. Out of this, 2,347 had been trained for different vocations. The Planning Commission had provided Rs. 110 crore for the rehabilitation of the ULFA militants. He blamed the adamant and unreasonable attitude of the Bodo leadership for the present deadlock. About the Karbi Anglong problem, the Chief Minister said that the State Government had offered maximum

autonomy and that was accepted by the Karbi leadership. He said that some clauses in this understanding required an amendment of the Constitution. He asserted that there was no financial crisis in the State.

The motion was negated by voice vote.

Fourth Motion of No-confidence

The fourth and the last Motion of No-confidence in the Ninth Legislative Assembly was moved by Shri Prafulla Kumar Mahanta on 15 October 1993.

In his reply, the Chief Minister Shri Hiteswar Saikia said the State had urged the Supreme Court to accept, as proof a person's citizenship, the possession of land records, school documents and ration cards as before. Not many people in Assam possessed birth certificates or had their names in the national register of citizens, as insisted by the Election Commission. The 1966 voter's list in Assam was not available in 56 areas; therefore, the question of linkage of voters of 1991 with that of 1966 did not arise. The motion was negated with 50 members voting in favour and 68 voting against it.

Tenth Legislative Assembly (1996-2001)

In the elections to the 126-member Legislative Assembly held on 27 April 1996, the AGP-ASDC, CPI, CPI(M) and UPP alliance secured an absolute majority. The party position was as under: AGP 58, Congress(I) 34, ASDC 5, BJP 4, CPI 3, CPI(M) 2, All India Indira Congress (T) 2, United Minority Front 2, UPP 1 and others 11. Elections to 4 seats were countermanded. Shri Prafulla Kumar Mahanta of the AGP was sworn in as the Chief Minister on 15 May 1996.

Two Motions of No-confidence were moved against the Ministry of Shri Mahanta in the Tenth Legislative Assembly.

First Motion of No-confidence

A Motion of No-confidence by Shri Silvius Condpan [Congress(I)] against the Prafulla Kumar Mahanta Ministry for its failure on all fronts was admitted by the Speaker Shri Ganesh Kutum on 26 Decemer 1997. The motion was taken up for discussion on 30 December 1997. Following the CBI's move to the seek sanction of the Assam Governor to prosecute Shri Prafulla Kumar Mahanta in connection with the multi-crore Letter of Credit veterinary development scam, there was bedlam in the Assembly. As soon as the House assembled, Opposition members demanded that the Mahanta Government had lost the moral right to rule following the indictment of the Chief Minister in the scandal.

The ruling Asom Gana Parishad members protested loudly and rushed to the well of the House. The Speaker Shri Kutum then adjourned the House twice. When the House reconvened, the Speaker announced that the Congress could move its No-confidence Motion. The Congress(I) decided against it. Shri Silvius Condpan

said till the other day his party had believed that there was a Government but today there was none because it had lost the moral right to remain in power. So, the need to move a No-confidence Motion did not arise. The Speaker Shri Kutum then observed that the motion had already been moved and, therefore, he put it to voice vote. Since the Congress members remained silent, the motion was declared lost.

Second Motion of No-confidence

The second Motion of No-confidence against the Government of Shri Prafulla Kumar Mahanta for its failure on all fronts was moved jointly by the Congress(I) and the United Minority Front. Leave to move the motion was granted on 30 November 1998. The motion was discussed on 5 December 1998 in which 11 members participated.

Moving the motion, Shri Silvius Condpan [Congress(I)], Leader of the Opposition, said the Government had belied the expectations of the people. The Government had not taken the necessary steps to maintain law and order in the State. He referred to the bomb attacks on oil pipelines and the spate of killings in Guwahati to show how bad the law and order situation was in the State. He also took the Government to task for not holding the panchayat elections which were long overdue.

In his reply, the Chief Minister, Shri Prafulla Kumar Mahanta, recounted the steps taken by his Government in different fields in the previous four years. He attributed the failure of the AGP to win a single seat in the last Lok Sabha elections to the party's decision not to compromise with the militants. He further said since the National Socialist Council of Nagaland (NSCN) was the mother organization of all the insurgent outfits in the North East, his Government had urged the Centre to hold talks with both the factions of the NSCN. The Centre's talks had taken a definite shape and direction. This was a good sign that the insurgency situation would improve.

The motion was negatived with 34 members voting in favour and 64 members voting against it.

Eleventh Legislative Assembly (2001-till date)

In the elections to the 126-member Legislative Assembly held on 10 May 2001, the Congress(I) secured 70 seats, Asom Gana Parishad-BJP alliance 40 and others 15 seats. Election in one constituency was countermanded. On 18 May 2001, Shri Tarun Gogoi who was unanimously elected the Leader of the Congress Legislature Party, was sworn in as the Chief Minister.

Motion of No-confidence

On 6 August 2003, a Motion of No-confidence was tabled against the Congress Ministry of Shri Tarun Gogoi for its alleged lacklustre performance and its failure

to provide efficient, corruption-free and transparent administration. The motion was moved jointly by the AGP, BJP and ASDC.

Initiating the discussion, Shri Brindaban Goswami said that the people of Assam had brought the Congress to power expecting a clean and transparent Government. But, the present Government had drowned into several corruption scandals. He also referred to the ethnic conflict between the Demasa-Hmar group and alleged that the law and order situation had worsened in the last two years. Consequently, innocent people had been killed. Opposition parties were not allowed to function freely and even the party office of BJP was ransacked by miscreants in broad daylight. He further alleged that the Government had not taken any steps for the detection and deportation of foreigners.

In his reply, the Chief Minister Shri Tarun Gogoi described all the allegations made against him and his Ministry as baseless. The Chief Minister said that the AGP had no right to criticise the present Government as they had ruined the socio-economic condition of State when it was in power. The present Government had tried to improve the conditions and had succeeded to some extent. The Central Government had sanctioned more funds to the State for rural development and the public distribution system. He gave a detailed description of the increase in the tax collection, revenue collection and per capita income and said the State was making progress on diverse fronts. The Government had been trying its best to prevent corruption. Regarding the law and order situation, he said the situation had returned to normal and an initiative had been taken for discussion with the Demasa-Hmar and other extremist groups.

The motion was debated on 8 August 2003 for two hours in which 8 members participated and was negated by voice vote.

Motions of No-confidence in the Assam Legislative Assembly - An Analysis

In all, 24 Motions of No-confidence against different Councils of Ministers were debated in the Legislative Assembly. Of these, six were discussed in the Fourth Legislative Assembly, four each in the Sixth and the Ninth Legislative Assemblies, three in the Fifth, two each in the Third, Eighth and Tenth Legislative Assemblies and one in the Eleventh Legislative Assembly (till date). In the First, Second and Seventh Legislative Assemblies, no such motion was discussed.

Table 2 shows that Speaker Shri Mohi Kanta Das chaired the debate on the highest number of four No-confidence Motions. Speakers Sarvashri Ramesh Chandra Barooah and Sheikh Chand Mohammed chaired the debate on three Motions of No-confidence each. Speakers Sarvashri Mahendra Mohan Choudhury, Hareswar Goswami, Pulakesh Baruah, Jiba Kanta Gogoi, Debesh Chandra Chakraborty and Ganesh Kutum presided over the debate on two Motions of No-confidence each.

Speaker Shri Prithibi Majhi presided over the debate on one Motion of No-confidence. Speaker Shri Jogendra Nath Hazarika resigned from the office while the Motion of No-confidence against Shri Golap Borbora was being discussed and later on staked claim to form the Ministry.

Table 3 gives an account of the No-confidence Motions debated during the different Councils of Ministers. Of the 24 Motions of No-confidence, Shri Bimla Prasad Chaliha faced six Motions of No-confidence followed by Shri Prafulla Kumar Mahanta and Hiteswar Saikia who faced four Motions of No-confidence each. Shri Sarat Chandra Sinha faced three Motions of No-confidence. Shri Mahendra Mohan Choudhury faced two Motions of No-confidence and one each was faced by Shri Jogendra Nath Hazarika, Shri Tarun Gogoi and Smt. Syeda Anawara Taimur. Chief Ministers Shri Golap Borbora and Shri Keshab Chandra Gogoi resigned from the office while the Motion of No-confidence was being discussed.

Table 4 gives statistical information about the participation of members on various Motions of No-confidence. It also depicts the time taken and the result of the division.

Participation by Members

In all, 336 members of the Assembly participated in the debates on the 22 Motions of No-confidence (figures for two Motions of No-confidence are not available). Shri Gaurisankar Bhattacharyya moved the highest number of five No-confidence Motions followed by Shri Phani Bora who moved three Motions of No-confidence. Sarvashri Prafulla Kumar Mahanta and Silvius Condpan moved two Motions of No-confidence each. The highest number of 36 members participated in the motion moved by Shri Gaurisankar Bhattacharyya in November 1967 while only one member participated in the motion moved by Shri Silvius Condpan in December 1997.

Time taken

The total days taken to discuss the 24 Motions of No-confidence comes to 41. Individually, the Motion of No-confidence moved by Shri Tarapada Bhattacharjee on 23 August 1963 was discussed for the highest number of four days followed by the Motion of No-confidence moved by Shri Gaurisankar Bhattacharyya in November 1977 which was discussed for three days. The total time spent in debating the seven Motions of No-confidence comes to 39 hours (figures for the remaining motions are not available).

Division

All the 24 Motions of No-confidence debated by the Assembly were negatived. While ten Motions of No-confidence were negatived by voice vote, ten were negatived by division and one was withdrawn. The Motion of No-confidence moved by Shri

Zoi Nath Sarma could not be taken up for disposal. Chief Minister Shri Golap Borbora resigned before voting on the Motion of No-confidence moved in September 1979 and Shri Keshab Chandra Gogoi resigned before the motion could be taken up for discussion in March 1982. The Motion of No-confidence moved by Shri Gaurisankar Bhattacharyya against Shri Sarat Chandra Sinha voted on 19 September 1974 was negated by the widest margin of 65 votes whereas the Motion of No-confidence against Smt. Syeda Anwara Taimur in March 1981 was negated by the lowest margin of 10 votes.

Bihar Legislative Assembly

The administrative changes announced after the Delhi Durbar of 1911 and the formation thereby of the new Province of Bihar and Orissa necessitated the formation of a new Legislative Council for the Province. The existing Council, constituted under various Indian Councils Acts, was amended by the Government of India Act, 1912. The re-constituted Council consisted of 43 members of whom 24 were elected and 19 nominated. In addition, the Lt. Governor was also empowered, with the sanction of the Governor-General, to nominate one person, official or non-official, having expert knowledge on the proposed or pending legislation, to be a member of the Council.

On 29 December 1920, the Province of Bihar and Orissa was declared to be a Governor's province and a new scheme of reforms was inaugurated from that date. Under the Government of India Act, 1919, the composition of the Council was changed and it now consisted of seventy-six elected members and such number of members nominated by the Governor.

In 1937, the Bihar Legislative Assembly came into existence and thus the State Legislature became a bicameral one. The Legislative Assembly had a strength of 152 members chosen directly by the people voting in territorial and special constituencies in accordance with the extended franchise qualification embodied in the Fifth and the Sixth Schedules of the Government of India Act, 1935.

The new Legislative Council as constituted was a permanent body and was not subject to dissolution as was the old unicameral Bihar and Orissa Legislative Council. It consisted of 30 members, including the President. Of these, nine represented the general seats, four the Muhammadan seats, one the European seat, twelve were elected by the Bihar Legislative Assembly and four were chosen by the Governor in his discretion.

After the Indian Constitution came into force on 26 January 1950, the first elections in the State were held in 1952. The total strength of membership in the Legislative Assembly was 331, including one nominated member. It was reduced to 318 during the second elections held in the State as the boundary of the Bihar State underwent modification in the light of the recommendations of the States

Reorganisation Commission and in pursuance of the enactment of the Bihar and West Bengal (Transfer of Territories) Act, 1956. In 1977, the total number of elected members of the Bihar Legislative Assembly was further raised from 318 to 324. Following the reorganisation of the State in November 2000, *vide* the Bihar Reorganisation Act, 2000, the State of Jharkhand was formed with 18 districts of Bihar. Accordingly, the number of seats in the Bihar Legislative Assembly was fixed at 243.

The strength of the Bihar Legislative Council was raised from 30 to 72 in 1952. It was further raised to 96 in 1957. At present, the strength of the Council is 75.

Motion of No-confidence

According to Rule 109 of the Rules of Procedure and Conduct of Business in the Bihar Legislative Assembly, a motion expressing want of confidence in the Council of Ministers may be made subject to the following restrictions, namely: (i) leave to make the motion must be asked for after Questions and before the List of Business for the day is entered upon; and (ii) the members asking for leave must, before the commencement of the sitting for that day, leave with the Secretary a written notice of the motion which he proposes to move.

If the Speaker is of opinion that the motion is in order, he reads the motion to the House and requests those members who are in favour of leave being granted to rise in their place, and if not less than thirty-one members rise accordingly, the Speaker intimates that leave is granted and that the motion will be taken up on such day, not being more than ten days from the date on which the leave is asked for. The Speaker, at the appointed hour on the allotted day or, as the case may be, the last of the allotted days, forthwith puts every question necessary to determine the decision of the House on the motion. The Speaker may prescribe a time limit for speeches.

Motion of Confidence

There is no specific rule governing Motions of Confidence.

Motions in different Legislative Assemblies

In all, 21 Motions of No-confidence and eight Motions of Confidence have been admitted and discussed in the Bihar Legislative Assembly till date. Tables 1 to 4 give statistical details in respect of these motions. A graphical presentation of the motions is available in Graphs I and II. Tables 5 and 6 list out the Governors and the Chief Ministers, respectively, of the State.

First Legislative Assembly (1952-1957)

In the elections to the 330-member Legislative Assembly held in 1952, the Congress secured 241 seats, Jharkhand Party 32, Socialists 23, Janata Party 11, Lok

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)**

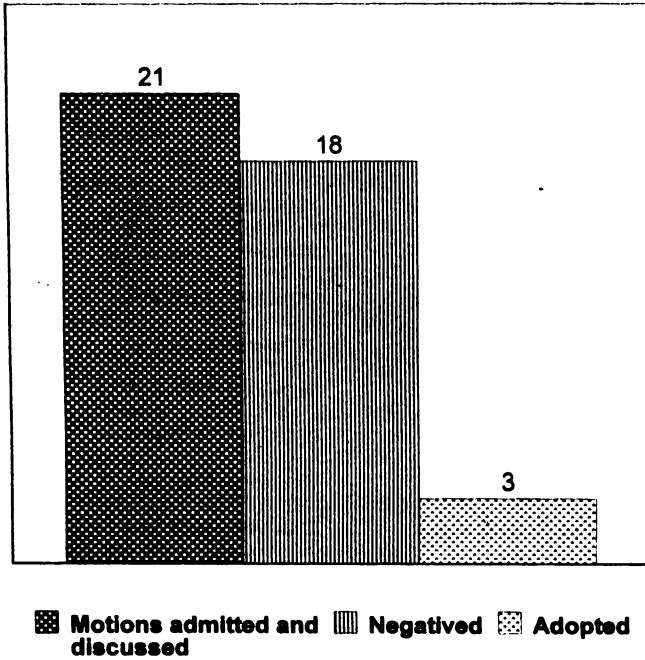
<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	19.02.1952 - 02.04.1957	3	-
Second Legislative Assembly	30.04.1957 - 01.03.1962	1	-
Third Legislative Assembly	03.03.1962 - 04.03.1967	2	-
Fourth Legislative Assembly	05.03.1967 - 19.06.1968	2	-
Fifth Legislative Assembly	26.02.1969 - 09.03.1972	2	-
Sixth Legislative Assembly	14.03.1972 - 30.04.1977	3	-
Seventh Legislative Assembly	24.06.1977 - 17.02.1980	2	-
Eighth Legislative Assembly	08.06.1980 - 12.03.1985	2	-
Ninth Legislative Assembly	13.03.1985 - 06.03.1990	2	-
Tenth Legislative Assembly	17.03.1990 - 15.03.1995	1	2
Eleventh Legislative Assembly	04.04.1995 - 01.03.2000	-	4
Twelfth Legislative Assembly	01.03.2000 - till date	1	2
Total		21	8

Table 2

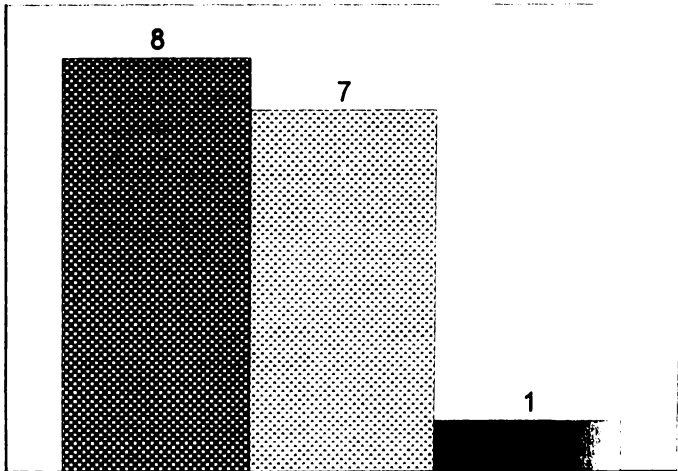
**NCMs/ CMs admitted/discussed during the tenures of different Speakers
(1952-2003)**

<i>Sl No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri Bindeshwari Prasad Verma	25.04.1946 - 14.03.1962	4	-
2.	Dr. Laxmi Narayan Sudhanshu	15.03.1962 - 15.03.1967	2	-
3.	Shri Dhanik Lal Mandal	16.03.1967 - 10.03.1969	2	-
4.	Shri Ram Narayan Mandal	11.03.1969 - 20.03.1972	2	-
5.	Shri Hari Nath Mishra	21.03.1972 - 26.06.1977	3	-
6.	Shri Tripurari Prasad Singh	28.06.1977 - 22.06.1980	2	-
7.	Shri Radha Nandan Jha	24.06.1980 - 01.04.1985	2	-
8.	Shri Shiv Chandra Jha	04.04.1985 - 23.01.1989	2	-
9.	Shri Hidayatullah Khan	27.03.1989 - 19.03.1990	-	-
10.	Shri Gulam Sarwar	20.03.1990 - 09.04.1995	1	2
11.	Shri Deo Narayan Yadav	12.04.1995 - 06.03.2000	-	4
12.	Shri Sadanand Singh	09.03.2000 - till date	1	2
Total			21	8

Graph I
NCMs in Bihar Legislative Assembly
(1952-2003)



Graph II
CMs in Bihar Legislative Assembly
(1952-2003)



■ Motions admitted and discussed ■ Adopted ■ Chief Minister resigned*

* The Chief Minister announced his intention to resign in March 2000 and the motion was not put to vote.

Table 3

**NCMs against/CMs in the Council of Ministers
(1952-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Shri Krishna Sinha (First Legislative Assembly)	Congress 241/330 (73.03%)	NCM	S.K. Bage (11)	(07.04.1955) 13.04.1955 14.04.1955	Negated by voice vote
-do-		NCM	Mahamaya Prasad Sinha (5)	(12.09.1955) 13.09.1955 14.09.1955	Negated Ayes - 69 Noes - 219
-do-		NCM	Rama Nand Tiwari (5)	(08.05.1956) 15.05.1956	Negated Ayes - 59 Noes - 183
Binoda Nand Jha (Second Legislative Assembly)	Congress 210/318 (66.03%)	NCM	Karpoori Thakur (6)	(12.09.1961) 13.09.1961	Negated Ayes - 36 Noes - 194
Krishna Ballabh Sahay (Third Legislative Assembly)	Congress 185/318 (58.17%)	NCM	Kamakhya Narayan Singh (17)	(06.08.1964) 07.08.1964	Negated Ayes - 74 Noes - 205
-do-		NCM	Rama Nand Tiwari (12)	(19.07.1965) 28.07.1965 29.07.1965	Negated Ayes - 38 Noes - 201

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCM/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Mahamaya Prasad Sinha (Fourth Legislative Assembly)	United Front	NCM	Mahesh Prasad Sinha (4)	(19.01.1968) 24.01.1968 25.01.1968	Adopted Ayes - 163 Noes -150
Bindeshwari Prasad Mandal (Fourth Legislative Assembly)	Soshit Dal	NCM	Karpoori Thakur (8)	(18.03.1968) 18.03.1968	Adopted Ayes - 165 Noes -148 Neutral -1
Sardar Harihar Singh (Fifth Legislative Assembly)	Congress led coalition	NCM	Rama Nand Tiwari (5)	(14.03.1969) 20.03.1969	Negated by voice vote
Daroga Prasad Rai (Fifth Legislative Assembly)		NCM	Rama Nand Tiwari (10)	(15.12.1970) 18.12.1970	Adopted Ayes - 164 Noes - 146
Kedar Pandey (Sixth Legislative Assembly)	Congress 167/318 (52.51%)	NCM	Karpoori Thakur (15)	(21.06.1972) 26.06.1972	Negated Ayes - 36 Noes - 172
Abdul Ghafoor (Sixth Legislative Assembly)		NCM	Vijay Kumar Mitra	(07.12.1973) 10.12.1973 11.12.1973	Negated Ayes - 86 Noes - 175
Jagannath Mishra (Sixth Legislative Assembly)		NCM	Sunil Mukherjee (11)	(23.03.1977) 26.03.1977	Negated Ayes - 58 Noes - 162

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Karpoori Thakur (Seventh Legislative Assembly)	(Janata Party) 214/324 (66.04%)	NCM	Chaturanan Mishra (16)	(27.12.1978) 05.01.1979 08.01.1979	Negated Ayes - 76 Noes - 215
Ram Sunder Das (Seventh Legislative Assembly)		NCM	-	(26.07.1979) 27.07.1979 30.07.1979	Negated Ayes - 135 Noes - 185
Jagannath Mishra (Eighth Legislative Assembly)	Congress 173/324 (53.3%)	NCM	Karpoori Thakur (11)	(13.03.1981) 17.03.1981	Negated Ayes -114 Noes -181 Abstentions -3
-do-		NCM	Inder Singh Namdhari (5)	(20.06.1983) 21.06.1983	Negated Ayes - 95 Noes - 174
Bindeshwari Dubey (Ninth Legislative Assembly)	Congress 196/324 (60.49%)	NCM	Karpoori Thakur (20)	(22.08.1986) 25.08.1986	Negated Ayes - 96 Noes - 205
-do-		NCM	Karpoori Thakur (13)	(19.01.1988) 19.01.1988	Negated Ayes - 70 Noes - 184
Laloo Prasad Yadav (Tenth Legislative Assembly)	Janata Dal 122/324 (38.36%)	CM	Raghunath Jha	21.03.1990	Adopted by voice vote
-do-		CM	Laloo Prasad Yadav (9)	22.11.1990	Adopted Ayes - 202 Noes - 108

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion/ Time taken</i>	<i>Result</i>
-do-		NCM	Ramashray Prasad Singh (13)	(22.07.1994) 25.07.1994	Negated Ayes - Nil [⊙] Noes - 199 Abstentions-10
Laloo Prasad Yadav (Eleventh Legislative Assembly)	Janata Dal 167/324 (51.54%)	CM	Laloo Prasad Yadav (6)	15.07.1997	Adopted* Ayes - 168 Noes - Nil
Rabari Devi (Eleventh Legislative Assembly)		CM	Rabari Devi (14)	28.07.1997	Adopted Ayes - 194 Noes - 110
-do-		CM	Upendra Prasad Verma	21.09.1998	Adopted** Ayes - 190 Noes - Nil
-do-		CM	Rabari Devi	17.03.1999	Adopted Ayes - 172 Noes - 85
Nitish Kumar (Twelfth Legislative Assembly)	National Democratic Alliance	CM	Nitish Kumar (15)	10.03.2000	Chief Minister resigned before voting
Rabari Devi (Twelfth Legislative Assembly)	Rashtriya Janata Dal 123/324 (37.96%)	CM	Rabari Devi (15)	16.03.2000	Adopted Ayes - 166 Noes - 4

⊙ Due to pandemonium the 'Ayes' could not be recorded.

* Congress(I) abstained while other opposition parties boycotted the voting

** Opposition walked out

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
-do-		NCM	Sushil Kumar Modi (20)	17.12.2003 05.30	Negatived by voice vote

Table 4

Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)

Speaker	NCM/ CMs	Council of Minister	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Bindeshwari Prasad Verma	NCM	Krishna Sinha	S.K. Bage	13.04.1955 14.04.1955	11	-	14.04.1955	-	-	Negatived by voice vote
-do-	NCM	-do-	Mahamaya Prasad Sinha	13.09.1955 14.09.1955	5	-	14.09.1955	69	219	Negatived
-do-	NCM	-do-	Rama Nand Tiwari	15.05.1956	5	-	15.05.1956	59	183	Negatived
-do-	NCM	Biroda Nand Jha	Karpoori Thakur	13.09.1961	6	-	13.09.1961	36	194	Negatived
Laxmi Narayan Sudhanshu	NCM	Krishna Ballabh Sahay	Kamakhyia Narayan Singh	07.08.1964	17	-	07.08.1964	74	205	Negatived

Speaker	NCM/ CMs	Council of Minister	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	NCM	-do-	Rama Nand Tiwari	28.07.1965 29.07.1965	12	-	29.07.1965	38	201	Negated
Dhanik Lal Mandal	NCM	Mahamaya Prasad Sinha	Mahesh Prasad Sinha	24.01.1968 25.01.1968	4	-	25.01.1968	163	150	Adopted
-do-	NCM	Bindesh- wari Prasad Mandal	Karpoori Thakur	18.03.1968	8	-	18.03.1968	165	148	Adopted
Ram Narayan Mandal	NCM	Harihar Singh	Rama Nand Tiwari	20.03.1969	5	-	20.03.1969	-	-	Negated by voice vote
-do-	NCM	Daroga Prasad Rai	-do-	18.12.1970	10	-	18.12.1970	164	146	Adopted
Hari Nath Mishra	NCM	Kedar Pandey	Karpoori Thakur	26.06.1972	15	-	26.06.1972	36	172	Negated

Speaker	NCMs/ CMs	Council of Minister	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	NCM	Abdul Ghafoor	Vijay Kumar Mitra	10.12.1973 11.12.1973	11	-	11.12.1973	86	175	Negated
-do-	NCM	Jagannath Mishra	Sunil Mukherjee	26.03.1977	11	-	26.03.1977	58	162	Negated
Tripurari Prasad Singh	NCM	Karpoori Thakur	Chaturanan Mishra	05.01.1979 08.01.1979	16	-	08.01.1979	76	215	Negated
-do-	NCM	Ram Sunder Das	-	27.07.1979 30.07.1979	-	-	30.07.1979	135	185	Negated
Radha Nandan Jha	NCM	Jagannath Mishra	Karpoori Thakur	17.03.1981	11	-	17.03.1981	114	181	Negated
-do-	NCM	-do-	Inder Singh Namdhari	21.06.1983	5	-	21.06.1983	95	174	Negated
Shiv Chandra Jha	NCM	Bindesh- wari Dubey	Karpoori Thakur	25.08.1986	20	-	25.08.1986	96	205	Negated
-do-	NCM	-do-	-do-	19.01.1988	13	-	19.01.1988	70	184	Negated
Gulam Sarwar CM	CM	Laloo Prasad Yadav	Raghunath Jha	21.03.1990	-	-	21.03.1990	-	-	Adopted by voice vote

Speaker	NCMs/ CMs	Council of Minister	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	CM	Laloo Prasad Yadav	Laloo Prasad Yadav	22.11.1990	9	-	22.11.1990	202	108	Adopted
-do-	NCM	Laloo Prasad Yadav	Ramashray Prasad Singh	25.07.1994	13	-	25.07.1994	Nil*	199	Negatived
Deo Narayan Yadav	CM	Laloo Prasad Yadav	Laloo Prasad Yadav	15.07.1997	6	-	15.07.1997	168	Nil	Adopted*
-do-	CM	Rabari Devi	Rabari Devi	28.07.1997	14	-	28.07.1997	194	110	Adopted
-do-	CM	-do-	Upendra Parsad Verma	21.09.1998	-	-	21.09.1998	190	Nil	Adopted**
-do-	CM	-do-	Rabari Devi	17.03.1999	15	-	17.03.1999	172	85	Adopted

⊕ Due to pandemonium, the 'Ayes' could not be recorded.

* Congress(I) abstained from voting

** Opposition walked out.

Speaker	NCMs/ CMs	Council of Minister	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Sadanand Singh	CM	Nitish Kumar	Nitish Kumar	10.03.2000	15	-	10.03.2000	-	-	Chief Minister resigned before voting
-do-	CM	Rabari Devi	Rabari Devi	16.03.2000	15	-	16.03.2000	166	4	Adopted
-do-	NCM	-do-	Sushil Kumar Modi	17.12.2003	20	05:30	17.12.2003	-	-	Negated by voice vote

Table 5

Governors of Bihar

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Jairam Das Daulat Ram	15.08.1947 - 11.01.1948
2.	Shri Madhav Shrihari Aney	12.01.1948 - 14.06.1952
3.	Shri Ranganath Ramchandra Diwakar	15.06.1952 - 05.07.1957
4.	Dr. Zakir Husain	06.07.1957 - 11.05.1962
5.	Shri M. Ananthasayanam Ayyangar	12.05.1962 - 06.12.1967
6.	Shri Nityanand Kanungo	07.12.1967 - 20.01.1971
7.	Justice Ujjal Narayan Sinha (officiating)	21.01.1971 - 31.01.1971
8.	Shri Dev Kanta Barooah	01.02.1971 - 04.02.1973
9.	Shri Ram Chandra Dhondhuba Bhandare	04.02.1973 - 15.06.1976
10.	Shri Jagannath Kaushal	16.06.1976 - 27.05.1978
11.	Justice Krishna Ballabh Narain Singh (officiating)	27.05.1978 - 26.06.1978
12.	Shri Jagannath Kaushal	26.06.1978 - 31.01.1979
13.	Justice Krishna Ballabh Narain Singh (officiating)	31.01.1979 - 20.09.1979
14.	Dr. A.R. Kidwai	20.09.1979 - 14.03.1985
15.	Shri P. Venkatasubbiah	15.03.1985 - 25.02.1988
16.	Shri Govind Narain Singh	26.02.1988 - 23.01.1989
17.	Justice Deepak Kumar Sen (officiating)	24.01.1989 - 28.01.1989
18.	Shri R.D. Pradhan (officiating)	29.01.1989 - 02.03.1989
19.	Shri Jagannath Pahadia	03.03.1989 - 01.02.1990
20.	Justice G.G. Sohani (officiating)	02.02.1990 - 16.02.1990
21.	Shri Mohammad Yunus Salim	16.02.1990 - 13.02.1991
22.	Shri B. Satyanarayan Reddy	14.02.1991 - 18.03.1991
23.	Shri Mohammad Shafi Qureshi	19.03.1991 - 13.08.1993
24.	Dr. A.R. Kidwai	14.08.1993 - 26.04.1998
25.	Shri Sundar Singh Bhandari	27.04.1998 - 14.03.1999
26.	Justice Brij Mohan Lal (officiating)	15.03.1999 - 05.10.1999
27.	Shri Suraj Bhan (officiating)	06.10.1999 - 22.11.1999
28.	Shri Vinod Chandra Pandey	23.11.1999 - 12.06.2003
29.	Shri Manadagadde Rama Jois	12.06.2003 - till date

Table 6.

Chief Ministers of Bihar

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Shri Krishna Sinha	24.04.1952 - 31.01.1961
2.	Shri Deep Narayan Singh	01.02.1961 - 18.02.1961
3.	Shri Binoda Nand Jha	18.02.1961 - 01.10.1963
4.	Shri Krishna Ballabh Sahay	02.10.1963 - 05.03.1967
5.	Shri Mahamaya Prasad Sinha	05.03.1967 - 28.01.1968
6.	Shri Satish Prasad Singh	28.01.1968 - 01.02.1968
7.	Shri Bindeshwari Pd. Mandal	01.02.1968 - 22.03.1968
8.	Shri Bhola Paswan Shastri	22.03.1968 - 29.06.1968
	President's Rule	29.06.1968 - 26.02.1969
9.	Sardar Harihar Singh	26.02.1969 - 22.06.1969
10.	Shri Bhola Paswan Shastri	22.06.1969 - 04.07.1969
	President's Rule	04.07.1969 - 16.02.1970
11.	Shri Daroga Prasad Rai	16.02.1970 - 22.12.1970
12.	Shri Karpoori Thakur	22.12.1970 - 02.06.1971
13.	Shri Bhola Paswan Shastri	02.06.1971 - 09.01.1972
	President's Rule	09.01.1972 - 19.03.1972
14.	Shri Kedar Pandey	19.03.1972 - 02.07.1973
15.	Shri Abdul Ghafoor	02.07.1973 - 11.04.1975
16.	Dr. Jagannath Mishra	11.04.1975 - 30.04.1977
	President's Rule	30.04.1977 - 24.06.1977
17.	Shri Karpoori Thakur	24.06.1977 - 21.04.1979
18.	Shri Ram Sunder Das	21.04.1979 - 17.02.1980
	President's Rule	17.02.1980 - 08.06.1980
19.	Dr. Jagannath Mishra	08.06.1980 - 14.08.1983
20.	Shri Chandra Shekhar Singh	14.08.1983 - 12.03.1985
21.	Shri Bindeshwari Dubey	12.03.1985 - 13.02.1988
22.	Shri Bhagwat Jha Azad	14.02.1988 - 11.03.1989
23.	Shri Satyendra Narain Sinha	11.03.1989 - 06.12.1989

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
24.	Dr. Jagannath Mishra	06.12.1989 - 10.03.1990
25.	Shri Laloo Prasad Yadav	10.03.1990 - 28.03.1995
	President's Rule	28.03.1995 - 03.04.1996
26.	Shri Laloo Prasad Yadav	04.04.1995 - 25.07.1997
27.	Smt. Rabari Devi	25.07.1997 - 12.02.1999
	President's Rule	12.02.1999 - 08.03.1999
28.	Smt. Rabari Devi	09.03.1999 - 03.03.2000
29.	Shri Nitish Kumar	03.03.2000 - 10.03.2000
30.	Smt. Rabari Devi	11.03.2000 - till date

Sewak Sangh 7, KMPP, Forward Bloc, Gantantra Parishad and RRP 1 each and Independents 12 seats. The outgoing Premier Shri Shri Krishna Sinha was sworn in as the Chief Minister on 28 April 1952.

In the First Legislative Assembly, three Motions of No-confidence against the Cabinet of Shri Shri Krishna Sinha were debated and all were negated.

First Motion of No-confidence

On 7 April 1955, Shri S.K. Bage (Jharkhand Party) tabled a Motion of No-confidence against the Council of Ministers of Shri Shri Krishna Sinha for its various acts of omission and commission. The motion was discussed on 13 and 14 April 1955 in which 11 members participated.

Moving the motion, Shri S.K. Bage charged the Government with failure to protect the life and property of the common man and said the crime situation had been deteriorating, while the expenditure on the police forces was increasing. In 1953-54, there had been 1,582 cases of dacoities alone. He questioned why elections had not been held for the last 16 years to the Ranchi District Board. Shri Bage said corruption was rampant in the Forest Department and jungles were being indiscriminately destroyed. He maintained that the Congress Government had no right to rule over the Chotanagpur division and Santhal Parganas as the party could win only 31 seats out of the 84 seats in the area. He said a major portion of revenue derived from Chotanagpur was spent for the benefit of other parts of Bihar.

The Opposition members walked out of the House as a protest against the insufficient time allotted to it for bringing out the charges against the Ministry and the alleged discourtesy shown to the Opposition and the House by the Chief Minister by staying out when such an important issue was being debated.

In his reply to the two-day debate, the Chief Minister Shri Shri Krishna Sinha regretted that the Opposition should have absented itself from the House shirking the moral responsibility of listening to what the Government had to say in reply to its charges and allegations. He appealed to the Opposition not to allow criticism to descend to the level of slander and baseless charges against the Government.

The motion was negated by voice vote.

Second Motion of No-confidence

The second Motion of No-confidence against Shri Shri Krishna Sinha's Ministry was moved on 13 September 1955 by Shri Mahamaya Prasad Sinha (PSP). The grounds for bringing the motion were that on account of the bad management of the Rajya Transport and the disturbances in the State in the second and third weeks of August 1955, the administrative machinery of the Government had failed for about a week, causing considerable loss to the State exchequer, inconvenience to the public, loss of life and conditions of unrest throughout the State. Leave to move

the motion was granted on 12 September 1955.

The Chief Minister Shri Shri Krishna Sinha said it would not be proper to admit the motion as it would inevitably lead to discussions on the subjects which had come within the scope of the terms of reference of the judicial tribunal. No harm would be caused if the Opposition waited for two months for the truth to emerge through the tribunal findings before the House proceeded to discuss the matter.

While admitting the motion, the Speaker made it clear that any reference during the debate on a matter that was or likely to be *sub judice* would not be permitted.

Earlier, the Speaker disallowed another No-confidence Motion of Shri Rameshwar Prasad Mahtha (Janata) which sought to express want of confidence in the Cabinet responsible for the indiscriminate police firings on students and citizens at Patna and Nawadah in mid-August and inhuman police atrocities coupled with the trampling down of students and citizens by mounted police at Ranchi and various other parts of the State as the Speaker felt it would violate the condition imposed by him that the *sub judice* matter would not be referred to in the debate.

Moving the motion, Shri Mahamaya Prasad Sinha said when the question of nationalization of the Rajya Transport came up, he welcomed it as he believed in nationalization. He said buses had been purchased disregarding the opinion of the Finance Department. In the matter of appointments also, favoritism had been shown. Shri Sinha referred to the beating up of students by bus conductors at the Rajya Transport bus depot on 11 August. He regretted the action of the Chief Minister and the Transport Minister for not coming out before the people though they were in Patna on that day. He said it was an integral component of international law that whenever a person belonging to the Red Cross goes out to help the injured no man raises his hand on the person. It was an age old tradition that the sanctity of the Red Cross should not be violated. The Minister concerned should take the entire blame for the incident; in fact, the Ministry should resign on this very issue.

Opposing the motion, the Transport Minister Shri Mahesh Prasad Sinha held the Opposition responsible for the disturbances in the State, for the insult to the national flag and for misguiding the students. Refuting the allegation that the recommendation of the Finance Department had been disregarded in the purchase of Rajya Transport buses, he said in fact the Finance Department had recommended the purchase. He maintained that the fares charged in Patna were the cheapest and the concession that was offered to the students was the highest in the country. He also said that appointments in the Rajya Transport had either been made by the Public Service Commission or by a Selection Board.

Replying to the debate, the Revenue Minister Shri Krishna Ballabh Sahay clarified the position regarding Shri Sharangdhar Das, a fourth year Medical student who was on duty for the Red Cross, being forcibly taken to the Rajya Transport

Depot while he was moving to pick up the injured persons near the B.N. College. He said that a sub-Deputy Collector had been deputed to enquire into the matter.

The discussion on the motion was held on 13 and 14 September 1955 in which 5 members participated. The motion was defeated with 69 members voting in favour and 219 members voting against it.

Third Motion of No-Confidence

The third Motion of No-confidence against the Cabinet of Shri Shri Krishna Sinha was moved by Shri Rama Nand Tiwari (Socialist Party) on the grounds of failure to: (i) bring in land reform measures for the equitable distribution of land in the State; (ii) take suitable action against Departments and officers named and held responsible by the Commission of Enquiry for the disturbances and police firing in Patna in the month of August 1955; (iii) take any concrete steps towards implementation of the resolution adopted by the House to prevent transfer of any parts of Bihar to West Bengal (as was evident from the statement made by the Home Minister in Parliament and as a direct consequence of Dr. B.C. Roy's unilateral withdrawal of the proposal for merger or union of West Bengal and Bihar); and (iv) to prevent delay, bungling and favouritism in the distribution of grants to political sufferers. Leave of the House to move the motion was granted on 8 May 1956. The motion was debated on 15 May 1956 in which 5 members participated.

Initiating the debate, Shri Rama Nand Tiwari said the report of the Commission to enquire into the disturbances and firing in August 1955 had been submitted to the Government on 17 February 1956. He questioned as to what action the Government had taken against those indicted by the Commission. Quoting from the Commission report that uncertainty and consequent unsatisfactory state of affairs had led to trouble between the students and the Rajya Transport employees on 11 August 1955, he said if the Government had taken timely decision, the incident would not have occurred. He accused that the Government had failed to fulfil its responsibility and demanded that the Inspector General against whom the Commission had made certain observations be asked for an explanation. He charged the Government of doing nothing to save the Kishanganj and Maanbhum areas from being transferred to Bengal despite an assurance in the House that not an inch of land would be transferred to Bengal. He further alleged that the monetary help out of the political sufferers fund was being given only to the ruling party members and Opposition members were being overlooked.

Replying to the debate, the Revenue Minister Shri Krishan Ballabh Sahay said all officers who had been adversely commented upon by the Commission had been asked to submit their explanation by 1 May 1956. The Inspector General and District Magistrate had been asked to comment on the Commission report. He maintained that the observations of the Commission that uncertainty and the

consequent unsatisfactory position regarding concession to students in the matter of bus fare was not correct as the transport authorities had announced in June 1953 their decision to issue monthly tickets for students. The Vice-Chancellor was informed on 14 March 1955 about the Government's decision to issue monthly tickets to students giving 16 days bus fare. The Transport Minister had said he would consider the prayer made by the Vice-Chancellor for liberalizing the concession which had been offered to the students in 1953.

The Revenue Minister's statement was objected to by the Opposition members who held that since the Chair had not allowed any criticism of the findings of the Commission, the Revenue Minister also could not do so. Shri Sahay, however, maintained that the Government had every right to give its own interpretation as the Commission's findings were not those of a court.

The motion was negatived with 59 members voting in favour and 183 members voting against it.

Second Legislative Assembly (1957-1962)

In the elections to the Legislative Assembly held in 1957, the Congress was voted back to power winning 210 seats in the 318-member House. The PSP won 31 seats, Janata 23, Jharkhand Party 30, Communist Party of India 7, Socialists 2 and Independents and others 15 seats. Shri Shri Krishna Sinha was re-elected as the Leader of the Congress Legislature Party and was sworn in as the Chief Minister on 6 May 1957. Following the death of Shri Sinha on 31 January 1961, the Irrigation, Electricity and Information Minister in the State Cabinet, Shri Deep Narayan Singh, was sworn in on 1 February 1961 as the acting Chief Minister. Later, on 18 February 1961, Pandit Binoda Nand Jha was sworn in as the Chief Minister by the Governor Dr. Zakir Husain.

In the Second Legislative Assembly, one Motion of No-confidence was discussed and negatived.

Motion of No-confidence

A Motion of No-confidence was brought against the Congress Ministry of Pandit Binoda Nand Jha. Leave to move the motion was granted to Shri Karpoori Thakur (PSP) on 12 September 1961. The motion was debated on 13 September 1961. Six members took part in the discussion.

Moving the motion, Shri Karpoori Thakur alleged the prevalence of rampant corruption in the State and demanded the setting up of an anti-corruption Commission headed by a High Court judge to inquire into the charges of corruption. He maintained that the Congress Government had failed to eradicate corruption.

Replying to the two-day debate, the Chief Minister, Pandit Binoda Nand Jha asserted that the people had the fullest confidence in his Ministry. This had been

proved in the by-elections and the over-subscribing within an hour of the Rs.3 crore development loan floated by the State Government.

The motion was negatived with 36 members voting in favour of the motion and 194 members voting against it.

Third Legislative Assembly (1962-1967)

Elections to the 318-member Legislative Assembly were held in February 1962. The Congress won 185 seats, PSP 29, Communist Party of India 12, Socialists 7, Swatantra 50, Jharkhand Party 20, Jan Sangh 3, and Independents 12 seats. Pandit Binoda Nand Jha was sworn in as the Chief Minister on 15 March 1962. Following the resignation of Shri Binoda Nand Jha under the Kamaraj Plan, Shri Krishna Ballabh Sahay was elected as the Leader of the Congress Legislature Party on 24 September 1963. Shri Sahay was sworn in as the Chief Minister on 2 October 1963.

During the tenure of the Third Legislative Assembly, two Motions of No-confidence against the Government of Shri Krishna Ballabh Sahay were admitted, discussed and negatived.

First Motion of No-confidence

A No-confidence Motion against the nine-month-old Congress Ministry was tabled by Shri Kamakhya Narayan Singh (Swatantra) on 6 August 1964.

In all, 17 members participated in the discussion on 7 August 1964.

Moving the motion, Shri Kamakhya Narayan Singh charged the Chief Minister of abusing his official position. He further charged the Chief Minister with usurping the powers of the Governor while nominating members to the Legislative Council.

Replying to the debate, the Chief Minister Shri Krishna Ballabh Sahay described the allegations as baseless.

The motion was negatived with 74 members voting in favour and 205 members voting against it.

Second Motion of No-confidence

Another Motion of No-confidence against the Ministry headed by Shri Krishna Ballabh Sahay was brought on the grounds of failure to check the rising prices of foodgrains and other essential commodities and their scarcity. Leave was granted to Shri Rama Nand Tiwari (PSP) on 19 July 1965. The motion was jointly tabled by the SSP, PSP, Communists and Jan Sangh.

Initiating the debate, Shri Karpoori Thakur listed five reasons for the State's difficult food problem and the steep price rise: shortfall in Third Plan food production target to the extent of 11 lakhs tonnes; cornering of marketable surplus by big cultivators; hoarding by big traders; irregular and inadequate supplies to the fair price shops; and the Government's failure to check black-marketing in food grains obtained from the fair price shops.

Replying to the two-day debate, the Chief Minister Shri Krishna Ballabh Sahay repudiated Opposition charges that the scarcity of food grains had driven the poor people to the brink of starvation. Explaining the reasons for the withdrawal of the rice levy order and paddy procurement order, Shri Sahay said the Government did not want to terrorise foodgrain dealers, disturb normal trade channels and harass peasants by using the police and the magistrates to seize stocks lying with them. He, however, made it clear that the Government was determined to punish unscrupulous traders and profiteers.

The motion was discussed on 28 and 29 July 1965 in which 12 members took part. The motion was negatived with 38 members voting in favour and 201 members voting against it.

Fourth Legislative Assembly (1967-1968)

In the elections to the State Legislative Assembly held on 15, 17, 19 and 21 February 1967, the Congress secured 128 seats out of the 318 seats. The SSP won 68 seats, Jan Sangh 26, Janakranti Dal 26, PSP 18, CPI 24, CPI(M) 4, Swatantra 3, Republican Party 1 and Independents 20 seats.

As the Congress Party could not form the Ministry, a group of other parties combined to form a United Front and elected Shri Mahamaya Prasad Sinha, Leader of the Janakranti Dal, as its leader. On 5 March 1967, a coalition Ministry headed by Shri Sinha was sworn in.

In the Fourth Legislative Assembly, two Motions of No-confidence - one against Shri Mahamaya Prasad Sinha's Cabinet and the other against the Government of Shri Bindeshwari Prasad Mandal - were discussed. Both the motions were adopted resulting in the fall of the two Governments.

First Motion of No-confidence

On 19 January 1968, a No-confidence Motion against the United Front Ministry of Shri Mahamaya Prasad Sinha was tabled by Shri Mahesh Prasad Sinha (Congress). A similar motion, tabled by Shri Jagdeo Prasad (Soshit Dal), was also found to be in order by the Speaker Shri Dhanik Lal Mandal.

The two motions sought to express want of confidence of the House in the Government for its various acts of omission and commission. The Speaker fixed 24 and 25 January 1968 for discussions.

On the same day, the Congress dominated Legislative Council passed by voice vote a non-official resolution censuring the United Front Ministry even as the Speaker admitted the Opposition No-confidence Motion in the Legislative Assembly. The Legislative Council motion had demanded the dismissal of the United Front Ministry by the Governor in case it failed to resign forthwith. The United Front members raised points of order that the House could not discuss, much less pass the resolution as it was a No-confidence Motion. They suggested that the

Advocate General be consulted about its admissibility but the Chairman disallowed their objections and ruled that there was no need for consulting the Advocate General as he was personally satisfied that the resolution was in order.

Initiating the debate on the No-confidence Motion, Shri Jagdeo Prasad called the formation of the United Front Government purely opportunistic and with no principle as the parties in the coalition had fought elections against each other. Not even a single tribal member had been represented in Ministry. Price rise, profiteering and black marketing had become very common. Government had not paid any attention to the public demand for a judicial inquiry into the firing incident in Mugma.

Replying to the debate, Shri Kapoori Thakur stated that a judicial inquiry into the Mugma firing had already been ordered and repudiated the charge of discrimination against tribal MLAs. He also claimed that the Government had taken the first steps towards eradication of corruption.

Four members participated in the discussion. The motion was adopted with 163 members voting in favour and 150 members voting against it.

Following this, Shri Mahamaya Prasad Sinha tendered the resignation of his Cabinet to the Governor Shri Nityanand Kanungo. On 28 January 1968, Shri Satish Prasad Singh, a nominee of the Soshit Dal, was sworn in as interim Chief Minister by the Governor Shri Nityanand Kanungo.

On 29 January 1968, Shri Bindeshwari Prasad Mandal, President of the Soshit Dal, was nominated to the State Legislative Council by the Governor. On 1 February 1968, a Congress supported Soshit Dal Ministry headed by Shri Bindeshwari Prasad Mandal was sworn in.

Second Motion of No-confidence

The second Motion of No-confidence in the Fourth Legislative Assembly was moved against the Soshit Dal Ministry on 18 March 1968 by Shri Karpoori Thakur (PSP). Eight members took part in the discussion.

Moving the No-confidence Motion, Shri Karpoori Thakur, deputy leader of the United Front, alleged that the Soshit Dal Government had undone all the good acts of the previous United Front Government. He referred in this connection to the abolition of land rent and the right to teachers to participate in politics granted by the United Front Government which were reversed by the present Government. He dismissed the claim of the Government that the law and order situation had improved and said that Bihar had never witnessed as many caste riots as during the short life of the present Ministry.

In his reply, the Chief Minister Shri Bindeshwari Prasad Mandal pointed out that he had been twice elected to the Legislature and also to Parliament. Shri Mandal also claimed that he had improved the financial position

of the State. He said the Soshit Dal Government had given the highest representation to Scheduled Castes and Tribes in the Cabinet.

The motion was adopted with 165 members voting in favour and 148 members voting against it with one remaining neutral. Immediately after the voting, the Chief Minister Shri Mandal called on the Governor and submitted his resignation. On 20 March 1968, Shri Bhola Paswan Shastri, Leader of the United Front, submitted to the Governor a list of 172 legislators as documentary evidence of majority support. On 22 March 1968, Shri Shastri was sworn in as the Chief Minister. Within 95 days, Shri Shastri tendered the resignation of his Council of Ministers to the Governor and recommended the dissolution of the Legislative Assembly and fresh elections in the State. The Governor, realizing the non-feasibility of any stable Government, made a report to the President and recommended the taking over of the State administration. On 29 June 1968, President's Rule was imposed in the State and the Legislative Assembly was dissolved simultaneously.

Fifth Legislative Assembly (1969-1972)

In the mid-term elections held on 9 February 1969, the Congress won 118 seats, SSP 52, Jan Sangh 34, Bharatiya Kranti Dal 6, CPI 25, CPI-M 3, Janata 14, Hul Jharkhand 10, Soshit Samaj Dal 6, Loktantrik Congress 9, PSP 17, Swatantra 3, Forward Bloc 1 and Independents 19 seats. Polling in one constituency was countermanded following the death of one of the candidates. On 26 February 1969, a Congress-led coalition Ministry headed by Shri Sardar Harihar Singh was sworn in by the Governor Shri Nityanand Kanungo. The coalition Government consisted of the Congress, the Janata Party, Jharkhand Party, Soshit Samaj Dal and a few Independents.

Two Motions of No-confidence - one against the Cabinet of Shri Sardar Harihar Singh and another against the Ministry of Shri Daroga Prasad Rai - were debated in the Fifth Legislative Assembly. While the No-confidence Motion against Sardar Harihar Singh was defeated, the No-confidence Motion against Shri Daroga Prasad Rai was adopted leading to the fall of the Government.

First Motion of No-confidence

A No-confidence Motion against the Congress-led coalition Ministry of Sardar Harihar Singh for its various acts of omission and commission was moved by Shri Rama Nand Tiwari (SSP) on 20 March 1969.

Leave to the move the motion was granted on 14 March 1969. Five members took part in the debate.

Moving the motion, Shri Rama Nand Tiwari said he had three charges against the Ministry. First, the Government was not only a minority Government but also had in it a Minister against whom the Calcutta High Court and the Supreme Court

had passed strictures. His second charge was that the Chief Minister had failed to finalise his Cabinet and had not distributed portfolios though 22 days had passed since he assumed office. The Legislative Assembly, as a result, was in no position to function effectively. No Minister had information to furnish when questioned by the legislators. He also alleged that the Chief Minister had formed the Ministry by luring some members with the offer of Ministership.

There were noisy protests from the Opposition benches when the Speaker Shri Ram Narain Mandal called upon the Chief Minister to reply to the debate. The Opposition members walked out in protest against what they alleged was the Speaker's refusal to give them more time to speak on the motion.

Replying to the debate, the Chief Minister Sardar Harihar Singh denied the allegation that his Government was in minority. He said the issue of majority had been decided by the election of the Speaker. He would resign the very day when he felt that his Government did not have majority support. Asserting that he had done nothing wrong in forming a coalition Government, he asked if an Opposition party with just nine members could form a Cabinet, then why the Congress with 118 members could not form the Government. The Governor, by inviting the leader of the single largest party to form the Government, had not done anything wrong.

The motion was negated by voice vote.

On 20 June, 1969 the Chief Minister Sardar Harihar Singh submitted the resignation of his Ministry after the budget demand for the Animal Husbandry Department moved by one of his Cabinet colleagues was rejected by the Legislative Assembly with 143 members voting in favour and 164 against it. The four-month-old Ministry fell when the six-member Soshit Samaj Dal group withdrew its support to the Ministry. On 21 June 1969, the Governor invited Shri Bhola Paswan Shastri, Leader of the Loktantrik Congress, to form a new Government and on 22 June 1969 Shri Bhola Paswan Shastri was sworn in as the Chief Minister. On 1 July 1969, only nine days after taking over, the Samyukta Vidhayak Dal (SVD) Ministry headed by Shri Bhola Paswan Shastri resigned following the withdrawal of support by the 34-member Jan Sangh group in the Legislative Assembly.

Before the Chief Minister's announcement, the Speaker had admitted a Motion of No-confidence against the SVD Ministry. He told the House that he would fix in consultation with the Chief Minister a date for discussion on the motion. The Chief Minister, however, resigned before a date could be fixed. On 4 July 1969, the acting President Shri V.V. Giri issued a Proclamation under article 356 of the Constitution suspending the Bihar Legislative Assembly and imposing President's Rule in the State.

On 16 February 1970, a three-member coalition Ministry headed by Shri Daroga Prasad Rai [Congress(R)] was sworn in ending the President's Rule in the

State. The 173-member Congress-led coalition included 84 members of the Congress(R), eight of the BKD, six of the Soshit Samaj Dal, 25 of CPI, 17 of the PSP and 10 of the Jharkhand Party, besides some Independents.

Second Motion of No-confidence

On 15 December 1970, a Motion of No-confidence expressing lack of faith in the Congress(R)-led coalition Government of Shri Daroga Prasad Rai was tabled by Shri Rama Nand Tiwari (SSP). The other seven MLAs who gave notice were Sarvashri Shrikant Singh (SSP), Suraj Narain Singh (Rebel PSP), Shri Yashwant Kumar Chaudhary (Swatantra), Ravishchandra Sharma (Jan Sangh), Harihar Prasad Singh (Congress-O), Motilal Kanan (Mandal Soshit Dal) and Basant Narain Singh (Janata). In all, 10 members took part in the debate held on 18 December 1970.

Moving the one-line motion, Shri Rama Nand Tiwari, Leader of the Opposition, charged the Government with not having implemented even one item of the 35-point programme the coalition had announced on assumption of office. He highlighted the contradictions in the Government's policies and said that the police had committed atrocities on SSP satyagrahis. Land agitators had been assaulted by anti-social elements. He also criticised the Government for its anti-Hindi policy and for its failure to ameliorate the lot of the landless people, the Scheduled Castes and the Scheduled Tribes.

Replying to the debate, the Chief Minister Shri Daroga Prasad Rai said there was no need to bring the No-confidence Motion as the Budget and Appropriation Bill both had been passed by the House the day before yesterday. He further said that his Government had faithfully, effectively and sincerely implemented its programmes. Among the achievements of the Government, he mentioned the reforms in agricultural income tax, the minor irrigation scheme on the Gandak and Kosi rivers, the commission to implement reservation for Schedule Castes, waiving off of tax on five acres of land and the distribution of 1.5 lakh acre land to the landless people.

The motion was adopted with 164 members voting in favour and 146 members voting against the motion. Soon after the Assembly verdict, the Chief Minister met the Governor and submitted his resignation. The Governor asked him to continue in office till alternative arrangements were made.

On 22 December 1970, the Governor invited the Samyukta Vidhayak Dal leader Shri Karpoori Thakur to form the Government after he had submitted a list of 169 members of the Assembly who supported him. On the same day, an 11-member SVD Ministry headed by Shri Karpoori Thakur was sworn in.

Sixth Legislative Assembly (1972-1977)

In the Legislative Assembly elections held on 5, 7, 9 and 11 March 1972, the Congress gained a clear majority by winning 167 out of the 318 seats. The Jan

Sangh got 25 seats, CPI 35, Socialist 33, Janata Party 2, Hindustan Soshit Dal (HSD) 3, Jharkhand Group 6, Congress(O) 30, Swatantra 1, and Independents 16 seats. On 19 March 1972, an eight-member Congress Ministry headed by Shri Kedar Pandey was sworn in.

In the Sixth Legislative Assembly, three Motions of No-confidence against three different Councils of Ministers were debated and all the three were negated.

First Motion of No-confidence

Leave was granted to Shri Karpoori Thakur (Socialist) on 21 June 1972 to move a Motion of No-confidence against the Congress Government of Shri Kedar Pandey. Some of the grounds for moving the motion were: (i) failure of the Government to maintain law and order; (ii) the Government's inaction in the face of the unprecedented drought, as a result of which the people were facing starvation and large scale unemployment; and (iii) failure to tackle acute water scarcity and power shortage, both in the urban and the rural areas. The motion was debated on 26 June 1972 in which 15 members participated.

Initiating the discussion, Shri Karpoori Thakur held the Government responsible for the police firing in the Bhagalpur Central Jail in which 10 prisoners were killed. He said the Government had failed to check crime and ensure justice to the downtrodden sections of the society and cited several examples to prove the charges.

Replying to the debate, the Chief Minister Shri Kedar Pandey said the motion was moved to scuttle measures like the Land Ceiling Bill and the Urban Property Ceiling Bill. Referring to the achievements, the Chief Minister said that his Government had brought about a complete change in the working of the Universities. The Government had further tried to improve education in the State by taking over all the primary schools. It was determined to bring about changes in the administration as a result of which all officers and employees against whom corruption charges were framed or were deadwood, would be removed. The main problem before the Government was to raise additional resources to the tune of Rs.200 crore for the Fifth Plan. He appealed to the Opposition leaders to help the Government in raising these resources for the development of the State.

The House divided with 36 members voting in favour of the motion and 172 members voting against it. The motion was accordingly defeated.

Following the resignation of Chief Minister Shri Kedar Pandey on 24 June 1973 owing to dissensions within the party, a 15-member Cabinet headed by Shri Abdul Ghafoor was sworn in on 2 July 1973.

Second Motion of No-confidence

A motion expressing lack of confidence in the Congress Ministry of Shri Abdul Ghafoor was admitted by the Speaker Shri Hari Nath Mishra on 7 December

1973. The grounds for bringing the motion were failure of the Government to check the sharp rise in prices and mounting corruption in the administration and its decision to tax all professions. The motion was sponsored jointly by Shri V.K. Mitra and Shri Janardan Tiwari (Jan Sangh). Eleven members took part in the two-day discussion.

Initiating the debate on 10 December 1973, Shri V.K. Mitra alleged large-scale bunglings in the purchase of pumpsets and pipes involving Rs.1 crore. He also alleged that the Government had failed to provide seeds and fertilizers although one crore rupees had been sanctioned earlier for the purpose.

Replying to the two-day debate, the Chief Minister Shri Abdul Ghafoor said his Government had done nothing to forfeit the confidence of the House. The problem of price rise or scarcity of essential commodities was not peculiar to Bihar. His Government was determined to root out corruption, give a fair deal to the Scheduled Castes and Tribes and the minority community and implement progressive land laws. The Government was also determined to take action against officials who had been indicted by different commissions and committees of inquiry.

In the voting held on 11 December 1973, the motion was negated with 86 members voting in favour of the motion and 175 members voting against it.

On 6 April 1975, Dr. Jagannath Mishra was elected Leader of the Bihar Congress Legislature Party following the voluntary resignation of Chief Minister, Shri Abdul Ghafoor. A new 16-member Ministry headed by Dr. Jagannath Mishra was sworn in on 11 April 1975.

Third Motion of No-confidence

A notice of No-confidence Motion against the Ministry of Dr. Jagannath Mishra was given by Shri Sunil Mukherjee (CPI) on 23 March 1977. The grounds for moving the motion were failure to check the soaring prices, corruption in the administration and failure in solving the mounting unemployment problem in the State.

The motion sponsored by Shri Sunil Mukherjee, Leader of the Opposition, and three others was allowed to be tabled after 55 members belonging to the CPI, the Congress for Democracy (CFD) and other groups rose in support of its admission.

Moving the motion on 26 March 1977, Shri Sunil Mukherjee (CPI) said the verdict in the Lok Sabha elections had clearly demonstrated that the people had lost confidence in the ruling party. Though the verdict was given in the parliamentary elections, the State Legislature could not ignore it and morality demanded the Government to quit in deference to the people's mandate.

Replying to the debate, the Chief Minister Dr. Jagannath Mishra rejected the demand for the resignation of his Ministry following the debacle of the Congress in the States and in the parliamentary elections. He said constitutionally there was no

bar on the continuance of the Ministry though morally it might be argued that it should quit. The verdict of the people had been respectfully accepted. He further said there was no reference in the election manifestoes of either the Janata Party or the CFD that the Lok Sabha results would affect the State Assemblies also. Therefore, there was no justification for the demand for the resignation of his Ministry. Dr. Mishra detailed the measures undertaken by the Government to control rising prices and inflation and said that according to the World Bank report, India was the only country which had been able to contain inflation and achieve economic stability.

Eleven members took part in the debate. The motion was defeated with 58 members voting in favour and 162 members voting against it.

Seventh Legislative Assembly (1977-1980)

Elections to the 324-member Legislative Assembly were held on 11, 12 and 14 June 1977. The Janata Party secured more than two-thirds majority winning 214 seats. The Congress won 56 seats, CPI 21, CPI(M) 4 and Independents and others 28 seats. Polling in one constituency was countermanded. A nine-member Ministry headed by Shri Karpoori Thakur was sworn in on 24 June 1977.

The Seventh Legislative Assembly witnessed debate on two Motions of No-confidence - one against the Ministry of Shri Karpoori Thakur and the other against the Cabinet of Shri Ram Sunder Das.

First Motion of No-confidence

Two notices of No-confidence Motion against the Janata Government of Shri Karpoori Thakur were received by the Speaker on 27 December 1978. The first motion stood in the name of Shri Chaturanan Mishra and Shri Ambika Prasad (CPI). The other notice had been given by Shri Chaturanan Mishra, Shri Ambika Prasad, Shri Bhola Prasad Singh (Socialist), Shri Kripa Shankar Chatterjee (Independent), Shri Hardev Prasad Singh and Shri Ram Lakhnan Singh Yadav (Congress). Some of the grounds for bringing the motion were the failure of the Government: (i) to control crime, robbery, train, bus and bank dacoity, murder; (ii) to maintain peace and communal harmony; (iii) corruption in administration as well as political life; (iv) massacre of Scheduled Castes; and (v) failure to get sanction for even a single thermal power station from the Central Government.

The motion was debated for two days on 5 and 8 January 1979 in which 16 members participated. Moving the motion, Shri Chaturanan Mishra alleged that atrocities on Scheduled Castes and Tribes and other weaker sections had increased in the State during the Janata Party regime.

Detailing the measures taken by his Government to prevent atrocities on SCs and STs and other minorities, the Chief Minister said all these sections of society

would get representation in the police and other State services in proportion to their numerical strength. In addition, they would be given financial assistance for economic rehabilitation and fire arms for self-defence against atrocities. Shri Thakur said that land reforms alone would not be enough to improve the lot of SCs/STs, unless such measures were supplemented with the aforesaid steps aimed at increasing their strength to put up effective resistance against all atrocities. In this context, he said his Government had launched a drive to cancel and seize fire arms of big landlords in some sensitive areas of the State.

The motion was negatived with 76 members voting in favour and 215 members voting against it.

On 17 April 1979, ten Cabinet Ministers, three Ministers of State and one Parliamentary Secretary belonging to the former Jan Sangh, Congress (O) and BLD resigned. On 19 April 1979, two more Ministers belonging to the CFD group tendered their resignation.

Following his failure to win the vote of confidence at the Janata Legislature Party meeting held on 19 April 1979, the Chief Minister Shri Karpooi Thakur tendered the resignation of his Ministry to the acting Governor, Justice K.B.N. Singh. On 21 April 1979, a two-member Cabinet headed by Shri Ram Sunder Das of Janata Party was sworn in.

Second Motion of No-confidence

A No-confidence Motion was tabled jointly by Sarvashri Chaturanan Mishra (CPI), Ram Lakhani Singh Yadav (Congress), Ganesh Shankar Vidyarthi [CPI(M)], Bhola Prasad Singh (Socialist), N.E. Horo (Jharkhand Party), Anand Mahto (Marxist Coordination Centre) and Shri Ghanshyam Mahto (Forward Bloc) on 26 July 1979 against the Ministry of Shri Ram Sunder Das.

The grounds for bringing the motion were the Government's utter failure to remove corruption from the administration, hold the spiralling prices of essential commodities, stop growing atrocities on SCs/STs, give unemployment allowance to educated and unemployed youth and to maintain law and order.

The Chief Minister Shri Ram Sunder Das and his party colleague Shri Baidyanath Mehta opposed the motion's admission on the ground that the House was already discussing the budget demands. He argued that if the Opposition wanted to form an alternative Government, it had every opportunity to defeat the Ministry on the budget demands. The Speaker overruled the objections and read out the contents of the motion.

As soon as the Speaker announced the decision to admit the motion, the Chief Minister Shri Ram Sunder Das demanded an immediate discussion on it. He said he would like to have a fresh mandate from the House before he presented the Appropriation Bill which was scheduled for discussion on that day.

Shri Chaturanan Mishra, however, pointed out that it was the Speaker's prerogative to fix a date for discussion.

With the admission of the No-confidence Motion, 78 members belonging to the ruling party, the Sangharsha Samiti Vidhayak Manch and the Janata (S) shifted their allegiance to Shri Karpoori Thakur.

Replying to the two-day debate, the Chief Minister Shri Ram Sunder Das said that no specific allegations had been made against his Government. The Chief Minister claimed that atrocities on SCs/STs and communal disturbances were fewer than when the previous Government was in power. The motion was discussed for two days on 27 and 30 July 1979.

On 30 July 1979, the motion was negatived with 135 members voting in favour of the motion and 185 members voting against it.

Eighth Legislative Assembly (1980-85)

In the elections to the 324-member Legislative Assembly held on 31 May 1980, the Congress(I) secured an absolute majority winning 167 seats. The Janata (CS) got 42 seats, CPI 23, BJP 22, Janata Party 13, Janata-S (RN) 1, Congress (U) 14, CPI(M) 6, Marxist Coordination Committee 1, Socialist Unity Centre 1, Forward Bloc 1, Jharkhand Mukti Morcha 12 and Independents 18 seats. Elections were countermanded in three constituencies due to the death of candidates.

A 39-member Congress(I) Ministry headed by Dr. Jagannath Mishra was sworn in on 8 June 1980.

During the tenure of the Eighth Legislative Assembly, two Motions of No-confidence against the Ministry of Dr. Mishra were debated and both were negatived.

First Motion of No-confidence

Five notices of No-confidence Motion against the Congress(I) Government of Dr. Jagannath Mishra were received by the Speaker Shri Radha Nandan Jha on 13 March 1981. The notices stood in the name of Sarvashri Karpoori Thakur (Janata-S), Rajkumar Purve (CPI), Ram Lakhan Singh Yadav (Congress-Urs), Ganesh Shankar Vidyarthi (CPM), Ghanshyam Mahato (Forward Bloc) and Rajmangal Mishra (Janata-JP).

The Speaker allowed Shri Karpoori Thakur to move his motion received first in point of time. The one-line motion expressed want of confidence in the Council of Ministers for its acts of commission and omission.

The discussion on the motion was held on 17 March 1981 in which 11 members took part.

Moving the motion of No-confidence, Shri Karpoori Thakur charged that the claim of the Government that there was peace and law and order in the State was totally wrong. He further said the prices of essential commodities were on the

increase. He also alleged that the Government was anti-student. The students who used to study under kerosene lamps were affected as the price of kerosene too had been increased. He referred to the Samastipur Jail incident in which 13 prisoners had been killed and said the demands of the prisoners that they be provided with better conditions were genuine.

Replying to the debate, the Chief Minister Dr. Jagannath Mishra emphatically refuted various charges levelled by Opposition members and questioned the justification of moving such a motion during the current vote on account session. He claimed that the State had made all-round progress in the past seven months. The Government had not only been able to improve the law and order situation, but had also achieved near self-sufficiency on the food front and step-up in industrial production. The Chief Minister also claimed complete normalcy on the education front as university and school examinations were being held throughout the State in a peaceful manner. He said there had been no cases of atrocities on the SCs/STs during the last seven months, as the Government had initiated several measures to ensure their safety, besides improving their economic lot.

The motion was defeated with 114 members voting in favour and 181 members voting against it. There were three abstentions.

Second Motion of No-confidence

A No-confidence Motion against the Jagannath Mishra Ministry was moved by Shri Inder Singh Namdhari on 21 June 1983. Leave to move the motion was granted on 20 June 1983. The notice of the motion was jointly given by Sarvashri Inder Singh Namdhari, Shri Lal Muni Choubey, Janardhan Tiwari (BJP) and Kripa Shanker Chatterjee (CPI-M). The grounds for bringing the motion were: (i) rampant corruption; (ii) failure to provide drinking water to the drought affected in the tribal belt; (iii) total breakdown of law and order; and (iv) inability to run the Kumardubhi group of industries by the State Government.

Initiating the debate, Shri Inder Singh Namdhari alleged that the Chief Minister had not distributed the Departments properly to the Ministers. This resulted in inefficiency in the Government machinery. The entire State was in the grip of an acute drought. He condemned the Government for its failure to provide relief to the drought victims in the tribal belt. Besides, the law and order machinery appeared to have collapsed.

The Janata Party, the CPI, the CPI-M, the Lok Dal, Congress(S) and the Jharkhand Mukti Morcha refused to participate in the debate on the ground that the motion had been tabled without consulting them. However, the members of these parties participated in the voting.

Replying to the debate in which five members participated, the Chief Minister Dr. Jagannath Mishra said there was hardly anything for him to say against the motion which had virtually been defeated by Opposition disunity. He claimed that the Government's campaign against corruption was not a propaganda stunt but a sincere and earnest effort to cleanse public life. He challenged the Opposition to bring concrete charges of corruption against him and his ministerial colleagues backed by court affidavits. The Chief Minister said the Government would promulgate an Ordinance soon making it obligatory for all members of both Houses of the State Legislature to file returns of their assets and liabilities. Under the same Ordinance, a high-powered statutory commission would be set up to scrutinize the assets of all Ministers, legislators, public servants and men connected with Government bodies and cooperative societies. He further said a new rule had already been issued under which legislators could submit corruption charges against individual Ministers to the Speaker and if a *prima facie* case was established an inquiry would be started. The office of the Chief Minister too had been brought under the purview of the Lokyukta and anybody could bring in charges of corruption with affidavits. The Chief Minister listed special measures initiated by his Government to check corruption and for drought relief in the State. As regards Kumardubhi, Dr. Mishra said the bill had been sent for Presidential assent.

The motion was defeated with 95 members voting in favour and 174 members voting against it.

Ninth Legislative Assembly (1985-1990)

Elections were held for the 324 seats of the Legislative Assembly on 2 and 5 March 1985. The Congress(I) got an absolute majority by winning 193 seats followed by the Lok Dal which secured 46 seats. The seats won by other parties were as follows: BJP 15, CPI 13, Janata Party 12, JMM 10, Congress(S) 1, CPI(M) 1, SUCI 1 and Independents 29. Elections in three constituencies were countermanded. Shri Bindeshwari Dubey was sworn in on 12 March 1985 as the Chief Minister by the Governor, Dr. A.R. Kidwai.

In the Ninth Legislative Assembly, two Motions of No-confidence were moved against the Council of Ministers of Shri Bindeshwari Dubey. Both the motions were negatived.

First Motion of No-confidence

A No-confidence Motion against the Government headed by Shri Bindeshwari Dubey was admitted by the Speaker on 22 August 1986. The motion stood in the name of Sarvashri Karpoori Thakur (Lok Dal), S.N. Dudani (BJP), Raghunath Jha (JP), Ramendra Kumar (CPI), Shibu Soren (JMM), Umadkar Singh (CPI-M) and Nalini Rajan Singh (SUCI). The motion was brought before the House for the

alleged acts of omission and commission of the Government. The Speaker fixed 25 August 1986 for discussion.

Moving the Motion of No-confidence, Shri Karpoori Thakur alleged that human rights were being violated in the State. Farmers, labourers, Harijans, Scheduled Tribes, backward communities and minorities were being killed. Instead of prosperity, poverty was prevalent; unemployment, corruption and wasteful expenditure were on the rise. Instead of equality, there was discrimination. The law and order situation had given way to dacoity, murder and crime.

During the debate, the Opposition charged the Government with lawlessness and police excesses, particularly referring to the Arwal massacre and the killings at Kansara.

In his reply to the debate, the Chief Minister Shri Bindeshwari Dubey said a Motion of No-confidence was a serious matter in a parliamentary democracy and it had its own significance. If the Motion of No-confidence was adopted, the party bringing the motion had the right to form the Government. The present motion, he said, had been brought by parties having different ideologies with a political motive. Even if the present No-confidence Motion was adopted, the parties bringing the motion could not form the Government as they did not have trust in each other. He said the incidents of atrocities on Harijans had come down. He also quoted figures from the Government of India crime records and refuted the allegation that the crime rate had increased in Bihar. He regretted the firing incident that took place at Bajitpur and said the report of the judicial inquiry would be placed on the Table of the House.

In all, 20 members participated in the discussion. The motion was negatived with 96 members voting in favour and 205 members voting against it.

Second Motion of No-confidence

Another Motion of No-confidence against Shri Bindeshwari Dubey's Ministry was moved by Shri Karpoori Thakur on 19 January 1988. Thirteen members participated in the debate.

Replying to the debate, the Chief Minister Shri Bindeshwari Dubey refuted the Opposition charge that the Government had failed to deliver the goods. He said the Government had succeeded in ensuring all-round progress of the State on various fronts. The State had achieved the first position in the country in food utilization under the Integrated Rural Development Programme in 1987-88, second in the rural development programme and fifth in the implementation of the 20-point programme.

The motion was negatived with 70 members voting in favour and 184 members voting against it.

Tenth Legislative Assembly (1990-1995)

In the elections held to the State Legislative Assembly on 27 February 1990, the

Janata Dal emerged as the single largest party winning 122 seats. The parties supporting the Janata Dal-led coalition in the Centre - the BJP, CPI, CPI-M and the JMM - secured 37, 23, 6 and 19 seats, respectively. Besides, the IPF won 7 seats, Janata Party 3, Marxist Coordination Committee 2, Jharkhand Party (Horo), All Jharkhand Students Union and the Communist Organisation of India (Marxist-Leninist) one each and Independents and others 30 seats. The Congress(I) secured 71 seats. Election in one constituency was countermanded. On 7 March 1990, Shri Laloo Prasad Yadav was elected Leader of the Janata Dal Legislature Party. He was sworn in as the Chief Minister on 10 March 1990 by the Governor Mohammad Yunus Salim. Shri Yadav was asked by the Governor to seek a vote of confidence by 10 April 1990.

In the Tenth Legislative Assembly, two Motions of Confidence were moved by the Chief Minister Shri Laloo Prasad Yadav and both were adopted. Besides, a No-confidence Motion was debated and negated by the House.

First Motion of Confidence

In accordance with the Governor's directive, a Motion of Confidence was moved by the Chief Minister Shri Laloo Prasad Yadav on 21 March 1990. The motion was introduced by the Parliamentary Affairs Minister, Shri Raghunath Jha.

Hardly had Shri Raghunath Jha completed the sentence on the resolution seeking vote of confidence of the House in Shri Yadav's Government, the Congress(I) members, along with some Independents, including members of the Horo group, staged a walk-out, saying that they did not have faith in the new Government. Shri Jha said the Janata Dal had 121 members in the House. The Dal had the support of all the major, non-Congress(I) parties. The resolution had been moved to strengthen the democratic institutions in the State as the Prime Minister Shri V.P. Singh had done earlier in the Lok Sabha. The motion was adopted by voice vote.

On 23 October 1990, the BJP withdrew support to the Janata Dal Government in the State following the arrest of party president Shri L.K. Advani. On 10 November 1990, the Speaker, Shri Gulam Sarwar declared ten Janata Dal MLAs as unattached following their expulsion from the party's primary membership by party president Shri S.R. Bommai.

Second Motion of Confidence

On 22 November 1990, a Motion of Confidence was moved by the Chief Minister Shri Laloo Prasad Yadav at a two-day Special Session of the Legislative Assembly.

Moving the Confidence Motion, the Chief Minister Shri Laloo Prasad Yadav said that he had to seek the vote of confidence following doubts of withdrawal of

support to his Government by the BJP.

During the debate, the members of the Opposition and those declared unattached questioned the justification of the session and the legality of the Motion of Confidence, particularly when there was no formal split in the Janata Dal and no challenge to the majority of the Chief Minister.

Nine members of the BJP led by its Deputy Leader Shri Gyaneshwar Yadav walked out of the House soon after the Chief Minister completed his speech as they said they could not have voted with the Congress(I). Pandemonium was witnessed when Speaker Shri Gulam Sarwar gave a ruling for open voting in the Motion of Confidence. The stalemate continued for 90 minutes on the mode of voting.

Soon after, the Opposition, led by Dr. Jagannath Mishra, pressed for a decision. The Chief Minister then advised the Chair to count the number of members present and voting. The Speaker ruled that voting should be inside the House by counting of heads. This invited adverse reaction from the Congress(I) and the BJP who accused the chair of partisanship. The Opposition argued that such a move would make it difficult to identify the members defying the whip. After an hour of acrimonious exchanges, the Speaker changed his ruling and asked the members to sign a register showing their preference for or against the confidence vote. However, this was objected to by the ruling party members. As the situation deteriorated further, the Speaker revised his ruling and agreed to conduct the voting by division.

At the end of the debate in which 9 members participated, the motion was adopted with 202 members voting in favour and 108 members voting against it.

Motion of No-confidence

A No-confidence Motion against the 52-month-old Ministry of Shri Laloo Prasad Yadav was admitted in the Legislative Assembly on 22 July 1994. The motion, sponsored by Shri Ramashraya Prasad Singh (Congress-I), got precedence over that of the BJP-sponsored notice of Shri Sushil Kumar Modi due to technical reasons.

In the post-lunch session on 22 July 1994, the Opposition members pressed the Chair to admit the notice of No-confidence Motion. But it drew protest from the Treasury Benches which wanted that the Appropriation Bill be moved and discussion taken up. The Treasury Benches were also supported by the CPI leader, Shri Rajendra Kumar, who sought to stress that a No-confidence Motion could not be admitted during the Budget Session and that the Opposition could avail itself of the opportunity of the voting on the Appropriation Bill to defeat the Government.

The Chief Minister Shri Yadav said he was not afraid of facing a No-confidence Motion and if it had to be admitted it had to be taken up for discussion and put to vote that day itself. The Opposition maintained that the Business

Advisory Committee alone could fix the date and time for the purpose. Later, the Speaker admitted the No-confidence Motion and announced that it would be taken up for discussion and voting on 25 July 1994. Thirteen members participated in the discussion.

Initiating the debate, Shri Ramashraya Prasad Singh, Leader of the Opposition, charged the Government with having pushed the State to the brink of disaster by unleashing anarchy on all fronts, including in financial and law and order matters. He said the Government, during its rule of four and a half years, had completely failed on all fronts.

Replying to the debate in which 13 members took part, the Chief Minister Shri Laloo Prasad Yadav listed his Government's achievements and said that for the first time the members of the weaker sections and the minorities in the State felt secured and protected. He claimed his Government had successfully dealt with the communal elements operating in the State.

As soon as the motion was about to be put to division, Shri Ramashraya Prasad Singh demanded a secret ballot. The Speaker said there was no precedence of a secret ballot and denied the claims of Shri Singh that the fate of No-confidence Motion against the Shri B.P. Mandal Government in 1968 had been decided thus.

The Parliamentary Affairs Minister, Shri Raghunath Jha, contended that the Anti-Defection Act provided for cancellation of membership of the House in the event of breach of whip by any member and, therefore, the Opposition's demand of secret voting was illogical and unparliamentary.

Insisting on their demand, the Congress members rushed to the well of the House. When the Speaker put the motion to voice vote, the Opposition disputed the ruling of the Chair and pressed for a division. 199 members voted against the motion and ten members abstained. Due to pandemonium in the House, the 'Ayes' could not be counted. The motion was accordingly defeated.

Eleventh Legislative Assembly (1995-2000)

Elections to the Legislative Assembly were held on 11, 15, 21, 25 and 28 March 1995. The Janata Dal secured 167 seats, BJP 41, Congress (I) 30, CPI 24, CPI(M) 6, MCC 2, CPI-ML 6, JMM (Soren Group) 16, JPP 2, Samata 6, others and Independents 23; polling in one constituency was countermanded. Shri Laloo Prasad Yadav was sworn in as the Chief Minister for a second successive term on 4 April 1995.

During the tenure of the Eleventh Legislative Assembly, four Motions of Confidence - one by Shri Laloo Prasad Yadav and three by Smt. Rabari Devi - were moved and all the four were adopted by the House.

First Motion of Confidence

On 15 July 1997, a motion seeking vote of confidence in the Laloo Prasad Ministry was moved. Although the Opposition members refrained from voting on

the motion, they were present in the House during the proceedings. They raised anti-Government slogans and demanded the dismissal of the Chief Minister who had been chargesheeted by the CBI in the fodder scam. In the midst of the disorderly scenes, the Parliamentary Affairs Minister Shri Raghunath Jha moved the Confidence Motion on behalf of the Government. Amidst the din, the Speaker admitted the motion saying that it would be put to vote at 2 P.M., when the House would reassemble after the lunch recess. Six members took part in the debate.

Moving the Confidence Motion, the Chief Minister Shri Laloo Prasad Yadav said that certain forces were spreading rumours that his Government had lost the majority to govern the State. He claimed that his opponents did not have the strength to bring a No-confidence Motion against the Government. Therefore, he had decided to seek the confidence of the House to clear all doubts. He also exhorted the members to support the motion for the cause of secularism and social justice.

The motion was put to voice vote but following the demand by an independent member, Shri Sankateshwar Singh, there was a division of votes. Later, the Speaker declared the motion carried with 168 members voting in favour of the motion and none against it. The Congress(I) abstained from the voting while the Opposition parties, including the BJP, CPI, CPI (ML), Samata, Janata Dal, CPI(M) and MCC, boycotted the voting.

On 24 July 1997, a Division Bench of the Patna High Court rejected the anticipatory bail application of the Chief Minister Shri Laloo Prasad Yadav in connection with the fodder scam. On 25 July 1997, an arrest warrant was issued against the Chief Minister by the designated CBI Court. Subsequently, Shri Yadav resigned from office and Smt. Rabari Devi was sworn in as the Chief Minister the same day.

Second Motion of Confidence

The Chief Minister Smt. Rabari Devi moved a Motion of Confidence in the Special Session of the State Legislative Assembly on 28 July 1997. As she read out the one-line motion, Shri Ambika Prasad (CPI) rose on a point of order demanding holding of the Business Advisory Committee meeting to discuss the Confidence Motion. The Speaker, Shri Deo Narayan Yadav, however, said that there was no need to hold any BAC meeting on the issue. Some other members, including Shri Upendra Nath Das of the BJP, also questioned the propriety of convening the House at such a short notice.

In her speech, the Chief Minister Smt. Rabari Devi exhorted the members to help her tide over the crisis facing the State and to cooperate with her in developing the State.

The Parliamentary Affairs Minister, Shri Raghunath Jha, said that it had been imperative for the new Government to seek the trust vote following the resignation

of Shri Laloo Prasad. Shri Jha said that the Government was committed to weed out corruption, adding that transparency would be the hallmark of the new Government.

The BJP members criticised the Speaker Shri Deo Narayan Yadav for convening the Legislative Assembly barely four days after the new Chief Minister was sworn in. The Speaker, however, said he had convened an early Session to avoid any undemocratic political activity.

Fourteen members took part in the debate. The motion was adopted with 194 members voting in favour and 110 members voting against it.

On 15 September 1998, the Jharkhand Mukti Morcha (JMM) Legislature Party, having 19 members in the State Legislative Assembly, decided to withdraw its support following the RJD leader Shri Laloo Prasad Yadav's opposition to the formation of a separate State of Vananchal.

Third Motion of Confidence

A Motion of Confidence was moved by the Parliamentary Affairs Minister Shri Upendra Prasad Verma in the Legislative Assembly on 19 September 1998. Shri Sushil Kumar Modi, Leader of the Opposition, wanted the Speaker to clarify as to how the Minister could be allowed to move the motion which had not been discussed at the Business Advisory Committee meeting (BAC). He demanded that the motion be rejected because the Special Session of the House had been convened only to discuss the Vananchal Bill. Following tumultuous scenes, the Speaker Shri Deo Narayan Yadav adjourned the Legislative Assembly for sometime. An agitated Opposition, however, continued to protest even after the House re-assembled. Normalcy returned only after the Speaker said the BAC would discuss the motion before its acceptance. Later, the BAC decided to have the voting on the motion on 21 September 1998.

Shri Upendra Prasad Verma said he had moved the motion following the JMM's withdrawal of support to the Government. There was no further discussion on the motion. The BJP, CPI(M), Samata Party, CPI(ML) and JMM members staged a walk-out. The motion was adopted with 190 members voting in favour and none against it.

On 12 February 1999, the Union Government dismissed the Rabari Devi Government citing break-down of the constitutional machinery in the State. The Legislative Assembly was placed under suspended animation. On 26 February 1999, following a two-day debate on President's Rule in Bihar, the Lok Sabha approved the imposition of President's Rule in the State. On 4 March 1999, the Opposition stalled the proceedings in both the Houses of Parliament over the Government's failure to table the resolution on imposition of President's Rule in Bihar in the Rajya Sabha. On 8 March 1999, the President Shri K.R. Narayanan revoked the Central rule in Bihar. On 9 March 1999, Smt. Rabari Devi was once

again sworn in as the Chief Minister.

Fourth Motion of Confidence

A Motion of Confidence was moved by the Chief Minister Smt. Rabari Devi on 17 March 1999. Fifteen members participated in the debate.

The motion was adopted with 172 members voting in favour and 85 against it.

Twelfth Legislative Assembly (2000-till date)

Elections to the 324-member Bihar Legislative Assembly were held on 12, 17 and 22 February 2000. The Rashtriya Janata Dal (RJD) won 123 seats, BJP 67, Congress (I) 23, CPI 6, Samata Party 34, JD (U) 21, CPI(M) 2, JMM 12, CPI(ML) 6, BSP 5 and Independents and others 25 seats. On 27 February 2000, Shri Nitish Kumar was elected Leader of the National Democratic Alliance. The Rashtriya Janata Dal Legislature Party re-elected Smt. Rabari Devi as its leader. On 3 March 2000, Shri Nitish Kumar of the National Democratic Alliance was sworn in as the Chief Minister and was asked to prove his majority on the floor of the House within ten days.

Two Motions of Confidence, one by Shri Nitish kumar and another by Smt. Rabari Devi, were moved within a span of six days in the Twelfth Legislative Assembly.

First Motion of Confidence

In accordance with the direction of the Governor, the Chief Minister Shri Nitish Kumar moved a Confidence Motion on 10 March 2000.

Opposing the Confidence Motion, Shri Laloo Yadav said the Nitish Kumar Government was unconstitutional and undemocratic and it, therefore, had no moral right to remain in power. He also criticised the Governor for having invited a political configuration that lacked the support of the majority in the House.

Replying to the debate, the Chief Minister Shri Nitish Kumar conceded that he did not enjoy the support of the majority in the House and was, therefore, proceeding to the Raj Bhawan from the State Assembly to tender his resignation. He said it would be a futile exercise to press for a division. Fifteen members participated in the debate.

The Chief Minister Shri Nitish Kumar resigned from office without seeking a vote on the Confidence Motion. Later, the Governor invited the Rashtriya Janata Dal leader Smt. Rabari Devi to form the Government. On 11 March 2000, Smt. Rabari Devi was sworn in as the Chief Minister; she was asked to prove her majority on the floor of the House within ten days.

Second Motion of Confidence

The Chief Minister Smt. Rabari Devi moved a Motion of Confidence in the Legislative Assembly on 16 March 2000 as per the Governor's directive.

Fifteen members participated in the debate.

As the Speaker, Shri Sadanand Singh, put the motion for voice vote at the end of the debate, the NDA members pressed for a division. The Speaker then asked the members to go into the lobby to cast their votes. The NDA members pressed the Speaker to go for a head count instead. The Speaker directed the members to the lobby to exercise their vote. While those supporting the motion abided by the ruling, the NDA members stormed into the well raising slogans against the Chair. The House staff then brought the vote result. The Speaker declared the adoption of the motion by 166-4 votes amidst protest from the Opposition benches.

Motion of No-confidence

An NDA-sponsored No-confidence Motion against the RJD-coalition Government of Smt. Rabari Devi was moved on 17 December 2003 on the grounds of its alleged acts of omission and commission.

Initiating the debate, Shri Sushil Kumar Modi, Leader of the Opposition, said that the anarchic conditions prevailing in the State had forced the Opposition to move the Motion of No-confidence against the Government. Nobody was safe in the State as the Government had allowed criminals to rule the roost. The arrest of the Chief Secretary of the State for contempt of court had put the Government to shame. By calling up the Chief Justice of the Patna High Court, the Chief Minister had sought to interfere in the jurisdiction of the Judiciary.

Smt. Rabari Devi refuted the Opposition's charges that her Government was not taking up any development works and had let criminals hold the State to ransom. She said that her Government had made 30 lakh houses for the poor people under the Indira Awas Yojana. Roads in various parts of the State were being repaired. Referring to the removal of the Director General of Police Shri D.P. Ojha, she said Shri Ojha had repeatedly been violating the code of conduct which an officer was supposed to follow. She appealed to all political parties to cooperate in the development of the State.

The motion was debated for five hours and thirty minutes in which 20 members took part. The motion was defeated by voice vote.

Motions of Confidence and No-confidence in the Bihar Legislative Assembly - An Analysis

In all, 21 Motions of No-confidence and eight Motions of Confidence were admitted and discussed in the Legislative Assembly. Out of the 21 Motions of No-confidence, the highest number of three Motions of No-confidence were debated in the First and Sixth Legislative Assemblies followed by two each in the Third, Fourth, Fifth, Seventh, Eighth and Ninth Legislative Assemblies and one each in the Second, Tenth and the Twelfth Legislative Assemblies.

The highest number of four Motions of Confidence were debated in the Eleventh Legislative Assembly followed by two each in the Tenth and the Twelfth Legislative Assemblies. Whereas 18 Motions of No-confidence were negatived, three Motions of No-confidence were adopted. As regards Motions of Confidence, seven Motions of Confidence were adopted and in one case the Chief Minister resigned before the motion was voted.

Table 2 gives the number of No-confidence and Confidence Motions discussed during the tenure of different Speakers. Shri Bindheshwari Prasad Verma chaired the debate over the highest number of four Motions of No-confidence followed by Speaker Shri Hari Nath Mishra who presided over the debate on three Motions of No-confidence. Speakers Sarvashri Dr. Laxmi Narayan Sudhanshu, Dhanik Lal Mandal, Ram Narayan Mandal, Tripurari Prasad Singh, Radha Nandan Jha and Shiv Chandra Jha presided over the debates on two Motions of No-confidence. Speaker Shri Deo Narayan Yadav presided over four Motions of Confidence. Speakers Shri Gulam Sarwar and Sadanand Singh presided over the debate on both types of Motions - one No-confidence and two Motions of Confidence.

Table 3 gives an account of the No-confidence Motions and Confidence Motions debated during different Councils of Ministers. Of the 21 Motions of No-confidence, Shri Shri Krishna Sinha and Shri Jagannath Mishra faced three Motions of No-confidence each whereas Shri Krishna Ballabh Sahay and Shri Bindeshwari Dubey faced two Motions of No-confidence each. Sarvashri Binoda Nand Jha, Mahamaya Prasad Sinha, Bindeshwari Prasad Mandal, Sardar Harihar Prasad Singh, Daroga Prasad Rai, Kedar Pandey, Abdul Ghafoor, Karpoori Thakur, Ram Sunder Das, Laloo Prasad Yadav and Smt. Rabari Devi faced one Motion of No-confidence each. The No-confidence Motions moved against the Chief Ministers Sarvashri Mahamaya Prasad Sinha, Bindeshwari Prasad Mandal and Daroga Prasad Rai in January 1968, March 1968 and December 1970, respectively, were adopted by the House thereby resulting in the fall of the respective Governments. Smt. Rabari Devi moved the highest number of four Motions of Confidence whereas Shri Laloo Prasad Yadav moved three Motions of Confidence. Shri Nitish Kumar who moved a Motion of Confidence resigned from the office of Chief Minister before voting on the motion. Shri Laloo Prasad Yadav and Smt. Rabari Devi faced Motions of both types - No-confidence as well as Confidence.

Table 4 gives statistical information pertaining to the participation of members in the debates on various Motions of No-confidence and Confidence. It also depicts the time taken and the result of the division.

Participation by Members

In all, 292 members participated in the debates on the 26 Motions - 218 members in the 20 No-confidence Motions (figures are not available for one motion of No-confidence) and 74 in the 6 Motions of Confidence. Two Motions of Confidence

were adopted without any discussion. The highest number of 20 members took part in the No-confidence Motion moved by Shri Karpoori Thakur against the Council of Ministers of Shri Bindeshwari Dubey in August 1986 and the one moved by Shri Sushil Kumar Modi against the Ministry of Smt. Rabari Devi in December 2003. The No-confidence Motion moved by Shri Mahesh Prasad Sinha against the Ministry of Shri Mahamaya Prasad Sinha on 24 January 1968 entailed the lowest partaking by 4 members.

As regards Motions of Confidence, the highest number of 15 members participated in the motion moved by Shri Nitish Kumar on 10 March 2000 and the motions moved by Smt. Rabari Devi on 17 March 1999 and 16 March 2000.

Time taken

The time taken in the disposal of various motions is not available. The total number of days taken to discuss the 21 Motions of No-confidence and 8 Motions of Confidence comes to 28 days and 8 days, respectively.

Shri Laloo Prasad Yadav's Motion of Confidence moved in March 1990 and Smt. Rabari Devi's motion moved in September 1998 were carried without discussion.

Division

Of the 21 Motions of No-confidence, 18 motions were negatived and three motions were adopted. Of the 18 motions, fifteen motions were negatived by division and 3 by voice vote while the three were adopted by division.

The No-confidence Motion moved by Shri Ramashraya Prasad Singh on 27 July 1994 against Shri Laloo Prasad Yadav was negatived with the widest margin of 199 votes whereas the No-confidence Motion moved by Shri Mahesh Prasad Sinha against the Ministry of Mahamaya Prasad Sinha voted on 25 January 1968 was adopted with the lowest margin of 13 votes. As regards Motions of Confidence, six were adopted by division, and one by voice vote, and in the case of one motion, the Chief Minister resigned before it was voted upon. The Motion of Confidence moved by Smt. Rabari Devi on 21 September 1998 was adopted with the widest margin of 190 votes whereas another of Smt. Rabari Devi's Motion of Confidence voted on 28 July 1997 was adopted with the lowest margin of 84 votes.

Chhattisgarh Legislative Assembly

With the enactment of the Madhya Pradesh (Reorganisation) Act, 2000, by the Parliament, the State of Chhattisgarh, carved out of the sixteen districts of the existing State of Madhya Pradesh, came into being on 1 November 2000. The Act also made provision for the allocation of seats between the Legislative Assemblies of the two States. According to section 12 (1) of the Act, out of the total of 320 seats in the Legislative Assembly of Madhya Pradesh, 90 seats were allotted to the newly created State of Chhattisgarh. Every sitting member of the Legislative Assembly of the existing State of Madhya Pradesh representing a constituency which on the appointed day by virtue of the provisions of section 10 of the aforesaid Act was allotted to the State of Chhattisgarh, was deemed to have been elected to the Legislative Assembly of Chhattisgarh from that constituency so allotted. The Chhattisgarh State Legislature is unicameral.

On 1 November 2000, Shri Dinesh Nandan Sahai was administered the oath of office of the Governor by the acting Chief Justice Shri R.S. Garg. Thereafter, Shri Ajit Jogi, who was earlier unanimously elected Leader of the Congress Legislature Party, was sworn in as the first Chief Minister of the State.

Motion of No-confidence

The Chhattisgarh Legislative Assembly has adopted the Rules of Procedure and Conduct of Business of the Madhya Pradesh Legislative Assembly. Rule 143 of the Rules of Procedure and Conduct of Business in the Chhattisgarh Legislative Assembly governs the provision for moving a Motion of No-confidence. As per this rule, a motion expressing want of confidence in the Council of Ministers may be made subject to the following restrictions, namely; (a) leave to make the motion must be asked for; and (b) the member asking for leave must before the commencement of the sitting of that day give a written notice to the Secretary. If the Speaker is of the opinion that the motion is in order, he then reads the motion to the House and requests those members who are in favour of leave being granted to rise in their places and if not less than one-tenth of the members rise, the Speaker intimates that

the leave is granted and the motion may be taken up on such day, not being more than ten days from the date on which leave is asked.

The Speaker may, after considering the state of business in the House, allot a day or days or part of a day for the discussion of the motion. The member who gave the notice of the motion or the members as the case may be communicate in writing to the Secretary before the appointed time, the charges to be levelled during the course of discussion. At the appointed hour on the allotted day, the Speaker forthwith puts every question necessary to determine the decision of the House on the motion. The Speaker may, if he thinks fit, prescribe a time limit for speeches.

Motion of Confidence

As regards a Motion of Confidence, there is no specific rule for it. A Motion of Confidence is, however, admitted and discussed in the category of motions under Rule 130 which states that save insofar as is otherwise provided in the Constitution or in the rules, no discussion of a matter of general public interest shall take place except on a motion made with the consent of the Speaker.

Motions in different Legislative Assemblies

Two Motions of No-confidence have been moved in the Chhattisgarh Legislative Assembly till date. No Motion of Confidence has been taken up by the House till date.

The statistical details in respect of these motions are given in Tables 1 to 4. Tables 5 and 6 list out the Governor and Chief Minister, respectively, of Chhattisgarh since the formation of the State on 1 November 2000. A graphical presentation of the motions is available in the Graph.

In the First Legislative Assembly, two Motions of No-confidence were discussed against the Government of Shri Ajit Jogi and both were negated.

First Motion of No-confidence

A Motion of No-confidence against the Congress Government of Shri Ajit Jogi was moved by Shri Nand Kumar Sai (BJP) on 30 September 2002. Leave to move the motion was granted earlier on 26 September 2002. The grounds on which the motion was brought before the House were: (i) disrespect to democratic values and institutions; (ii) blow on State's culture, language and lifestyle; (iii) exploitation of mineral, forest and water resources in disregard of environment; (iv) deterioration in education, health, public distribution system, drinking water and electricity services; (v) wrong priority and vision in respect of the New Capital Project; (vi) social service with simple living - a mere display; (vii) rampant corruption resulting in a number of scams; (viii) political use of administrative machinery; (ix) naxalites and law and order problem; and (x) issues relating to the use of Central assistance.

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(2000-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	01.11.2000 - 05.12.2003	2	-
Second Legislative Assembly	05.12.2003 - till date	-	-
Total		2	-

Table 2

**NCMs/CMs admitted/discussed during the tenures of different Speakers
(2000-2003)**

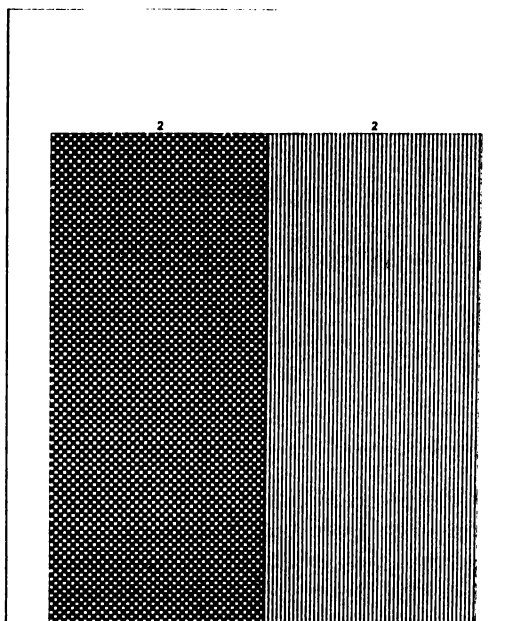
<i>Sl.No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri Rajendra Prasad Shukla	14.12.2000 - 22.12.2003	2	-
2.	Shri Prem Prakash Pandey	22.12.2003 - till date	-	-
Total			2	-

Table 3

**NCMs against/CMs in the Council of Ministers
(2000-2003)**

<i>Council of Ministers</i>	<i>Party, seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover, No. of members participated</i>	<i>Dates of (grant of leave), discussion, Time taken</i>	<i>Result</i>
Ajit Jogi (First Legislative Assembly)	Congress 48/90 (53.4%)	NCM	Nand Kumar Sai (39)	(26.09.2002) 30.09.2002 01.10.2002 17.08	Negatived Ayes - 22 Noes - 61
-do-		NCM	-do- (21)	(29.07.2003) 29.07.2003 30.07.2003 13.00	Negatived Ayes - 23 Noes - 59

Graph
NCMs in Chhattisgarh Legislative Assembly
(2000-2003)



 Motions admitted and discussed  Negated

No Motion of Confidence was taken up in the Chhattisgarh Legislative Assembly.

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipants	Time taken Hrs. Mts.	Date of voting	Ayes	Noes	Result
Rajendra Prasad Shukla	NCM	Ajit Jogi	Nand Kumar Sai	30.09.2002 01.10.2002	39	17.08	01.10.2002	22	61	Negatived
-do-	NCM	-do-	-do-	29.07.2003 30.07.2003	21	13.00	30.07.2003	23	59	Negatived

Table 5

Governors of Chhattisgarh

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Dinesh Nandan Sahai	01.11.2000 - 02.06.2003
2.	Lt. Gen. (Retd.) K.M. Seth	02.06.2003 - till date

Table 6

Chief Ministers of Chhattisgarh

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Ajit Jogi	01.11.2000 - 04.12.2003
2.	Dr. Raman Singh	07.12.2003 - till date

Initiating the debate, Shri Nand Kumar Sai, Leader of the Opposition, accused the Chief Minister of undermining the importance and sanctity of the democratic institutions and secular traditions. He said Shri Jogi's intentions were clear right from the beginning the way he fought the Marwahi elections to get elected to the State Legislative Assembly. Referring to the exploitation of forest and mineral wealth resources in disregard of the environment, Shri Sai said that trees worth over four and a half crores of rupees had been cut illegally during the previous one year. He also objected to the manner in which contracts for mineral mining were being awarded. When the Government was unable to buy paddy from the farmers as promised, it promoted the concept of changing the crop pattern instead of crop rotation. As regards law and order, he said criminals were roaming around freely and naxalism was constantly on the increase. He pointed out that people were living under constant fear and were waiting for a change. He observed that democracy derived its strength from the Legislative Assembly. It was, therefore, essential that the number of sittings of the Assembly be increased. The decisions taken by the Committees were not being implemented.

Replying to the debate, the Chief Minister Shri Ajit Jogi described the No-confidence Motion as a reflection of the frustration, parochial outlook and internal conflicts of a weak Opposition. He said being the first No-confidence Motion of the Chhattisgarh Legislative Assembly, he had expected it to raise important issues but

the charge sheet had been drafted carelessly and its presentation was even more non-serious. He thanked the Opposition for bringing the motion as it provided him a chance to highlight the achievements of his Government. Shri Jogi said efforts had been made by the Government to send the message that the rule of law prevailed in the State. Chhattisgarh was being looked upon as the power hub and steel hub of the country. Capital investment to the tune of Rs.50 crore had been made in the State. During the two years that he was the Chief Minister, three lakh and eighty thousand hectare of irrigation had been added. The State had the maximum increase of 18 per cent in revenue generation in the whole country. The sales tax revenue had increased from Rs.522 crore to Rs.1137 crore. Chhattisgarh was the only State which did not resort to overdraft from the Reserve Bank of India for a single day. He asserted that there was full transparency in the process of selection of a site for the New Capital Project. The first sugar mill had been established in the State where production was in full swing. The consumption of electricity had increased by 300 megawatts in the last two years resulting in the establishment of new industries leading to direct or indirect employment to 70,000 people. In the State of Chhattisgarh, one lakh and thirty thousand girls - the maximum number in the country - were being imparted free computer education under the *Indira Sookhna Shakti Yojana*, the Chief Minister added.

Replying to the debate, Shri Nand Kumar Sai said that the Chief Minister had cleverly evaded certain issues and tried to mislead the House in a jugglery of figures.

The discussion on the motion held on 30 September and 1 October 2002 lasted 17 hours and 8 minutes in which 39 members participated. The motion was defeated with 22 members voting in favour and 61 members voting against it.

Second Motion of No-confidence

The second Motion of No-confidence against the 33-month-old Government of Shri Ajit Jogi was brought *inter alia* on the grounds of: (i) unsteadiness of the farmers and agriculture in the State; (ii) exploitation of the special protected tribes of the State by the Government itself; (iii) administrative attacks on autonomous bodies in the State; (iv) politicisation of administration and criminalisation of politics; (v) unsteadiness of education system and commercialisation of education in the State; (vi) inequality in development works; (vii) failure of Government in installing new power plants; (viii) public trading of forged (currency) notes, under the protection of the Government; (ix) making mockery of the educated unemployed; (x) poor health care services in the State; (xi) poor law and order in the State; (xii) operation of parallel power centers in the State; and (xiii) failure of rural development works in the State. Leave to move the motion was granted to Shri Nand Kumar Sai (BJP) on 29 July 2003. When the Speaker Shri Rajendra Prasad Shukla asked Shri Mahesh Tiwari (BJP) to initiate the debate on the No-confidence Motion, Shri Ganesh Shankar

Vajpayee [Congress(I)] pointed out that the BJP members had brought a similar motion a few months ago but they had abstained from the House when the Chief Minister Shri Ajit Jogi replied to the debate. Since the BJP members were not present during Shri Ajit Jogi's reply to the debate, the Congress members did not want to hear them.

Later, the ruling party members, except Legislative Affairs Minister Ravindra Choubey and Congress Chief Whip Shri Ramlal Bhardwaj, left the House.

Shri Brijmohan Agarwal (BJP) said the Opposition had brought a No-confidence Motion against the Government, hence the Chief Minister and his party legislators should be present in the House.

Shri Ravindra Choubey said he and the Chief Whip were present in the House and the Opposition members would get point to point reply about the issues being raised by them. As the Opposition members pressed for the presence of the Chief Minister and others in the House, the Speaker said it would be appropriate if all the members were present in the House during the debate on the No-confidence Motion.

Initiating the debate, Shri Mahesh Tiwari said the No-confidence Motion had been moved with the intention to project the negative image of the Government in the minds of the public. Charging the Government of exploiting the mineral resources, he wanted to know the steps that had been taken for mining and to develop industries based on mining. He further questioned as to what efforts had been made to increase the revenue generated from the forests and mineral resources. He alleged that during the previous three years, while the forest cover had increased all over India, Chhattisgarh was the only State where it had decreased. He also alleged that the Government had ruined health services, drinking water supply and the public distribution system which formed the basis of development of a State.

Speaking on the motion, the Leader of the Opposition, Shri Nand Kumar Sai (BJP) referred to several instances of alleged atrocities committed by policemen on tribals and said though the Chief Minister had assured that a judicial inquiry would be conducted, nothing had been done till date.

The Chief Minister Shri Ajit Jogi could not reply to the debate because of noisy protest by the BJP members against the ruling party members' decision to remain absent from the House during the debate.

In all, 21 members participated in the 13 hours long debate held on 29 and 30 July 2003. The motion was negatived with 23 members voting in favour and 59 members voting against it.

No Motion of Confidence or No-confidence has been taken up in the Second Legislative Assembly till date.

Motions of No-confidence in the Chhattisgarh Legislative Assembly - An Analysis

Two Motions of No-confidence, both against the Ajit Jogi Ministry, were moved by Shri Nand Kumar Sai during the First Legislative Assembly. The motions were negatived. Speaker Shri Rajendra Prasad Shukla presided over the debates on these two motions in which 60 members participated. In all, 4 days were spent on the debates, entailing 30 hours and 8 minutes. The Motion of No-confidence of September 2002 was negatived by a margin of 39 votes while the second motion of July 2003 was negatived by a margin of 36 votes. The Chhattisgarh Legislative Assembly has not taken up a Confidence Motion till date.

Goa Legislative Assembly

Goa was liberated from the Portuguese rule on 19 December 1961. Soon after this, Goa was placed initially under the administration of Lt. Gen. K.P. Candeth, the Military Governor, who was assisted by the Chief Civil Administrator. On 8 June 1962, civil rule was set in place. The newly appointed Lt. Governor formed an informal Consultative Council consisting of 29 nominated members to assist him in the administration of the territory. This Council was inaugurated on 24 September 1962.

On the passing of the Constitution (Twelfth Amendment) Act, 1962 by the Parliament on 20 June 1962, Goa, Daman and Diu was conferred the status of a Union territory with retrospective effect from 20 December 1961. The Government of Union Territory Act, 1963 came into force on 13 May 1963 to provide for Legislative Assemblies or Councils of Ministers or both for certain Union territories. As per Section 3(2) of the Act, the total number of seats in the Legislative Assembly of Goa, Daman and Diu was 30 and as per sub-section (3), the Union Government could nominate 3 persons to the Assembly. This Act was amended in 1971 giving additional powers to the Administrator to assent to Bills, issue ordinances, etc. in certain cases. On 30 May 1987, *vide* the Goa, Daman and Diu Reorganisation Act, 1987, Goa was conferred Statehood and the Daman and Diu was made a separate Union territory.

The Legislature of Goa is unicameral. Presently, the total number of seats in the Goa Legislative Assembly is 40. The first General Elections were held in December 1963 and the last elections, which were mid-term elections, were held in June 2002.

Motion of No-confidence

The provision for moving a Motion of No-confidence in the Council of Ministers has been provided under Rule 247 of the Rules of Procedure and Conduct of Business of the Goa Legislature. Incidentally, the Motion of Confidence is also taken up under the same Rule. As per the rules, a motion expressing want of confidence in the Council of Ministers may be made with the consent of the Speaker subject to certain restrictions, namely - leave to make the motion shall be asked for after Questions and before the List of Business for the day is entered upon; the member asking for leave

shall, before the commencement of the sitting for that day, deliver to the Secretary a written notice of the motion which he proposes to move. If not less than one-fifth of the total number of members rise in support of the motion, the Speaker shall intimate that leave is granted. If leave is granted, the Speaker may, after considering the state of business in the House, allot a day or days or part of a day not being more than ten days from the date of grant of leave, for the discussion of the motion.

The Speaker, at the appointed hour on the allotted day or the last of the allotted days, forthwith puts every question necessary to determine the decision of the House on the motion. He may, if he deems proper, prescribe a time limit for speeches.

Motion of Confidence

A Motion of Confidence is taken up under the same rule as that of Motion of No-confidence; there are, however, rulings given and observations made by the Speakers from time to time. On 13 February 1991, the Speaker made an observation that a meeting of the Business Advisory Committee (BAC) was not required as per Rule 241(3); the Speaker had to allot a day or days or part of the day for the discussion of the Motion of No-confidence after considering the state of business in the House. As a corollary, he observed that this rule was applicable to the Motion of Confidence in the Council of Ministers as well. He further observed that as per precedence, a Motion of Confidence in the Council of Ministers shall be given priority over other business of the House as stated in the *Practice and Procedure of Parliament* by Kaul & Shakhder (Second Edition, page 590) which states that when the leave of the House for moving a No-confidence Motion has been granted, no substantive motion on policy matters is to be brought before the House by the Government till the Motion of No-confidence has been disposed off. Leave of the House was not required to be taken for Motion of Confidence in the Chief Minister. In view of this precedence, the Speaker observed that no other business could be conducted until the disposal of the Motion of Confidence. The Speaker further observed that since the Chief Minister had stated that he would move the Motion of Confidence on 18 February 1991, the same could be taken up on that day and since there was no sufficient notice period to take up the Private Members' Business on Friday, i.e. 15 February 1991, he adjourned the House to meet on 18 February 1991 at 2.30 pm to take up vote of confidence by the Chief Minister.

Motions in different Legislative Assemblies

In the Goa State Legislative Assembly and the erstwhile Union territory of Goa, Daman & Diu Legislative Assembly, though 29 motions of both types were admitted only 21 were taken up by the House. Out of the 21 motions considered by the House, 11 were Motions of No-confidence and 10 were Motions of Confidence. Of the 11 Motions of No-confidence discussed in the House, ten motions were defeated while one motion was adopted resulting in the fall of the Government led by Shri

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1963-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Union territory of Goa, Daman and Diu Legislative Assembly			
First Legislative Assembly	09.01.1963- 03.12.1966	4	-
Second Legislative Assembly	12.04.1967- 14.03.1972	3 [⊗]	1
Third Legislative Assembly	24.03.1972- 27.04.1977	-	-
Fourth Legislative Assembly	13.06.1977- 27.04.1979	1	-
Fifth Legislative Assembly	21.01.1980- 08.01.1985	1	-
Sixth/Provisional Legislative Assembly	21.01.1985- 02.07.1987- 28.11.1989	2	-
Goa State Legislative Assembly			
First Legislative Assembly	22.01.1990- 15.12.1994	2 ^{⊗⊗}	4*
Second Legislative Assembly	13.01.1995- 10.02.1999	-	6**
Third Legislative Assembly	14.06.1999- 27.02.2002	-	5*** -
Fourth Legislative Assembly	12.06.2002- till date	-	-
Total		13	16

⊗ Motion not moved

⊗⊗ Matter not raised by the mover.

* Chief Minister resigned before the motion was taken up in the Assembly

** Chief Minister resigned a day before the motion was taken up in the Assembly (November 1998); Chief Minister resigned before the motion was taken up in the Assembly (February 1999)

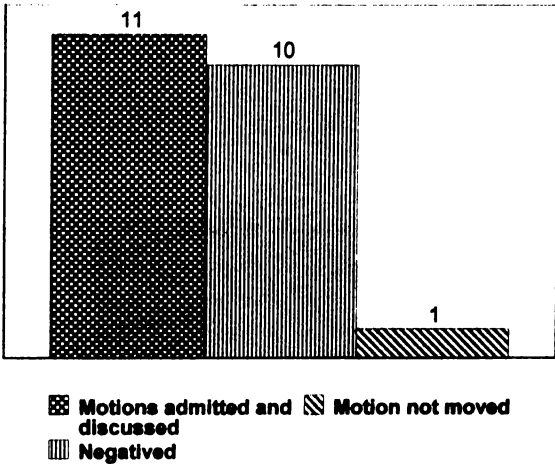
*** Motion treated as withdrawn (June 1999); Chief Minister resigned before the motion was taken up in the Assembly (November 1999); Chief Minister resigned before the motion was taken up in the Assembly (October 2000)

Table 2

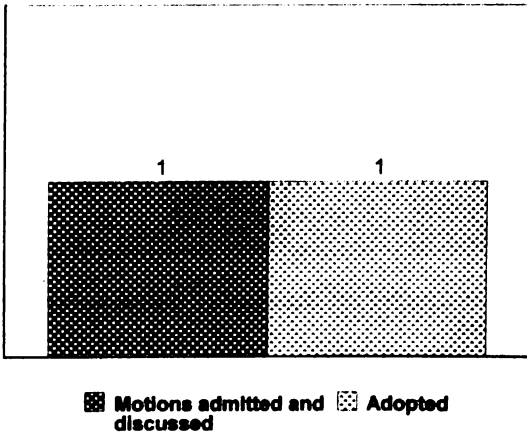
**NCMs/ CMs admitted/discussed during the tenures of different Speakers
(1963-2003)**

<i>Sl. No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Goa, Daman and Diu Legislative Assembly (UT)				
1.	Shri Pandurang P. Shirodkar	10.01.1964 - 11.04.1967	4	-
2.	Shri Gopal Apa Kamat	13.04.1967 - 23.03.1972	3	1
3.	Shri Narayan S. Fugro	24.03.1972 - 12.06.1977		
		13.06.1977 - 20.01.1980	1	-
4.	Shri Froilano Machado	21.01.1980 - 22.03.1984	1	-
5.	Shri Dayanand G. Narvekar	05.04.1984 - 20.01.1985		
		21.01.1985 - 16.09.1989	2	
Goa State Legislative Assembly				
1.	Dr. Luis Proto Barbosa	22.01.1990 - 14.04.1990	1	1
2.	Shri Surendra V. Sirsat	26.04.1990 - 04.04.1991	-	2
3.	Haji Shaikh Hassan Haroon	26.07.1991 - 15.01.1995	1	1
4.	Shri Tomazinho L. Cardozo	16.01.1995 - 14.06.1999	-	6
5.	Shri Pratapsingh Raoji Rane	15.06.1999 - 11.06.2002	-	5
6.	Shri Vishwas R. Satarkar	12.06.2002 - till date	-	-
Total			13	16

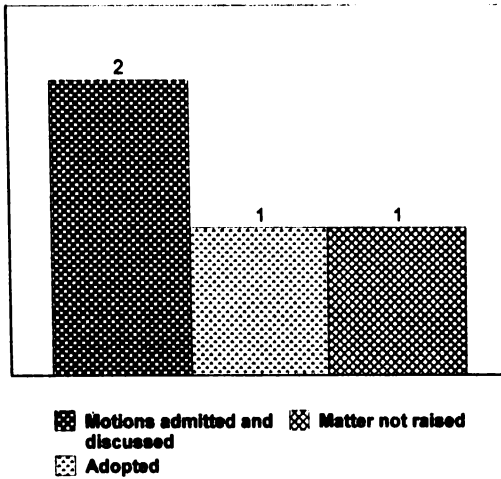
Graph I
NCMs in Goa, Daman & Diu (UT) Legislative Assembly
(1963-1989)



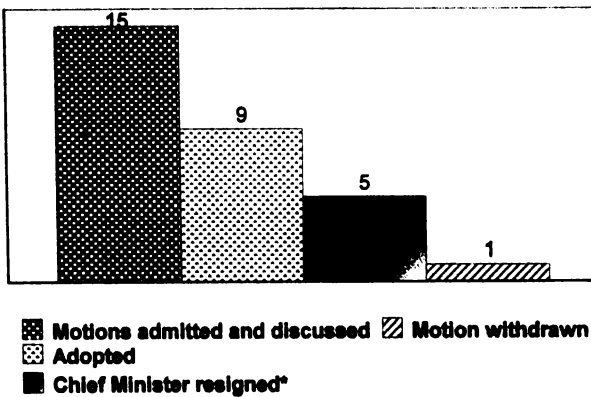
Graph II
CMs in Goa, Daman & Diu (UT) Legislative Assembly
(1963-1989)



Graph III
NCMs in Goa Legislative Assembly
(1990-2003)



Graph IV
CMs in Goa Legislative Assembly
(1990-2003)



*In December 1990; November 1998; February 1999; November 1999; and October 2000.

Table 3

**NCMs against/CMs in the Council of Ministers
(1963 - 2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Union Territory of Goa, Daman and Diu Legislative Assembly					
Dayanand B. Bandodkar (First Legislative Assembly)	Maharashtra -wadi Gomantak Party (MGP) 14/30; (46.6%)	NCM	Jack de Sequeira and Urminda Mascarenhas Lima Leitao (18)	(16.07.1964) 24.07.1964 7.35	Negated Ayes 12 Noes 16
-do-	-do-	NCM	Jack de Sequeira (9)	(18.03.1965) 25.03.1965 6.30	Negated Ayes 12 Noes 16
-do-	-do-	NCM	Jack de Sequeira and 13 other members (3)	(08.11.1965) 11.11.1965 01.00	Negated Ayes -Nil Noes -16
-do-	-do-	NCM	Jack de Sequeira (8)	(18.07.1966) 20.07.1966 3.45	Negated Ayes 13 Noes 16
Dayanand B. Bandodkar (Second Legislative Assembly)	MGP 16/30 (53.3%)	NCM	-do- (11)	(20.09.1969) 22.09.1969 03.05	Negated Ayes 12 Noes 19
-do-	-do-	CM	Dayanand B. Bandodkar (18)	20.08.1970; 21.08.1970 05.00	Adopted Ayes 17 Noes 14

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
-do-	-do-	NCM	Jack de Sequeira	20.04.1971	The mover did not move the motion for not being given sufficient time
-do-	-do-	NCM	-do- (18)	(27.09.1971) 28.09.1971 03.25	Negatived Ayes 14 Noes 16
Shashikala G. Kakodkar (Fourth Legislative Assembly)	MGP 15/30 (50%)	NCM	Anant N. Naik (10)	(13.09.1978) 18.09.1978 03.30	Negatived Ayes 13 Noes 16
Pratapsingh Raoji Rane (Fifth Legislative Assembly)	Congress(U) 20/30 (66.06%)	NCM	Ramakant D. Khalap (21)	(16.01.1984) 17.01.1984; 18.01.1984. 06.45	Negatived Ayes-12 Noes-17
Pratapsingh Raoji Rane (Sixth Legislative Assembly)	Congress(I) 18/30 (60%)	NCM	Luizinho Faleiro (26)	(31.07.1985) 06.08.1985 07.00	Negatived (Walk-out by Opposition)
Pratapsingh Raoji Rane (Provisional Legislative Assembly)		NCM	Kashinath G. Jhalmi (21)	(12.01.1988) 16.01.1988 07.10	Negatived (Walk-out by Opposition)

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Goa State Legislative Assembly					
Pratapsingh Raoji Rane (First Legislative Assembly)	Congress(I) 20/40 (50%)	CM	Pratapsingh Raoji Rane (3)	23.01.1990 01.00	Adopted by voice vote
-do-	Coalition led by Congress(I) 26/40 (65%)	NCM	Ramakant D. Khalap (4)	(26.03.1990) 26.03.1990 00.30	Adopted Ayes - 25 Noes - 0 (Chief Minister claimed he had already resigned)
Luis Proto Barbosa	Coalition of PDF & MGP	CM	Luis Proto Barbosa	10.12.1990	Chief Minister resigned before motion was taken up
Ravi S. Naik		CM	Ravi S. Naik (24)	18.02.1991 03.45	Adopted Ayes - 24 Noes - 11
Wilfred D'Souza	Congress(I) 25/40 (62.5%)	CM	Wilfred D'Souza (24)	26.05.1993 05.15	Adopted Ayes - 25 Noes - 11
-do-		NCM	Radharao Gracias	24.10.1994	Matter not raised by the mover in the House

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Pratapsingh Raoji Rane (Second Legislative Assembly)	Congress(I) led coalition 22/40 (55%)	CM	Pratapsingh Raoji Rane	16.01.1995 00.05	Adopted without discussion
-do-	-do-	CM	-do-	28.07.1998 00.43	Adopted without discussion Ayes - 16 Noes - 13 (10 members were debarred from voting)
Wilfred D'Souza	Coalition led by Goa Rajiv Congress 27/40 (67.5%)	CM	Wilfred D'Souza (3)	08.09.1998 00.20	Adopted Ayes - 23 Noes - 14
-do-		CM	-do-	26.11.1998	Chief Minister resigned on 25.11.1998
Luizinho Faleiro	Congress(I) 20/40 (50%)	CM	Luizinho Faleiro (19)	30.11.1998 04.05	Adopted Ayes - 20 Noes - 19
-do-	Congress(I) 18/40 (45%)	CM	-do-	08.02.1999	Chief Minister resigned ahead of the debate

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Luizinho Faleiro (Third Legislative Assembly)	Congress(I) 21/40 (52.5%)	CM	-do-	15.06.1999	Motion lapsed as Chief Minister did not wish to move the motion.
-do-		CM	-do-	24.11.1999	Chief Minister resigned on 24.11.1999
Francisco Sardinha	Coalition led by Indian National Congress (Sardinha) 25/40 (62.5%)	CM	Francisco Sardinha	30.11.1999 3.20 (18)	Adopted Ayes - 25 Noes - 14
-do-	-do-	CM	-do-	24.10.2000	Chief Minister resigned on 24.10.2000
Manohar Parrikar	BJP 20/40 (50%)	CM	Manohar Parrikar (12)	09.11.2000 03.50	Adopted by voice vote

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1963-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Union territory of Goa, Daman and Diu Legislative Assembly										
Pandurang P. Shirodkar	NCM	Dayanand B. Bandodkar	Jack de Sequeira & Urminda M. Lima Leitao	24.07.1964	18	07.35	24.07.1964	12	16	Negated
-do-	NCM	-do-	Jack de Sequeira	25.03.1965	9	06.30	25.03.1965	12	16	Negated
-do-	NCM	-do-	Jack de Sequeira and 13 other members	11.11.1965	3	01.00	11.11.1965	Nil	16	Negated
-do-	NCM	-do-	-do-	20.07.1966	8	03.45	20.07.1966	13	16	Negated
Gopal Apa Kamat	NCM	Dayanand B. Bandodkar	Jack de Sequeira	22.09.1969	11	03.05	22.09.1969	12	19	Negated

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	CM	-do-	Dayanand B. Bandodkar	20.08.1970; 21.08.1970	18	05.08	21.08.1970	17	14	Adopted
-do-	NCM	-do-	Jack de Sequeira	20.04.1971	-	-	-	-	-	The mover did not move the motion for not being given sufficient time
-do-	NCM	-do-	-do-	28.09.1971	18	03.25	28.09.1971	14	16	Negated
Narayan S. Fugro	NCM	Shashi- kala G. Kakodkar	Anant N. Naik	18.09.1978	10	03.30	18.09.1978	13	16	Negated
Froilano Machado	NCM	Pratap Singh Raoji Rane	Ramakant D. Khalap	17.01.1984; 18.01.1984	21	06.45	18.01.1984	12	17	Negated
Dayanand G. Narvekar	NCM	-do-	Luizinho Faleiro	06.08.1985	26	07.08	08.08.1985	-	-	Negated

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	NCM	Pratap- singh Raoji Rane	Kashinath Jhalni	16.01.1988	21	07.10	16.01.1988	-	-	Negatived
Goa State Legislative Assembly										
Luis Proto Barbosa	CM	-do-	Pratap Singh Raoji Rane	23.01.1990	3	01:00	25.01.1990	-	-	Adopted by voice vote
-do-	NCM	-do-	Ramakant D. Khalap	26.03.1990	4	00.30	26.03.1990	25	0	Adopted (Chief Minister resigned)
Surendra V. Sirsat	CM	Luis Proto Barbosa	Luis Proto Barbosa	10.12.1990	-	-	-	-	-	Chief Minister resigned
-do-	CM	Raiv S. Naik	Ravi S. Naik	18.02.1991	24	03.45	18.02.1991	24	11	Adopted
Haji Shaikh Hassan Haroon	CM	Wilfred D'Souza	Wilfred D'Souza	26.05.1993	24	05.15	26.05.1993	25	11	Adopted

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	NCM	-do-	Radharao Gracias	21.10.1994	-	-	-	-	-	Matter not raised by the mover in the House
Tomazinho Cardozo	CM	Pratap- singh Raoji Rane	Pratap- singh Raoji Rane	16.01.1995	-	00.05	16.01.1995	-	-	Adopted without discussion
-do-	CM	-do-	-do-	28.07.1998	-	00.43	28.07.1998	16	13	Adopted without discussion
-do-	CM	Wilfred D'Souza	Wilfred D'Souza	08.09.1998	3	00.20	08.09.1998	23	14	(10 members were debarred from voting) Adopted;
-do-	CM	-do-	-do-	26.11.1998	-	-	-	-	-	Chief Minister resigned on 25.11.1998
-do-	CM	Luizinho Faleiro	Luizinho Faleiro	30.11.1998	19	04.05	30.11.1998	20	19	Adopted

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	CM	-do-	-do-	08.02.1999	-	-	-	-	-	Chief Minister resigned ahead of the debate.
Pratap singh Raoji Rane	CM	-do-	-do-	15.06.1999	-	-	-	-	-	Motion lapsed as Chief Minister did not wish to move the motion
-do-	CM	-do-	-do-	24.11.1999	-	-	-	-	-	Chief Minister resigned on 24.11.1999
-do-	CM	Francisco Sardinha	Francisco Sardinha	30.11.1999	18	03.20	30.11.1999	25	14	Adopted
-do-	CM	-do-	-do-	24.10.2000	-	-	-	-	-	Chief Minister resigned before the House met on 24.10.2000
-do-	CM	Manohar Parrikar	Manohar Parrikar	09.11.2000	12	03.50	09.11.2000	-	-	Adopted by voice vote

Table 5

Lt. Governors of Goa, Daman and Diu and Governors of Goa

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
Lt. Governors		
1.	Maj. Gen. (Retd.) K.P. Candeth (Military Governor)	19.12.1961 - 06.06.1962
2.	Shri T. Sivasankar	07.06.1962 - 01.09.1963
3.	Shri M.R. Sachdev	02.09.1963 - 08.12.1964
4.	Shri Hari Sharma	09.12.1964 - 23.02.1965
5.	Shri K.R. Damle	24.02.1965 - 17.04.1967
6.	Shri Nakul Sen	18.04.1967 - 15.11.1972
7.	Shri S.K. Banerji	16.11.1972 - 15.11.1977
8.	Col. P.S. Gill	16.11.1977 - 30.03.1981
9.	Shri Jagmohan	31.03.1981 - 29.08.1982
10.	Air Chief Marshal (Retd.) I.H. Latif (Administrator)	30.08.1982 - 23.02.1983
11.	Shri K.T. Satarawala	24.02.1983 - 03.07.1984
12.	Air Chief Marshal (Retd.) I.H. Latif (Administrator)	04.07.1984 - 23.09.1984
13.	Dr. Gopal Singh	24.09.1984 - 29.05.1987
Governors		
14.	Dr. Gopal Singh	30.05.1987 - 17.07.1989
15.	Shri Khurshed Alam Khan	18.07.1989 - 17.03.1991
16.	Shri Bhanu Prakash Singh	18.03.1991 - 03.04.1994
17.	Shri B. Rachaiah (Additional Charge)	04.04.1994 - 03.08.1994
18.	Shri Gopala Ramanujam	04.08.1994 - 15.06.1995
19.	Shri Romesh Bhandari	16.06.1995 - 18.07.1996
20.	Dr. P.C. Alexander	19.07.1996 - 15.01.1998
21.	Shri T.R. Satish Chandran	16.01.1998 - 19.04.1998
22.	Lt. Gen. (Retd.) J.F.R. Jacob	19.04.1998 - 26.11.1999
23.	Shri Mohammed Fazal	26.11.1999 - 25.10.2002
24.	Shri Kidar Nath Sahani	26.10.2002 - till date

Table 6

Chief Ministers of Goa, Daman & Diu and Goa State

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Dayanand B. Bandodkar	20.12.1963 - 02.12.1966
	President's Rule	03.12.1966 - 05.04.1967
2.	Shri Dayanand B. Bandodkar	05.04.1967 - 23.03.1972
		23.03.1972 - 12.08.1973
3.	Smt. Shashikala G. Kakodkar	12.08.1973 - 07.06.1977
		07.06.1977 - 27.04.1979
	President's Rule	27.04.1979 - 16.01.1980
4.	Shri Pratapsingh Raoji Rane	16.01.1980 - 07.01.1985
		07.01.1985 - 30.05.1987
		30.05.1987 - 28.11.1989
		09.01.1990 - 27.03.1990
5.	Shri Churchill Alemao	27.03.1990 - 14.04.1990
6.	Dr. Luis Proto Barbosa	14.04.1990 - 14.12.1990
	President's Rule	14.12.1990 - 25.01.1991
7.	Shri Ravi S. Naik	25.01.1991 - 18.05.1993
8.	Dr. Wilfred D.'Souza	18.05.1993 - 02.04.1994
9.	Shri Ravi S. Naik	02.04.1994 - 08.04.1994
10.	Dr. Wilfred D.'Souza	08.04.1994 - 16.12.1994
11.	Shri Pratapsingh Raoji Rane	16.12.1994 - 29.07.1998
12.	Dr. Wildred D'Souza	29.07.1998 - 26.11.1998
13.	Shri Luizinho Faleiro	26.11.1998 - 10.02.1999
	President's Rule	10.02.1999 - 09.06.1999
14.	Shri Luizinho Faleiro	09.06.1999 - 24.11.1999
15.	Shri Francisco Sardinha	24.11.1999 - 24.10.2000
16.	Shri Manohar Parrikar	24.10.2000 - 03.06.2002
		03.06.2002 - till date

Pratapsingh Raoji Rane in March 1990. Though notices for five more Motions of No-confidence were given, two motions were not moved by the member concerned in the House; two other motions were not admitted by the Speaker and on another motion, the consent of the Speaker was withheld.

Of the 16 Motions of Confidence sought to be moved, only 10 motions were taken up by the House. Five other Motions were not taken up as the concerned Chief Minister tendered his resignation before the House met to discuss the motion. Another Motion of Confidence lapsed as the Chief Minister did not wish to move the motion. All the Legislative Assemblies discussed either of the two types of motions, except the Third Legislative Assembly of the erstwhile Union territory and the present Assembly which has not taken up any motion till December 2003. The Second Legislative Assembly of the Union territory of Goa, Daman & Diu and the First Legislative Assembly of the Goa State deliberated motions of both types.

For statistical details in respect of these motions, *see* Tables 1 to 4. A graphical presentation of the motions is available in Graphs I, II, III and IV. Tables 5 and 6 illustrate the list of Governors and Chief Ministers, respectively, of the State.

First Legislative Assembly (1963-1966)

The first General Elections to the Legislative Assembly of the Union territory of Goa, Daman and Diu, were held on 3 December 1963.

In the 30-member House, no party could get an absolute majority. The Maharashtrawadi Gomantak Party (MGP) bagged 14 seats, United Goans Party won 12 seats and the Congress Party got one seat while Independents secured three seats.

The Maharashtrawadi Gomantak Party unanimously elected Shri Dayanand B. Bandodkar as the leader of its Legislature Party on 13 December 1963 although he was not a member of the Legislative Assembly. A three-member Ministry led by Shri Bandodkar was sworn in by Lt. Governor Shri M.R. Sachdev on 20 December 1963. The ruling party was extended support by two Praja Socialist Party-sponsored Independents and three members nominated by the Lt. Governor.

The First Legislative Assembly witnessed four Motions of No-confidence.

First Motion of No-confidence

The notice for the first Motion of No-confidence was given by the Leader of the Opposition Dr. Jack de Sequeira and Smt. Urminda M. Lima Leitaç of the United Goans Party and the same was admitted by the Speaker Shri P.P. Shirodkar on 16 July 1964 who stated that it was in conformity with the requirements of Rule 274 of the Rules of Procedure and Conduct of the Business of the Goa, Daman & Diu Legislative Assembly. Dr. de Sequeira was asked to seek the leave of the House for moving the motion which was duly granted. The Speaker then announced that the motion would be taken up on 24 July 1964.

Initiating the debate on 24 July 1964, Smt. Urminda M. Lima Leitao said that though people of the territory had been waiting anxiously for reaping the fruits of a democratic Government, today they were totally disappointed and disgusted to find chaos, communalism, nepotism, negligence, maladministration, etc.

Participating in the debate, Shri Tony Fernandes, Minister of Law, said that instead of cooperating with the Government, the Opposition were only creating difficulties and distracting attention from the real developmental issues. As regards the allegations made against the Government, he said that the present Ministry had inherited many problems from the 450-year rule of the Portuguese. He observed that problems like food scarcity could be tackled only by creating an agro-industrial society in Goa, by making progress in both the agricultural and industrial sectors.

Dr. Jack de Sequeira said that the motion was brought not with a view to toppling the Government but to focus its attention on various shortcomings. He further said that as a goodwill gesture, he would request the permission of the House to withdraw the Motion of No-confidence.

In his reply to the debate, the Chief Minister Shri Dayanand B. Bandodkar rebutted the charges levelled against his Government.

In all, 18 members participated in the seven hours and thirty-five minutes long debate.

Dr. Jack de Sequeira then sought the leave of the House to withdraw the motion. At this, the Speaker Shri Shirodkar asked whether the House had given leave for its withdrawal. Smt. Urminda M. Lima Leitao pointed out that the motion was being withdrawn as some members of the Treasury Benches had asked for its withdrawal. Another member Shri Erio Pimenta stated that some of the ruling party members had no confidence in the Chief Minister.

The Speaker ruled that the motion would be put to vote even if one member did not grant leave for its withdrawal. The motion was declared lost with 16 members voting against and 12 voting in favour.

Second Motion of No-confidence

Another No-confidence Motion was moved in the Legislative Assembly on 25 March 1965 by the Leader of the Opposition Dr. Jack de Sequeira of the United Góans Party against the fourteen-month-old Ministry headed by Shri Dayanand B. Bandodkar. The leave of the House for moving the motion was granted on 18 March 1965. The motion was taken up for discussion on 25 March 1965.

The debate was on party lines. While the Opposition members criticized the Government for various commissions and omissions, the ruling party members spoke in defence of the Government.

Taking part in the debate, the Chief Minister Shri Bandodkar said that instead of raising relevant issues during the debate, a few members had chosen to personally

criticize him. Referring to the issue of the civil supplies, he said that the State Government was receiving more quota than other States and said that the Government had decided to constitute a vigilance committee to prevent black marketing and assured the House that the Opposition members would also be there on this Committee. He said that the opposition was criticizing for the sake of Opposition and requested them to cooperate with the Government in providing good governance.

In all, 9 members took part in the 6 hours and 30 minutes-long debate. In the voting held thereafter, 12 members voted in favour of the motion, while 16 members voted against it. The motion was accordingly negated.

Third Motion of No-confidence

The Chief Minister Shri Dayanand Bandodkar faced the third Motion of No-confidence on 11 November 1965. Leave was granted on 8 November 1965 for moving two Motions of No-confidence in the MGP Ministry. While one motion was tabled by Shri S.M. Paliengar and Shri Dattaram Desai of the ruling party, the other motion was tabled by the Opposition leader Dr. Jack de Sequeira and eleven others of the UGP. For the first time, a Motion of No-confidence had been tabled in the Legislative Assembly by the members belonging to the ruling party itself.

However, subsequently, Shri Dattaram Desai declined to move the motion, while the second signatory to the motion, Shri S.M. Paliengar was not in the House. Accordingly, the motion moved by the Leader of the Opposition Dr. de Sequeira was taken up for discussion on 11 November 1965.

Participating in the debate, the Chief Minister Shri Bandodkar said that in view of the prevailing conditions of short supply of foodgrains, it was necessary to make proper use of the quota available and to take precautionary measures. He called upon the Opposition to strengthen the hands of the Government in this regard. As regards the issue of deputationists, he said that people had to be brought on deputation in order to run the administration; besides, these deputationists were also from our own country. He then requested the members to defeat the motion.

In all, 3 members took part in the debate lasting one hour. All the members of the Opposition United Goans Party walked out of the House after the speech of their leader, Dr. de Sequeira. The motion was then put to vote which was lost by 16 votes to nil.

Fourth Motion of No-confidence

The fourth and the last Motion of No-confidence in the First Legislative Assembly was taken up on 20 July 1966.

On 18 July 1966, the Speaker Shri P.P. Shirodkar announced in the Legislative Assembly of having received a notice of Motion of No-confidence under Rule 274 from the Leader of Opposition Dr. Jack de Sequeira (UGP) and asked him to seek the

leave of the House. Dr. de Sequeira then sought the leave of the House for moving the motion which was granted. The Speaker fixed 20 July 1966 for deliberating the motion.

Initiating the debate, Dr. de Sequeira accused the Government of failure to resolve the demands of the Government employees thereby forcing them to strike work and to maintain essential services during the strike period. He also accused the Chief Minister of his wilful absence during the strike period, and for showing nepotism and favouritism. Dr. de Sequeira also wanted to know as to why the Government which knew about the strike did not take any measures to counteract it. Referring to the number of deputationists in the Union territory, Dr. de Sequeira observed that only highly qualified and efficient people who were not available locally should be brought in into the administration.

Participating in the debate, the Chief Minister Shri Dayanand Bandodkar said that the same old allegations had been levelled against the Government for which the Government had replied earlier. Referring to the employees who resorted to strike, he said they were meant for the people and not *vice versa* and added that a committee had been constituted to look into their demands.

In all, eight members participated in the three hours and forty-five minutes long debate. Thereafter, the motion was put to vote by way of division. While 16 members voted against the motion, 13 members voted in favour of it. The motion was accordingly declared lost.

The Union territory of Goa, Daman and Diu was placed under President's Rule and the Legislative Assembly was dissolved on 3 December 1966 to ensure free and fair conduct of an opinion poll in Goa to decide upon the merger of the territory of Goa with Maharashtra and Daman & Diu with Gujarat. The three territories also had the option to continue as a Union territory.

In the opinion poll held on 15 January 1967, the people of Goa, Daman and Diu voted to remain a Union territory.

Second Legislative Assembly (1967-1972)

Just after two months of giving their vote in the opinion poll, the people of the Union territory went to the polls to elect the Second Legislative Assembly.

In the elections, the Maharashtrawadi Gomantak Party led by Shri Dayanand Bandodkar was returned to power with absolute majority by winning 16 seats in the 30-member House. The United Goans Party led by Dr. de Sequeira won 12 seats. Shri Bandodkar was once again elected as the leader of the MGP Legislature Party. A four-member Ministry headed by Shri Bandodkar was sworn in by the Lt. Governor Shri K.R. Damle on 5 April 1967.

In the Second Legislative Assembly, though, in all, four notices were given by the Opposition expressing want of confidence in Shri Bandodkar's Government,

only two motions were taken up for discussion in the House - the first one on 22 September 1969 and the second one on 28 September 1971. In respect of one No-confidence Motion, the Speaker, Shri Gopal Apa Kamat withheld his consent; when the other No-confidence Motion was taken up for debate on 20 April 1971, the mover Dr. de Sequeira chose not to move the motion saying that the time allotted by the Speaker for the debate was not sufficient.

Thus, two Motions of No-confidence were moved and debated in the Second Legislative Assembly. Besides, one Motion of Confidence was also moved by the Chief Minister.

First Motion of No-confidence

The MGP Ministry led by Shri Bhandodkar faced its fifth Motion of No-confidence and first such motion in the Second Legislative Assembly on 22 September 1969 for which leave of the House was granted on 20 September 1969 to Dr. Jack de Sequeira of the UGP.

On 22 September 1969, Dr. de Sequeira moved a one-line motion expressing want of confidence in the Council of Ministers. Initiating the debate, he said that a good test to judge any Government was to measure what they promised to do against what they managed to do. This Government, he said, had promised plenty, attempted little and achieved almost nothing. Dr. de Sequeira drew the attention of the House to three schemes which the Government had promised, *viz.* the Mandovi bridge, the sewage and sewerage scheme and water supply. As regards the Mandovi bridge, he said, though the foundation stone was laid in 1963 and the work started in 1964, the bridge was now in a condition of abandon. Insofar as the water supply scheme was concerned, he observed that though the new treatment plant at Opa, which was inaugurated by the Prime Minister, was supposed to supply 2.5 million gallons of water from 10 September 1969, there had been no water supply. About the sewage and sewerage scheme, he said, it should have been completed in 1965; till today, the scheme remained unimplemented.

Taking part in the discussion, Shri G.G. Mayekar replied to some specific points raised by Opposition leaders. With regard to the delay in the completion of the Mandovi bridge, he said this was due to miscalculation of time required to complete the project and delay in sanctioning of the required foreign exchange. Regarding the sewage and sewerage treatment plant in the city of Panaji, he said this had been completed long back. There were certain difficulties in getting electrical connection to the pumping stations. As soon as the electric connections were given, the problems would be solved. Refuting the charges of water scarcity, Shri Mayekar said that after the laying of the new pipe line, water supply was very regular and occasions of failing of water supply were definitely on the decrease.

Participating in the debate, the Chief Minister Shri Dayanand Bandodkar said that he did not understand the reasons behind bringing this motion. As regards the allotment of works to outside contractors, he said it was very difficult to find local contractors for works like construction of hospitals, high schools, roads and bridges, etc. He also spoke of the initiatives being taken by his Government to solve the unemployment situation and urged the Opposition to help the Government in this regard. He denied all allegations levelled against his Government and requested that the motion be defeated.

The motion was debated for three hours and five minutes in which 11 members participated. Thereafter, voting was held by way of division by standing in which 12 members stood in favour and 19 members against the motion. The motion was defeated.

Motion of Confidence

For the first time in the history of the Legislative Assembly, a notice seeking a vote of confidence in the Council of Ministers was given by the Chief Minister in August 1970. Another motion was also proposed to be moved by the Leader of the Opposition Dr. Jack de Sequeira and six others expressing no confidence in the Council of Ministers.

The Speaker Shri Kamat withheld his consent to the motion tabled by Dr. Jack de Sequeira and other members and ruled that he had admitted the notice of the motion given by the Chief Minister Shri Bandodkar seeking vote of confidence of the House in the Council of Ministers headed by him. The Speaker also observed that the two motions - one expressing confidence and the other expressing want of confidence - did not admit of different or unequal scope or opportunity for discussion. He further observed that if the two motions had the same or similar wording, the names of the movers would have been called in the order shown in the bracket, but only one of them would have been allowed to move the motion. Although the two motions were exactly on the same matter, they were worded in opposing terms and, therefore, the bracketing of the names of the two movers was not possible and also would not be fair to either of them.

In respect of the notice of the amendment proposed to be moved by Dr. Jack de Sequeira to the motion tabled by the Chief Minister, the Speaker observed that both were in order and had been circulated. Hence, the admission of the motion tabled by Dr. Sequeira and others was superfluous and unnecessary, and, if admitted, could create unnecessary and avoidable difficulties of procedure.

Further, the Speaker observed that the problem would be whether the two motions should be taken up simultaneously or separately and which of them should be taken up first, if they were to be taken up separately. As there were two motions, any member might like to speak on either of them at different times. Further, it would

not be possible to put the two motions to vote simultaneously or separately as the result of either of the two motions would make the other completely superfluous. The Speaker, therefore, ruled that he was withholding consent to the Motion of No-confidence tabled by the Leader of the Opposition Dr. Jack de Sequeira and other members.

At this, Dr. Jack de Sequeira, while requesting the Speaker to reconsider the matter, said that the power of admitting a Motion of No-confidence did not vest in the Speaker but in the House as the Speaker could only see if the motion was in order or not. The vote of confidence which had been moved by the Chief Minister was under the general rule of motion, which did not have a specific clause dealing with Motion of Confidence, whereas the Motion of No-confidence was under a specific rule. It was only the House, he stressed, that could decide as to whether the motion should be admitted or not. If the motion tabled by him and other colleagues was not allowed, it would tantamount to denial of a right which otherwise was permitted as per the law, rules and procedure.

At this, the Speaker said that the ruling of the Speaker was not subject to any discussion in the House. The Speaker said that this time, the discussion on the motion would take place on 20 and 21 August 1970.

The Chief Minister Shri Bandodkar then moved the motion expressing confidence of the House in his Council of Ministers. While moving the motion, he said that they worked in the House as the representatives of the people. He also reminded the members that they had come to achieve a certain goal and urged them to think of the progress of the territory. He hoped that the Opposition members would be with him in developing the territory.

The Leader of the Opposition, Dr. de Sequeira, in his amendment to the motion, regretted that the Ministry had wilfully neglected the development of certain areas in the Union territory, including Daman and Diu. The amendment also regretted that inefficiency and corruption at the ministerial level had resulted in a completely ineffective and lax administration of the territory. Dr. de Sequeira listed several failures of the Government such as its failure to concentrate on development and achieve Statehood for Goa; its failure to encourage development of Konkani language and allocate sufficient funds for the progress of Daman and Diu; and its failure to institute judicial inquiry into serious charges made against misuse of the ministerial office for personal gains. He also accused the Government of not bringing forward a comprehensive land reforms legislation.

Taking part in the debate, the Chief Minister Shri Bandodkar refuted the allegations and said that the Government was trying its level best to fulfil the promises made to the people and towards that end, his Government would work seriously.

The Motion of Confidence was debated for five hours spread over two days on 20 and 21 August 1970 in which 18 members took part. The amendment to the

motion, which was moved by Dr. de Sequeira, was put to vote and was defeated. Thereafter, the Motion of Confidence was also put to vote by division by standing. While 17 members favoured the motion, 14 members opposed it. The motion was declared carried.

Second Motion of No-confidence

The Speaker Shri Gopal Apa Kamat admitted another Motion of No-confidence on 20 April 1971 as it met the requirements of Rule 274 of the Rules of Procedure and Conduct of Business and allotted three hours for the debate. The Opposition, however, felt that the time given was not sufficient. The Leader of the Opposition Dr. Jack de Sequeira wanted two days' time and said that he was not moving the motion because sufficient time was not given and also in protest against transferring of the business fixed for the day to the next day. At this, the Speaker Shri Kamat observed that Dr. de Sequeira did not want to move the motion and went ahead with the other business before the House.

Third Motion of No-confidence

The last Motion of No-confidence against the Bandodkar Ministry was taken up by the House in September 1971.

On 27 September 1971, the Speaker Shri Kamat announced in the House that he had received from Dr. Jack de Sequeira and other members, a notice of a motion expressing want of confidence in the Council of Ministers. Leave of the House was granted on the same day as more than seven members rose in support of the motion. The motion was taken up for discussion on 28 September 1971.

Initiating the debate, Dr. Jack de Sequeira said that the Chief Minister, who was also the Leader of the House, was under a cloud of suspicion because he had against him charges levelled by his former colleagues and MLAs. Dr. de Sequeira pointed out that the Centre had nominated a judge of the Punjab and Haryana High Court to look into certain charges against the Chief Minister. He expressed the view that even after this, Shri Bandodkar was still sitting in the House as Chief Minister and Leader of the House. This was an affront to the Legislature. He should have resigned from the post until such time as he was either proved guilty or exonerated as innocent. Dr. de Sequeira demanded full-fledged Statehood for Goa saying that it would be in fulfilment of the aspirations voiced by the people.

Opposing the motion, Shri N.S. Fugro (Independent) observed that criticism should always be advanced in a manner which might be beneficial to the public and it should always be constructive and not destructive. He complimented the Government for implementing various schemes for the benefit of the public of Diu.

In all, 18 members took part in the debate spanning 3 hours 25 minutes.

The motion was thereafter put to vote. Dr. de Sequeira demanded division. When the division by standing was taken, 14 members rose in support and 16 members against the motion. The Motion of No-confidence was accordingly defeated.

Shri Dayanand Bhandodkar was again sworn in as the Chief Minister on 23 March 1972 when his party returned to power in the third General Elections held in March 1972.

With the passing away of Shri Bhandodkar on 12 August 1973, Smt. Shashikala Kakodkar was sworn in as the Chief Minister on the same day, i.e. 12 August 1973.

No Motion of Confidence or No-confidence was taken up by the Third Legislative Assembly.

Fourth Legislative Assembly (1977-1979)

In the elections held to the Fourth Legislative Assembly in 1977, the Maharashtrawadi Gomantak Party won 15 seats in the 30-member House, while the Congress Party secured 10 seats, and the Janata Party and Independents, respectively, got three and two seats.

A four-member Maharashtrawadi Gomantak Party Ministry headed by Smt. Shashikala Kakodkar was sworn in by the Governor Shri S.K. Banerji on 7 June 1977.

One Motion of No-confidence was taken up in the Fourth Legislative Assembly.

Motion of No-confidence

Smt. Kakodkar faced the No-confidence Motion on 18 September 1978. The motion stood in the name of Shri Anant N. Naik (Congress), leave for which was granted on 13 September 1978 and the debate was fixed for 18 September 1978.

Initiating the debate, Shri Anant N. Naik said that even the poor people had to pay tax for travelling to Bombay by bus. Besides the tyres and cement scams, there was malpractice in issuing tenders, etc. He also alleged that the land legislation was faulty. He appealed to the members not to let the Government remain in power and demanded elections.

Intervening in the debate, the Chief Minister Smt. Shashikala Kakodkar denied the allegations made against her Government by the Opposition.

The motion was debated for three and a half hours in which 10 members took part. In the voting held thereafter, the motion was defeated by 16 votes to 13.

In April 1979, the MGP Government lost its majority. Based on the report of the Lt. Governor that no stable Ministry was possible in the State, President's Rule was imposed and the Legislative Assembly was dissolved.

Fifth Legislative Assembly (1980-1985)

In the mid-term elections to the Fifth Legislative Assembly held in January 1980, the Congress(U) won an absolute majority by winning 20 seats. The Maharashtrawadi Gomantak Party secured seven seats and Independents won three

Twenty-one members took part in the seven hours and ten minutes long debate. The Opposition members demanded that the voting be conducted by secret ballot. The Opposition's demand was rejected by the Speaker Shri Narvekar and at this the entire Opposition staged a walk-out. The Speaker then declared that the motion was defeated.

First Legislative Assembly of the State of Goa (1990-1994)

Elections were held to the 40-member House in November 1989. Both the Congress(I) and the MGP secured 18 seats each. Independents won two seats while election in two seats was countermanded. The stalemate ended when the results of the two countermanded seats were declared, which went in favour of the Congress(I) raising its strength to 20.

Shri Pratapsingh Raoji Rane of the Congress(I) was sworn in as the Chief Minister on 9 January 1990. Shri Rane was directed by the Governor to prove his majority on the floor of the House within a month. Dr. Luis Proto Barbosa of the Congress (I) was elected Speaker on 22 January 1990 and Shri Simon Peter D'Souza was elected Deputy Speaker.

The First Legislative Assembly of the Goa State took up three Motions of Confidence and one Motion of No-confidence. Another Motion of No-confidence, though admitted, was not moved by the member in October 1994. In another case, the Chief Minister resigned on 10 December 1990 before a Motion of Confidence was to be taken up by the House.

First Motion of Confidence

On 23 January 1990, the Chief Minister Shri Pratapsingh Raoji Rane wanted to move the motion seeking confidence in his Council of Ministers. However, Opposition members Shri Ramakant D. Khalap and Dr. Kashinath G. Jhalmi and others protested saying that they needed time to speak on the motion and urged the Speaker to take up the motion the next day or to extend the debate to the next day. Dr. Jhalmi said that sufficient notice had not been given to them. However, the Speaker Dr. Barbosa ruled that the motion was before the House and called upon the member to speak. At this, Shri Khalap registered his protest and announced that they were walking out of the House.

The Chief Minister who initiated the debate on the motion said that it was very rarely that the Government asked for a vote of confidence in the Ministry. It was the bounden duty of the Opposition to cooperate with the Chair and the House and to follow the business before the House. Instead of taking part in the debate, the Opposition had walked out as usual. The Chief Minister urged the members to pass the motion.

Two other members also spoke during the one hour long debate.

In his reply, the Chief Minister said they had just taken over the reins of the Government. The Government would look into the difficulties of individual areas of the State and expressed the confidence that the State would prosper in the next five years under the Congress(I) rule with proper plans and scientific development. The motion, when put to vote, was carried.

However, within two months, Shri Rane's Government faced a crisis as seven Congress(I) MLAs led by the Speaker Dr. Luis Proto Barbosa withdrew their support to the Ministry on 24 March 1990. The rebel Congress(I) MLAs formed the Goan People's Party (GPP) and aligned with the Opposition Maharashtrawadi Gomantak Party. This new alliance was christened as the Progressive Democratic Front. One Motion of No-confidence was moved against the Ministry headed by Shri Pratapsingh Raoji Rane on 26 March 1990.

First Motion of No-confidence

The No-confidence Motion stood in the name of Shri Ramakant D. Khalap who was granted leave of the House amidst interruptions on 26 March 1990 and on the same day, the motion was taken up for discussion.

The Chief Minister Shri Rane then displayed his letter of resignation, and said that since he had resigned from the office, there was no business before the House as there was no Government.

Amidst interruptions, Shri Khalap asked for the leave of the House which was granted as 25 members rose in support of the motion and the motion was taken up for debate by suspending the Question Hour.

Initiating the debate, Shri Khalap said that he did not desire to add anything to the words of the motion which he had moved already. He observed that the requirement of the motion had been further underlined by the behaviour of the Chief Minister and the Treasury Benches which was unruly, undemocratic, contemptuous and loathsome, and requested the House to pass the motion in one voice.

Three other members participated in the discussion which lasted half an hour. Thereafter, the motion was put to vote when Dr. Jhalmi and Shri Ravi Naik claimed division. 25 members favoured the motion. The Motion of No-confidence against the Rane Ministry was carried.

The Chief Minister Shri Pratapsingh Raoji Rane tendered the resignation of his Ministry. The following day, a ten-member PDF Ministry headed by Shri Churchill Alemao was sworn in by the Governor Shri Khurshed Alam Khan as an interim arrangement. Shri Alemao relinquished office on 14 April 1990. On the same day, Dr. Luis Proto Barbosa, who was the original choice for the Chief Minister of the PDF, was sworn in as the Chief Minister.

Shri Surendra Sirsat, an MGP member, was elected the new Speaker on 26 April 1990 in place of Dr. Barbosa who demitted the office of Speaker on 14 April 1990.

Second Motion of Confidence

On 4 December 1990, the Maharashtrawadi Gomantak Party pulled out of the coalition Ministry led by Dr. Barbosa. Following this, the Governor asked Dr. Barbosa to prove his majority on the floor of the House.

The Chief Minister, Dr. Luis Proto Barbosa, however, resigned on 10 December 1990 before the start of the Assembly Session, which was specially convened to allow him to seek a vote of confidence. On the same day, the Speaker announced in the House that he had received a communication from the Governor stating that the Chief Minister had resigned. The Motion of Confidence by Dr. Barbosa, therefore, did not come up before the House. President's Rule was imposed in the State on 14 December 1990 and the Legislative Assembly was kept under suspended animation.

Meanwhile, the Opposition Maharashtrawadi Gomantak Party split with Shri Ravi Naik forming his own group and claiming that he had the support of other parties and groups in the Legislative Assembly. The Governor Shri Khurshed Alam Khan invited Shri Naik to form the next Government and gave him three weeks to prove his majority on the floor of the House. The President's Rule, which was imposed on 14 December 1990, was revoked with the swearing in of Shri Ravi Naik as the Chief Minister on 25 January 1991.

On 15 February 1991, the Speaker, Shri Surendra Sirsat, on a petition filed by the MGP in January 1991 seeking disqualification of Shri Ravi Naik and others, disqualified Shri Naik and two of his Cabinet colleagues under the Anti-defection Law. Shri Naik, however, refused to resign.

Third Motion of Confidence

On 18 February 1991, as per the Governor's directive, a Motion of Confidence in the Ravi Naik Ministry was taken up by the House. The motion was moved by the Chief Minister Shri Naik. The Speaker then announced that the motion was before the House and asked if anybody would like to speak. At this, the MGP leader Shri Ramakant Khalap pointed out that the mover of the motion would normally speak, giving reasons for moving such motion. The Speaker observed that this was a special type of motion as there was no provision for a Confidence Motion in the Council of Ministers in the Rules of Procedure and ruled that the Chief Minister would reply afterwards.

Initiating the debate on the motion, Dr. Kashinath G. Jhalmi (MGP) said that it was for the first time in history that a Chief Minister and other disqualified members were present in the House, that too to seek its trust. Expressing confidence in the Chief Minister, another member, Haji Shaikh Hassan Haroon hoped that this Ministry would do well. Shri Dominic Fernandes, while supporting the Government, felt that it was high time that the elected representatives realized that they had to give a better, efficient, sincere and honest Government to the people.

In his reply to the debate, the Chief Minister Shri Ravi Naik said that he had the support of the people because the Opposition did not do anything for them while in power. He said he always worked for the poor people and that he did it with love for them. At the end, he requested all to be united in the interest of Goa and for developing all the constituencies evenly and for the betterment of Goa.

In all, 24 members took part in the debate lasting 3 hours and 45 minutes. At the end, Dr. Wilfred D' Souza and Dr. Kashinath Jhalmi demanded division. In the division by standing, 24 members supported the motion and 11 opposed it. The motion was carried.

Meanwhile, the Deputy Speaker Shri Prakash Shankar Velip was voted out of office on 25 February 1991 when a Congress sponsored No-trust Motion against him was carried by the House for indulging in party politics. The Speaker Shri Surendra Sirsat was also voted out on 4 March 1991, when a Motion of No-confidence was passed against him by 23 to 12 votes. Haji Shaikh Hassan Haroon of the Congress(I) was elected Speaker on 26 July 1991. Earlier, on 27 February 1991, Shri Simon Peter D'Souza was elected the Deputy Speaker.

Shri Ravi Naik resigned as Chief Minister on 18 May 1993 following the 14 May 1993 order of the High Court of Judicature at Bombay (Goa Bench) which rejected a writ petition challenging the disqualification order of the then Speaker Shri Surendra Sirsat against Shri Naik. Even while the Supreme Court granted an interim stay of operation of the order of the High Court of Judicature at Bombay (Goa Bench), the Apex Court clarified that the order would not entitle Shri Naik to become either Chief Minister or being a member of the Council of Ministers in the State. (Subsequently, the Supreme Court, in its judgment of 9 February 1994, set aside the judgment of the High Court of Judicature (Goa Bench) of 14 May 1993 disqualifying Shri Ravi Naik, MLA, under the Anti-defection Law.)

Consequent upon the resignation of Shri Ravi Naik, an eleven-member Congress Ministry headed by Dr. Wilfred D' Souza, who was the Deputy Chief Minister in the outgoing Ravi Naik Ministry, was sworn in by the Governor Shri Bhanu Prakash Singh on 18 May 1993. On 3 June 1993, the five-member Goan People's Party merged with the Congress(I).

Fourth Motion of Confidence

The fourth Motion of Confidence was taken up by the House on 26 May 1993.

The motion, expressing confidence in the Council of Ministers headed by Dr. Wilfred D'Souza, was moved by the Chief Minister himself

The Speaker described the motion as a special type of motion moved for a specific purpose to determine the strength of the Government. He said there were no rules governing such type of motions in the Rules of Procedure of the Legislative Assembly. However, there were conventions as similar motions were moved in the past, viz. on 20 August 1970, 23 January 1990 and 18 February 1991.

Opposing the motion, Shri R.D. Khalap said that the Chief Minister had cleverly worded the motion, putting the onus on the House. Referring to the alleged remark by the Chief Minister that he would review the decisions of the previous Ministry of Shri Ravi Naik, Shri Khalap said except for three members, it was the same Cabinet which was functioning for the last two and a half years. He questioned how the Chief Minister could review the decision of the previous Government of which he was a part. Not a single member of the Council of Ministers had any moral or legal authority to continue in office, he said.

Replying to the debate, the Chief Minister said that in a democracy, a Government would change and some others would be called upon to form a new Government and this was such an occasion. He urged all members to join together to do good to the people and requested all to cooperate with the Government and to support and vote with the Government.

Twenty-four members took part in the debate spanning 5 hours and 15 minutes. Dr. Kashinath Jhalmi claimed division. In the voting held thereafter, the motion was declared carried with 25 members voting in favour while 11 members voted against the motion.

Within a year, the State once again witnessed swift political developments. Five Ministers of the Wilfred D'Souza Ministry sent in their resignations on 1 April 1994 to the Congress(I) President, Shri P.V. Narasimha Rao, protesting against the functioning of the Chief Minister.

On 2 April 1994, the Governor Shri Bhanu Prakash Singh dismissed the Ministry of Dr. D'Souza. Shri Ravi Naik was sworn in as the new Chief Minister. Shri Naik, however, resigned within two days on 4 April 1994 following the directive from the party high command. Dr. Wilfred D'Souza was once again sworn in as the Chief Minister on 8 April 1994.

Second Motion of No-confidence

A notice for Motion of No-confidence against the Dr. D'Souza Ministry given by Shri Radharao Gracias was admitted in October 1994. The date for discussion of the motion was also fixed. However, the matter was not raised by the member in the House on 24 October, the day it was to be taken up.

Second Legislative Assembly (1995-1999)

The elections held to the Second Legislative Assembly in November 1994 produced a hung Assembly with no party getting an absolute majority. In the 40-member House, the Congress(I) emerged as the single largest party securing 18 seats; MGP got 12 seats, BJP obtained 4 seats and the United Goans Democratic Party and Independents won 3 seats each.

Shri Pratapsingh Raoji Rane, who was elected Leader of the Congress(I) Legislature Party on 13 December 1994, was sworn in as the Chief Minister on 16

December 1994 and was given one month's time by the Governor to prove his majority on the floor of the House. Meanwhile, on 12 January 1995, four members belonging to the MGP left the party and extended their support to the Rane Government.

In all, six Motions of Confidence were considered by the Second Legislative Assembly. No Motion of No-confidence was taken up during the period.

First Motion of Confidence

As directed by the Governor, a Motion of Confidence was taken up on the last day of the one-month period given by the Governor to Chief Minister, Shri Pratapsingh Raoji Rane, i.e. on 16 January 1995. Opposition members belonging to the MGP and BJP boycotted the proceedings of the House. The vote of confidence in the Council of Ministers headed by Shri Pratapsingh Raoji Rane was carried within five minutes without any discussion.

The three and a half year old Rane Government faced a crisis on 27 July 1998 when 10 MLAs, including five Ministers, led by the Deputy Chief Minister Dr. Wilfred D'Souza revolted against the party and formed a separate political party, the Goa Rajiv Congress. Dr. D'Souza also staked claim to form an alternative Government with the support of the MLAs belonging to the MGP and the BJP.

The Chief Minister, Shri Rane, however, said that he would prove his majority on the floor of the House and claimed that he had recommended the dismissal of these five Ministers.

The leader of the newly formed Goa Rajiv Congress called on the Governor Lt. Gen. (Retd.) J.F.R. Jacob to stake his claim to form a new Government with the support of the Opposition BJP and the MGP and said that he had submitted a list of ten MLAs, including five Ministers, led by him under the banner of the new party to the Speaker Shri Tomazinho Cardozo and requested for a separate seating arrangement for them in the House. Meanwhile, the Speaker issued an interim order on a petition restraining 10 Congress legislators from taking part in the proceedings.

Following this development, the Rane Government was reduced to a minority. The Governor directed the Speaker to instruct the Chief Minister to seek a vote of confidence in his Government on 28 July 1998 as the first agenda item.

Second Motion of Confidence

On 28 July 1998, when the House reassembled to take up the Motion of Confidence in the Council of Ministers headed by Shri Pratapsingh Raoji Rane, there were frequent interruptions in the House which continued despite the requests by the Speaker to maintain calm and discipline in the House. Some members rushed to the well of the House which forced the Speaker to adjourn the House for 10 minutes.

Before the motion was to be moved, the Speaker announced that he had given an order restraining 10 members, who were earlier disqualified under the Anti-

defection Law, from participating in the proceedings of the House from 28 July 1998. However, the ten members did not leave the House. As the interruptions continued, the Speaker ordered the ten members to go out of the House and subsequently ordered the Marshals to escort those ten members out of the House.

Thereafter, amidst interruptions, the Speaker asked the Chief Minister to move the Motion of Confidence. Meanwhile, the ten members were restrained from participating in the proceedings of the House.

The Chief Minister Shri Rane then moved the motion expressing confidence in the Council of Ministers. The motion was taken up for voting without any debate. The Speaker asked members to rise in favour or against the motion. 16 members stood up in favour of the motion while 23 members rose against the motion. The Speaker announced that as per the ruling given by him, 10 members having been debarred from voting, the effective voting against the motion was to be taken as 13 and declared that the motion was carried by 16 to 13 votes.

On 29 July 1998, the Governor, Lt. Gen. (Retd.) J.F.R. Jacob dismissed the Rane Government. Dr. Wilfred D'Souza was sworn in as the new Chief Minister the same day. The Governor also directed Dr. D'Souza to prove his majority on the floor of the House. The coalition Ministry led by Dr. D'Souza comprised his own party, the Goa Rajiv Congress (GRC), the MGP and the BJP.

On 14 August 1998, the Speaker Shri Tomazinho Cardozo disqualified the Chief Minister and nine other MLAs of the Goa Rajiv Congress in response to petitions filed by the former Chief Minister Shri Rane and others, seeking their disqualification under the Anti-defection Law. However, on 18 August 1998, a Division Bench of the Panaji Bench of the Bombay High Court, while dismissing the petition of the former Chief Minister Shri Pratapsingh Raoji Rane challenging the dismissal of his Government, stayed the disqualification order of Speaker Shri Cardozo against Dr. D'Souza and 9 other MLAs of the Goa Rajiv Congress. On 19 August 1998, the Governor gave a three-week extension to the Chief Minister to prove his majority on the floor of the House. On 7 September, 1998 the Panaji Bench of the Bombay High Court quashed the order of Speaker Shri Cardozo disqualifying Dr. D'Souza.

Third Motion of Confidence

As per the Governor's directive, a motion seeking confidence of the House in the Dr. Wilfred D'Souza Ministry was moved on 8 September 1998.

The debate lasted 20 minutes. In all, 3 members participated in the debate at the end of which Shri Pratapsingh Raoji Rane [(Congress(I)] demanded division. The Chief Minister Dr. D'Souza won the vote of confidence by 23 to 14 votes.

Fourth Motion of Confidence

Within two and a half months of winning this vote of confidence, the D'Souza

Government faced a crisis with the resignation of three Ministers belonging to the Goa Rajiv Congress. The Goa Rajiv Congress subsequently split on 20 November 1998 when four members, including one Minister, rejoined the Congress(I).

Subsequently, as per the directive of the Governor, a Motion of Confidence was tabled by the Chief Minister Dr. Wilfred D'Souza. The motion was admitted and fixed for discussion on 26 November 1998.

Incidentally, a notice for a Motion of No-confidence was given by a member Smt. Victoria Fernandes against the D'Souza Ministry on 25 November 1998. However, the notice was not admitted by the Speaker Shri Cardozo as there was already a Motion of Confidence in the Council of Ministers which was fixed for discussion on 26 November 1998. Following certain political developments, Dr. D'Souza resigned from the Chief Ministership on 25 November 1998, a day before he was to seek the vote of confidence of the House.

Consequent to the resignation of Dr. D'Souza, the Leader of the Congress Legislature Party, Shri Luizinho Faleiro staked his claim to form the next Government. Shri Faleiro was sworn in as the new Chief Minister on 26 November 1998. He was directed by the Governor to prove his majority on the floor of the House within four days.

Fifth Motion of Confidence

As per the directive of the Governor, the Motion of Confidence was taken up by the Legislative Assembly on 30 November 1998. The motion was moved by the Chief Minister, Shri Luizinho Faleiro.

Dr. Kashinath G. Jhalmi, while referring to the Chief Minister Shri Luizinho Faleiro's call for help and cooperation from members, said that they were ready to cooperate provided the present Government ruled properly. He disagreed with the statement made by the Chief Minister that the Congress Party had the people's mandate. Dr. Jhalmi wanted to know as to what type of mandate it was when the Congress Party had won only 18 seats whereas the Opposition had won 22 seats.

Replying to the debate, the Chief Minister Shri Luizinho Faleiro said he would have been happy and grateful if good suggestions were given; the Congress Party had the people's mandate and winds of change were sweeping across the country in its favour. He added that his Government was committed to provide a clean, transparent, efficient, honest and sincere Government to the people.

In all, 19 members took part in the debate lasting four hours and five minutes. When the motion was put to vote, two members of the Opposition Dr. Kashinath Jhalmi and Shri Manohar Parrikar claimed division. The motion was carried by one vote with 20 members favouring the motion while 19 voted against it.

Sixth Motion of Confidence

Shri Faleiro's Government was reduced to a minority on 4 February 1999 after two Cabinet Ministers resigned from the Ministry and shifted their loyalty to the Goa Rajiv Congress Party led by Dr. Wilfred D'Souza. The Governor Lt. Gen. (Retd.) J.F.R. Jacob asked the Chief Minister to prove his majority on the floor of the House on 8 February 1999. However, on 8 February 1999, Shri Faleiro resigned from the office ahead of the confidence vote in the Legislative Assembly and recommended the dissolution of the House. Other major political parties like the MGP, BJP and GRC also called for the dissolution of the House after the resignation of the Chief Minister. On 9 February 1999, following the Governor's report, the Union Cabinet recommended the imposition of President's Rule in the State and dissolution of the State Legislative Assembly.

The 40-member House was dissolved and President's Rule imposed in the State on 10 February 1999.

Third Legislative Assembly (1999-2002)

In the elections held to the Third Legislative Assembly in June 1999, the Congress(I) won 21 seats. The BJP got 10 seats and the remaining 9 seats were won by other parties and an Independent.

Shri Luizinho Faleiro was once again elected leader of the Congress(I) Legislature Party and was sworn in as the Chief Minister on 9 June 1999.

The Third Legislative Assembly discussed two Motions of Confidence while three other Motions of Confidence were not taken up by the House. No Motion of No-confidence was moved in the Third Legislative Assembly.

First Motion of Confidence

As per the Governor's directive, a Special Session of the Legislature was called in June 1999 to enable the Chief Minister Shri Luizinho Faleiro to prove his majority on the floor of the House.

Shri Faleiro's Motion of Confidence was admitted by the Speaker and fixed for discussion on 15 June 1999.

However, on 14 June 1999, Shri Faleiro received a letter from the Governor stating that the Governor had reconsidered his decision. In view of the Governor's decision, Shri Faleiro said that he did not wish to move the Motion of Confidence and as such the motion tabled by him earlier be taken as withdrawn. The Special Session summoned for 15 June 1999 was accordingly rescinded.

Second Motion of Confidence

On 5 November 1999, one of the two NCP members joined the ruling Congress(I). A fortnight later, on 19 November 1999, eleven Congress(I) MLAs,

including four Ministers and the Deputy Speaker, quit the party and staked their claim to form a coalition Government with the support of the MGP and NCP MLAs.

Following this development, the Governor Lt. Gen. (Retd.) J.F.R. Jacob asked the Chief Minister Shri Faleiro to prove his majority on the floor of the House on 24 November 1999. The notice for the same was given by Shri Faleiro on 23 November 1999 and it was admitted. Meanwhile, the BJP Legislature Party also decided to support the eleven-member breakaway group led by Shri Francisco Sardinha.

However, on 24 November 1999, the same day he was to seek the trust vote, the Chief Minister Shri Faleiro tendered his resignation. The Session which was summoned to meet on 24 November 1999 was rescinded. Thereafter, Shri Francisco Sardinha was sworn in as the Chief Minister on 24 November 1999. Shri Sardinha was asked by the Governor to prove his strength on the floor of the House within 21 days.

The coalition Government headed by Shri Sardinha consisted of the Indian National Congress (Sardinha), BJP, MGP, NCP and one Independent. In the 40-member House, Shri Sardinha had the support of 25 members.

Third Motion of Confidence

As per the Governor's directive, the Chief Minister Shri Sardinha gave a notice of Motion of Confidence in his Council of Ministers. The notice was admitted by the Speaker who fixed the debate for 30 November 1999.

Speaking on the motion, the Chief Minister Shri Sardinha accused his predecessor of not taking into confidence his ministerial colleagues during his tenure. He appealed to the Congress (I) members to support his coalition experiment.

Participating in the debate, the Leader of the Opposition, Shri Ravi Naik stressed that there were several basic needs of the common man which needed to be addressed.

In his reply, the Chief Minister Shri Sardinha assured the House of uniform development of the State. He added that whatever action was being taken was not for personal gains but in the interest of the development of the State and with public welfare in mind.

In all, 18 members took part in the 3 hours and 20 minutes long debate. The Leader of the Opposition demanded division. The motion was passed with 25 members voting for and 14 against it.

The coalition Ministry led by Shri Francisco Sardinha faced a crisis within a year following the withdrawal of support by the 10-member BJP on 22 October 2000. With the result, the Sardinha Government was reduced to a minority. The BJP, led by Shri Manohar Parrikar, staked his claim to form the Government. Earlier, on 20 October 2000, four members of the Congress(I) had claimed the formation of a faction by the name Indian National Congress (Ravi Naik Group). On 23 October 2000, four out of the five members of the Indian National Congress (Shaikh Hassan Haroon

Group) and all the four members of the Indian National Congress (Ravi Naik Group) claimed their merger with the BJP raising its strength to 18 in the Legislative Assembly. In the meanwhile, the Goan People's Congress Party also split and a new faction GPCP (Venkatesh Desai Group) came into being. Two members of the GPCP (Venkatesh Desai Group) later formed the GPCP (Francis D'Souza) Group on 6 November 2000. The following day, the newly formed group merged with the BJP raising its strength to 20 in the 40-member House.

Fourth Motion of Confidence

Following the withdrawal of support to the Sardinha Ministry by the BJP on 22 October 2000, the Governor summoned the Legislative Assembly to meet on 24 October 2000 to take up the Motion of Confidence in the Council of Ministers.

However, on 24 October 2000, before the House could meet at 2.30 PM, Shri Sardinha submitted his resignation. Consequently, the Governor rescinded the notification summoning the Legislative Assembly on 24 October 2000. Shri Manohar Parrikar, Leader of the BJP Legislature Party, who had earlier staked his claim, was sworn in as the Chief Minister.

Fifth Motion of Confidence

As per the Governor's directive, the Legislative Assembly met on 9 November 2000 to take up the Motion of Confidence.

The Chief Minister Shri Manohar Parrikar moved the Motion of Confidence. Later on, the motion was taken up for debate.

Initiating the debate, Shri Jitendra Deshprabhu said the people elected the members so as to give Goa a stable Government that would fulfil their aspirations and needs. However, everything was violated. The Leader of the Opposition, Shri Francisco Sardinha (GPCP) opposed the motion.

Replying to the debate, the Chief Minister Shri Parrikar said that his Government would give priority to improve the economic status and formulate every policy for the development of the coastal State. He added that the Government would come down heavily on anyone who was found indulging in corruption. He also spoke of various developmental issues and suggested that the present sitting was to prove his majority as per the directive of the Governor. However, in the next Session, there could be considerable Government business and said unless the number of days of sitting of the House was increased, democracy could not succeed.

In the three hours and fifty minutes long debate, 12 members participated. Thereafter, the motion was carried by voice vote.

No Motion of Confidence or No-confidence was taken up in the Fourth Legislative Assembly till December 2003.

Motions in the Union territory of Goa, Daman and Diu and the Goa State Legislative Assemblies - An Analysis

Union territory of Goa, Daman and Diu Legislative Assembly

In the Legislative Assembly of the Union territory of Goa, Daman and Diu [including in the Provisional Legislative Assembly (1987-1989)], though eleven Motions of No-confidence were admitted, only ten were taken up by the House and all these were negatived. One Motion of No-confidence was not moved. One Motion of Confidence was taken up and adopted.

Of the 10 Motions of No-confidence taken up by the House, 4 were debated in the First Legislative Assembly. 3 motions - 2 Motions of No-confidence and 1 Motion of Confidence - were taken up by the Second Legislative Assembly. Table 1 gives details of motions admitted/discussed in each Legislative Assembly along with its duration.

Table 2 illustrates the number of Motions of No-confidence and Confidence admitted and discussed during the tenures of different Speakers. The highest number of four Motions of No-confidence was taken up by the House during the tenure of Shri Pandurang P. Shirodkar. Speakers Shri Gopal Apa Kamat presided over the debate on two Motions of No-confidence and one Motion of Confidence.

Table 3 gives an account of the Motions of Confidence and No-confidence admitted and debated during the tenure of different Councils of Ministers. Of the ten Motions of No-confidence taken up by the Legislative Assembly, six were moved against the Council of Ministers headed by Shri Dayanand B. Bandodkar, all of which were moved by Dr. Jack de Sequeira. Besides, Shri Bandodkar himself moved one motion seeking confidence of the House in his Ministry in August 1970 which was adopted.

Chief Minister Shri Pratapsingh Raoji Rane faced three Motions of No-confidence while Smt. Shashikala Kakodkar faced one Motion of No-confidence.

Table 4 gives statistical information about the participation of members in the debates on various Motions of Confidence and No-confidence. It also depicts the time taken and the result of the division.

Participation by Members

163 members participated in the debate on both types of motions. In the ten Motions of No-confidence taken up by the House, 145 members took part. 18 members participated in the debate on the lone Motion of Confidence. The highest number of 26 members participated in the debate on the Motion of No-confidence of August 1985, while the lowest number of 3 members took part in the debate on the motion of November 1965.

Time taken

The total time spent on both types of motions comes to 54 hours and 45 minutes. While five hours were spent on the lone Motion of Confidence of August 1970, 49 hours and 45 minutes were spent on the 9 Motions of No-confidence.

The longest duration of seven hours and thirty-five minutes was spent on the first Motion of No-confidence of July 1964 while one hour was spent on the Motion of No-confidence of November 1965; both the motions were against the Bandodkar Ministry. Five hours were spent on the Motion of Confidence which was moved by Shri Bandodkar himself in August 1970.

As regards the number of days, 12 days were spent on the debate on the eleven Motions of No-confidence. The Motion of Confidence of August 1970 and the Motion of No-confidence of January 1984 were debated for two days each while the remaining nine motions were debated and disposed of on the same day. Another Motion of No-confidence was not moved by a member in April 1971 for not being given sufficient time.

Division

The fate of eight Motions of No-confidence and one Motion of Confidence was decided by division. In two cases, the Opposition walked out of the House.

The Motion of No-confidence of November 1965 was negatived by the widest margin of 16 votes, with all the Opposition members staging a walk-out. The Motion of No-confidence of September 1971 was lost by a margin of 2 votes, while the Motion of No-confidence of August 1970 was adopted by a margin of 3 votes.

Goa State Legislative Assembly

In all, 17 Motions of Confidence and No-confidence were admitted in the Legislative Assembly of the Goa State. Of these, the number of Motions of No-confidence admitted was 2 while the number of Motions of Confidence was 15. Nine Motions of Confidence and one Motion of No-confidence were finally taken up by the House. One Motion of No-confidence was not moved by the member. The No-confidence Motion of March 1990 was carried resulting in the fall of the Pratapsingh Raoji Rane Ministry. (The Chief Minister, however, stated in the House that he had already resigned).

As regards the 15 Motions of Confidence, nine were adopted, while in five instances, the Chief Minister concerned resigned before the Confidence Motion was taken up by the House. In another case, the Chief Minister did not move the motion. Of the nine motions which were taken up by the House, while seven motions were carried after debate, two were adopted without discussion.

Assembly-wise, four motions were admitted and discussed in the First Legislative Assembly of the Goa State of which three were Motions of Confidence

and one was a No-confidence Motion. In the Second Legislative Assembly of the Goa State, six Motions of Confidence were admitted of which four were voted upon by the House. Table 1 gives details of motions admitted/discussed in each Legislative Assembly along with its duration.

Table 2 illustrates the number of Motions of Confidence and No-confidence admitted and discussed during the tenures of different Speakers. The highest number of 6 Confidence Motions were taken up by the House during the Speakership of Shri Tomazinho Cardozo. Shri Pratapsingh Raoji Rane presided over the debate on two Motions of Confidence. Dr. Luis Proto Barbosa presided over the proceedings of one Motion of Confidence and No-confidence each.

Table 3 gives an account of the Motions of Confidence and No-confidence admitted and debated during the tenure of different Councils of Ministers. The No-confidence Motion against the Pratapsingh Raoji Rane Ministry moved on 26 March 1990 was carried resulting in the fall of his Government. Shri Rane himself moved three Motions of Confidence - one in January 1990, another in January 1995 and the third one in July 1998, all of which were carried.

Every Chief Minister since December 1963 except Shri Churchill Alemao who was Chief Minister for over a fortnight in March-April 1990, faced either a Motion of No-confidence or moved a Confidence Motion in the House during his or her tenure.

Table 4 gives statistical information pertaining to the participation of members in the debates on various Motions of Confidence and No-confidence. It also depicts the time taken and the result of the division.

Participation by Members

In all, 107 members took part in the discussion on motions of both types which were debated in the House. While 4 members took part in the debate on the Motion of No-confidence, 103 members participated in the debate on the seven Motions of Confidence. Two other motions - *i.e.* the Motion of Confidence of 16 January 1995 and 28 July 1998 - were adopted without discussion. The highest participation of 24 members was in the one-day debate on the Motions of Confidence of February 1991 and May 1993; four members participated in the debate on the Motion of No-confidence of March 1990. Three members each took part in the debate on the two Motions of Confidence of January 1990 and September 1998.

Time taken

The 10 motions - nine Motions of Confidence and one Motion of No-confidence - which were taken up by the House were disposed of on the same day. The total time taken in respect of these 10 motions comes to 22 hours and 53 minutes. While 30 minutes were spent on the Motion of No-confidence which was debated, the remaining 22 hours and 23 minutes were spent on the nine Motions of Confidence. The longest duration of 5 hours and 15 minutes was spent on the Motion of

Confidence of May 1993, while only five minutes were spent on the Motion of Confidence of January 1995.

Division

Of the ten motions of both types, the fate of six Motions of Confidence and one Motion of No-confidence was decided by division, while that of three Motions of Confidence was decided by voice vote. Of all these motions, the margin was the widest in respect of the Motion of No-confidence of 26 March 1990 which was 25 to 0 and was carried. The Motion of Confidence of May 1993 recorded the widest margin of 14 votes when it was adopted by 25 to 11 votes. The Motion of Confidence of 30 November 1998 was adopted by the lowest margin of one vote.

Gujarat Legislative Assembly

The first Legislative Assembly in the State of Gujarat was constituted in 1960 with a membership of 132. Prior to this, legislative institutions did exist in one form or the other in various components of the present State. As far back as 1918, the ruler of the Bhavnagar State, Shri Bhavsinhji, had established an institution called the Peoples' Representative Assembly with 38 members appointed by him. These members had the right to ask questions. After the death of Shri Bhavsinhji, his son and successor, Shri Krishnakumarsinhji, formed the Bhavnagar Legislative Assembly in 1941 with 55 members, of whom 33 members were elected, 16 were nominated and 6 were *ex-officio* members. The members had the right to ask questions, move resolutions, discuss the budget and introduce Bills. The Assembly used to meet at least twice a year. The same was the case with the then Porbandar State Assembly as well. In the former Baroda State also, Maharaja Sayajirao Gaekwad had formed the Baroda Legislative Assembly as far back as 1908. Right from 1921, the people of the native States used to send elected representatives to the former Bombay State Legislative Assembly. In 1952, the Saurashtra Legislative Assembly was constituted which continued up to 31 October 1956. Thereafter, the Saurashtra State was merged with the bigger bilingual Bombay State under the States Reorganization Act, 1956.

On 1 May 1960, the bilingual Bombay State was bifurcated and the new State of Gujarat was constituted under the Bombay Reorganisation Act, 1960. Accordingly, the Gujarat Legislative Assembly was also constituted, and 132 members of the Bombay Legislative Assembly who were elected from the constituencies in Gujarat became members of the Gujarat Legislative Assembly. The strength of the Legislative Assembly was raised to 154 in 1962 and to 168 in 1967; it was further raised to the present strength of 182 in 1975. The Legislature in the State is unicameral right from the commencement of the Constitution.

Motion of No-confidence

Under Rule 106 of the Rules of Procedure and Conduct of Business in the Gujarat Legislative Assembly, a member who desires to move a motion expressing want of confidence in the Council of Ministers is required to give written notice of

such motion. If the motion is found to be in order, the Speaker permits the member to ask for leave of the House on such day not later than two days, as the Speaker may appoint, after Questions and before the List of Business is entered upon. After the member has asked for leave of the House to make the motion, the Speaker reads the motion to the House and requests those members who are in favour of leave being granted to rise in their seats, and if not less than 17 members rise accordingly, the Speaker declares that leave is granted. If leave is granted, the Speaker fixes a day for discussion of the motion which shall not be earlier than 3 days and later than 7 days from the day on which leave is granted. However, on a request being made by the Leader of the House, the Speaker may fix a day earlier than 3 days. The Speaker may prescribe time limit for speeches in the House.

Motion of Confidence

There is no specific rule under which a Motion of Confidence is taken up in the Legislative Assembly. Sometimes, such Motion of Confidence has been discussed under Rule 101 governing the No-Day-Yet Named Motions and sometimes it has been taken up without citing any specific rule. The first Motion of Confidence in the Legislative Assembly moved by Shri Chimanbhai Patel on 16 March 1990 in the Eighth Legislative Assembly was admitted under Rule 101. His second Motion of Confidence moved on 1 November 1990 was also admitted under Rule 101, while the Motion of Confidence moved by Shri Keshubhai Patel on 7 October 1995, Shri Shankarsinh Vaghela on 29 October 1996 and Shri Dilip Parikh on 13 November 1997 in the Ninth Legislative Assembly were admitted without citing any specific rule.

Motions in different Legislative Assemblies

In all, fifteen Motions of No-confidence and five Motions of Confidence have been admitted in the Gujarat Legislative Assembly till date. A brief account of these motions is given below. Tables 1 to 4 provide statistical details in respect of these motions. A graphical presentation of the motions is available in Graphs I and II. Tables 5 and 6 list out, respectively, the Chief Ministers and Governors of the State.

In the First Legislative Assembly, no Motion of Confidence or No-confidence was discussed.

Second Legislative Assembly (1962-1967)

Elections to the 154-member Legislative Assembly were held between 16 and 27 February 1962. The Congress secured an absolute majority winning 113 seats followed by the Swatantra with 26 seats, Praja Socialist Party 7 and Independents and others 8 seats. Dr. Jivraj Narayan Mehta was sworn in as the Chief Minister on 8 March 1962.

Table 1**NCMs/CMs admitted/disused in different Legislative Assemblies
(1960-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	01.05.1960 - 01.03.1962	-	-
Second Legislative Assembly	03.03.1962 - 28.02.1967	4	-
Third Legislative Assembly	01.03.1967 - 13.05.1971	4	-
Fourth Legislative Assembly	17.03.1972 - 15.03.1974	1	-
Fifth Legislative Assembly	18.06.1975 - 17.02.1980	1	-
Sixth Legislative Assembly	07.06.1980 - 08.03.1985	1	-
Seventh Legislative Assembly	09.03.1985 - 02.03.1990	-	-
Eighth Legislative Assembly	03.03.1990 - 12.03.1995	1	2
Ninth Legislative Assembly	13.03.1995 - 26.12.1997	-	3
Tenth Legislative Assembly	04.03.1998 - 19.07.2002	2	-
Eleventh Legislative Assembly	16.12.2002 - till date	1*	-
Total		15	5

* The motion admitted on 10 September 2003 was not taken up for discussion.

Table 2

**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1960-2003)**

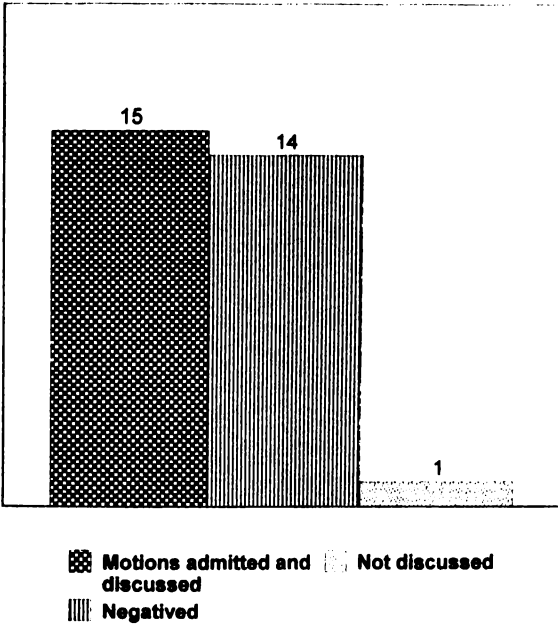
<i>Sl. No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri Kalyanji V. Mehta	01.05.1960 - 19.08.1960	-	-
2.	Shri Mansinhji Rana	19.08.1960 - 19.03.1962	-	-
3.	Shri Fatehali Palejwala	19.03.1962 - 17.03.1967	4	-
4.	Shri Raghavji Leuva	17.03.1967 - 28.06.1975	5	-
5.	Shri Kundanlal Dholkia	28.06.1975 - 28.03.1977	-	-
6.	Shri Manubhai Palkhiwala*	28.03.1977 - 21.04.1977	1	-
7.	Shri Kundanlal Dholkia	21.04.1977 - 20.06.1980	-	-
8.	Shri Natwarlal Shah	20.06.1980 - 08.01.1990	1	-
9.	Dr. Karshandas Soneri*	08.01.1990 - 19.01.1990	-	-
10.	Shri Barjorji Pardiwala	19.01.1990 - 16.03.1990	-	-
11.	Shri Shashikant Lakhani	16.03.1990 - 12.11.1990	-	2
12.	Shri Manubhai Parmar*	12.11.1990 - 11.02.1991	-	-
13.	Shri Himmatlal Mulani	11.02.1991 - 21.03.1995	1	-
14.	Shri Harishchandra Patel**	21.03.1995 - 16.09.1996	-	1
15.	Shri Chandubhai Dabhi*	16.09.1996 - 29.10.1996	-	-
16.	Shri Ghumansinh Vaghela	29.10.1996 - 19.03.1998	-	2
17.	Shri Dhirubhai Shah	19.03.1998 - 27.12.2002	2	-
18.	Prof. Mangalbai Patel	27.12.2002 - till date	1***	-
Total			15	5

* Acting Speaker

** Expired on 10.9.1996

*** The motion admitted on 10 September 2003 was not taken up for discussion.

Graph I
NCMs in Gujarat Legislative Assembly
(1960 - 2003)



Graph II
CMs In Gujarat Legislative Assembly
(1960-2003)

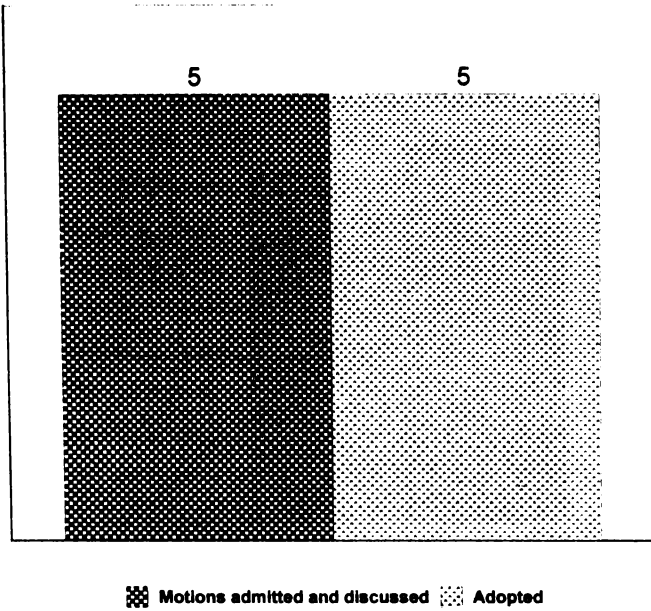


Table 3

**NCMs against/CMs in the Council of Ministers
(1960-2003)**

<i>Council of Ministers</i>	<i>Party/ Seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Jivraj Mehta (Second Legislative Assembly)	Congress 113/154 (73.37%)	NCM	Bhailalbai Patel (42)	(03.09.1963) 09.09.1963 10.09.1963 11.09.1963 13.36	Negatived Ayes-32 Noes-101
Balwantrai Mehta (Second Legislative Assembly)		NCM	-do- (50)	(25.08.1964) 01.09.1964 02.09.1964 03.09.1964 12.05	Negatived Ayes-30 Noes-98
-do-		NCM	Manoharsinhji Jadeja (33)	(16.02.1965) 18.02.1965 19.02.1965 06.58	Negatived by voice vote
Hitendrabhai Desai (Second Legislative Assembly)		NCM	Bipinchandra Bhatt (33)	(15.09.1966) 19.09.1966 20.09.1966 08.33	Negatived by voice vote
Hitendrabhai Desai (Third Legislative Assembly)	Congress 93/168 (55.35%)	NCM	Bhailalbai Patel (44)	(05.02.1968) 08.02.1968 09.02.1968 08.12	Negatived Ayes-52 Noes-95
-do-		NCM	H.M. Patel (34)	(17.03.1969) 20.03.1969 21.03.1969 07.50	Negatived Ayes-62 Noes-98

<i>Council of Ministers</i>	<i>Party/ Seats won/ Total; (%)</i>	<i>NCMs/ CMS</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
-do-		NCM	H.M. Patel (33)	(03.12.1969) 05.12.1969 08.12.1969 07.11	Negated Ayes-67 Noes-94
-do-		NCM	-do- (25)	(10.06.1970) 15.06.1970 16.06.1970 05.19	Negated* Ayes-Nil Noes-91
Chimanbhai Patel (Fourth Legislative Assembly)	Congress 139/168 (82.73%)	NCM	Maneklal Gandhi (20)	(14.11.1973) 15.11.1973 04.35	Negated by voice vote
Madhavsinh Solanki (Fifth Legislative Assembly)	Congress 91/182 (50%)	NCM	Babubhai Patel (10)	(23.03.1977) 28.03.1977 03.10	Negated* Ayes-Nil Noes-92
Madhavsinh Solanki (Sixth Legislative Assembly)	Congress 140/182 (76.92%)	NCM	Makrand Desai (24)	(28.12.1982) 28.12.1982 30.12.1982 08.17	Negated by voice vote
Chimanbhai Patel (Eighth Legislative Assembly)	Janata Dal 70/182 (38.46%)	CM	Chimanbhai Patel (12)	(16.03.1990) 16.03.1990 02.06	Adopted by voice vote
-do-		CM	-do- (20)	(01.11.1990) 01.11.1990 03.35	Adopted Ayes-111 Noes-66

*Walk-out by Opposition

<i>Council of Ministers</i>	<i>Party/ Seats won/ Total; (%)</i>	<i>NCM/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
-do-		NCM	Sureshchandra Mehta (11)	(04.09.1991) 04.09.1991 05.09.1991 05.30	Negated by voice vote
Keshubhai Patel (Ninth Legislative Assembly)	Bharatiya Janata Party 121/182 (66.48%)	CM	Keshubhai Patel (7)	(07.10.1995) 07.10.1995 01.44	Adopted Ayes-122 Noes-46
Shankarsinh Vaghela (Ninth Legislative Assembly)	Maha Gujarat Janata Party 52/182 (28.57%)	CM	Shankarsinh Vaghela (12)	(29.10.1996) 29.10.1996 02.39	Adopted Ayes-101 Noes-Nil
Dilip Parikh (Ninth Legislative Assembly)	Rashtriya Janata Party 46/182 (25.27%)	CM	Dilip Parikh (9)	(13.11.1997) 13.11.1997 03.11	Adopted Ayes-98 Noes-76
Keshubhai Patel (Tenth Legislative Assembly)	Bharatiya Janata Party 117/182 (64.28%)	NCM	Amarsinh Chaudhari (15)	(01.07.1998) 09.07.1998 04.15	Negated Ayes-54 Noes-117
-do-		NCM	-do- (10)	(03.10.2000) 03.10.2000 01.30	Negated by voice vote
Narendra Modi (Eleventh Legislative Assembly)	B.J.P. 126/182 (69.23%)	NCM	Amarsinh Chaudhari	(10.09.2003)	Not taken up for discussion

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1960-2003)

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
Fatehali Paleywala	NCM	Jivraj Mehta	Bhailalbai Patel	09.09.1963 10.09.1963 11.09.1963	42	13.36	11.09.1963	32	101	Negated
-do-	NCM	Balwantraj Mehta	-do-	01.09.1964 02.09.1964 03.09.1964	50	12.15	03.09.1964	30	98	Negated
-do-	NCM	-do-	Manohar- sinhji Jadeja	18.02.1965 19.02.1965	33	06.58	19.02.1965	-	-	Negated by voice vote
-do-	NCM	Hitendra- bhai Desai	Bipinchan- dra Bhatt	19.09.1968 20.09.1968	33	08.33	20.09.1968	-	-	Negated by voice vote
Raghavji Leuva	NCM	-do-	Bhailalbai Patel	08.02.1968 09.02.1968	44	06.12	09.02.1968	52	95	Negated

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
-do-	NCM	-do-	H.M. Patel	20.03.1969 21.03.1969	34	07.50	21.03.1969	62	98	Negated
-do-	NCM	-do-	-do-	05.12.1969 08.12.1969	33	07.11	08.12.1969	67	94	Negated
-do-	NCM	-do-	-do-	15.06.1970 16.06.1970	25	05.19	16.06.1970	Nil	91	Negated*
-do-	NCM	Chimanb- hai Patel	Maneklal Gandhi	15.11.1973	20	04.35	15.11.1973	-	-	Negated by voice vote
Manubhai Palkhiwala	NCM	Madhavsinh Solanki	Babubhai Patel	28.03.1977	10	03.10	28.06.1977	Nil	92	Negated*
Natwarlal Shah	NCM	-do-	Makrand Desai	28.12.1982 30.12.1982	24	08.17	30.12.1982	-	-	Negated by voice vote
Shashikant Lakhani	CM	Chimanb- hai Patel	Chimanb- bhai Patel	16.03.1990	12	02.06	16.03.1990	-	-	Adopted by voice vote

*Walk-out by Opposition

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- ants	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
-do-	CM	-do-	Chiman- bhai Patel	01.11.1990	20	03.35	01.11.1990	111	66	Adopted
Himmatlal Mulani	NCM	Chimanb- hai Patel	Sureshcha- ndra Mehta	04.09.1991 05.09.1991	11	05.30	05.09.1991	-	-	Negated by voice vote
Hariachandra Patel	CM	Keshubhai Patel	Keshubhai Patel	07.10.1995	7	01.44	07.10.1995	122	46	Adopted
Chumansinh Vaghela	CM	Shankarsinh Vaghela	Shankarsinh Vaghela	29.10.1996	12	02.39	29.10.1996	101	Nil	Adopted
-do-	CM	Dilip Parikh	Dilip Parikh	13.11.1997	9	03.11	13.11.1997	98	76	Adopted
Dhirubhai Shah	NCM	Keshubhai Patel	Amaarsinh Chaudhari	09.07.1998	15	04.15	09.07.1998	54	117	Negated
-do-	NCM	-do-	-do-	08.10.2000	10	01.30	03.10.2000	-	-	Negated by voice vote
Mangalibhai Patel	NCM	Narendra Modi	-do-	-	-	-	-	-	-	Not taken up for discussion

Table 5

Governors of Gujarat

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Nawab Mehdi Nawaz Jung	01.05.1960 - 31.07.1965
2.	Shri Nityanand Kanungo	01.08.1965 - 06.12.1967
3.	Shri P.N. Bhagwati (Acting)	07.12.1967 - 25.12.1967
4.	Shri Shriman Narayan	26.12.1967 - 16.03.1973
5.	Shri P.N. Bhagwati(Acting)	17.03.1973 - 03.04.1973
6.	Shri K.K. Vishwanathan	04.04.1973 - 13.08.1978
7.	Smt. Sharda Mukerjee	14.08.1978 - 05.08.1983
8.	Prof. K.M. Chandy	06.08.1983 - 25.04.1984
9.	Shri B.K. Nehru	26.04.1984 - 25.02.1986
10.	Shri R.K. Trivedi	26.02.1986 - 02.05.1990
11.	Shri Mahipalsinh Shastri	03.05.1990 - 20.12.1990
12.	Dr. Sarup Singh	21.12.1990 - 30.06.1995
13.	Shri Nareahchandra	01.07.1995 - 29.02.1996
14.	Shri Krishna Pal Singh	01.03.1996 - 24.04.1998
15.	Shri Anshuman Singh	25.04.1998 - 15.01.1999
16.	Shri K.G. Balakrishnan(Acting)	16.01.1999 - 17.03.1999
17.	Shri Sundar Singh Bhandari	18.03.1999 - 06.05.2003
18.	Shri Kailashpati Mishra	07.05.2003 - till date

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- ants	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
-do-	CM	-do-	Chiman- bhai Patel	01.11.1990	20	03.35	01.11.1990	111	66	Adopted
Himmatil Mulani	NCM	Chimanb- hai Patel	Sureshcha- ndra Mehta	04.09.1991 05.09.1991	11	05.30	08.09.1991	-	-	Negated by voice vote
Harishchandra Patel	CM	Keshubhai Patel	Keshubhai Patel	07.10.1995	7	01.44	07.10.1995	122	46	Adopted
Ghurnansinh Vaghela	CM	Shankarsinh Vaghela	Shankarsinh Vaghela	29.10.1996	12	02.39	29.10.1996	101	Nil	Adopted
-do-	CM	Dhrip Parikh	Dhrip Parikh	13.11.1997	9	03.11	13.11.1997	98	76	Adopted
Dhirubhai Shah	NCM	Keshubhai Patel	Amaarsinh Chaudhari	09.07.1998	15	04.15	09.07.1998	54	117	Negated
-do-	NCM	-do-	-do-	08.10.2000	10	01.30	03.10.2000	-	-	Negated by voice vote
Mangalbai Patel	NCM	Narendra Modi	-do-	-	-	-	-	-	-	Not taken up for discussion

Table 5

Governors of Gujarat

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Nawab Mehdi Nawaz Jung	01.05.1960 - 31.07.1965
2.	Shri Nityanand Kanungo	01.08.1965 - 06.12.1967
3.	Shri P.N. Bhagwati (Acting)	07.12.1967 - 25.12.1967
4.	Shri Shriman Narayan	26.12.1967 - 16.03.1973
5.	Shri P.N. Bhagwati(Acting)	17.03.1973 - 03.04.1973
6.	Shri K.K. Vishwanathan	04.04.1973 - 13.08.1978
7.	Smt. Sharda Mukerjee	14.08.1978 - 05.08.1983
8.	Prof. K.M. Chandy	06.08.1983 - 25.04.1984
9.	Shri B.K. Nehru	26.04.1984 - 25.02.1986
10.	Shri R.K. Trivedi	26.02.1986 - 02.05.1990
11.	Shri Mahipalsinh Shastri	03.05.1990 - 20.12.1990
12.	Dr. Sarup Singh	21.12.1990 - 30.06.1995
13.	Shri Nareshchandra	01.07.1995 - 29.02.1996
14.	Shri Krishna Pal Singh	01.03.1996 - 24.04.1998
15.	Shri Anahuman Singh	25.04.1998 - 15.01.1999
16.	Shri K.G. Balakrishnan(Acting)	16.01.1999 - 17.03.1999
17.	Shri Sundar Singh Bhandari	18.03.1999 - 06.05.2003
18.	Shri Kailashpati Mishra	07.05.2003 - till date

Table 6

Chief Ministers of Gujarat

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Dr. Jivraj Mehta	01.05.1960 - 08.03.1962 08.03.1962 - 19.09.1963
2.	Shri Balwantrai Mehta	19.09.1963 - 19.09.1965
3.	Shri Hitendrabhai Desai	19.09.1965 - 04.03.1967 04.03.1967 - 08.04.1971 08.04.1971 - 13.05.1971 President's Rule 13.05.1971 - 17.03.1972
4.	Shri Ghanshyambhai Oza	17.03.1972 - 17.07.1973
5.	Shri Chimanbhai Patel	17.07.1973 - 9.02.1974 President's Rule 09.02.1974 - 18.06.1975
6.	Shri Babubhai Jashbhai Patel	18.06.1975 - 12.03.1976 President's Rule 12.03.1976 - 24.12.1976
7.	Shri Madhavsinh Solanki	24.12.1976 - 11.04.1977
8.	Shri Babubhai Jashbhai Patel	11.04.1977 - 17.02.1980 President's Rule 17.02.1980 - 06.06.1980
9.	Shri Madhavsinh Solanki	07.06.1980 - 11.03.1985 11.03.1985 - 06.07.1985
10.	Shri Amarsinh Chaudhari	06.07.1985 - 09.12.1989
11.	Shri Madhavsinh Solanki	10.12.1989 - 03.03.1990
12.	Shri Chimanbhai Patel	04.03.1990 - 17.02.1994
13.	Shri Chhabildas Mehta (Acting)	17.02.1994 - 22.04.1994
14.	Shri Chhabildas Mehta	22.04.1994 - 13.03.1995
15.	Shri Keshubhai Patel	14.03.1995 - 20.10.1995
16.	Shri Sureshchandra Mehta	21.10.1995 - 19.09.1996 President's Rule 19.09.1996 - 23.10.1996
17.	Shri Shankarsinh Vaghela	23.10.1996 - 27.10.1997
18.	Shri Dilip Parikh	28.10.1997 - 04.03.1998
19.	Shri Keshubhai Patel	04.03.1998 - 06.10.2001
20.	Shri Narendra Modi	07.10.2001 - 22.12.2002 22.12.2002 - till date

Four Motions of No-confidence were admitted and discussed in the Second Legislative Assembly; all the four were negated.

First Motion of No-confidence

The first Motion of No-confidence in the Gujarat Legislative Assembly was moved by Shri Bhailalbhai Patel (Swatantra) against the Congress Government of Dr. Jivraj Mehta. Leave to move the motion was granted on 3 September 1963. The reasons for bringing the motion were the alleged autocratic attitude of the Government, demand to make/erect Memorial for the Martyrs who sacrificed their lives for the sake of formation of the Gujarat State, pathetic condition of villagers due to the Tenant Act, rising corruption, Government's negligence in respect of irrigation, ineffectiveness of the Police Department, adulteration in fertilizers and economic disparity prevailing in the State. The discussion on the motion was held on three days, viz. 9, 10 and 11 September 1963 in which 42 members participated.

Moving the motion, Shri Bhailalbhai Patel said that in Gujarat, nobody could match Dr. Jivraj Mehta; nobody ever doubted his integrity or honesty. The Opposition was only against partisan politics and also against the actions of certain people in the Congress Party and the Ministry. He, however, criticized Dr. Jivraj Mehta for shielding his colleagues on certain issues.

In his reply to the debate, the Chief Minister Dr. Jivraj Mehta said that Gujarat had made considerable progress since the State was formed in 1960. Explaining the economic progress made by Gujarat, he said the per capita income had gone up from Rs.262 in 1955 to Rs.330 in 1962. Refuting the criticism that adequate attention was not paid to rural development, the Chief Minister said that over 57 per cent of the Second Plan expenditure was utilized in rural areas. Dr. Mehta praised the services rendered by the State Reserve Police and said it was not proper to criticize those who were on the borders to defend the nation. He also explained at length the State Government's views on erecting a Martyr's Memorial for those killed during the Maha Gujarat movement.

At the end of the debate lasting 13 hours and 36 minutes, the motion was negated with 32 members voting in favour and 101 members voting against it.

On 11 September 1963, Dr. Jivraj Mehta tendered the resignation of his Council of Ministers saying that he would not like to accept the arbitration of anyone insofar as affairs of the State administration were concerned. Shri Balwantraji Mehta who was unanimously elected leader of the Congress Legislature Party on 18 September 1963 was sworn in as the Chief Minister on 19 September 1963.

Second Motion of No-confidence

On 1 September 1964, Shri Bhailalbhai Patel (Swatantra Party) moved his second motion against the 11-month-old Congress Ministry of Shri Balwantraji Mehta on the grounds of its failure to tackle the food problem and to keep prices at reasonable

rates. Leave to move the motion was granted on 25 August 1964. In all, 50 members participated in the three-day discussions held on 1, 2 and 3 September 1964.

Moving the motion, Shri Bhailalbhai Patel held the Government completely responsible for the food crisis facing the State and said it had no right to continue in office if it could not provide food to the people.

In his reply, the Chief Minister Shri Balwantrai Mehta refuted the Opposition's charge that the State Government was not strong enough to press the Central Government to remove zonal barriers which were partly responsible for the food crisis.

The debate on the motion lasted 12 hours and 15 minutes. In the voting held on 3 September 1964, the motion was negatived with 30 members voting in favour and 96 members voting against it.

Third Motion of No-confidence

The third Motion of No-confidence was tabled by Shri Manoharsinhji Jadeja (Swatantra Pragtik Juth) against the Council of Ministers headed by Shri Balwantrai Mehta for which leave was granted on 16 February 1965. The motion was brought on the grounds of the Government's failure to check rise in prices and ease food shortage. The motion was debated for two days on 18 and 19 February 1965 for 6 hrs and 58 minutes. 33 members took part in the debate.

Moving the motion, Shri Manoharsinhji Jadeja said that the Government which failed to provide foodgrains to the people at reasonable rates had lost the confidence of the people and had no right to continue in office. He criticised the Government for its food policy and its failure in implementing agricultural reforms. He accused the Government of gross failure in raising the agricultural production by not spending the amount approved in the Third Five-Year Plan and cited it as the main reason for not achieving the desired goals. In support of his charges, he gave some illustration as to the under-utilization of the irrigation potential; he also referred to the slow progress in rural electrification. Besides, he criticised the Government for the faulty distribution system of foodgrains.

Replying to the debate, the Chief Minister Shri Balwantrai Mehta said that the food situation was improving and prices had started coming down. The motion was negatived by voice vote.

Following the death of Shri Balwantrai Mehta in a plane crash on 19 September 1965, Shri Hitendrabhai Desai was sworn in as the acting Chief Minister. On 28 September 1965, Shri Desai was elected Leader of the Congress Legislature Party and a 13-member Ministry headed by him was sworn in on 1 October 1965.

Fourth Motion of No-Confidence

The grounds on which Shri Bipinchandra Bhatt (Swatantra Party) moved on

19 September 1966 a Motion of No-confidence against the Cabinet of Shri Hitendrabhai Desai were corruption, nepotism and malpractices. Leave of the House to move the motion was granted on 15 September 1966. The motion was debated for 8 hours and 33 minutes spanning two days. 33 members took part in the discussion.

Moving the motion, Shri Bhatt accused the Government for failing to take steps to secure the merger of Daman, Diu and Nagar Haveli with Gujarat. He said the Government had exhibited inefficiency in getting the Narmada project going. The people were living under a virtual police raj and political corruption was rampant. He further said that adequate emphasis was not being placed on small irrigation schemes and that the Panchayati Raj Institutions in the State had failed. He alleged that panchayats were being misused for political purposes.

In his reply, the Chief Minister Shri Hitendrabhai Desai dismissed the charges of the Opposition as baseless. In support of his claim, he said that whenever charges of corruption were levelled against any officers, the Government had shown promptness in taking every action against the defaulting officers after instituting inquiry proceedings against them. Moreover, he emphasized that he himself had taken personal interest in such cases and initiated departmental proceedings against such officers. The Chief Minister assured the House to provide information on the Narmada project. He further added that the Government had taken adequate steps to secure the merger of Dadra Nagar Haveli with Gujarat.

The motion was negated by voice vote.

Third Legislative Assembly (1967-1971)

In the elections to the State Legislative Assembly held on 15, 18 and 21 February 1967, the Congress Party secured an absolute majority with 93 seats in a House of 168. The Swatantra Party won 64 seats, Praja Socialist Party 3, Mahagujarat Jan Parishad 2, Jan Sangh 1 and Independents 4 seats. Polling in one constituency was postponed following the death of a candidate. Shri Hitendrabhai Desai was sworn in as the Chief Minister on 5 March 1967.

In all, four Motions of No-confidence against the Congress Ministry of Shri Hitendrabhai Desai were admitted, discussed and negated during the tenure of the Third Legislative Assembly.

First Motion of No-confidence

A Motion of No-confidence was brought against the Congress Ministry of Shri Hitendrabhai Desai on 8 February 1968 on the grounds of the rude, arrogant and atrocious behaviour of the police personnel with the common people in maintaining law and order in the State and the gross failure of the Government in providing security to the people against police atrocities.

Leave to move the motion was granted to Shri Bhailalbhai Patel (Swatantra Party) on 5 February 1968. The motion was discussed for two days for 8 hours and 12 minutes in which 44 members took part.

Moving the motion, Shri Bhailalbhai Patel alleged police excesses and cited certain specific instances in this regard. He also alleged that the Government had been unsuccessful in fulfilling its primary responsibility.

During the course of the debate, the Opposition members attacked the Government mainly for alleged police excesses and undemocratic behaviour.

Replying to the two-day debate, the Chief Minister Shri Hitendrabhai Desai declared that under the incumbent Government, the State had not only achieved stability but maintained economic progress and raised resources for development plans.

At the end of the debate, the House divided with 52 members voting in favour and 95 members voting against the motion. The motion was accordingly defeated.

Second No-confidence Motion

The second No-confidence Motion in the Third Legislative Assembly was moved on 20 March 1969 by Shri H.M. Patel (Swatantra Party). Leave to move the motion was granted on 17 March 1969. The grounds mentioned included the failure and irresponsiveness of the Government in the theft of hundreds of tons of Bauxite; price hike; inflationary tendency; inefficiency of the administration; and lack of proportionate representation in the Committee constituted for the centenary celebrations of Mahatma Gandhi. 34 members participated in the two-day discussion held on 20 and 21 March 1969.

Moving the motion, Shri H.M. Patel accused the Government of being irresponsible and insensitive to public feelings and public representatives. Citing instances of such irresponsiveness, he said that Committees, Corporations and other bodies had been formed to patronise those who had been unsuccessful at elections. He further said that during Question Hour, instead of giving straight-forward answers, the Ministers prevaricated in an attempt to prevent information being furnished to the House. Even senior Ministers did not make efforts to give the correct picture of the Government policy. Suppression was indeed one of the most potent weapons in the hands of the Government. The motion was intended to indicate that the Opposition was vigilant. The Opposition had pointed out time and again how this method of misleading the public as well as public representatives was being resorted to by the Government.

Replying to the debate, the Chief Minister Shri Hitendrabhai Desai said that the House had already expressed its confidence in the Government by passing the Motion of Thanks to the Governor for his Address as well as the Demands for Grants during the Budget Session; therefore, there was no reason for the Opposition to bring the No-confidence Motion.

At the end of the debate lasting 7 hours and 50 minutes, the motion was negated with 62 members voting in favour and 98 members voting against it.

Third Motion of No-confidence

The third No-confidence Motion against Shri Hitendrabhai Desai was moved on 5 December 1969. Leave for moving the motion was granted on 3 December 1969. In all, 33 members participated in the two-day debate held on 5 and 8 December 1969.

Moving the motion, Shri H.M. Patel (Swatantra Party) stated that the Opposition had to take recourse to a No-Confidence Motion as that was the only effective weapon through which they could ventilate their genuine grievances against the attitude of the Government. The manner in which the Government dealt with the proposals, requests, comments or criticism were far removed from the spirit in which a democratic Government should be run. He also referred to the shortage of drinking water and also to the famine which had affected different parts of the State. Relief had to be provided whenever famine occurred; there must be long-term planning so that the maximum possible assistance could be provided to these areas.

Replying to the debate, the Chief Minister Shri Hitendrabhai Desai said that the Government was committed to the implementation of a socialistic economic policy. The State had progressed ahead in that direction. He regretted that some of his colleagues who till yesterday had appreciated their work had turned over to the other side.

The motion was debated for 7 hours and 11 minutes and was negated with 67 members voting in favour and 94 members voting against it.

Fourth Motion of No-confidence

The fourth and the last No-confidence Motion in the Third Legislative Assembly was admitted on 10 June 1970. The main reasons for bringing the motion were stated to be the misuse of position by the members of the ruling party, failure to provide drinking water, security and adequate income to the people of the lower strata and restricting the inflationary rate. The alleged failure in supplying fertilizers and seeds to the farmers and the undemocratic approach of the Government towards the Opposition also formed the grounds for moving the motion.

The debate on the motion continued for two days on 15 and 16 June 1970. 25 members took part in the discussion lasting 5 hours and 19 minutes.

Initiating the debate, Shri H.M. Patel alleged that no real efforts had been made to enforce the law that had been framed in regard to the Scheduled Castes. He said that even water was being denied to many Scheduled Castes in many villages. He criticized the Government for rushing the Land Development Bill through the House without any safeguard and apprehended that the power given to the

Government to take over the land belonging to farmers for the purpose of improvement of the standard of land would be misused. There should have been limitations, restrictions and safeguards to ensure that these powers were not misused. He inquired as to what the State had been doing to see that the Kandla Port project materialized. He also asked whether the Government had pressed the point that the State had a prior claim over residual fuel oil. Similarly, in regard to the Narmada project, where the State was locked in a battle with another State which took a different view, he said it was imperative that the full implication of the value of the project to the entire country and not only to the State be brought out. He accused that the Government had proved itself to be incompetent, unable to safeguard the interests of the State vis-à-vis the Centre and unable to promote the interests of the State by pushing forward vigorously those items which would have improved the economy.

The entire Opposition barring four Independents staged a walk out after the rejection by 91 votes to 71 of Shri H.M. Patel's motion seeking to sentence three district Panchayat leaders for alleged trespass into the premises of the House with a view to intimidating and influencing the members and thereby making a breach of privilege of the House. The sentence sought was simple imprisonment for three days till the expected prorogation of the House on 18 June 1970.

After the walk-out, Shri Hitendrabhai Desai made a short speech saying that in the absence of the supporters of the No-confidence Motion, he had nothing much to say except that the Government was determined to counter the Opposition threat to its existence. The motion was negatived with 91 members voting against it and none in favour.

Fourth Legislative Assembly (1972-1974)

In the elections to the Legislative Assembly held in March 1972, the Congress won 139 seats out of the total 167 seats (excluding one seat where election was postponed due to the death of a candidate) while the Congress(O) secured 16 seats. The Jan Sangh won 3 seats and Independents and others 9 seats. On 15 March 1972, the Congress Legislature Party unanimously elected Shri Ghanshyambhai Oza, then Union Minister of State for Industrial Development, as its Leader. On 17 March 1972, a Congress Ministry headed by Shri Oza was sworn in. On 29 June 1973, Shri Oza resigned from the Chief Ministership after Shri Chimanbhai Patel, Shri Kantilal Ghia, two Deputy Ministers and 66 other members of the Legislature Party stated that they had lost confidence in his leadership. Shri Chimanbhai Patel, who was elected Leader of the Legislature Party on 16 July 1973, formed the Government on 20 July 1973.

One motion of No-confidence was debated in the Fourth Legislative Assembly.

Motion of No-confidence

Shri Maneklal Gandhi [Congress(O)], moved on 15 November 1973 a Motion of No-confidence against the Government of Shri Chimanbhai Patel on the grounds of its failure in: (i) providing transparent administration and maintaining communal harmony; (ii) protecting the interests of minorities and providing adequate foodgrains to them; and (iii) providing employment to the educated youth. 20 members participated in the day-long debate lasting 4 hours and 35 minutes.

Moving the motion, Shri Gandhi reiterated the charges and said that the ruling party had failed to keep its promises. The decision on the Narmada issue had not come so far though it was said the Prime Minister would give her decision by 15 August 1973. The Government talked of socialism and eradication of poverty but a large number of flood affected people were yet to be rehabilitated.

In his reply to the debate, the Chief Minister Shri Chimanbhai Patel said that the Government was committed to executing the programmes to which his party was dedicated. He said that a misunderstanding was being created in the minds of the farmers that progressive land reform acts were aimed at restricting the income of the rural people. He asserted that his party had come to power by winning the confidence of the people and resolved to fulfil the promises.

Referring to communal disturbances, he said the Government believed in the spirit of equality of all religions. Regarding the Narmada project, he said the project concerned not only Gujarat and Madhya Pradesh but the entire country. The issue was pending for the arbitration of the Prime Minister. The object of the economic policy of the State, he said, was that the development schedule of the undeveloped areas and districts of the State was so arranged that they came up to the level of other developed areas/districts.

The motion was negatived by voice vote.

Fifth Legislative Assembly (1975-1980)

Mid-term elections were held in Gujarat on 8 and 11 June 1975, after a period of 16 months of President's Rule, which was imposed in the State in February 1974 and was twice extended. The newly-formed Janata Front emerged as the single largest party with 86 seats in a House of 182. The Congress secured 75 seats, Kissan Mazdoor Lok Paksha (KMLP) 12 and Independents and others 8 seats. Election in one constituency was countermanded. On 18 June 1975, Shri Babubhai Jashbhai Patel was sworn in as Chief Minister by the Governor, Shri K.K. Vishwanathan. Following the defeat of the nine-month-old Janata Front Ministry on a budgetary demand by 89 to 87 votes in the Legislative Assembly on 12 March 1976, the Chief Minister Shri Babubhai Patel resigned from the office and President's Rule was imposed in the State. The Presidential Proclamation issued under article 356 of the Constitution kept the Legislative Assembly under suspension. A Congress

Ministry headed by Shri Madhavsinh Solanki was sworn in on 24 December 1976 marking the end of the President's Rule in the State.

The Fifth Legislative Assembly discussed one Motion of No-confidence against the Congress Government of Shri Madhavsinh Solanki.

Motion of No-confidence

Leave was granted on 23 March 1977 to Shri Babubhai Patel (Janata Front) to move the Motion of No-confidence. The reasons for bringing the motion were the illegal detention of innocent people under the Maintenance of Internal Security Act (MISA), gross misuse of power during the Emergency and forceful implementation of the family planning programme.

The discussion on the motion was held on 28 March 1977 for 3 hours and 10 minutes in which 10 members participated.

Moving the motion, Shri Babubhai Patel said that following the Emergency declared by the Union Government, the State Government had put innocent people behind bars under MISA. Even the lower level political workers were tortured and imprisoned in jails. The people were unsafe and the entire population was under a state of tyranny. Therefore, the Government had lost the confidence of the people.

On 28 March 1977, when Shri Vallabhbhai Patel was speaking on the Motion of No-confidence, the Leader of the Opposition intervened in the debate and requested the Speaker to allot one more day for the discussion as the motion was an important one in which many members wanted to participate. The Leader of the House did not agree with this proposal but added that he was agreeable to sit for an hour more for discussion on the motion. The Speaker, after hearing both the parties, observed that since there was no agreement between both the parties with regard to the allocation of time for discussion on the motion, no change could be made in the time recommended by the Business Advisory Committee which the House had earlier approved.

The Leader of the House then moved a motion that the time of the sitting of the House may be extended by one and a half hours. The Leader of the Opposition moved an amendment to the motion pleading that some other day might be allotted for discussion on the motion. After hearing both the sides, the Speaker took the voice vote of the House on the amendment and said mistakenly that 'ayes' had majority and subsequently corrected his mistake. On this technical ground, the Opposition staged a walk out.

In his brief reply, the Chief Minister Shri Madhavsinh Solanki regretted that the Opposition did not stay to see how hollow its claim of majority was. He said that the Opposition's behaviour was not in conformity with its views on parliamentary democracy. The Leader of the Opposition used the excuse of the Speaker's ruling after having come to know that the Janata Front's attempt to defeat

the Government would not succeed. He further said that filibustering had marked the Opposition technique from the beginning. The Opposition did not agree to his suggestion made the previous week that the Motion of No-confidence should be taken up by the House immediately.

The motion was negatived with 92 members voting against it and none in favour.

Sixth Legislative Assembly (1980-1985)

Elections held on 28 and 31 May 1980 for the 182 seats to the Legislative Assembly gave the Congress(I) a two-third majority with 140 seats. The Janata Party (JP) won 21 seats, Bharatiya Janata Party 9, Janata (CS) 1 and Independents and others 10 seats. Election in one constituency was countermanded due to death of a candidate. On 7 June 1980, a Congress Ministry headed by Shri Madhavsinh Solanki was sworn in by the Governor Smt. Sharda Mukerjee.

One Motion of No-confidence was debated and negatived in the Sixth Legislative Assembly.

Motion of No-confidence

A Motion of No-confidence was brought against the Congress Government of Shri Madhavsinh Solanki by Shri Makrand Desai (BJP). The reasons for bringing the motion were the alleged failure of the Government in providing good administration to the State, law and order situation, preventing political corruption and securing communal harmony in the State. The motion was discussed for two days on 28 and 30 December 1982 in which 24 members took part.

Moving the motion, Shri Makrand Desai said that communal riots and disturbances had continued for a period of 15 months in Baroda. What had happened there had brought to light the casteist role of the Congress(I), its lack of integrity and corruption in the Police administration. He said the Government, though in majority, had no moral right to remain in office as it had lost the confidence of the people. Even the Centre had lost its faith in the State Government's ability to curb communal riots in Baroda as three Central Ministers had to be deputed to the city to find out the causes for the disturbances.

Replying to the two-day discussion on the motion, the Chief Minister Shri Madhavsinh Solanki described the allegations against the State Government as baseless and said the Opposition parties should have used discretion while introducing the motion. He said despite the efforts of some Opposition leaders to topple the State Government by launching agitations, they had not succeeded so far and the State Government had emerged stronger in the process.

At the end of the debate lasting 8 hours and 17 minutes, the motion was negatived by voice vote.

No Motion of Confidence or No-confidence was taken up in the Seventh Legislative Assembly.

Eighth Legislative Assembly (1990-1995)

In the elections to the 182-seat State Assembly held on 27 February 1990, the Janata Dal won 70 seats, Bharatiya Janata Party 67, Congress(I) 33 and Independents 12 seats. On 4 March 1990, Shri Chimanbhai Patel of Janata Dal was sworn in as the Chief Minister heading a coalition Government with the BJP after the Governor Shri R.K. Trivedi invited him to form the Government on the condition that he would prove his majority within 30 days.

Two Motions of Confidence and one Motion of No-confidence were discussed in the Eighth Legislative Assembly.

First Motion of Confidence

In accordance with the requirement laid down by the Governor Shri R.K. Trivedi, the Chief Minister Shri Chimanbhai Patel moved on 16 March 1990 a Motion of Confidence in the House, the first in the history of the State Legislative Assembly. The motion was admitted under Rule 101 which governs No-Day-Yet-Named Motions for raising discussion on matters of urgent public importance.

Tabling the motion, the Chief Minister Shri Chimanbhai Patel sought the Opposition Congress Party's cooperation and active participation in the development process of the State. He said that the Government was firmly committed to implement the multipurpose Narmada project, the life-line of Gujarat. He also expressed his Government's firm determination to remove poverty and unemployment in the State.

Participating in the debate, Shri C.D. Patel (Congress-I) assured his party's constructive but critical support to the Government depending upon various issues involving the interests of the State.

In all, 12 members participated in the day-long discussion lasting 2 hours and 6 minutes. The motion was adopted by voice vote.

Second Motion of Confidence

On 1 November 1990, the Chief Minister Shri Chimanbhai Patel moved his second Motion of Confidence in a Special Session of the Legislative Assembly on the directions of the Governor Shri Mahipal Singh. The vote was necessitated following the break in ties between the Janata Dal and the Bharatiya Janata Party which had earlier formed a coalition Government after elections in the State. The BJP withdrew support to the Government after its ten Ministers and two Parliamentary Secretaries were asked to resign by the Chief Minister Shri Patel on 26 October 1990. Again, the motion was admitted under Rule 101 of the Gujarat Legislative Assembly Rules.

During the course of the debate, Shri C.D. Patel (Congress-I) said that the Congress Party, though extending support to the Motion of Confidence, would not compromise with either its policies or stand on some major issues like mid-day meal, etc. He further said that his party's decision to support the Janata Dal Government from outside was based on the fact that the ugly head of communalism was assuming alarming proportions and taking the country towards disaster.

Speaking on the motion, the Chief Minister Shri Chimanbhai Patel explained the reasons behind the parting of company between the Janata Dal and the BJP and his decision to seek a vote of confidence. He said that the State of Gujarat had to be saved from the communal inferno which it had been witnessing for the past few days. Labelling the BJP as wanting to exploit the sentiments of the people in the name of Lord Ram, he said this was being done for political gains and in the process, the nation faced uncertainty. This had made imperative that all secular forces joined hands to meet the challenge.

Participating in the debate, Shri Keshubhai Patel (BJP) said that Shri Chimanbhai Patel should not forget the history of Congress support to the Charan Singh Government at the Centre in 1979. Replying to the charge that his party had stabbed the Janata Dal Government in the back by withdrawing support and creating uncertainty in the country, he said that the BJP had made it very clear that if Shri L.K. Advani was arrested during his *Rath Yatra*, then they would withdraw support to the V.P. Singh Government at the Centre.

The motion was debated for 3 hours and 35 minutes in which 20 members took part and was adopted with 111 members voting in favour and 66 members against it.

Motion of No-confidence

On 4 September 1991, Shri Sureshchandra Mehta (BJP) moved a Motion of No-confidence against the Janata Dal Government of Shri Chimanbhai Patel on the grounds of failure of the Government to contain price rise, atrocities on Scheduled Castes and deterioration of the law and order situation in the State. The debate on the motion lasted 5 hours and 30 minutes and was spread over two days. 11 members participated in the discussion.

Moving the motion, Shri Sureshchandra Mehta criticized the Government stating that it had no moral right to continue in office for the misdeeds it had committed. The major points of his criticism were the law and order situation, land scandals and the Government's alleged losing of grip on the administration, which had become demoralized.

Replying to the debate, the Chief Minister Shri Chimanbhai Patel refuted all allegations of corruption, inaction and non-governance against his Government. Defending his Ministry, Shri Patel said his Government would remain in power

with the support of the Congress. In the voting held on 5 September 1991, the motion was negated by voice vote.

Ninth Legislative Assembly (1995-1997)

In the elections held on 20 and 25 February 1995, the BJP secured a two-thirds majority in the 182-member House by winning 121 seats. The Congress won 45 seats followed by Independents and others with 16 seats. On 14 March 1995, Shri Keshubhai Patel was sworn in as the Chief Minister by the Governor Dr. Sarup Singh.

Three Motions of Confidence were debated and adopted in the Ninth Legislative Assembly.

First Motion of Confidence

The first Motion of Confidence in the Ninth Legislative Assembly was moved by Shri Keshubhai Patel on 7 October 1995 in a Special Session. This was necessitated in view of the split in the ruling BJP with dissident leader Shri Shankarsinh Vaghela claiming the support of 54 out of the 121 BJP members in the Legislative Assembly. This was the third motion of its kind and this time, it was not admitted under any specific rule. The motion was discussed for 1 hour and 44 minutes in which 7 members took part.

Speaking on the motion, Shri Amarsinh Chaudhari, the Leader of the Opposition, said this was just the beginning of dissidence in the ruling party. More incidents of dissidence in the BJP were going to come to light. He expressed surprise that dissident MLAs who had been levelling allegations against the Patel Government had changed their views within 48 hours.

Replying to the debate, the Chief Minister Shri Keshubhai Patel highlighted the achievements of the Government and said if the Congress(I) proved any of the allegations of corruption against him, he would resign. The motion was adopted with 122 members voting in favour and 46 members voting against it.

Following the resignation of Shri Keshubhai Patel on 8 October 1995, Shri Sureshchandra Mehta, who was elected the new Leader of the BJP Legislature Party, was sworn in as the Chief Minister on 21 October 1995.

On 9 August 1996, the BJP expelled Shri Shankarsinh Vaghela from the party for six years for anti-party activities. Between 12 and 26 August 1996, two Ministers resigned from the Cabinet and the Chief Minister dropped six Ministers and issued show cause notices to three MLAs. On 3 September 1996, the Deputy Speaker Shri Chandubhai Dabhi recognized the Maha Gujarat Janata Party of Shri Shankarsinh Vaghela. On 9 September 1996, the ailing Speaker Shri Harishchandra Patel declared the decision taken by the Deputy Speaker in granting recognition to the breakaway group of 46 MLAs as invalid. Thereafter, President's Rule was imposed in the State on 19 September 1996.

On 23 October 1996, Shri Shankarsinh Vaghela was sworn in as the Chief Minister and was asked to prove his majority on the floor of the House within a fortnight.

Second Motion of Confidence

Shri Shankarsinh Vaghela moved a Motion of Confidence on 29 October 1996 as directed by the Governor Shri Krishna Pal Singh. This time also, the motion was not admitted under any specific rule.

Moving the one-line motion, Shri Vaghela said that his sitting in the Chief Minister's office was only a symbol of the people's aspirations. Promising to provide a popular, stable and result oriented Government, Shri Vaghela reiterated that he did not belong to any caste, creed, religion or district but only to the people of Gujarat. He accepted the demand for an inquiry by competent authorities into the happenings inside and outside the House on 18 September 1996, the attack on journalists by RSS volunteers posing as plainclothes policemen, the misuse of the terminal sickness of the former Speaker Shri Harischandra Patel to issue orders under his bogus signatures and review of all the detentions under the Terrorist and Disruptive Activities (Prevention) Act (TADA) and enactment of the Promotion of Anti-Social Activities Act.

Participating in the debate, Congress (I) and Independent members ascribed the installation of the MGJP Ministry to the total misrule by the BJP during the previous 18 months, causing dissatisfaction and disillusionment among the people who had sent the party with a two-thirds majority to the Legislative Assembly.

Speaking on the motion, Congress(I) leader, Shri Amarsinh Chaudhari and Shri Chhabildas Mehta warned the Chief Minister against deviating from the cherished path of welfare of all people.

The BJP members stayed away and boycotted the proceedings in view of the pending cases in the Delhi and Gujarat High Courts challenging the imposition of the President's Rule and the action of the Governor Shri Krishna Pal Singh in inviting Shri Vaghela to form the Ministry. 12 members participated in the 2 hours and 39 minutes long debate. The motion was adopted with 101 members voting in favour and none against it.

On 20 October 1997, the Congress(I) withdrew its support to Shri Shankarsinh Vaghela. On 27 October 1997, the Chief Minister Shri Vaghela resigned from the office. Simultaneously, Shri Dilip Parikh was elected the new Leader of the Rashtriya Janata Party and was sworn in as the Chief Minister on 28 October 1997. The Governor Shri Krishna Pal Singh directed Shri Parikh to prove his majority on the floor of the House by 13 November 1997.

Third Motion of Confidence

The third Motion of Confidence was moved by Shri Dilip Parikh on 13

November 1997 as per the directions of the Governor Shri Krishna Pal Singh. This time also, the motion was not admitted under any specific rule. The motion was debated for 3 hours and 11 minutes in which 9 members participated.

Moving the one-line motion, Shri Parikh praised his predecessor Government and said during the last one year, Shri Vaghela had done unparalleled work which had not been attempted during the last fifty years. He said, BJP had not done anything substantial and then kept on harping about the pending cases in the High Court. Concluding his speech, he asked for the cooperation of the BJP in the progress of the State.

Participating in the debate, Shri Sureshchandra Mehta (BJP) said that he failed to understand whether the vote of confidence was being sought by Shri Vaghela or Shri Parikh. He demanded an inquiry into the corruption cases during Shri Vaghela's tenure as Chief Minister. He expressed concern over the fact that the State was becoming poorer. Criticising the Congress, he said the Congress was committing a historical mistake by extending support to the RJP.

Speaking on the motion, Shri Shankarsinh Vaghela listed out the achievements of his Government and said there was lack of management in the Bharatiya Janata Party.

The motion was adopted with 98 members voting in favour and 76 members voting against it.

Tenth Legislative Assembly (1998-2002)

Elections to the Tenth Gujarat Legislative Assembly were held on 28 February 1998 in which the BJP secured an absolute majority winning 117 seats in the 182-member Assembly. The Congress (I) got 52 seats, Rashtriya Janata Party 4, Janata Dal 4, SP 1 and Independents 4 seats. Shri Keshubhai Patel of the BJP was sworn in as the Chief Minister on 4 March 1998.

Two Motions of No-confidence were admitted and debated during the Tenth Legislative Assembly.

First Motion of No-confidence

Leave was granted on 1 July 1998 to Shri Amarsinh Chaudhari [(Congress(I)] to move a Motion of No-confidence against the BJP Ministry of Shri Keshubhai Patel on the grounds of the gross failure of the State administration in giving warning to the people about the heavy cyclone and also in providing timely relief to the cyclone-hit coastal areas of the Kutch District. The other grounds were the alleged failure of the Government in maintaining law and order in the State and the inefficiency of the Council of Ministers in dealing with the natural calamities like cyclone.

The debate on the motion was held on 9 July 1998 for 4 hours and 15 minutes in which 15 members took part.

Initiating the debate, Shri Amarsinh Chaudhari charged the Government with failure to protect the lives of thousands of people in the cyclone and demanded a judicial inquiry into the lapses. He alleged that at least 10,000 people had been killed in the cyclone and nearly 90 per cent of them could have been saved had the Government taken adequate precautionary measures such as early warning and timely evacuation. He pointed out the discrepancies in the figures given by the Government about the losses suffered due to the cyclone. He said, the State Government's memorandum to the Central Government team had claimed a loss of Rs.935 crore while the State Finance Minister had made a statement that the losses were to the tune of Rs.2,170 crore. He also blamed the Government for the rising prices of edible oils.

The Opposition criticism was mainly on the mishandling of the situation in the aftermath of the 9 June 1998 cyclone, deteriorating law and order, atrocities on minorities and weaker sections, rising prices, neglect of farmers and corruption.

In his reply, the Chief Minister Shri Keshubhai Patel denied the charges that the Government had not taken sufficient precautionary measures before the cyclone. He said that when warned about the cyclone, he had immediately called a meeting of the Secretaries and then a Special Cabinet meeting to chart out a plan of action. Rebutting the charge of atrocities on weaker sections, he said the Government had taken steps to make the police more effective.

The motion was defeated with 54 members voting in favour and 117 members voting against it.

Second Motion of No-confidence

Another Motion of No-confidence against the BJP Ministry of Shri Keshubhai Patel was moved on 3 October 2000 by Shri Amarsinh Chaudhari (Congress-I). The reasons for bringing the motion before the House were loss of the confidence of the people as reflected in the Assembly by-elections as well as local bodies elections in the State, corruption, etc. The mover of the motion could not present other grounds due to pandemonium created on his critical remarks against the BJP members.

The motion was discussed for 1 hour and 30 minutes in which 10 members participated.

Moving the one-line motion, Shri Amarsinh Chaudhari said that the people of Gujarat had registered their verdict in the ballot boxes. Pandemonium broke out when Shri Chaudhari made certain critical remarks against the BJP members. The Treasury Benches led by the Chief Minister himself demanded an unconditional apology but Shri Chaudhari insisted that the accusation had been levelled by the people of the State who had rejected the BJP in the recently concluded municipal corporation and panchayat polls as well as in an Assembly by-election. During the debate on the motion, the House was adjourned four times for 10 to 15 minutes each

in a bid to quell the disturbances. Before the expiry of the two hours allocated for the debate, i.e. after a discussion of 1 hour and 30 minutes, the motion was put to vote and rejected by voice vote.

Eleventh Legislative Assembly (2002-till date)

In the elections held on 12 December 2002, the Bharatiya Janata Party (BJP) secured a two-third majority winning 126 seats in the 182-member State Assembly. The Congress(I) won 51 seats and others 4. Election in one seat was countermanded. Shri Narendra Modi who was unanimously elected the Leader of the BJP Legislature Party on 16 December 2002 was sworn in as the Chief Minister of Gujarat on 22 December 2002.

In the Eleventh Legislative Assembly, one Motion of No-confidence was admitted but it was not taken up for discussion.

Motion of No-confidence

On 10 September 2003, the Leader of the Opposition, Shri Amarsinh Chaudhari, moved for leave to make a motion expressing want of confidence in the Ministry. The Speaker read out the motion to the House. All the members from the Opposition rose in their seats and the Speaker declared that leave was granted. At this juncture, the Minister of Parliamentary Affairs drew the attention of the House towards the outcome of such motion in view of the provisions of Rule 106 of the Gujarat Legislative Assembly Rules, under which the Speaker has to fix a day not earlier than 3 days on which leave is granted. Since only two days were left for the adjournment of the House from the day on which leave to move the motion was granted, the motion could not be taken up for discussion.

Motions of Confidence and No-confidence in the Gujarat Legislative Assembly - An Analysis

In all, 15 motions of No-confidence and five Motions of Confidence have been admitted in the Gujarat Legislative Assembly till date. Of the 15 motions of No-confidence, one Motion of No-confidence which was granted leave on 10 September 2003 in the Eleventh Legislative Assembly was not taken up for discussion. Of the remaining 14 motions of No-confidence, the largest number of four Motions of No-confidence each were discussed in the Second and Third Legislative Assemblies followed by two in the Tenth Legislative Assembly. The Fourth, Fifth, Sixth and Eighth Legislative Assemblies debated one Motion of No-confidence each. As regards Motions of Confidence, all the three motions were discussed in the Ninth Legislative Assembly. The First and the Seventh Legislative Assemblies did not discuss either type of motions.

Table 2 shows that Speaker Shri Raghavji Leuva chaired the debate on the highest number of five Motions of No-confidence followed by Shri Fatehali

Palejwala who presided over the debate on four Motions of No-confidence. Shri Dhirubhai Shah chaired the debate on two Motions of No-confidence while Speakers Sarvashri Manubhai Palkhiwala, Natwarlal Shah and Himmatlal Mulani presided over the debate on one Motion of No-confidence each. Speakers Shri Shashikant Lakhani and Shri Ghumansinh Vaghela presided over the debate on two Motions of Confidence each. Shri Harishchandra Patel chaired the debate on one Motion of Confidence.

Table 3 gives an account of the motions moved against different Councils of Ministers. Shri Hitendrabhai Desai faced the highest number of five Motions of No-confidence followed by Sarvashri Balwantraji Mehta, Chimanbhai Patel, Madhavsinh Solanki and Keshubhai Patel who faced two Motions of No-confidence each. Dr. Jivraj Mehta faced one Motion of No-confidence against his Council of Ministers. Two Motions of Confidence were moved by Shri Chimanbhai Patel and one each was moved by Sarvashri Keshubhai Patel, Shankersinh Vaghela and Dilip Parikh. Shri Chimanbhai Patel and Shri Keshubhai Patel faced Motions of Confidence as well as No-confidence.

Table 4 gives statistical information pertaining to the participation of members in the debates on various motions. It also depicts the time taken and the result of the division

Participation by Members

In all, 444 members participated in the debate on the 19 motions - 384 members in 14 Motions of No-confidence and 60 members in the five Motions of Confidence. The highest number of 50 members participated in the debate on the Motion of No-confidence moved by Shri Bhailalbai Patel in September 1964. Shri Babubhai Patel's No-confidence Motion moved in March 1977 entailed the lowest participation by ten members. Sarvashri H.M. Patel and Bhailalbai Patel each moved three No-confidence Motions. As regards Motions of Confidence, the one moved by Shri Keshubhai Patel in October 1995 had the lowest number of 7 members participating in the discussion while 20 members took part in the debate on the Confidence Motion moved by Shri Chimanbhai Patel in November 1990.

Time taken

The total time spent on debating the 14 Motions of No-confidence comes to 97 hours and 11 minutes while the time taken on the five Motions of Confidence comes to 13 hours and 15 minutes. The total number of days taken to discuss the Motions of No-confidence and the Motions of Confidence comes to 26 and 5 days, respectively. Individually, the No-confidence Motion moved by Shri Bhailalbai Patel on 9 September 1963 was debated for the longest duration of 13 hours and 36 minutes while the shortest duration was taken by the No-confidence Motion moved by Shri Amarsinh Chaudhari on 3 October 2000 which was discussed for 1 hour and

30 minutes. Of the five Motions of Confidence, the one moved by Shri Chimanbhai Patel in November 1990 was debated for 3 hours and 35 minutes while the one moved by Shri Keshubhai Patel in October 1995 was discussed for 1 hour and 44 minutes.

Division

Of the 14 Motions of No-confidence debated and negatived by the Legislative Assembly, six were negatived by voice vote while eight were negatived by division. All the five Motions of Confidence were adopted - four by division and one by voice vote. The No-confidence Motion moved by Shri Babubhai Patel in March 1977 was negatived with the widest margin of 92 votes while the No-confidence Motion moved by Shri H.M. Patel in December 1969 was defeated with the narrowest margin of 27 votes. The Confidence Motion moved by Shri Dilip Parikh in November 1997 was adopted with the lowest margin of 22 votes whereas the Confidence Motion moved in October 1996 by Shri Shankarsinh Vaghela was adopted with the widest margin of 101 votes.

Haryana Legislative Assembly

The first ever election to the Punjab Province of which Haryana was a part was held in 1937. The leader of the Unionist Party, Sir Sikander Hayat, became the first Premier of Punjab in 1937. On his death in December 1942, Sir Khizar Hayat Khan Tiwana succeeded him as Premier of the Unionist Ministry. He headed the Punjab Ministry again in 1946, after the General Elections, with the Congress Party as his main supporter. This, however, lasted only for a year when he resigned in March 1947.

After partition, the Indian side of the Punjab came to be known as East Punjab, with Dr. Gopi Chand Bhargava as its first Chief Minister. Dr. Bhargava and Shri Bhimsen Sachar continued to be the Chief Ministers by turn till the latter was replaced by Sardar Pratap Singh Kairon. The Kairon Government lasted from 1956 to 1964. After partition, the people of Haryana felt that they were not having enough say in the administration while in the Punjabi speaking area, there was a strong desire to have a separate State of their own. The Regional Committee formula, which was a compromise measure, failed to satisfy the two sides. It was then decided to further reorganise the Punjab and as a result the present States of Punjab and Haryana came into existence on 1 November 1966.

The Haryana State Legislature is unicameral. At present, the membership of the Vidhan Sabha is 90.

Motion of No-confidence

Under Rule 65 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly, a motion expressing want of confidence in, or disapproving the policy in a particular respect of a Minister, or the Ministry as a whole, may be made, subject to certain restrictions, namely: (a) leave to make the motion must be asked for after Questions and before the business on the list for the day is entered upon; and (b) the member asking for leave just before the commencement of the sitting of the day, must leave with the Secretary a written notice of the motion which he proposes to make.

If in the opinion of the Speaker, the motion is in order, he reads it to the House and asks those in favour of leave being granted to rise in their places and if not less than 18 members do so, he intimates that leave is granted and that the motion would be taken on such day, not being more than ten days from the day on which the leave is asked. The Speaker may allot a day or days or part of a day for the discussion of the motion. The Speaker at the appointed hour on the allotted day or as the case may be the last of the allotted days forthwith puts every question necessary to determine the decisions of the Assembly on the motion.

Motion of Confidence

A Motion of Confidence in the Legislative Assembly is taken up under Rule 78 relating to motions which states that save as otherwise provided in these rules, a member who wishes to move a motion shall give in the case of a substantive motion at least two clear days' notice, in writing, of his intention to the Secretary, provided that the Speaker may in his discretion allow a motion or amendment to be moved at shorter notice or without notice.

Motions in different Legislative Assemblies

In all, 10 Motions of No-confidence and two Motions of Confidence have so far been moved in the various Legislative Assemblies. The First, Second, Fourth and Seventh Legislative Assemblies did not discuss any Motion of Confidence or No-confidence. Tables 1 to 4 give statistical details in respect of the motions moved till date. A graphical presentation of the motions is available in Graphs I and II. Tables 5 and 6 enumerate the Governors and Chief Ministers, respectively, of the State.

Third Legislative Assembly (1968-1972)

The State of Haryana which came under President's Rule on 26 November 1967 had mid-term elections on 12 and 14 May 1968. The Congress Party gained a comfortable majority in the 81-member Legislative Assembly securing 49 seats. The Vishal Haryana Party got 13 seats, Jan Sangh 7, Republican Party 1, Swatantra Party 2, Bharatiya Kranti Dal 1 and Independents and others 9 seats. Shri Bansilal, who was unanimously elected Leader of the Haryana Congress Legislature Party on 19 May 1968, was sworn in as the Chief Minister on 21 May 1968.

Two Motions of No-confidence were admitted and discussed against Shri Bansilal's Government during the tenure of the Third Legislative Assembly.

First Motion of No-confidence

The first ever No-confidence Motion in the Haryana State Legislative Assembly was moved by Shri Roop Lal Mehta (HKMP) against the Congress Government headed by Shri Bansilal. The leave for moving the motion was granted on 12 August 1969. The reasons for tabling the motion were the misdeeds of the Government, top

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1966-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	01.11.1966-28.02.1967	-	-
Second Legislative Assembly	17.03.1967-21.11.1967	-	-
Third Legislative Assembly	15.07.1968-21.01.1972	2	-
Fourth Legislative Assembly	03.04.1972-30.04.1977	-	-
Fifth Legislative Assembly	04.07.1977-19.04.1982	1	-
Sixth Legislative Assembly	24.06.1982-23.06.1987	1	-
Seventh Legislative Assembly	09.07.1987-06.04.1991	-	-
Eighth Legislative Assembly	09.07.1991-10.05.1996	4	-
Ninth Legislative Assembly	22.05.1996-14.12.1999	1	2
Tenth Legislative Assembly	09.03.2000 - till date	1	-
Total		10	2

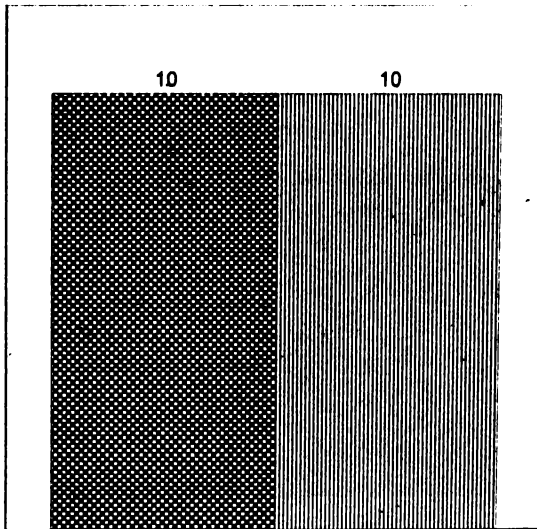
Table 2

**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1966-2003)**

<i>Sl.No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Smt. Shunno Devi	06.12.1966-17.03.1967	-	-
2.	Rao Birendra Singh	17.03.1967-23.03.1967	-	-
3.	Chaudhary Sri Chand	30.03.1967-19.07.1967	-	-
4.	Chaudhary Manphool Singh	20.07.1967-21.11.1967	-	-
5.	Brig. Ran Singh	15.07.1968-03.04.1972	2	-
6.	Shri Banarsi Das Gupta	03.04.1972-15.11.1973	-	-
7.	Chaudhary Sarup Singh	16.11.1973-04.07.1977	-	-
8.	Brig. Ran Singh	04.07.1977-08.05.1978	-	-
9.	Col. Ram Singh	15.05.1978-24.06.1982	1	-
10.	Sardar Tara Singh	24.06.1982-09.07.1987	1	-
11.	Shri Harmohinder Singh Chatha	09.07.1987-09.07.1991	-	-
12.	Shri Ishwar Singh	09.07.1991-22.05.1996	4	-
13.	Shri Chhattar Singh Chauhan	22.05.1996-27.07.1999	-	1
14.	Shri Faqir Chand Aggarwal*		-	1
15.	Shri Ashok Kumar	28.07.1999-01.03.2002	1	-
16.	Shri Satbir Singh Kadian	09.03.2002 - till date	1	-
Total			10	2

* As Acting Speaker, since the Speaker Shri Chhattar Singh Chauhan had resigned.

Graph I
NCMs in Haryana Legislative Assembly
(1966 - 2003)



 **Motions admitted and discussed**  **Negated**

Graph II
CMs in Haryana Legislative Assembly
(1986-2003)

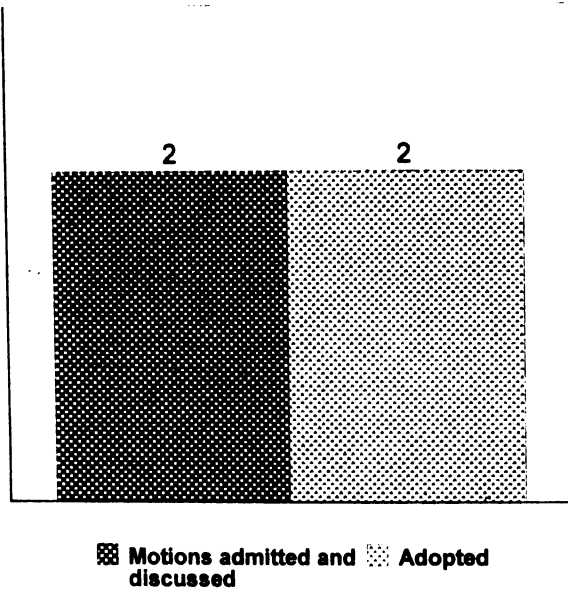


Table 3

**NCMs against/CMs in the Council of Ministers
(1966-2003)**

<i>Council of Ministers</i>	<i>Party/ Seats won/ Total; %</i>	<i>CMs/ NCMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Bansi Lal (Third Legislative Assembly)	Congress 48/81 (59.25%)	NCM	Roop Lal Mehta (8)	(12.08.1969) 13.08.1969 05.03	Negated Ayes - 36 Noes - 42
-do-		NCM	Mangal Sein (12)	(26.10.1971) 26.10.1971 06.02	Negated by voice vote
Bhajan Lal (Fifth Legislative Assembly)	Janata Party* 75/90 (83.33%)	NCM	-do- (11)	(21.09.1981) 21.09.1981 05.57	Negated Ayes - 37 Noes - 50
Bhajan Lal (Sixth Legislative Assembly)	Congress 36/90 (40%)	NCM	Chandravati (8)	(06.09.1984) 06.09.1984 05.58	Negated Ayes - 28 Noes - 54
Bhajan Lal (Eighth Legislative Assembly)	Congress 51/90 (56.6%)	NCM	Bansi Lal (18)	(19.12.1991) 19.12.1991 07.28	Negated by voice vote
-do-		NCM	Sampat Singh (9)	(13.07.1992) 13.07.1992 05.06	Negated Ayes-30 Noes-56
-do-		NCM	-do- (11)	(23.12.1992) 23.12.1992 05.48	Negated by voice vote

* Janata Party won 75 seats in the June 1977 elections. Shri Bhajan Lal who replaced Shri Devi Lal as Chief Minister in June 1979 converted the Government into a Congress(I) Government in January 1980.

<i>Council of Ministers</i>	<i>Party Seats won/ Total; %</i>	<i>CMs/ NCMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave/ discussion; Time Taken</i>	<i>Result</i>
-do-		NCM	Om Prakash Chautala (4)	(29.09.1995) 29.09.1995 03.51	Negatived by voice vote
Bansi Lal (Ninth Legislative Assembly)	Haryana Vikas Party (HVP) 35/90 (38.88%)	CM	Bansi Lal (11)	(24.06.1999) 25.06.1999 07.20	Adopted Ayes - 55 Noes - 33
Om Prakash Chautala (Ninth Legislative Assembly)	HVP 34/90 (37.77%)	CM	Om Prakash Chautala (14)	(26.07.1999) 27.07.1999 07.12	Adopted Ayes - 54 Noes - 32
-do-		NCM	Kanwal Singh (12)	(15.11.1999) 15.11.1999 04.10	Negatived Ayes - 28 Noes - 52
Om Prakash Chautala (Tenth Legislative Assembly)	HVP 47/90 (52.2%)	NCM	Bhupinder Singh Hooda (16)	(31.10.2002) 31.10.2002 04.05	Negatived ^a by voice vote

^aWalk-out by Opposition

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1966-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time taken Hrs. Mts	Date of voting	Ayes	Noes	Result
Ran Singh	NCM	Bansi Lal	Roop Lal Mehta	13.08.1969	8	05.03	13.08.1969	36	42	Negated
-do-	NCM	-do-	Mangal Sein	26.10.1971	12	06.02	26.10.1971	-	-	Negated by voice vote
Ran Singh	NCM	Bansi Lal	-do-	21.09.1981	11	05.57	22.09.1981	37	50	Negated
Tara Singh	NCM	-do-	Chandravati	06.09.1984	8	05.58	06.09.1984	28	54	Negated
Ishwar Singh	NCM	-do-	Bansi Lal	19.12.1991	18	07.28	19.12.1991	-	-	Negated by voice vote

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time taken Hrs. Mts.	Date of voting	Ayes	Noes	Result
-do-	NCM	-do-	Sampat Singh	13.07.1992	9	05.06	13.07.1992	30	56	Negated
-do-	NCM	-do-	-do-	23.12.1992	11	05.48	23.12.1992	-	-	Negated by voice vote
-do-	NCM	-do-	Om Prakash Chautala	29.09.1995	4	03.51	29.09.1995	-	-	Negated by voice vote
Chhattar Singh Chauhan	CM	Bansi Lal	Bansi Lal	25.06.1999	11	07.20	25.06.1999	55	33	Adopted
Faqir Chand Aggarwal*	CM	Om Prakash Chautala	Om Prakash Chautala	27.07.1999	14	07.12	27.07.1999	54	32	Adopted
Ashok Kumar	NCM	Om Prakash Chautala	Om Prakash Singh	15.11.1999	12	04.10	15.11.1999	28	52	Negated
Satbir Singh Kadian	NCM	-do-	Bhupinder Singh Hooda	31.10.2002	16	04.05	31.10.2002	-	-	Negated by voice vote@

* As Acting Speaker since the Speaker had resigned

@ Walk-out by Opposition

Table 5

Governors of Haryana

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Dharma Vira	01.11.1966 - 14.09.1967
2.	Shri B.N. Chakravarti	15.09.1967 - 23.03.1976
3.	Shri N.S. Narula	27.03.1976 - 13.08.1976
4.	Shri Jaisukhlal Hathi	14.08.1976 - 23.09.1977
5.	Shri H.S. Brar	24.09.1977 - 09.12.1979
6.	Shri S.S. Sandhwalia	10.12.1979 - 27.02.1980
7.	Shri G.D. Tapase	28.02.1980 - 13.06.1984
8.	Shri S.M.H. Burney	14.06.1984 - 21.02.1988
9.	Shri H.A. Barari	22.02.1988 - 06.02.1990
10.	Shri Dhanik Lal Mandal	07.02.1990 - 13.06.1995
11.	Shri Mahabir Prasad	14.06.1995 - 18.06.2000
12.	Shri Babu Parmanand	19.06.2000 - till date

Table 6

Chief Ministers of Haryana

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Bhagwat Dayal Sharma	01.01.1966 - 23.03.1967
2.	Shri Rao Birendra Singh	24.03.1967 - 20.11.1967
	President's Rule	21.11.1967 - 21.05.1968
3.	Shri Bansi Lal	21.05.1968 - 30.11.1975
4.	Shri Banarsi Das Gupta	01.12.1975 - 29.04.1977
	President's Rule	30.04.1977 - 21.06.1977
5.	Shri Devi Lal	21.06.1977 - 26.06.1979
6.	Shri Bhajan Lal	28.06.1979 - 23.05.1982
		23.05.1982 - 05.06.1986
7.	Shri Bansi Lal	05.06.1986 - 20.06.1987
8.	Shri Devi Lal	20.06.1987 - 02.12.1989
9.	Shri Om Prakash Chautala	02.12.1989 - 23.05.1990
10.	Shri Banarsi Das Gupta	23.05.1990 - 12.07.1990
11.	Shri Om Prakash Chautala	12.07.1990 - 17.07.1990
12.	Shri Hukam Singh	17.07.1990 - 22.03.1991
13.	Shri Om Prakash Chautala	22.03.1991 - 06.04.1991
	President's Rule	06.04.1991 - 23.06.1991
14.	Shri Bhajan Lal	23.06.1991 - 10.05.1996
15.	Shri Bansi Lal	11.05.1996 - 23.07.1999
16.	Shri Om Prakash Chautala	24.07.1999 - 02.03.2000
		02.03.2000 - till date

heavy administration and corruption in the State. The motion was discussed on 13 August 1969. In all, eight members took part in the debate.

Moving the motion, Shri Roop Lal Mehta charged the Government with misuse of power, favouritism and victimization and suppression of opponents. He said that administrative posts at the higher level were in surplus in Haryana, a small State having seven districts. This was the result of the creation of key posts for certain persons. He further alleged that Punjabis, who had established industries and were working for the development of the State, were being ignored in the matters of allotting quotas, finances and other facilities.

In his reply, the Chief Minister Shri Bansi Lal said that neither any specific charge had been made by the Opposition nor any constructive suggestion given to reform the administration. He further said that his Government had not made any false case against anyone. The Judiciary was an independent body and the Government had no control over it. He contended that the law and order situation had improved in the State. The Opposition was giving contradictory statements. On the one hand, it was said that the police force was being misused and on the other it was claimed that the force was being victimized. As regards supersession of municipalities, he said that if any municipal committee had to be superseded in the public interest, any Government would do it. He assured the members that the Government would take the Opposition into confidence with regard to the sharing of waters of Ravi and Beas and various other disputes between Haryana and Punjab. Referring to famine relief, he denied any discriminatory treatment with regard to any area. He also announced that within the next five years, every village in the State would have electricity and roads.

At the end of the debate lasting five hours and three minutes, the motion was defeated with 36 members voting in favour and 42 members against it.

Second Motion of No-confidence

Another No-confidence Motion was brought by Dr. Mangal Sein (Jan Sangh), Shri Dal Singh [Congress (O)], Shri Balwant Rai Tayal and Chaudhari Chand Ram (Independents) against the Government of Shri Bansi Lal. The reasons for bringing the motion before the House were the malfunctioning of the administration, conduct of the Chief Minister, the price of wheat, ignoring the welfare of the Harijans, etc. The leave for the motion was granted on 26 October 1971. The debate lasted six hours and two minutes in which 12 members participated.

Moving the motion, Chaudhari Chand Ram said he was strictly against political defection. He further said that the Government had failed to bring in socialism. In the AICC session held in Bombay in December 1970, the Congress Party had passed a resolution stating that all sugar mills in the country would be nationalised. However, in Haryana, no sugar mill had been nationalised as yet. He also alleged

that in all cooperative societies, financial institutions and agricultural marketing organisations, representation was being made by nominations instead of elections.

Replying to the debate, the Chief Minister Shri Bansi Lal said the State was making economic progress at a fast pace. In two years' time, every village in the State would be linked with metalled road and flood waters would be controlled. On the agricultural front, the State had already achieved the target set in the Fourth Plan. The motion was negated by voice vote.

The Fourth Legislative Assembly did not take up any Motion of Confidence or No-confidence.

Fifth Legislative Assembly (1977-1982)

In the elections to the Legislative Assembly held on 12 June 1977, the Janata Party secured more than two-thirds' majority winning 75 seats in the 90-member House. The Congress won 3 seats, Haryana Vikas Party 5 and Independents 7 seats. A Janata Ministry headed by Shri Devi Lal was sworn in by the Governor Shri Jaisukhlal Hathi on 21 June 1977. On 19 April 1979, the Chief Minister dismissed four Ministers of the Jan Sangh. Another four Ministers resigned on 6 June 1979. On the same day, 43 of the 75 Janata members of the Legislative Assembly demanded his removal. After the party's parliamentary board had directed him to seek a vote of confidence, he resigned on 23 June 1979. Shri Bhajan Lal, a member of the Congress for Democracy (CFD) and one of the Ministers who had resigned on 6 June 1979, was unanimously elected Leader of the Janata Legislature Party on 27 June. Subsequently, he was sworn in as the Chief Minister on 28 June 1979.

On 22 January 1980, in a sudden development, the Janata Government of the State converted itself into a Congress(I) Government with the Chief Minister, Shri Bhajan Lal, leading 37 MLAs out of the Janata Legislature Party and expressing their allegiance to the leadership of the Prime Minister, Smt. Indira Gandhi.

One Motion of No-confidence was debated and negated during the tenure of the Fifth Legislative Assembly.

Motion of No-confidence

Three notices of Motion of No-confidence were given against the Congress(I) Government of Shri Bhajan Lal. The first notice was received on 21 September 1981 from Dr. Mangal Sein (BJP), the second notice on 16 September 1981 from Shri Karan Singh (Lok Dal) and 11 other MLAs and the third one on 20 September 1981 from Smt. Sushma Swaraj. The Speaker held all the notices of motion in order. Leave was granted to the Motion of No-confidence given notice of by Dr. Mangal Sein on 21 September 1981. The motion was brought on the grounds of defection in the ruling party, deteriorating law and order situation in the State, support price of wheat and allocation of disproportionately large funds for development works in the Chief

Minister's constituency. The discussion on the motion was held on 21 September 1981 for five hours and fifty-seven minutes in which 11 members participated.

Initiating the debate, Dr. Mangal Sein said the Government had lost the confidence of the House and also of the people on 22 January 1980 when the leader of the Council of Ministers along with a large number of legislators had switched over to the Congress(I). He accused the Government of issuing licenses for coal trading on considerations other than merit. He alleged that some of the posts of sub-judges were taken away from the purview of Public Service Commission for partisan gains.

In his reply, the Chief Minister Shri Bhajan Lal, referring to the licences for coal trading, said the policy for issuing licences had been changed. The applications of all the applicants depositing Rs.20,000/- as security were being recommended without any discrimination. He assured the House that the proposed oil refinery would be allotted to Haryana at Karnal. The Opposition charge of infighting in the ruling party was dismissed by the Chief Minister as an internal matter of the party.

The motion was defeated by voice vote. However, division was claimed. Thereafter, the motion was rejected with 37 members voting in favour and 50 members voting against it.

Sixth Legislative Assembly (1982-1987)

In the General Elections held on 19 May 1982 for the 90-member State Legislative Assembly, while the Congress(I) won 36 seats, the Lok Dal won 31, BJP 6, Congress(J) 3, Janata Party 1 and Independents 12 seats. The result from one constituency was withheld. On 23 May, Shri Bhajan Lal was sworn in as the Chief Minister.

One Motion of No-confidence was discussed during the tenure of the Sixth Legislative Assembly.

Motion of No-confidence

A No-confidence Motion was moved by Smt. Chandravati, Haryana Lok Dal, against the Government of Shri Bhajan Lal on the grounds of corruption, malpractices in recruitment by the State Staff Selection Board, illegalities in mines, difficulties of farmers and non-development. The leave of the House to move the motion was granted on 6 September 1984. The motion was debated for five hours and fifty-eight minutes in which eight members took part.

Initiating the debate, Smt. Chandravati said there was neither administration nor development but rampant corruption in the State. Dr. Mangal Sein (BJP) criticised the Government for not being able to complete the Sutlej-Yamuna Link (SYL) Canal in time, for its failure to supply water and power to the farmers and to arrest the persons responsible for the breach in the Bhakra Canal.

Replying to the debate, the Chief Minister Shri Bhajan Lal described the Opposition charges as irresponsible and devoid of truth. He said that in view of the damage to cotton and paddy crops following two successive breaches in the Bhakra Canal, the Government had requested the Centre for a special grant of Rs.155 crore. While he would not dispute the fact that in certain cases the bajra crops might have failed this year or in the past years, the overall production figures showed that during the last five years it had more than doubled. Referring to the construction of the SYL Canal, he said work was progressing well and it was likely to be completed in about two years.

At the end of the debate, the House divided with 28 members voting in favour and 54 members voting against. The motion was negatived accordingly.

The Seventh Legislative Assembly did not take up any Motion of Confidence or No-confidence.

Eighth Legislative Assembly (1991-1996)

In the elections to the Eighth Legislative Assembly held in May-June 1991, the Congress(I) secured 51 seats, Samajwadi Janata Party 16, Haryana Vikas Party 12, Janata Dal 3, Bharatiya Janata Party 2, Bahujan Samaj Party 1 and Independents 6 seats. Shri Bhajan Lal was elected leader of the Congress Legislature Party on 23 June 1991 and was sworn in as the Chief Minister by the Governor Shri Dhanik Lal Mandal.

In all, four Motions of No-confidence were admitted, discussed and negatived in the Eighth Legislative Assembly.

First Motion of No-confidence

A notice of No-confidence Motion was received from Sarvashri Bansi Lal, Amar Singh (Haryana Vikas Party), Sampat Singh (Janata Party), Ram Bilas Sharma, Verender Singh and Smt. Chandravati (Janata Dal) against the Congress Government of Shri Bhajan Lal in December 1991. Some of the grounds for moving the motion were: cases registered under TADA, functioning of the police, misuse of rest houses, licenses to builders, defections and construction of the SYL Canal. The motion was discussed on 19 December 1991 in which 18 members participated in the seven hours and twenty-eight minutes long debate.

Moving the motion, Shri Bansi Lal (HVP) said that the Government had done nothing for the welfare of the people during the last six months and instead created problems for the people.

The Leader of the Opposition, Shri Sampat Singh said that the Government had failed on all fronts and was giving false and contradictory statements on every issue. There was no law and order in the State. Atrocities were being committed on the weaker sections of society. Shri Ram Bilas Sharma (BJP) pointed out that the

Government did not have any priorities, no results to show and financial crises were bedeviling the administration.

Replying to the debate, the Chief Minister Shri Bhajan Lal said that the Opposition parties were fairly aware of the fact that the present Government had the support of 51 legislators and the people in general, but still an effort was being made to disturb the proceedings of the House. He reiterated that he would not allow Chandigarh to be transferred to Punjab unless Abohar, Fazilka and other Hindi-speaking areas were given to Haryana. He further clarified that apart from this, the Centre would be persuaded to give at least 1,000 crore rupees for the establishment of a new capital for Haryana. He requested the Opposition leaders not to rake up the sensitive issue of the SYL Canal and assured that the work for completing the Canal had been entrusted to the Border Roads Organisation. He further said that all possible steps were being taken to check the movements of militants and operations had been launched in the border districts of the State. He pointed out that about 7.5 lakh genuine people had been given old age pension and interest on loans was being waived off.

The motion was negated by voice vote.

Second Motion of No-confidence

The second No-confidence Motion against Shri Bhajan Lal was moved by the Leader of the Opposition Shri Sampat Singh (Janata Party) on 13 July 1992, on the grounds of law and order situation, militant activities, construction of the SYL Canal, territorial dispute with Punjab, failure of the Government to control floods and scarcity of drinking water. The motion was supported by the Haryana Vikas Party, the Bhartiya Janata Party and the Janata Dal. The debate on the motion lasted five hours and six minutes in which nine members took part.

Moving the motion, Shri Sampat Singh said the Government's balance sheet showed deteriorating law and order, cases lodged against political opponents, terrorist activities on the increase and development activities at a standstill. Shri Bansi Lal (HVP) accused the Government of not safeguarding the interests of Haryana and alleged that the law and order situation had greatly deteriorated.

Replying to the debate, the Chief Minister Shri Bhajan Lal refuted the charges of Opposition members on various issues, including the Sutlej-Yamuna Link Canal, law and order, militants' activities and recruitments in police. He reiterated that the water and territory problems with neighbouring Punjab would be solved through dialogues which were under way with his Punjab counterpart. He emphasised that his Government would safeguard Haryana's interests and Chandigarh would not be given to Punjab unless Abohar and Fazilka and other Hindi-speaking areas were transferred to Haryana. He further clarified that he was willing to sacrifice a few

villages in lieu of Chandigarh to see the problem in Punjab solved in the interest of the unity and integrity of the country.

The motion was defeated with 30 members voting in favour and 56 members against it.

Third Motion of No-confidence

A notice of No-confidence Motion was given by Shri Sampat Singh (Janata Party) and 26 other members against the Government headed by Shri Bhajan Lal on 23 December 1992. Speaker Shri Ishwar Singh held the motion in order. The debate on the motion on 23 December 1992 lasted five hours and forty-eight minutes in which 11 members participated. Some of the grounds for moving the motion were: deteriorating law and order situation, corruption and unauthorised occupation of Government land.

Moving the motion, Shri Sampat Singh said that there was lawlessness in the State and the administration had come to a standstill. All sections of society were unhappy with the Government. No progress had been made regarding the Jamunanagar thermal power plant. Similarly, no new irrigation project had been set up. The Electricity Boards were running in losses to the tune of Rs.527 crore. Farmers and the common man had been badly affected by the 40 per cent increase in the electricity tariff. He suggested that fertilizers, power and water for irrigation should be provided as incentives to farmers.

In his reply, the Chief Minister Shri Bhajan Lal said that orders had been issued to entrust the work of the SYL Canal project to the Border Roads Organisation. The work on it would start as soon as the situation in Punjab became normal. Referring to shortage of electricity, he said all efforts were being made to supply electricity to the farmers and industries. As regards thermal power plants, he informed that an agreement on the 1,000 MW capacity Hissar thermal power plant had been signed and negotiations with the NTPC had almost been finalised for the Yamunanagar thermal power plant. Electricity tariffs had been increased in accordance with the unanimous decision taken at the Chief Ministers' Conference. The motion was negated by voice vote.

Fourth Motion of No-confidence

A notice of No-confidence Motion was given by Shri Om Prakash Chautala (Janata Party) and 20 other MLAs, a majority of them from the Samajwadi Janata Party (SJP), on 27 September 1995 against the Ministry headed by Shri Bhajan Lal. The Speaker Shri Ishwar Singh initially refused to admit the motion on the grounds that it was submitted late in the night on 27 September much after the hour prescribed for the purpose in the rule book. He said that since the motion was received late on 27 September, it would be considered to have been submitted on 28 September and

hence would be taken up then. The Chief Minister Shri Bhajan Lal suggested that he should admit the motion and hold discussion on it later. While admitting the motion, the Speaker said that leave on the motion would be granted on 29 September 1995.

The motion was discussed on 29 September 1995 in which four members took part. Initiating the debate, Shri Sampat Singh (Janata Party) said there had been complete breakdown of the constitutional machinery in the State. The decisions of the courts were not being adhered to. Referring to the SYL Canal, he expressed doubts over its completion unless the work was entrusted to some Central agency or it was considered as a national project. The State Electricity Board was running in losses due to corruption and mismanagement. The electricity tariffs for every sector had been increased three and a half times. He also said that the police administration had failed badly.

In his reply to the debate, the Chief Minister Shri Bhajan Lal said his Government had surpassed all past records in every sphere, be it agriculture, employment or industrial development. Referring to the flood havocs, he said that the sympathies of the Union Finance Minister, Agriculture Minister and the Planning Minister were with the people of Haryana. He was confident that maximum help and relief would be extended to the State.

At the end of the debate lasting three hours and fifty-one minutes, the motion was defeated by voice vote.

Ninth Legislative Assembly (1996-1999)

In the elections to the 90-member State Legislative Assembly held on 27 April 1996, wherein the results for 89 seats were declared, the Haryana Vikas party (HVP)-BJP alliance gained a clear majority by winning 43 seats. The HVP secured 32 seats, BJP 11, Samata Party 24, Congress(I) 9, All India Indira Congress(T) 3 and Independents 10 seats. Shri Bansi Lal of the HVP was sworn in as the Chief Minister on 11 May 1996.

Two Motions of Confidence and one No-confidence Motion were debated during the tenure of Ninth Legislative Assembly.

First Motion of Confidence

On 22 June 1999, the eleven-member BJP Legislature Party withdrew support from the Government headed by Shri Bansi Lal. Subsequently, the Governor Shri Mahabir Prasad asked the Chief Minister to prove the majority on the floor of the House by 25 June 1999. The first Confidence Motion in the history of the Legislative Assembly was moved by Shri Bansi Lal on 25 June 1999.

Speaking on the motion, Shri Om Prakash Chautala said the electorate had given a mandate to the HVP-BJP alliance to form the Government. When one of its constituents, the BJP, withdrew support, it became the moral responsibility of the

Government to resign on its own. He accused the Chief Minister of making promises which were impractical and could not be fulfilled. He further alleged that the Haryana Roadways was running in losses to the tune of 100 crore rupees.

In his reply, the Chief Minister Shri Barsi Lal listed out the various achievements of his Government and refuted the allegation that his Government had not carried out any development works.

The debate on the motion lasted seven hours and twenty minutes in which 11 members took part. The motion was adopted with 55 members voting in favour and 33 members voting against it.

On 5 July 1999, the Chief Minister Shri Bansi Lal rejected the Congress demand to dissolve the State Legislative Assembly. The Governor Shri Mahabir Prasad asked the Chief Minister on 18 July 1999 to seek a vote of confidence on the floor of the House before 21 July 1999. On 20 July, nineteen members (16 of the HVP and three Independents) withdrew support from the Government and on 21 July 1999, Shri Bansi Lal resigned from the office of the Chief Minister. Thereafter, in a related development, an 18-member breakaway group of the Haryana Vikas Party - called the Haryana Vikas Party (Democratic) - was formed under the leadership of Shri Kartar Singh Bhadana. Shri Om Prakash Chautala of the Indian National Lok Dal was sworn in as the new Chief Minister on 24 July 1999 and was asked to prove his majority on the floor of the House.

Second Motion of Confidence

The Chief Minister Shri Om Prakash Chautala moved on 27 July 1999 a Motion of Confidence in a Special Session of the Legislative Assembly. Earlier, before the Legislative Assembly could take up the vote of confidence, the Speaker, Shri Chhattar Singh Chauhan, resigned from his office. The Speaker's resignation came in the wake of a notice of No-confidence against him given by the members of the Indian National Lok Dal and the Bharatiya Janata Party. The Deputy Speaker Shri Faqir Chand Aggarwal presided over the special sitting. Even before the Chief Minister Shri Chautala moved the motion, the Opposition comprising the Haryana Vikas Party and the Congress contended that under article 163 of the Constitution, there should be a Council of Ministers to aid and advise the Government and that the Chief Minister alone does not comprise the entire Government. Asserting that this Government could not seek a vote of confidence in these circumstances, Shri Chhattar Singh Chauhan (HVP) and Shri Birender Singh (Congress-I) said that the motion could not be moved until the Ministry was constituted and that as the custodian of the Constitution, it was the duty of the Speaker to adhere to its provisions.

Rejecting the Opposition argument, Deputy Speaker Shri Faqir Chand Aggarwal asked Shri Chautala to move the motion since he was directed by Governor to seek the confidence vote at the earliest. During the course of the debate, the

Opposition criticism was concentrated on the constitution of the Chautala Government

Replying to the debate, the Chief Minister Shri Om Prakash Chautala said that the ensuing Lok Sabha elections in the State would be free and fair. University regional centres would be set up in Rewari and Sirsa districts which had been abolished by the previous Government. He also assured that the status of the Guru Jambheshwar University, Hissar, would be restored.

At the end of the debate lasting seven hours and twelve minutes in which 14 members took part, the motion was adopted with 54 members voting in favour and 32 members voting against it.

Motion of No-confidence

A No-confidence Motion was moved against the three and a half month old Government of Shri Om Prakash Chautala on 15 November 1999. The grounds for bringing the motion were non-fulfilment of the promises made by the Government, law and order situation, shortage of electricity and inaction of Government in the matter of diesel prices. The motion was debated for four hours and ten minutes in which 12 members participated.

Shri Kanwal Singh (HVP), who moved the motion, accused the Government of making false promises for electoral gains. The INLD had promised to give free power and water but it stopped talking about these after winning the Lok Sabha elections. The popularity graph of the Chief Minister was going down. Smt. Kartar Devi [Congress (I)] criticised the Government for the deteriorating law and order situation. Defending the Government, Shri Sampat Singh, Finance Minister, said the Lok Sabha elections in the State were incident free, which spoke volumes about the Government's control over the law and order situation. He said the Government was reviewing the power sector reform programme. Shri Ram Bilas Sharma (BJP) appreciated the various steps taken by Shri Chautala's Government in public interest. He, however, conceded that law and order as well as shortage of power supply were constraints being faced by the present Government.

Replying to the debate, the Chief Minister Shri Om Prakash Chautala highlighted the various steps taken by his Government in public interest immediately after coming to power. He said his Government had restored the grant of the Agroha Medical College, enhanced compensation to martyrs' families to Rs. 10 lakh, introduced compensation for injured soldiers, doubled old-age pension and raised the amount of award to teachers. He promised that an inquiry would be held to find out if any official had faltered in the procurement of paddy so that action could be taken against the guilty. He also reiterated his commitment that the canals would be repaired and desilted.

The motion was negated with 28 members voting in favour and 52 members against it.

Tenth Legislative Assembly (2000-till date)

In the elections to the 90-member Legislative Assembly held on 17 and 22 February 2000, the INLD secured 47 seats, Congress(I) 21, BJP 6, HVP 2, BSP 1, RPI 1, NCP 1 and Independents 11 seats. On 27 February 2000, the Governor Shri Mahabir Prasad invited the Indian National Lok Dal leader Shri Om Prakash Chautala to form the Government. On 2 March 2000, Shri Chautala was sworn in as the Chief Minister.

Motion of No-confidence

A No-confidence Motion was brought against the Government of Shri Om Prakash Chautala on 31 October 2002 by Shri Bhupinder Singh Hooda [Congress(I)] and 22 other members. The notice of the motion was received on 30 October 2002.

Moving the motion, Shri Bhupinder Singh Hooda, Leader of the Opposition, said that the law and order situation in the State had deteriorated drastically and the killing of five Dalits was a pointer to this.

During the debate, the Opposition legislators focused primarily on the Dulina incident in which the Dalits were killed and demanded a probe by the CBI. The Bill regarding setting up of casinos in the State, issue of drought relief, and retrenchment of surplus employees were the other issues mentioned during the debate.

In his reply, the Chief Minister Shri Om Prakash Chautala gave a detailed account of the circumstances leading to the Dulina incident. Turning down the demand for an inquiry by the CBI, Shri Chautala said that an Enquiry Commissioner had been entrusted to conduct the probe. On the issue of casinos, Shri Chautala said that revenue generated from the casinos would enable the Government to avoid imposing more taxes on the people. The Chief Minister said that while the State Government could not give cash relief to the drought affected farmers since no fund for this purpose had been released by the Centre, the farmers were supplied with more power and water in the irrigation canals to tide over the crisis.

The motion was debated for 4 hours and 5 minutes in which 16 members participated. The motion was negated by voice vote amidst a walk-out by the Opposition.

Motions of Confidence and No-confidence in the Haryana Legislative Assembly - An Analysis

In all, ten Motions of No-confidence and two Motions of Confidence were admitted and discussed in the State Legislative Assembly. Out of the 10 Motions of No-confidence, the highest number of four No-confidence Motions were debated in

the Eighth Legislative Assembly followed by two in the Third Legislative Assembly. The Fifth, Sixth and Tenth Legislative Assemblies discussed one Motion of No-confidence each whereas one No-confidence Motion and two Confidence Motions were discussed in the Ninth Legislative Assembly. In the First, Second, Fourth and Seventh Legislative Assemblies, no such motion was discussed. While the two Motions of Confidence moved by the incumbent Chief Ministers were adopted, all the ten Motions of No-confidence were defeated in the House.

Table 2 gives the number of No-confidence and Confidence Motions admitted and discussed during the tenures of different Speakers of the Assembly, which shows that Speaker Shri Ishwar Singh chaired the debates on the highest number of four No-confidence Motions followed by Brig. Ran Singh who presided over the debates on two Motions of No-confidence. Speakers Col. Ram Singh, Sardar Tara Singh, Shri Ashok Kumar and Shri Satbir Singh Kadian chaired the debate on one Motion of No-confidence each. Speaker Shri Chhattar Singh Chauhan and Deputy Speaker Shri Faqir Chand Aggarwal presided over the debate on one Motion of Confidence each.

Table 3 gives an account of the No-confidence Motions and Confidence Motions debated during the different Councils of Ministers. Of the ten Motions of No-confidence, Shri Bhajan Lal faced six motions. As regards Motions of Confidence, one each was moved by Shri Banshi Lal and Shri Om Prakash Chautala. Chief Ministers Shri Banshi Lal and Shri Om Prakash Chautala had to face motions of both types - No-confidence and Confidence.

Table 4 gives statistical information pertaining to the participation of members in the debates on various Motions of No-confidence and Confidence. It also depicts the time taken and the result of the division.

Participation by Members

A statistical analysis of Table 4 shows that, in all, 109 members of the Legislative Assembly participated in the debates on the ten Motions of No-confidence and 25 members in two Motions of Confidence. The highest number of 18 members took part in the debate on the No-confidence Motion moved by Shri Banshi Lal in December 1991. Shri Om Prakash Chautala's No-confidence Motion moved in September 1995 entailed the lowest participation by 4 members. Dr. Mangal Sein and Shri Sampat Singh moved two No-confidence Motions. Shri Banshi Lal and Shri Om Prakash Chautala moved motions of both types - one No-confidence and one Confidence Motion. As regards Confidence Motions, the one moved by Shri Banshi Lal in June 1999 had 11 members participating in the discussion while 14 members participated in the Confidence Motion moved by Shri Om Prakash Chautala in July 1999.

Time taken

The total time spent on debating the ten Motions of No-confidence works out to 53 hours and 28 minutes while the time taken on the two Motions of Confidence was 14 hours and 32 minutes. The total number of days taken to discuss the ten Motions of No-confidence and two Motions of Confidence comes to ten and two days, respectively. The No-confidence Motion moved by Shri Bansri Lal on 19 December 1991 was debated for the longest duration, *i.e.* 7 hours and 28 minutes while the lowest time was taken by the No-confidence Motion moved by Shri Om Prakash Chautala on 29 September 1995 which was debated for 3 hours and 51 minutes. The Motion of Confidence moved by Shri Bansri Lal in June 1999 was debated for 7 hours and 20 minutes and the motion moved by Shri Om Prakash Chautala in July 1999 was discussed for 7 hours and 12 minutes.

Division

Of the ten Motions of No-confidence which were debated by the Legislative Assembly, five motions were negatived by voice vote and five by division. Both the Motions of Confidence were adopted by division. The No-confidence Motions moved by Smt. Chandravati on 6 September 1984 and Shri Sampat Singh on 13 July 1992, both against the Ministry of Shri Bhajan Lal, were negatived by the widest margin of 26 votes while the motion moved by Shri Roop Lal Mehta against Shri Bansri Lal voted on 13 August 1969 was negatived by the narrowest margin of 6 votes. Each of the Motions of Confidence moved by Chief Ministers Shri Om Prakash Chautala and Shri Bansri Lal were adopted with the margin of 22 votes.

Himachal Pradesh Legislative Assembly

The Himachal Pradesh Legislature, as we see today, evolved over a long period of time. For centuries, the valleys of the Himalayas and the Shivaliks remained cut off from the mainstream, and the Rajas and Ranas (ruling princes) held on to their principalities under the suzerainty of the British Crown. For the subjects of Suket State, one of the 30 merging states which eventually came to form Himachal Pradesh, victory came on 18 February 1948. Soon, one after the other, the rest of the Shimla Hill and Punjab States signed the instruments of accession and this paved the way for the emergence of a new administration and a free people. Later, in 1951, it became a Part C State under a Lieutenant Governor with a 36-member Legislative Assembly and a three-member Cabinet. In 1954, Bilaspur, another Part-C State, was merged with Himachal Pradesh and the strength of its Assembly was raised to 41. In 1956, despite majority recommendation of the States Re-organisation Commission for its merger with Punjab, Himachal Pradesh retained its separate identity, but as a Union territory under an Administrator designated Lieutenant-Governor, and without any elected Assembly. After a lapse of seven years, in 1963, the Assembly was revived, with the Territorial Council in existence since 1957 being converted into the Legislative Assembly with a strength of 43, including two nominated members. With the merger of new areas into Himachal Pradesh in 1966, the number of members in the House rose to 56, including 2 nominated members. The strength of the House was further raised to 63 (60 elected and 3 nominated) after section 24(3) of the Punjab Reorganisation Act, 1966 came into force in 1967. On 25 January 1971, Himachal Pradesh became the eighteenth State of the Union of India *vide* the State of Himachal Pradesh Act, 1970. The Legislature of Himachal Pradesh has been unicameral from the very beginning. At present, the Legislative Assembly has a strength of 68.

Motion of No-confidence

According to Rule 278 of the Rules of Procedure and Conduct of Business in the Himachal Pradesh Legislative Assembly, a motion expressing want of confidence

in the Council of Ministers may be made subject to certain restrictions, namely: (a) leave to make the motion shall be asked for by the member when called by the Speaker; and (b) the member asking for leave shall, before the commencement of the sitting for the day, give to the Secretary a written notice of the motion which he proposes to move. If the Speaker is of the opinion that the motion is in order, he reads out the motion to the House and requests those members who are in favour of leave being granted to rise in their seats, and if not less than one-third of the total number of members of the House rise accordingly, the Speaker intimates that leave is granted and that the motion be taken on such day, not being more than ten days from the date on which the leave is granted. The Speaker may allot a day or days or part of the day for discussion on the motion. The Speaker at the appointed hour on the allotted day or last of the allotted days as the case may be forth with puts every question necessary to determine the decision of the House on the motion. The Speaker, if he thinks fit, prescribes a time limit for speeches.

Motion of Confidence

A Motion of Confidence is also taken up under Rule 278 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

Motions in different Legislative Assemblies

In all, eight Motions of No-confidence and one Motion of Confidence have so far been moved in the various Legislative Assemblies. Tables 1 to 4 provide statistical details in respect of these motions. A graphical presentation of the motions is available in Graphs I and II. Tables 5 and 6 list out the Governors and Chief Ministers, respectively, of the State.

The First Legislative Assembly did not discuss any Motion of Confidence or No-confidence.

Second Legislative Assembly (1967-1972)

In the elections to the Second Legislative Assembly held in February 1967, the Congress Party secured an absolute majority by winning 33 seats in a 63-member House (three members were to be nominated). The Jan Sangh got 7 seats, Communist Party of India 2 and Independents 13 seats. Elections to the five snowbound constituencies were held later. On 14 March 1967, Dr. Y.S. Parmar was sworn in as the Chief Minister for the third time.

Three Motions of No-confidence were debated during the tenure of the Second Legislative Assembly.

First Motion of No-confidence

Two notices of Motion of No-confidence against the Congress Government headed by Dr. Y.S. Parmar were received by the Speaker Shri Des Raj Mahajan on 10

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1963-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	01.07.1963 - 12.01.1967	-	-
Second Legislative Assembly	01.03.1967 - 17.03.1972	3	-
Third Legislative Assembly	18.03.1972 - 30.04.1977	1	-
Fourth Legislative Assembly	22.06.1977 - 19.04.1982	2	-
Fifth Legislative Assembly	24.05.1982 - 23.01.1985	1	-
Sixth Legislative Assembly	08.03.1985 - 03.03.1990	-	-
Seventh Legislative Assembly	03.03.1990 - 15.12.1992	-	-
Eighth Legislative Assembly	03.12.1993 - 04.03.1998	-	-
Ninth Legislative Assembly	05.03.1998 - 29.01.2003	1	1
Tenth Legislative Assembly	04.03.2003 - till date	-	-
Total		8	1

Table 2

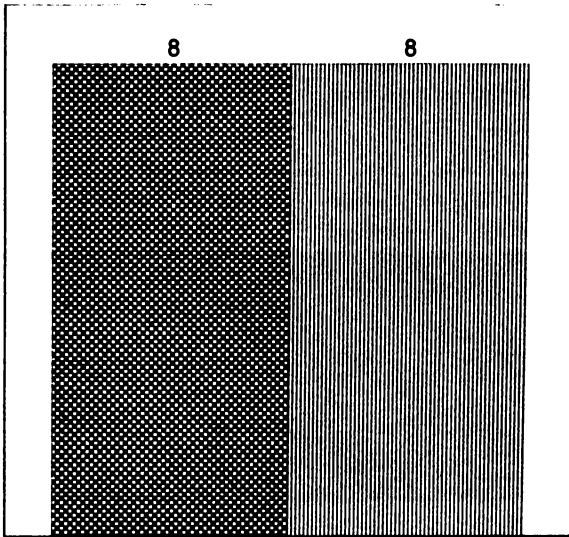
**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1963-2003)***

<i>Sl. No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri Jaiwant Ram	24.03.1952 - 31.10.1956	-	-
2.	Shri Des Raj Mahajan	04.10.1963 - 18.03.1967	-	-
		20.03.1967 - 19.03.1972	3	-
3.	Shri Kultar Chand Rana	28.03.1972 - 29.06.1977	1	-
4.	Shri Sarvan Kumar	30.06.1977 - 18.04.1979	-	-
5.	Shri Ranjit Singh Verma*	19.04.1979 - 07.05.1979	-	-
6.	Shri Thakur Sen Negi	08.05.1979 - 21.06.1982	3	-
		22.06.1982 - 14.09.1984	-	-
7.	Shri Vijay Kumar Joshi*	15.09.1984 - 08.03.1985	-	-
8.	Smt. Vidya Stokes	11.03.1985 - 20.03.1990	-	-
9.	Shri Radha Raman Shastri	20.03.1990 - 17.08.1990	-	-
10.	Shri Thakur Sen Negi	20.08.1990 - 14.12.1993	-	-
11.	Shri Kaul Singh Thakur	15.12.1993 - 12.03.1998	-	-
12.	Shri Gulab Singh Thakur	30.03.1998 - 07.03.2003	1	1
13.	Shri G.R. Mussafir	11.03.2003 - till date	-	-
Total			8	1

©There was no Legislative Assembly during the period October 1956 to September 1963. A Territorial Council functioned during this period.

*Deputy Speaker acted as Speaker.

Graph I
NCMs in Himachal Pradesh Legislative Assembly
(1963 - 2003)



 **Motions admitted and discussed**  **Negated**

Graph II
CMs In Himachal Pradesh Legislative Assembly
(1963-2003)

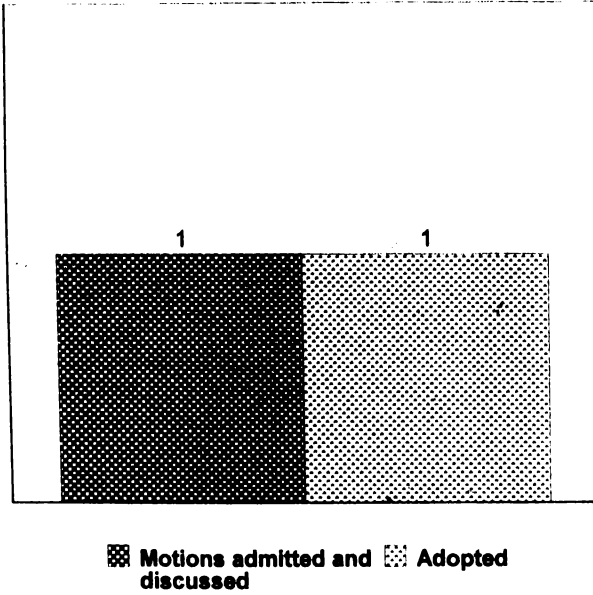


Table 3

**NCMs against/CMs in the Council of Ministers
(1963-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Y.S. Parmar (Second Legislative Assembly)	Congress 33/55 (60%)	NCM	Thakur Sen Negi (15)	(10.07.1967) 19.07.1967 03.15	Negated Ayes - 20 Noes - 40
-do-		NCM	Ram Chandra (12)	(01.07.1968) 09.07.1968 07.21	Negated by voice vote
-do-		NCM	Thakur Sen Negi (18)	(19.09.1969) 25.09.1969 26.09.1969	Negated Ayes - 21 Noes - 38
Y.S. Parmar (Third Legislative Assembly)	Congress 51/65 (78.46%)	NCM	Thakur Sen Negi (18)	(15.12.1972) 15.12.1972	Negated by voice vote
Ram Lal Thakur (Fourth Legislative Assembly)	Congress 34/68* (50%)	NCM	Shanta Kumar (22)	(07.10.1980) 08.10.1980 04.00	Negated by voice vote
-do-		NCM	Shanta Kumar (27)	28.09.1981 06.15	Negated by voice vote
Virbhadra Singh (Fifth Legislative Assembly)	Congress(I) 31/68 (45.5%)	NCM	Shanta Kumar (23)	(22.08.1983) 22.08.1983 06.28	Negated by voice vote

*In the election to the Legislative Assembly held in June 1977, Shri Shanta Kumar of Janata Party formed the Government. However, following change in party affiliation by some members, Shri Shanta Kumar resigned from the office and Shri Ram Lal Thakur of the Congress was invited to form the Government.

<i>Council of Ministers</i>	<i>Party/seats won/ Total (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
P.K. Dhumal (Ninth Legislative Assembly)	BJP-HVC* 33/64 (51.56%)	CM	Prem Kumar Dhumal (13)	31.03.1998	Adopted by voice vote
-do-		NCM	Virbhadra Singh (17)	(22.12.2000) 22.12.2000 11.20	Negated by voice vote

* After the elections, Shri Virbhadra Singh was sworn in as Chief Minister and was asked to prove his majority. Following a split in the Himachal Vikas Congress, Shri Singh resigned from the office on 12.03.1998. The BJP-HVC alliance staked claim to form the Government.

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1963-2003)

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Des Raj Mahajan	NCM	Y.S. Parmar	Thakur Sen Negi	19.07.1967	15	03.15	19.07.1967	20	40	Negated
-do-	NCM	-do-	Ram Chandra	09.07.1968	22	07.21	09.07.1968	-	-	Negated by voice vote
-do-	NCM	-do-	Thakur Sen Negi	25.09.1969 26.09.1969	18	-	26.09.1969	21	38	Negated
Kulnar Chand Rana	NCM	-do-	-do-	15.12.1972	18	-	15.12.1972	-	-	Negated by voice vote
Thakur Sen Negi	NCM	Ram Lal Thakur	Shanta Kumar	08.10.1980	22	04.00	08.10.1980	-	-	Negated by voice vote
-do-	NCM	-do-	-do-	28.09.1981	27	06.15	28.09.1981	-	-	Negated by voice vote
-do-	NCM	Virbhadra Singh	-do-	22.08.1983	23	08.28	22.08.1983	-	-	Negated by voice vote

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Gulab Singh Thakur	CM	P.K. Dhurnal	P.K. Dhurnal	31.03.1998	13	-	31.03.1998	-	-	Adopted by voice vote
-do-	NCM	-do-	Virbhadra Singh	22.12.2000	17	11.20	22.12.2000	-	-	Negatived by voice vote

Table 5

Lt. Governors/Governors of Himachal Pradesh

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
Lt. Governors		
1.	Shri M.S. Himmat Singh	01.03.1952 - 31.12.1954
2.	Shri Bajrang Bahadur Singh	01.01.1955 - 13.08.1963
3.	Shri Bhagwan Sahay	14.08.1963 - 26.02.1966
4.	Shri V. Viswanathan	26.02.1966 - 06.05.1967
5.	Lt. Gen. (Retd.) K. Bahadur Singh	06.05.1967 - 24.01.1971
Governors		
1.	Shri S. Chakravarti	25.01.1971 - 17.02.1977
2.	Shri Aminuddin Ahmed Khan	17.02.1977 - 26.08.1981
3.	Shri A.N. Banerjee	26.08.1981 - 16.04.1983
4.	Shri Hokishe Sema	16.04.1983 - 07.03.1986
5.	Justice P.D. Desai	07.03.1986 - 16.04.1986
6.	Vice-Admiral (Retd.) R.K.S. Gandhi	16.04.1986 - 15.02.1990
7.	Shri B. Rachaiah	15.02.1990 - 19.12.1990
8.	Shri Virendra Verma	19.12.1990 - 29.01.1993
9.	Shri Surendra Nath	29.01.1993 - 10.02.1993
10.	Shri Bali Ram Bhagat	10.02.1993 - 30.06.1993
11.	Shri Gulsher Ahamad	30.06.1993 - 26.11.1993
12.	Shri Surendra Nath	26.11.1993 - 09.07.1994
13.	Justice V. Ratnam	10.07.1994 - 30.07.1994
14.	Shri Sudhakar Rao Naik	30.07.1994 - 17.09.1995
15.	Shri Mahabir Prasad	18.09.1995 - 16.11.1995
16.	Smt. Sheila Kaul	17.11.1995 - 21.04.1996
17.	Shri Mahabir Prasad	23.04.1996 - 25.07.1997
18.	Smt. V.S. Rama Devi	26.07.1997 - 01.12.1999
19.	Shri Vishnu Kant Shastri	02.12.1999 - 24.11.2000
20.	Shri Suraj Bhan	24.11.2000 - 07.05.2003
21.	Justice (Retd.) Vishnu Sadashiv Kokje	08.05.2003 - till date

Table 6

Chief Ministers of Himachal Pradesh

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
1.	Dr. Y.S. Parmar	24.03.1952 - 31.10.1956* 01.07.1963 - 14.03.1967 14.03.1967 - 15.03.1972 15.03.1972 - 28.01.1977
2.	Shri Ram Lal Thakur	28.01.1977 - 30.04.1977
	President's Rule	30.04.1977 - 22.06.1977
3.	Shri Shanta Kumar	22.06.1977 - 14.02.1980
4.	Shri Ram Lal Thakur	14.02.1980 - 24.05.1982 24.05.1982 - 08.04.1983
5.	Shri Virbhadra Singh	08.04.1983 - 08.03.1985 08.03.1985 - 05.03.1990
6.	Shri Shanta Kumar	05.03.1990 - 15.12.1992
	President's Rule	15.12.1992 - 03.12.1993
7.	Shri Virbhadra Singh	03.12.1993 - 04.03.1998 06.03.1998 - 23.03.1998
8.	Shri Prem Kumar Dhumal	24.03.1998 - 06.03.2003
9.	Shri Virbhadra Singh	06.03.2003 - till date

* For the period 01.11.1956 to 30.06.1963, Shri Karam Singh remained Chairman of the Territorial Council.

July 1967. The first notice stood in the name of Shri Daulat Ram Chauhan (Jan Sangh) and the second in the name of Sarvashri Paras Ram (Communist Party), Daulat Ram (Jan Sangh), Inder Singh (Jan Sangh), Heera Singh Pal (Independent) and Thakur Sen Negi (Independent). The Speaker admitted both the motions. Leave for moving the motions was granted on 10 July 1967. Shri Daulat Ram Chauhan withdrew his motion in favour of the second motion on 19 July 1967. Some of the major grounds for bringing the motions before the House were: discriminatory steps to the detriment of constituencies that returned non-Congress candidates to the Vidhan Sabha; failure of the Government to improve the deteriorating food situation in the State; to provide clean, impartial and efficient administration; redress grievances of manual labourers and farmers; and to uphold the fundamental rights of the people. The motion was discussed on 19 July 1967 for 3 hours and 15 minutes in which 15 members participated.

Moving the motion, Shri Thakur Sen Negi (Independent) said that although most of the issues mentioned in the No-confidence Motion had already been raised during the discussion on the Budget, no satisfactory reply had been forthcoming. As a result, the atmosphere of no-confidence in the Government still prevailed. He alleged that the Chief Minister had not strongly protested against the single State food zone system. He further said that the No-confidence Motion had been moved with a view to expressing the disillusionment and dissatisfaction amongst the masses on the issue of food scarcity.

Replying to the debate, the Chief Minister Dr. Y.S. Parmar said it was the right as well as the duty of every member to draw the attention of the Government towards the shortcomings in the policies and programmes. Denying the charge that the wheat procured from Punjab had been sold at profiteering rates, he said the wheat was sold at the rate at which it was procured, including the cost of transportation and other charges. He further said that the newly merged areas into the State demanded more expenditure and generated less revenue. But the Government would go ahead with the development works in these areas. Referring to the Giri Bata project, he said the first stage, likely to be completed in the running Five-Year Plan, would generate 60,000 kilowatts of electricity and one crore and eighty lakh rupees in revenue. The completion of the project would result in the generation of two lakh kilowatts of electricity and six crore rupees in income per annum. He further said though the State lacked resources it had set an example in matters of progress and development for other Hill States.

The motion was defeated by voice vote. However, Shri Thakur Sen Negi claimed division. Thereafter, the motion was rejected with 20 members voting in favour and 40 members voting against it.

Second Motion of No-confidence

The second Motion of No-confidence against Dr. Y.S. Parmar's Council of Ministers was brought by Shri Ram Chandra (Independent) on the grounds of corruption at higher levels, unemployment, student unrest and dissatisfaction among common people over the non-availability of essential goods and above all disrespect to the Legislature. Leave to move the motion was granted on 1 July 1968.

Moving the motion, Shri Ram Chandra alleged that nomination of the three members to the Legislative Assembly had been done to strengthen the ruling party and not on the basis of any special knowledge or talent in literature, science, art or social science. He charged that the Government had no respect for the Legislative Assembly. The Session of the Legislative Assembly was called without preparing any agenda and the Government did not answer the questions of the members. The expenditure on the Legislative Assembly had come to 50 to 60 lakh rupees which led to loss of time of the members and public money. He further said that Haryana had 7 Ministers in the Cabinet whereas Himachal Pradesh, a poor and smaller State, had 12 Ministers in the Cabinet. It was necessary that the size of the Cabinet be reduced and new areas and Kangra District be given proper representation in the Cabinet.

In his reply, the Chief Minister Dr. Y.S. Parmar said the schemes were prepared for the new areas but being a Union territory, the Centre had decided that only the old schemes would continue. He appealed to the members to strengthen the hands of the Government so that Statehood could be granted to Himachal Pradesh. Refuting the allegation that development work in the constituencies of Opposition members was not done, he said there was no difference between new or old areas; wherever help was needed, development work would be carried out irrespective of the fact that the constituency was represented by a ruling party member or Opposition member. Regarding nomination to the Legislative Assembly, he said he was proud that through nominations the ability and service of the people who had served the State had been recognized. On the issue of employment, he said the number of educated youth was going to increase as the Government intended to provide jobs for each of them. It would be better if the people having land used their knowledge and technology in the area of agriculture, horticulture and animal husbandry. The Government was conscious that youth should have a bright future.

The debate held on 9 July 1968 lasted 7 hours and 21 minutes in which 22 members took part. The motion was negated by voice vote.

Third Motion of No-confidence

Shri Thakur Sen Negi (Independent) moved the third Motion of No-confidence in the Himachal Pradesh Legislative Assembly on 25 September 1969 against the Government headed by Dr. Y.S. Parmar. Leave for moving the motion was granted

on 19 September 1969. The reasons for bringing the motion were that the Government had lost the confidence of the people, steep rise in the prices of certain essential commodities, and failure of the Government to devise additional or new resources for development works. The motion was discussed for two days on 25 and 26 September 1969 in which 18 members participated. It was defeated with 21 members voting in favour and 38 members voting against it.

Third Legislative Assembly (1972-1977)

In the March 1972 elections, the Congress Party secured 51 seats in the 68-member Legislative Assembly. The Jan Sangh got 5 seats, Lok Raj Party 1, Communist Party of India (Marxist) 1 and Independents 7 seats. Elections to three constituencies, which were snowbound in March, were to be held in June 1972. The outgoing Chief Minister Dr. Y.S. Parmar was unanimously re-elected Leader of the Congress Legislature Party on 15 March 1972. On the same day, he was sworn in as the Chief Minister for a fourth term.

One Motion of No-confidence was discussed in the Third Legislative Assembly.

Motion of No-confidence

Leave was granted to Shri Thakur Sen Negi (Independent) on 15 December 1972 to move a Motion of No-confidence against the Ministry headed by Dr. Y.S. Parmar. The motion was brought on the grounds of failure of the Government to discuss the draft of the Fourth Five-Year Plan, corruption and inefficiency, discrimination between new and old areas of Himachal Pradesh in allotting development works and loss of confidence of the Opposition. The motion was discussed the same day in which 18 members took part.

Initiating the debate, Shri Thakur Sen Negi said that Dr. Parmar and his Council of Ministers had forfeited confidence first of all by reason of their dictatorial behaviour and also as a result of corruption and inefficiency running rife in the Government and in the administration. He alleged that the Chief Minister had denied the members of the House any opportunity to debate draft Plans in spite of repeated and insistent demands. Considering the importance of the two cash crops - potatoes and apples - in the State's economy, he demanded that the policy of support prices should be decided once and for all, for all times to come. He said that Himachal Pradesh was financially a wreck as the very day-to-day administration was hanging by the thin thread of what was called Special Accommodation Assistance from the Government of India.

In his reply, the Chief Minister conceded the fact that expenditure figures should have been made available with the per capita income figure. But, he said, no one can deny the progress made by the State. Refuting the charge that there had been reduction in the number of sittings of the Legislative Assembly, he said, that the House normally

met for 26 to 40 days. Referring to the Chail complex deal, he said the complex had been built to attract foreign tourists and bring foreign exchange to the State.

The motion was negatived by voice vote.

Fourth Legislative Assembly (1977-1982)

In the elections to the 68-member State Legislative Assembly held in June 1977, the Janata Party secured an absolute majority capturing 53 seats. The Congress won 9 seats and Independents 6 seats. Shri Shanta Kumar, Leader of the Janata Legislature Party, was sworn in as the Chief Minister by the Governor Shri Aminuddin Ahmed Khan on 22 June 1977. Following change of party affiliations by several legislators, the Janata Party Government was reduced to a minority in the Vidhan Sabha. On 14 February 1980, Shri Shanta Kumar submitted his resignation from the office. The Governor then invited the Leader of the Congress (I) Legislature Party, Shri Ram Lal Thakur, to form the Government. Later, he was sworn in as the Chief Minister.

Two Motions of No-confidence were debated and negatived during the tenure of the Fourth Legislative Assembly.

First No-confidence Motion

The first No-confidence Motion in the Fourth Legislative Assembly was brought against the Congress Government headed by Shri Ram Lal Thakur on the grounds of its failure to resolve and find solutions to the demands of the striking Government employees and retrenchment of the daily wage labour engaged in various Departments, thus resulting in a sense of insecurity amongst them. Leave for moving the motion was granted to Shri Shanta Kumar on 7 October 1980. The motion was discussed on 8 October 1980 in which 22 members participated.

Moving the Motion of No-confidence, Shri Shanta Kumar said that there was an unprecedented situation in the State. The Government employees were on strike and the Government was adamant on its stand. It was unfortunate that the strike had been continuing for days together without any negotiations. He alleged that as soon as the Government took over, 15 to 20 thousand employees were transferred during a short period of time. The agitation could not be curbed by wrong means. Denying the allegation that the Opposition was instigating the striking employees, Shri Shanta Kumar said the Opposition was for all cooperation with the Government in whatever way it could help to resolve the strike. Regarding inflation, he said the price index had risen 23 points during the eight months of Congress rule as compared to 2.3 points during the previous Government's rule.

The debate was dominated by the Non-Gazetted Officers' strike issue. Defending the Government, Congress members listed out the policies and programmes initiated by the Government after it returned to power in February 1979. During the debate, the BJP members criticised Government for having created a situation in which the

Central Reserve Police Force and the Haryana Police had to be called in to maintain law and order. The Congress members accused the Opposition of instigating the strikers and plotting against the Government. In his reply, the Chief Minister, Shri Ram Lal Thakur, offered the *status quo* as it existed on 4 September, provided the Non-Gazetted employees called off the strike and came forward for talks. Listing out the achievements of his Government, Shri Thakur said the Union Government had agreed to involve itself in the execution of the Thein dam project which would generate ten thousand megawatts of electricity. It had also been decided to hold talks with the Union Government in the matter of the Kol dam.

At the end of the debate lasting four hours, the motion was negated by voice vote.

Second No-confidence Motion

Another No-confidence Motion was moved by Shri Shanta Kumar, Leader of the Opposition, against the Government of Shri Ram Lal Thakur on 28 September 1981. The reasons for tabling the motion were the dictatorial tendencies of the ruling party and the suppression of the wishes and demands of the Opposition. It was also stated that the notices for discussion of the members of Opposition submitted to the Legislative Assembly were being ignored and discarded.

Initiating the debate, Shri Shanta Kumar said that though the Government had a majority of 38 legislators in the House, the election of the Deputy Speaker had been suspended thrice. There was an economic crisis in the country and inflation had been on the rise. Referring to nepotism in the recruitment process, he demanded that the details of all the daily wage workers recruited in the Boards and Corporations be made available to the House. Expressing his concern on the deforestation in the State, he said forests worth at least fifty crore rupees had been illegally cut and appealed to the Chief Minister to stop further deforestation. He also alleged that the Government had sold off the interests of the State by agreeing to supply ten per cent of power from the Naptha Jhakri hydel power project to Uttar Pradesh although that State had not made any financial investment. He also raised the issue of rehabilitation of people displaced by the Pong dam.

In his reply, the Chief Minister, Shri Ram Lal Thakur, said his Government had been instrumental in mobilising the resources of the State. Elaborating the schemes for the poor, he said all poor school going children would get a scholarship of five rupees. Help would be provided to the families having income below rupees six thousand. Priority would be accorded to the poor in the matter of Government service. Pension would be given to fifty thousand people. He also cited relevant statistics to substantiate his claim of the achievements made during the previous year in the area of afforestation, soil conservation, supply of drinking water, electrification and construction of roads. Concluding, he assured the Opposition that the Government

was always open to constructive suggestions and would certainly consider them.

In all, 27 members participated in the debate lasting 6 hours and 15 minutes. The motion was negated by voice vote.

Fifth Legislative Assembly (1982-1985)

The elections to the 68-member Legislative Assembly were held on 19 May 1982. The Congress(I) won 31 seats followed by the BJP, which won 29 seats. The remaining seats were shared by the Janata Party and Independents.

On 24 May 1982, Shri Ram Lal Thakur was sworn in as the Chief Minister by the Governor, Shri A.N. Banerjee. Following the resignation of Shri Ram Lal Thakur, Shri Virbhadra Singh was sworn in as the Chief Minister on 8 April 1983 by the Governor.

One Motion of No-confidence was debated during the tenure of the Fifth Legislative Assembly.

No-confidence Motion

A motion of No-confidence was brought by Shri Shanta Kumar, Leader of the Opposition, against the Congress Government headed by Shri Virbhadra Singh on 22 August 1983 on the grounds of corruption, irregularities in appointments, non-representation of other parties in Committees, price rise, etc.

Initiating the debate, Shri Shanta Kumar said that the Government had failed to control inflation, check corruption and provide employment opportunities and direction to the overall development works. The new Chief Minister had belied the hopes and aspirations of the people. He alleged that corruption was at its high and irregularities were being committed in the matter of selections. He charged that only the Congress and no other political party was being represented in the Committees constituted from the level of Tehsil upwards. Even in the Committee constituted to resolve the problems of the Pong dam oustees, the elected representative of the people who belonged to the Bharatiya Janata Party did not find representation.

Replying to the debate, the Chief Minister Shri Virbhadra Singh defended the transfer policy of the Government and said that the Himachal Pradesh Primary Teachers Federation had complimented the Government for the successful implementation of transfer of Government servants in general and primary teachers in particular. As regards the alleged irregularities committed in the matter of appointments, he said orders had been issued to investigate the matter. Provisional appointments had been made subject to verification of certificates. In case of any irregularity, the appointments would be cancelled and action would be initiated against the members of the selection board. Refuting the charge that other political parties were not being given due representation in the Committees, he mentioned the names of the Committees where members from the Opposition party were being

represented and asserted that figures speak for themselves. He further said that the Government was making all efforts to encourage horticulture in areas where apples were not grown. The Himachal Pradesh Government was the first State Government in the country to subsidise fertilisers. Referring to smuggling of timber, he said that the Government had not only decided to strictly stop illegal cutting of trees and smuggling of timber, but also implemented these decisions. The enforcement, vigilance and prosecution machinery had been strengthened. A court with an additional judge had been instituted in Shimla specifically for trial of cases relating to forestry.

At the end of the day-long discussion lasting 6 hours and 28 minutes in which 23 members participated, the motion was negated by voice vote.

In the Sixth, Seventh and Eighth Legislative Assemblies no Motion of Confidence or No-confidence was moved.

Ninth Legislative Assembly (1998-2003)

In the elections to the 68-member State Legislative Assembly held on 28 February 1998, no single party got an absolute majority. The Congress emerged as the single largest party winning 31 seats followed by the BJP with 28 seats. The Himachal Vikas Congress got 4 seats and Independent one seat. There were four vacancies in the House. On 5 March 1998, the Governor Smt. Rama Devi invited the Leader of the single largest party, Shri Virbhadra Singh of the Congress(I), to form the Government. Subsequently, on 6 March 1998, Shri Virbhadra Singh was sworn in as the Chief Minister. On 9 March 1998, Shri Virbhadra Singh announced that he would seek a vote of confidence in the Legislative Assembly on 12 March 1998. The Himachal Vikas Congress split on 11 March 1998, and two of its MLAs joined the BJP. On 12 March 1998, the Governor Smt. Rama Devi recommended President's Rule in the State. Later in the day, the Chief Minister tendered his resignation which was accepted by the Governor on the same day. Thereafter, the BJP-HVC alliance staked claim to form the Government. On 22 March 1998, the Union Government advised the Governor to explore the possibility of installing a popular Government in the State. On 24 March 1998, the lone Independent MLA withdrew support to the Congress(I) and declared unconditional support to the BJP-HVC alliance. The same day, Shri Prem Kumar Dhumal was sworn in as the Chief Minister.

One Motion of Confidence and No-confidence each was discussed in the Ninth Legislative Assembly.

Motion of Confidence

The first Motion of Confidence in the Himachal Pradesh Legislative Assembly was moved by the Chief Minister, Shri Prem Kumar Dhumal, on 31 March 1998. Moving the one-line motion seeking confidence in his Ministry, Shri Dhumal said that though none of the parties could get a majority, the verdict of the people was in

favour of the BJP. Out of 51 Assembly segments in the three Lok Sabha seats which went to the polls, the BJP was able to establish a majority in 35 of them.

Taking part in the debate, Shri Virbhadra Singh, Leader of the Opposition, said his party could not support the Government in an atmosphere vitiated by intolerance and intimidation.

The Congress members walked out of the Legislative Assembly after Shri Virbhadra Singh's speech on the Confidence Motion.

Replying to the debate, the Chief Minister Shri Dhumal said that the Congress members' walk out was an attempt to keep its members together. At the end of the day-long debate in which 13 members participated, the motion was declared adopted by voice vote.

Motion of No-confidence

A Motion of No-confidence was moved by Shri Virbhadra Singh (Congress-I) against the BJP Government of Shri P.K. Dhumal on 22 December 2000 to pin-point the failures of the Government and to highlight the problems of the people. In all, 17 members participated in the day-long debate lasting 11 hours and 20 minutes.

Initiating the debate, Shri Virbhadra Singh said the letter in which the dissidents had levelled serious charges of corruption and irregularities against the Government was a virtual chargesheet against the Dhumal Government by members of his own Cabinet. He further said that the Government had, indeed, tried to destabilize and undermine the position of elected representatives by encouraging extra-constitutional authorities. He criticised the manner in which the Subordinate Services Selection Board and the State Public Service Commission had been functioning, and said nepotism and favouritism in recruitment had placed the very impartiality of this constitutional body under a cloud.

Opposing the motion, the Transport Minister, Shri Krishan Kapoor, who was one of the signatories to the controversial letter, said it was an internal matter of the party which had been settled. He said the Government stood like a rock and the Congress had brought the No-confidence Motion only to divert attention from its defeat in the recent Panchayat polls.

Replying to the debate, the Chief Minister Shri P.K. Dhumal refuted all charges levelled by the Congress members regarding financial mismanagement, irregularities in recruitments and corruption. The motion was rejected by voice vote.

The Tenth Legislative Assembly was constituted on 4 March 2003 and so far, no Motion of Confidence or No-confidence has been moved in the House.

Motions of Confidence and No-confidence in the Himachal Pradesh Legislative Assembly - An Analysis

In all, eight Motions of No-confidence were moved in the Himachal Pradesh

Legislative Assembly. Three Motions of No-confidence were moved in the Second Legislative Assembly, two in the Fourth and one each in the Third, Fifth and Ninth Legislative Assemblies. The First, Sixth, Seventh, Eighth and Tenth (till date) Legislative Assemblies did not discuss any Motion of Confidence or No-confidence. The lone Motion of Confidence debated so far was in the Ninth Legislative Assembly. While the only Motion of Confidence moved by the incumbent Chief Minister was adopted, all the eight Motions of No-confidence were defeated in the House.

Table 2 illustrates the number of Motions of Confidence and No-confidence admitted and discussed during the tenures of different Speakers of the Legislative Assembly. Speakers Sarvashri Des Raj Mahajan and Thakur Sen Negi presided over the the debates on three No-confidence Motions each. Speaker Shri Gulab Singh Thakur chaired the debate on motions of both types - Confidence as well as No-Confidence. Speaker Shri Kultar Chand Rana presided over the debate on one Motion of No-confidence.

Table 3 gives an account of the Motions of Confidence and No-confidence admitted and debated during the tenures of different Councils of Ministers.

Of the eight Motions of No-confidence, Chief Minister Dr. Y.S. Parmar faced four and Shri Ram Lal Thakur faced two Motions of No-confidence. Chief Ministers Shri Virbhadra Singh and Shri P. K. Dhumal faced one Motion of No-confidence each. Shri P.K. Dhumal was the only Chief Minister to have sought a vote of confidence.

Table 4 gives statistical information pertaining to the participation of members in the debates on various Motions of No-confidence. It also depicts the time taken and the result of the division.

Participation by Members

In all, 162 members participated in the debates on the Motions of No-confidence. The highest number of 27 members took part in the debate on the motion moved by Shri Shanta Kumar on 28 September 1981. Shri Thakur Sen Negi's motion, discussed on 19 July 1967, on the other hand, entailed the lowest participation of 15 members. Sarvashri Shanta Kumar and Thakur Sen Negi moved three Motions of No-confidence each. Interestingly, as Speaker, Shri Thakur Sen Negi presided over debates on three Motions of No-confidence as well. Thirteen members took part in the debate on the Confidence Motion of March 1998.

Time taken

The total time spent on debating the six Motions of No-confidence works out to 38 hours and 39 minutes (excluding two Motions of No-confidence and one Motion of Confidence for which figures are not available). The eight Motions of No-confidence together were debated for nine days. Individually, the motion moved by Shri Thakur

Sen Negi in September 1969 was discussed for two days. The other seven Motions of No-confidence were debated for a day each. The Motion of No-confidence moved by Shri Virabhadra Singh on 22 December 2000 was debated for the longest duration of 11 hours and 20 minutes while the No-confidence Motion moved by Shri Thakur Sen Negi on 19 September 1967 was debated for 3 hours and 15 minutes.

Division

Of the eight Motions of No-confidence debated by the Legislative Assembly, two were negatived by division, while the remaining six were negatived by voice vote. The lone Motion of Confidence moved by Shri P.K. Dhumal was also adopted by voice vote.

Jammu and Kashmir Legislative Assembly

The first Legislature of Jammu and Kashmir consisting of a Council of Ministers and an Assembly was established in 1934. The Constitution of the State of Jammu and Kashmir framed by a separate Constituent Assembly came into force from 26 January 1957. Section 46 of the J&K Constitution states that the Legislature shall consist of the Governor and the two Houses known as the Legislative Council (Upper House) and the Legislative Assembly (Lower House). The Legislative Assembly consists of one hundred members chosen by direct election from territorial constituencies in the State. However, as per section 48 of the State Constitution, twenty-four seats shall remain vacant in the Legislative Assembly for the area of the State presently under the occupation of Pakistan. These seats are not taken into account for reckoning the total membership of the Assembly. Provision has also been made for nominating of two women to be members of the Assembly by the Governor, if he is of the opinion that women are not adequately represented in the Legislative Assembly.

The Legislative Council consists of 36 members. The Upper House is not subject to dissolution but as nearly as possible one-third of the members thereof retire as soon as may be on the expiration of every second year in accordance with the provisions made in this behalf.

The Jammu and Kashmir Legislative Assembly has its own Rules of Procedure and Conduct of Business to regulate the business of the House. These rules have been amended from time to time.

Motion of No-confidence

As per Rule 213 of the Rules of Procedure and Conduct of Business, any member can move a motion expressing want of confidence in the Council of Ministers subject to the following restrictions, namely: (a) leave to move the motion is usually taken up after Questions and before the List of Business for the day is entered upon; (b) the member asking for leave is required to give a written notice to the Secretary before

commencement of the sitting for the day. If the Speaker is of the opinion that the motion is in order, he requests those members who are in favour of leave being granted to rise in their places, and if not less than twenty members rise accordingly, the Speaker declares that leave is granted and that the motion is taken up on such day, not being more than ten days from the date on which leave is asked for, as he may appoint. If less than twenty members rise, the Speaker informs the member that he has not the leave of the House. The Speaker, at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith puts every question necessary to determine the decision of the House on the motion. The Speaker may, if he thinks fit, prescribe a time limit for speeches.

Motion of Confidence

As regards the Motion of Confidence, there is no specific rule in the Rules of Procedure and Conduct of Business.

Motions in different Legislative Assemblies

So far, three Motions of Confidence have been taken up by the Legislative Assembly. While one motion was discussed and adopted in 1953 in the Constituent Assembly (Legislative), two other motions were taken up during the period of the Seventh Legislative Assembly in 1984, after a gap of thirty-one years which were also adopted. However, till date, no Motion of No-confidence has been taken up in the Legislative Assembly. For statistical details in respect of these three motions, see Tables 1 to 4. A graphical presentation of these motions is available in the Graph. Tables 5 and 6 list out, respectively, the Sadar-i-Riyasat/Governors and Prime Ministers/Chief Ministers of the State.

Constituent Assembly (Legislative)

The State Legislative Body witnessed its first Motion of Confidence in 1953 in the then Constituent Assembly (Legislative). This was necessitated following the dismissal of the National Conference Ministry headed by Sheikh Mohammad Abdullah by the Sadar-i-Riyasat Shri Karan Singh owing to serious differences existing in the Cabinet and the subsequent swearing in of the Bakshi Ghulam Mohammad Ministry.

Motion of Confidence

As per the directive of the Sadar-i-Riyasat, Shri Bakshi Ghulam Mohammad introduced the following motion in the House on 5 October 1953: "This Assembly records its deep appreciation for the timely action taken by the Sadar-i-Riyasat by his order dated 8 August 1953 and thereafter in asking me to form the present Ministry. **This Assembly further pledges its full support to and expresses its complete faith and confidence in the present Ministry.**"

Table 1**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1951-2003)**

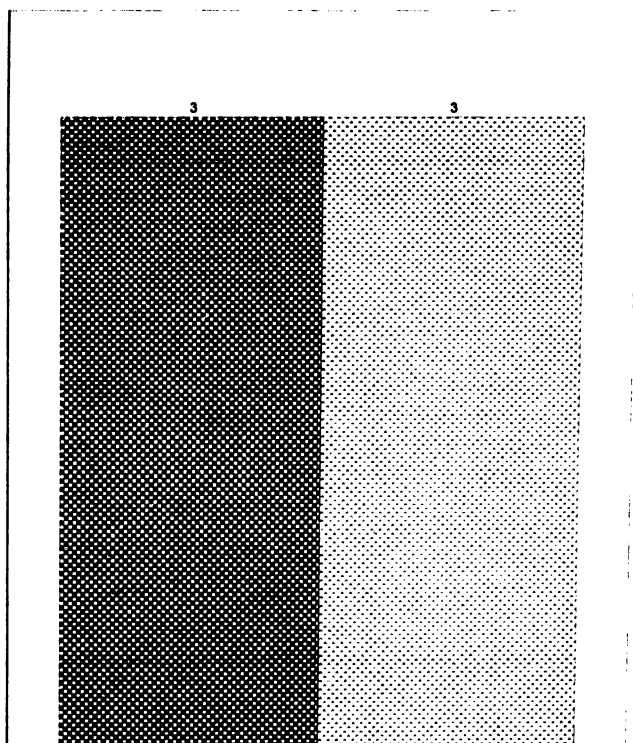
<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
<i>Constituent Assembly (Legislative)/</i>			
First Legislative Assembly	31.10.1951 - 26.01.1957	-	1
Second Legislative Assembly	1957 - 1962	-	-
Third Legislative Assembly	1962 - 1967	-	-
Fourth Legislative Assembly	1968 - 1973	-	-
Fifth Legislative Assembly	1973 - 27.03.1977	-	-
Sixth Legislative Assembly	1977 - 18.04.1983	-	-
Seventh Legislative Assembly	1983 - 07.11.1986	-	2
Eighth Legislative Assembly	1987 - 19.02.1990	-	-
Ninth Legislative Assembly	1996 - 2002	-	-
Tenth Legislative Assembly	October 2002 - till date	-	-
Total		-	3

Table 2

**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1951-2003)**

<i>Sl. No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri G.M. Sadiq (As President of the Constituent Assembly)	01.11.1951 - 1957		1
2.	Shri G.R. Ronzu	March 1954 - 26.07.1957	-	-
3.	Shri Assadullah Mir	27.07.1957 - 25.08.1960	-	-
4.	Shri S. Harbans Singh Azad	29.08.1960 - 03.10.1963	-	-
5.	Shri G.M. Rajpori	21.02.1964 - July 1968	-	-
6.	Shri Kh. Shams-ud-din	14.09.1968 - 19.03.1972	-	-
7.	Shri A.G. Goni	20.03.1972 - 07.09.1977	-	-
8.	Shri Malik Mohi-ud-Din	08.09.1977 - 07.10.1980	-	-
9.	Shri Babu Parmanand	14.10.1980 - 13.09.1982	-	-
10.	Shri Abdul Rahim Rather	21.09.1982 - 11.06.1983	-	-
11.	Shri Wali Mohd. Itoo	07.07.1983 - 30.07.1984	-	1
12.	Shri Mangat Ram Sharma	31.07.1984 - 29.03.1987	-	1
13.	Shri Mirza Abdul Rashid	31.03.1987 - 30.04.1989	-	-
14.	Ch. Mohd. Aslam	22.08.1989 - 17.10.1996	-	-
15.	Shri Ali Mohd. Naik	18.10.1996 - 16.06.1998	-	-
16.	Shri A.A. Vakil	17.08.1998 - 20.11.2002	-	-
17.	Shri Tara Chand	21.11.2002 - till date	-	-
Total			-	3

Graph
CMs in Jammu & Kashmir Legislative Assembly
(1951-2003)



■ Motions admitted and discussed ▨ Adopted

No Motion of No-confidence was taken up in the Jammu & Kashmir Legislative Assembly.

Table 3

**NCMs against/CMs in the Council of Ministers
(1951-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Bakshi Ghulam Mohammad [Constituent Assembly (Legislative)]		CM	Bakshi Ghulam Mohammad (16)	05.10.1953	Adopted Ayes - 63 Noes -
Farooq Abdullah (Seventh Legislative Assembly)	National Conference 47/77 (61%)	CM	Farooq Abdullah	27.01.1984	Adopted Ayes - 47 Walk-out by Opposi- tion
G.M. Shah (Seventh Legislative Assembly)		CM	Ali Mohd. Naik (12)	31.07.1984	Adopted Ayes - 42 Noes -

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1951-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
G.M. Sadiq (President of the Constituent Assembly)	CM	Bakshi Ghulam Mohammad	Bakshi Ghulam Mohammad	05.10.1953	16		05.10.1953	63	-	Adopted
Wali Mohammed Itoo	CM	Farooq Abdullah	Farooq Abdullah	27.01.1984	-		27.01.1984	47	-	Adopted
Mangat Ram Sharma	CM	G.M.Shah	Ali Mohd. Naik	31.07.1984	12		31.07.1984	42	-	Adopted

Table 5

Governors of Jammu and Kashmir

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
Sadar-I-Riyasat		
1.	Dr. Karan Singh	17.11.1952 - 30.03.1965
Governors		
1.	Dr. Karan Singh	30.03.1965 - 15.03.1967
2.	Justice J.N. Wazir (Acting Governor)	15.03.1967 - 15.05.1967
3.	Shri Bhagwan Sahai	15.05.1967 - 03.07.1973
4.	Shri L.K. Jha	03.07.1973 - 26.02.1981
5.	Shri B.K. Nehru	26.02.1981 - 26.04.1984
6.	Justice V. Khalid (Acting Governor)	20.02.1984 - 02.03.1984
7.	Shri Jagmohan	26.04.1984 - 11.07.1989
8.	Lt. Gen.(Retd.) K.V. Krishna Rao	11.07.1989 - 19.01.1990
9.	Shri Jagmohan	19.01.1990 - 26.05.1990
10.	Shri G.C. Saxena	26.05.1990 - 13.03.1993
11.	Lt. Gen. (Retd.) K.V. Krishna Rao	13.03.1993 - 02.05.1998
12.	Shri G.C. Saxena	02.05.1998 - 04.06.2003
13.	Lt.Gen. (Retd.) S.K. Sinha	04.06.2003 - till date

Table 6

Prime Ministers/Chief Ministers of Jammu & Kashmir

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
Prime Ministers		
1.	Shri Janak Singh (Acting)	11.08.1947 - 15.10.1947
2.	Justice (Retd.) M.C. Mahajan	15.10.1947 - 30.10.1947
3.	Sheikh Mohd. Abdullah	30.10.1947 - 05.03.1948
4.	Sheikh Mohd. Abdullah	05.03.1948 - 09.08.1953
5.	Shri Bakshi Ghulam Mohd.	09.08.1953 - 12.10.1963
6.	Kh. Shams-ud-din	12.10.1963 - 29.02.1964
7.	Shri G.M. Sadiq	29.02.1964 - 09.04.1965
Chief Ministers		
1.	Shri G.M. Sadiq	10.04.1965 - 12.12.1971
2.	Shri Mir Qasim	12.12.1971 - 25.02.1975
3.	Sheikh Mohd. Abdullah	25.02.1975 - 26.03.1977
	Governor's Rule	27.03.1977 - 09.07.1977
4.	Sheikh Mohd. Abdullah	09.07.1977 - 08.09.1982
5.	Dr. Farooq Abdullah	08.09.1982 - 02.07.1984
6.	Shri G.M. Shah	02.07.1984 - 06.03.1986
	Governor's Rule followed by President's Rule	07.03.1986 - 06.11.1986
7.	Dr. Farooq Abdullah	07.11.1986 - 19.01.1990
	Governor's Rule followed by President's Rule	19.01.1990 - 09.10.1996
8.	Dr. Farooq Abdullah	09.10.1996 - 17.10.2002
	Governor's Rule	17.10.2002 - 02.11.2002
9.	Shri Mufti Mohd. Sayeed	02.11.2002 - till date

Moving the Motion of Confidence, the Prime Minister Shri Bakshi Ghulam Mohammad explained the background of the political crisis in the State in August and the circumstances which compelled him to accept the invitation of the Sadar-i-Riyasat to form the new Government. He further said that he and his ministerial colleagues had to do something in order to arrest the dangerous situation before it worsened beyond control, because any further delay in taking positive steps would be fraught with grave consequences for the State. If they had faltered at that grave hour of crisis, they would be lacking in their duty to the people.

Supporting the motion and referring to the dismissal of Sheikh Abdullah's Cabinet, Shri Mir Qasim said that when the Sadar-i-Riyasat had the power to appoint the Prime Minister, he also had the power to remove him from office.

In his reply, Shri Bakshi Ghulam Mohammad assured the House that his Government would strictly adhere to the basic and fundamental ideals and principles of the National Conference.

After a day-long debate, the Assembly adopted the motion with 63 of the 75 members present voting in favour of the motion.

From the Second to the Sixth and from the Eighth to the Tenth (till date) Legislative Assemblies, no Motion of Confidence or No-confidence was moved.

Seventh Legislative Assembly (1983-1986)

In the elections held to the Legislative Assembly in June 1983, the National Conference under the leadership of Dr. Farooq Abdullah bagged 47 seats. The Congress(I) secured 25 seats and the remaining seats were won by others. Dr. Abdullah was sworn in again as the Chief Minister on 12 June 1983 by Governor Shri B.K. Nehru. Shri Wali Mohd. Itoo of the ruling National Conference was sworn in as the Speaker on 7 July.

The Seventh Legislative Assembly took up two Motions of Confidence within a span of six months and both were adopted.

First Motion of Confidence

On 27 January 1984, on the opening day of the Budget Session, when the House met soon after the Governor's Address to the Legislature, the Speaker informed the House that he had received a notice for moving a Motion of Confidence from the Chief Minister Dr. Farooq Abdullah. The Speaker said that the same would be put to vote by suspending the relevant rule.

At this, the members belonging to the Opposition observed that the rules did not permit moving such a motion. Shri A.G. Lone of the People's Conference requested the Speaker to fix an appropriate time for discussing the Motion.

Shri Bhim Singh of the Panthers Party observed that the rules of the House were being violated as the motion should be brought one hour before the start of the

Session. Shri S. Ragil Singh of the Congress(I) objected to the way in which the Rules of Procedure and Conduct of Business of the House were being violated by taking up the motion.

Amidst interruptions and pandemonium, the Speaker Shri Wali Mohd. Itoo put the motion for voting. The motion was adopted as 47 members of the ruling National Conference raised their hands in support of the motion, while all the Opposition members staged a walk out.

Second Motion of Confidence

On 2 July 1984, the Governor Shri Jagmohan dismissed the one-year-old National Conference Government headed by Dr. Farooq Abdullah, after being satisfied that it had been reduced to a minority in the 76-member Legislative Assembly when some legislators belonging to the ruling National Conference and an Independent member withdrew their support to the Ministry.

On the same day, Shri G.M. Shah, who was earlier elected as the Legislative Party leader of the rebel National Conference party, was sworn in as the Chief Minister by the Governor on the condition that Shri Shah would prove his majority in the Legislative Assembly within one month.

As per the directive of the Governor, the House met on 31 July 1984. However, with regard to the Business of the House for the day, there were differences between the Speaker Shri Wali Mohd. Itoo and the Leader of the House, Shri Ali Mohd. Naik, who was also holding the portfolio of Minister-in-charge of Revenue and Education.

While the Speaker insisted on the Motion of Confidence in the Council of Ministers being taken up first, Shri Naik wanted the Motion of No-confidence against the Speaker to be taken up as the first item on the agenda. As 43 members rose and refused to resume their seats till the Speaker changed the order of the List of Business, the Speaker Shri Itoo changed the order and vacated the Chair for Shri S. Ragil Singh, a member on the Panel of Chairmen.

Thereafter, a Resolution seeking the removal of Shri Wali Mohammad Itoo from the Office of the Speaker was moved and adopted unanimously. In his place, Shri Mangat Ram Sharma of the Congress(I) was elected Speaker.

Subsequently, the Motion of Confidence in the Council of Ministers was taken up by the House.

Moving the motion, the Leader of the House and Minister-Incharge of Revenue and Education, Shri Ali Mohd. Naik, said that though 43 MLAs had already informed the Press and the Governor that they would support the Government headed by Shri G.M. Shah, even then the House was summoned on the stipulated time as per the Governor's directive so that Shri Shah could get an opportunity to prove his majority.

Moulvi Iftikhar Hussain Ansari of the Congress(I), while supporting the motion, said that his party firmly believed in socialism and secularism and would always

work for better Centre-State relations. He further said that Shri G.M. Shah had come forward and sought the help of the Congress Party and it had no hesitation in extending its support to the Chief Minister.

In all, 12 members took part in the debate and in the voting held thereafter, 42 members rose in favour of the motion. The motion was carried unanimously.

No Motion of Confidence or No-confidence was discussed in the Seventh, Eighth, Ninth and Tenth (till date) Legislative Assemblies.

Motions of Confidence in the J&K Legislative Assembly - An Analysis

In the history of the State Legislative Body, the first Motion of Confidence was moved in 1953. After a gap of thirty-one years, two Motions of Confidence were moved and adopted within a span of six months. Each of the two motions was moved by different Governments. Table 1 gives details of the motions admitted/discussed in each Legislative Assembly along with its duration.

Table 2 illustrates the number of Motions of Confidence and No-confidence admitted and discussed during the tenures of different Speakers of the Legislative Assembly. The debate on the first Motion of Confidence taken up in the Constituent Assembly (Legislative) was presided over by Shri G.M. Sadiq, the President of the Constituent Assembly. Though two motions were moved and adopted in 1984 during the Seventh Legislative Assembly, the debates on these motions were presided over by two different Speakers. Shri Wali Mohd. Itoo presided over the proceedings of the first Confidence Motion moved by Dr. Farooq Abdullah while Shri Mangat Ram Sharma presided over the debate on the motion moved to express confidence in the Ministry headed by Shri G.M. Shah, after the removal of Shri Itoo from the Office of the Speaker by a Resolution adopted unanimously by the House.

Table 3 gives an account of the Motions of Confidence and No-confidence admitted and debated during the tenure of different Councils of Ministers. Of the three motions, two Motions of Confidence, one in October 1953 and another in July 1984, were moved as per the directive of the Sadar-i-Riyasat and Governor, respectively, by Bakshi Ghulam Mohammad and Shri G.M. Shah. Another motion was moved in January 1984 by the Chief Minister Dr. Farooq Abdullah. All the three motions were adopted.

Table 4 gives statistical information pertaining to the participation of members in the debates on various Motions of Confidence. It also depicts the result of the division.

Participation by Members

The first Motion of Confidence moved by the Bakshi Ghulam Mohammad Cabinet in 1953 was debated for one day and 16 members took part (including the Prime Minister) in the debate.

The Motion of Confidence moved by Dr. Farooq Abdullah in January 1984 was adopted without any debate, while twelve members took part in the debate on the second motion moved to express confidence in the Council of Ministers headed by Shri G.M. Shah in July 1984.

Time taken

The time taken in respect of the three Motions of Confidence is not available. All the three motions were debated and disposed of on the same day.

Division

The Motion of Confidence moved by Bakshi Ghulam Mohammad was adopted with 63 of the 75 members present and voting favouring the motion. The Motion of Confidence moved by Dr. Farooq Abdullah in January 1984 was adopted with 47 members supporting it while 42 members supported the motion moved to express confidence in the Ministry headed by Shri G.M. Shah in July 1984. Both the motions were carried.

Jharkhand Legislative Assembly

The State of Jharkhand came into being on 15 November 2000 following the enactment of the Bihar Reorganisation Act, 2000 by the Parliament. The State was carved out of the existing State of Bihar, by transferring eighteen districts from the State of Bihar to the new State. The Act also made provision for allocation of seats between the Legislative Assemblies of the two States. Accordingly, out of the total of 324 seats in the Legislative Assembly of Bihar, 81 seats were allotted to the newly created State of Jharkhand. The sitting member of the Bihar Legislative Assembly to represent the Anglo-Indian community, nominated in pursuance of article 333 of the Constitution, was also deemed to have been nominated to the Legislative Assembly of Jharkhand. The Legislature is unicameral as no provision has been made in the enactment for creating a Legislative Council in the State.

Shri Prabhat Kumar was sworn in as the first Governor of the newly created State on 15 November 2000. Shri Babulal Marandi of the BJP submitted a list of 45 MLAs belonging to the National Democratic Alliance to the Governor and staked his claim to form the Government. Shri Marandi was sworn in as the first Chief Minister of the State and was directed by the Governor to prove his majority within fifteen days. On 16 November, Shri Marandi constituted his Council of Ministers.

The First Session of the Assembly commenced on 21 November 2000. On 22 November, Shri Inder Singh Namdhari of the Janata Dal (United) was elected unanimously as the first Speaker of the State Legislative Assembly, following the withdrawal from the fray by Shri Teklal Mahato of the Jharkhand Mukti Morcha.

Motion of No-confidence

The Jharkhand Legislative Assembly formulated its own Rules of Procedure and Conduct of Business in accordance with article 208 (1) of the Constitution of India. Rule 156 provides for the moving of a Motion of No-confidence against the Council of Ministers.

A motion expressing want of confidence in the Council of Ministers may be made subject to the following restrictions, namely: (a) leave to make the motion shall be asked for by the member when called by the Speaker; and (b) the member

asking for leave must, before the commencement of the sitting for that day, leave with the Secretary a written notice of the motion which he proposes to move. If the Speaker is of the opinion that the motion is in order, he then reads the motion to the House and requests those members who are in favour of leave being granted to rise in their places, and if not less than one-tenth members of the total members rise accordingly, the Speaker intimates that leave is granted and that the motion may be taken up on such day, not being more than ten days from the date on which the leave is asked, as he may appoint. If less members than the adequate number of members rise, the Speaker informs the member that he has not the leave of the House. If leave is granted under sub-rule (2), the Speaker may, after considering the state of business in the House, allot a day or days or part of a day for the discussion of the motion. Written information of complaints being discussed during the discussion on motion by the member who has given the notice of motion or by the members, as the case may be, shall be given to the Secretary before a fixed time. The Speaker shall at the appointed hour on the allotted day, or the last of the allotted days or as the case may be, forthwith put every question necessary to determine the decision of the House on the motion. The Speaker may, if he thinks fit, prescribe a time limit for speeches.

Motion of Confidence

There is no specific rule to deal with the Motion of Confidence. However, the Confidence Motion is entertained under the category of motions. Rule 139 provides that save insofar as is otherwise provided in the Constitution or in these rules, no discussion of a matter of general public interest shall take place except on a motion made with the consent of the Speaker.

Motion in the Legislative Assembly (2000-till date)

Only one Motion of Confidence has been moved and discussed in the Jharkhand Legislative Assembly till date which was taken up by the House on 23 November 2000 when the Chief Minister Shri Babulal Marandi moved the Motion of Confidence. Though two notices of Motion of No-confidence against the Council of Ministers headed by Shri Marandi were received by the Assembly Secretariat on 17 March 2003 - one from Shri Stephen Marandi (Jharkhand Mukti Morcha) and Leader of the Opposition and the other one from Shri Phurkan Ansari (Congress-I), following the submission of resignation of the Chief Minister on the same day to the Governor, the motion against his Ministry was not brought before the House. For statistical details in respect of various aspects of the Motion of Confidence of 23 November 2000, see Tables 1 to 4. A graphical presentation of the motion is given in the Graph. Tables 5 and 6 list out the Governors and Chief Ministers, respectively, of Jharkhand since the formation of the State.

Table 1**NCMs/CMs admitted/discussed in different Legislative Assemblies
(2000-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	15.11.2000-till date	-	1
Total		-	1

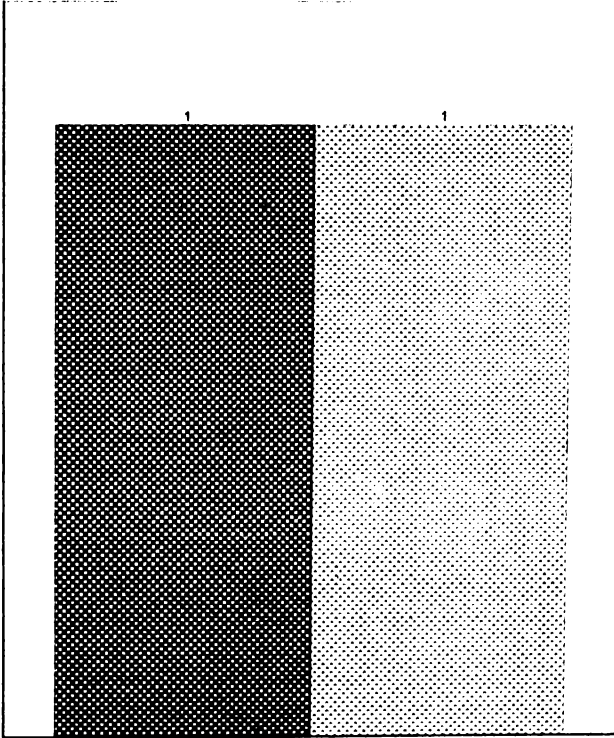
Table 2**NCMs/CMs admitted/discussed during the tenures of different Speakers
(2000-2003)**

<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Shri Inder Singh Namdhari	22.11.2000 - till date	—	1
Total		—	1

Table 3**NCMs against/CMs in the Council of Ministers
(2000-2003)**

<i>Council of Ministers</i>	<i>Party Seats won/ total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Date of (grant of leave)/ discussion/ time taken</i>	<i>Result</i>
Babulal Marandi	NDA 45/81 (55.5%)	CM	Babulal Marandi (26)	23.11.2000 03.00	Adopted Ayes - 44 Noes - 34

**Graph
CMs in Jharkhand Legislative Assembly
(2000-2003)**



 **Motions admitted and discussed**  **Adopted**

No Motion of No-confidence was taken up in the Jharkhand Legislative Assembly.

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(2000-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Inder Singh Namdhari	CM	Babulal Marandi	Babulal Marandi	23.11.2000	26	03.00	23.11.2000	44	34	Adopted

Table 5**Governors of Jharkhand**

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Prabhat Kumar	15.11.2000 - 3.2.2002
2.	Shri V.C. Pandey (Additional Charge)	04.02.2000 - 14.07.2002
3.	Shri Rama Jois	15.07.2002 - till date

Table 6**Chief Ministers of Jharkhand**

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Babulal Marandi	15.11.2000 - 17.03.2003
2.	Shri Arjun Munda	18.03.2003 - till date

Confidence Motion

Within a fortnight of the State coming into being, the Jharkhand State Legislative Assembly took up a Motion of Confidence as per the directive of the Governor Shri Prabhat Kumar.

The First Session of the Legislative Assembly commenced on 21 November 2000. As per the directive of the Governor, the Chief Minister Shri Babulal Marandi moved the first ever Motion of Confidence in the new Legislative Assembly on 23 November 2000.

Moving the Motion of Confidence, the Chief Minister Shri Marandi criticised the Congress(I) for not doing any thing to create a separate State of Jharkhand in spite of being in power both at the Centre and in the State of Bihar for over four decades.

Opposing the motion, the Leader of the Opposition, Shri Stephen Marandi (Jharkhand Mukti Morcha), observed that the State of Jharkhand had been created as a result of the long struggle by the people of the region and the NDA Government had no right to rule the State. Many members spoke largely on party lines, some in favour while some others against the motion.

In his reply, the Chief Minister Shri Marandi said that the creation of the State

of Jharkhand was a promise made by the NDA constituents to the people of the region during the Assembly elections to the undivided Bihar State and the NDA Government had honoured that commitment.

In all, 26 members took part in the three hours long debate. In the voting held thereafter, the House divided with 44 members voting in favour and 34 voting against the motion in a House of 81 (with one seat remaining vacant at the time of voting). The motion moved by the Chief Minister was accordingly adopted.

Karnataka Legislative Assembly

The Mysore State (old Mysore) which is a part of the present Karnataka started the formation of democratic institutions way back in 1881 with a view to associating representatives of the people in the administration of the State. After the British rulers installed Maharaja Sri Chamarajendra Wodeyar as the ruler of Mysore on 25 March 1881, Dewan Sri C. Rangacharlu summoned a meeting of the principal ryots and merchants from all parts of the State on 29 March 1881 to discuss and exchange views on public matters. It was at this gathering that a decision to bring into existence the Representative Assembly was taken. On 25 August 1881, an order was issued setting up the Representative Assembly and defining its constitution and functions.

The first meeting of the Assembly was held on 7 October 1881. It was attended by 144 members. The functions of the Assembly were to hear from the Dewan the report of the previous year's administration and the broad outlines of what was intended to be carried out in the coming year; to make observations and suggestions; to voice grievances and bring to the notice of the Government the needs of the people; and to watch over and criticize the working of the Government.

The Representative Assembly in the first two decades after its establishment developed from a nominated body into an elected body. In the year 1916, His Highness, the Maharaja, sanctioned the holding of a second session of the Assembly every year and the second session began to be held from 1917. Thus, the Assembly developed gradually and was placed on a statutory basis with enlarged powers and functions under Act XVIII of 1923. The normal strength of the Assembly was fixed at 250 but Government had powers to increase it up to a maximum of 275 with a view to removing inequalities, if any.

The Dewan was the *ex-officio* President of the Assembly and the members of the Council (Cabinet) were *ex-officio* Vice-Presidents. The life of the Assembly was three years but Government had the power to extend the term for a period not exceeding one year. The quorum for a meeting was 70 members, including the President.

The question of associating a certain number of non-officials in the process of law-making in a regular legislative body was urged by the members of the

Representative Assembly in 1893, and again in 1906. With a view to respecting the wishes of the representatives of the people, His Highness, the Maharaja, in the year 1907, established a Legislative Council by the promulgation of Regulation I of 1907, in order to associate non-official gentlemen qualified by practical experience and knowledge of local conditions and requirements in the "actual process of law-making". It consisted of the Dewan as President, two *ex-officio* members and such number of additional nominated members as not less than 10 and not more than 15, as fixed by the Government, from time to time. The term of membership was 2 years.

In 1919, the strength of the Council was raised to 30, consisting of 12 officials and 18 non-officials, 8 of whom were elected. By Regulation XIX of 1923 promulgated by His Highness, the Maharaja, the Legislative Council was invested with enlarged powers and functions. The main feature of this Regulation was that the total strength of the Council was raised to 50. The Council was permitted to vote on grants and move cut motions. The duration of the Council was fixed at 3 years but Government had the power to extend it for a period not exceeding one year. The quorum for a meeting of the Council was fixed at one-half of the total members.

The powers of the Representative Assembly were also enlarged. It was made obligatory on the part of the Government to place the general principles of every Bill before the Assembly in the form of a statement, except in cases of urgency, and to ascertain their opinion thereon, before introducing the Bill in the Legislative Council.

In 1926, the franchise was extended to title-holders, and in response to a resolution passed by the Legislative Council in February 1929, the disqualification of candidates on the ground of sex was removed, enabling women to stand for election to the Representative Assembly and the Legislative Council. The functions of the two bodies were such that they were not designed to form part of a composite bicameral Legislature, but were more or less independent bodies with defined functions of their own. To get over these, a Committee appointed in 1935 made some recommendations to the Government. These were accepted and suitable amendments made to the Acts.

As this form of Government and Legislature was being tried, a continuous agitation for the setting up of responsible Government under the aegis of the Maharaja was being carried on. Taking note of the wishes of the people, His Highness, the Maharaja, by a proclamation issued on 29 October 1947, announced further reforms by expanding the Ministry and making it responsible to the Legislature, and setting up a Constituent Assembly composed of elected representatives for the purpose of passing a Constitution for the State of Mysore, providing for a responsible Government.

The Constituent Assembly of Mysore was constituted in 1947, and a Constitution was initiated for Mysore even as political changes of a far-reaching nature were taking place in the rest of India. As a result of those developments, a

Constituent Assembly to frame the Constitution of India was established at the Centre, and as that body was framing a Constitution for the whole of India, it was thought that there was no need to proceed with the work of the Constituent Assembly of Mysore.

The Maharaja, by a proclamation issued on 25 November 1949, ordered that the Constitution adopted by the Constituent Assembly of India shall be the Constitution for the State of Mysore, and dissolved the two Houses of the Legislature on 15 December 1949 and further ordered that until such time as the House or Houses of Legislature of Mysore has or have been duly constituted and summoned to meet for the first session under the provisions of the Constitution of India, there shall be only one House of the Legislature to be known as the Legislative Assembly of Mysore, and that the Constituent Assembly of Mysore be converted into the said Legislative Assembly from 16 December 1949. Consequently, necessary amendments were made to the Government of Mysore Act, 1940, and the members of the Constituent Assembly of Mysore became the members of the Legislative Assembly till 1952, when General Elections were held in Mysore along with the rest of India and the two Houses of Legislature, namely, the Legislative Assembly and Legislative Council were constituted. With the reorganisation of States in 1956, Kannada-speaking areas of Bombay, Hyderabad and Madras were integrated with Mysore, and this composite Kannada-speaking State was renamed as Karnataka in 1973.

At present, the Karnataka State Legislature is bicameral. The Upper House, known as the Legislative Council, is a permanent body with a strength of 75 members. The Lower House, known as the Legislative Assembly, has a strength of 224 elected members and one nominated member.

Motion of No-confidence

In terms of Rule 167 of the Rules of Procedure and Conduct of Business in the Karnataka Legislative Assembly, a motion expressing want of confidence in the Council of Ministers may be made subject to certain restrictions, namely: (i) leave to make the motion must be asked for after questions and before the List of Business for the day is entered upon; and (ii) the member asking for leave shall, before the commencement of the sitting of that day, give to the Secretary a written notice of the motion which he proposes to move.

If the Speaker is of the opinion that the motion is in order, he reads the motion to the House and requests those members who are in favour of leave being granted to rise in their places and if not less than twenty-three members rise accordingly, the Speaker intimates that leave is granted and that the motion may be taken up the next day, or within three days thereafter as the Speaker decides. If less than twenty-three members rise, the Speaker informs the member that he has not the leave of the House.

The Speaker allots a day or days or part of a day for the discussion of the motion. The Speaker at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith puts every question necessary to determine the decision of the House on the motion. He may, if he thinks fit, prescribe a time limit for speeches. During the debate on the Motion of No-confidence, members are at liberty to call in question any policy or act of the Government.

Motion of Confidence

A Motion of Confidence is also taken up under Rule 167 of the Rules of Procedure and Conduct of Business of the Karnataka Legislative Assembly.

Motions in different Legislative Assemblies

A brief account of the various Motions of Confidence and No-confidence which were debated in the Karnataka Legislative Assembly is given below. In all, thirteen Motions of No-confidence and three Motions of Confidence have so far been admitted and discussed in the various Legislative Assemblies. Tables 1 to 4 provide the statistical details in respect of these motions. A graphical presentation of these motions is available in Graphs I and II. Tables 5 and 6 list out the Governors and the Chief Ministers, respectively of the State.

The First Legislative Assembly did not discuss any Motion of Confidence or No-confidence.

Second Legislative Assembly (1957-1962)

In the Second General Elections held in 1957, in the 208-member House, the Congress Party retained a majority winning 149 seats. The Praja Socialist Party won 22 seats and Independents and others 37 seats. Shri S. Nijalingappa formed the Cabinet on 19 April 1957. Following Shri Nijalingappa's resignation on 8 May 1958, Shri B.D. Jatti was sworn in as the Chief Minister on 16 May 1958.

One Motion of No-confidence was taken up in the Second Legislative Assembly.

No-confidence Motion

The first No-confidence Motion in the Mysore Legislative Assembly was moved by Shri B.K. Puttaramaiah (Praja Socialist Party), Leader of the Opposition, against the Congress Ministry headed by Shri B.D. Jatti. Leave for moving the motion was granted on 3 March 1961. Eight notices of No-confidence Motion had been received. The Speaker, Shri S.R. Kanthi, was inclined to put before the House the motion made by Shri Puttaramaiah because it was comprehensive, covered every other motion and Shri Puttaramaiah had been technically correct in asking for the leave of the House to move the motion. The reason for bringing the motion to the House was the failure of the Ministry to tone up the administration at all levels to meet the growing

Table 1**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)**

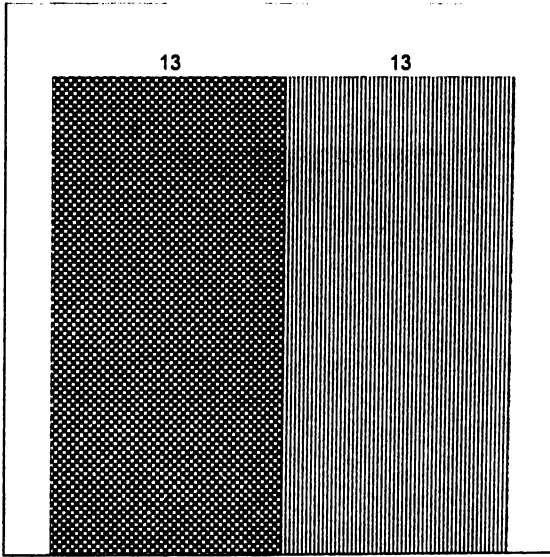
<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	18.06.1952 - 31.03.1957	-	-
Second Legislative Assembly	10.06.1957 - 01.03.1962	1	-
Third Legislative Assembly	15.03.1962 - 28.02.1967	4	-
Fourth Legislative Assembly	15.03.1967 - 14.04.1971	2	-
Fifth Legislative Assembly	24.03.1972 - 31.12.1977	-	-
Sixth Legislative Assembly	17.03.1978 - 08.01.1983	1	-
Seventh Legislative Assembly	25.01.1983 - 02.01.1985	-	1
Eighth Legislative Assembly	18.03.1985 - 21.04.1989	-	-
Ninth Legislative Assembly	18.12.1989 - 20.09.1994	2	1
Tenth Legislative Assembly	26.12.1994 - 22.07.1999	3	1
Eleventh Legislative Assembly	11.10.1999 - 23.02.2004	-	-
Total		13	3

Table 2

**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1952-2003)**

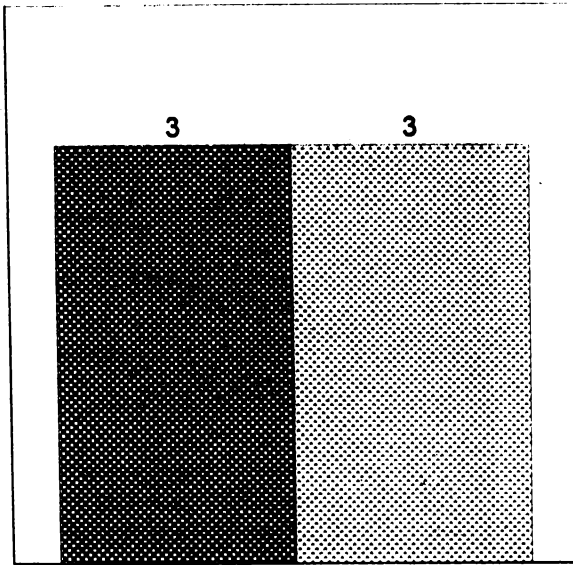
<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri H. Siddaiah	18.06.1952 - 14.05.1954	-	-
2.	Shri H.S. Rudrappa	13.10.1954 - 01.11.1956	-	-
3.	Shri S.R. Kanthi	19.12.1956 - 09.03.1962	1	-
4.	Shri B. Vaikunta Baliga	15.03.1962 - 06.06.1968	5	-
5.	Shri S.D. Kotavale	05.09.1968 - 24.03.1972	1	-
6.	Smt. K.S. Nagarathnamma	24.03.1972 - 17.03.1978	-	-
7.	Shri P. Venkataramana	17.03.1978 - 03.10.1980	1	-
8.	Shri K.H. Ranganath	30.01.1981 - 24.01.1983	-	-
9.	Shri D.B. Chandre Gowda	24.01.1983 - 17.03.1985	-	1
10.	Shri B.G. Banakar	18.03.1985 - 17.12.1989	-	-
11.	Shri S.M. Krishna	18.12.1989 - 20.01.1993	1	1
12.	Shri V.S. Koujalagi	15.02.1993 - 26.12.1994	1	-
13.	Shri Ramesh Kumar	27.12.1994 - 24.10.1999	3	1
14.	Shri M.V. Venkatappa	26.10.1999 - till date	-	-
Total			13	3

Graph I
NCMs in Karnataka Legislative Assembly
(1952 - 2003)



 **Motions admitted and discussed**  **Negated and discussed**

Graph II
CMs in Karnataka Legislative Assembly
(1952-2003)



■ Motions admitted and discussed **■ Adopted**

Table 3

**NCMs against/CMs in the Council of Ministers
(1952-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCM/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
B.D.Jatti (Second Legislative Assembly)	Congress 149/208 (71.63%)	NCM	B.K. Puttaramaiah (16)	(03.03.1961) 04.03.1961 06.03.1961 08.03.1961 09.03.1961 09.25	Negated by voice vote
S.Nijalingappa (Third Legislative Assembly)	Congress 138/208 (66.34%)	NCM	S.Shivappa (6)	(21.09.1962) 26.09.1962 27.09.1962 08.40	Negated Ayes - 40 Noes - 123
-do-		NCM	-do- (8)	(05.10.1963) 07.10.1963 08.10.1963 09.10.1963 15.30	Negated Ayes - 47 Noes - 115
-do-		NCM	-do- (14)	(15.01.1965) 18.01.1965 19.01.1965 20.01.1965 21.01.1965 15.10	Negated Ayes - 29 Noes - 131
-do-		NCM	-do- (9)	(24.11.1966) 25.11.1966	Negated Ayes - 33 Noes - 123
S.Nijalingappa (Fourth Legislative Assembly)	Congress (Undivided) 126/216 (58.33%)	NCM	-do- (33)	(18.12.1967) 22.12.1967 23.12.1967	Negated by voice vote

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Veerendra Patil (Fourth Legislative Assembly)	Congress (Undivided) 126/216 (58.33%)	NCM	-do- (16)	(21.01.1969) 21.01.1969 22.01.1969	Negated by voice vote
D. Devaraj Urs (Sixth Legislative Assembly)	Congress(I)@ 149/224 (66.51%)	NCM	R. Gundu Rao (12)	(24.09.1979) 25.09.1979 26.09.1979 27.09.1979 16.05	Negated* Ayes - Nil Noes - 133
Ramakrishna Hegde (Seventh Legislative Assembly)	Janata Dal- BJP 113/224 (50.44%)	CM	Ramakrishna Hegde (13)	(17.01.1984) 17.01.1984 05.45	Adopted Ayes - 128 Noes - Nil
S. Bangarappa (Ninth Legislative Assembly)	Congress(I) 178/224 (79.46%)	CM	S. Bangarappa (9)	(25.10.1990) 25.10.1990 04.25	Adopted by voice vote
-do-		NCM	D.B. Chandre Gowda (7)	(27.08.1991) 02.09.1991 03.09.1991 05.09.1991 12.38	Negated by voice vote
M. Veerappa Moily (Ninth Legislative Assembly)	Congress(I) 178/224 (79.46%)	NCM	R.V. Deahpande (6)	(01.09.1993) 01.09.1993 02.09.1993 06.09.1993 07.16	Negated by voice vote

© There was a split in Congress (I) and a new party, Karnataka Congress, under the leadership of Shri Devaraj Urs was formed in mid 1979

* Walk-out by Opposition

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
H.D. Deve Gowda (Tenth Legislative Assembly)	Janata Dal 115/224 (51.33%)	NCM	B.S. Yediyurappa (9)	(07.08.1995) 07.08.1995 08.08.1995 09.08.1995 16.32	Negated Ayes - 38 Noes - 96
J.H. Patel (Tenth Legislative Assembly)		NCM	-do- (7)	(14.08.1996) 26.08.1996 27.08.1996 08.20	Negated by voice vote
-do-		CM	J.H. Patel (5)	(27.01.1998) 27.01.1998 06.05	Adopted* Ayes - 135 Noes - Nil
-do-		NCM	Mallikarjuna Kharge (17)	(29.10.1998) 02.11.1998 05.11.1998 10.11.1998 32.00	Negated Ayes - 83 Noes - 133

* Walk-out by Opposition

Table 4
Details of NCMs /CMs admitted/discussed in different Legislative Assemblies
(1952- 2002)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipes	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
S.R. Kanthi	NCM	B.D. Jatti	B.K. Puttara- maiah	04.03.1961 06.03.1961 08.03.1961 09.03.1961	16	09.25	09.08.1961	-	-	Negated by voice vote
B. Vaikunta Baliga	NCM	S. Nijalin- gappa	S. Shivappa	26.09.1962 27.09.1962	6	08.40	27.09.1962	40	123	Negated
-do-	NCM	-do-	-do-	07.10.1963 03.10.1963 09.10.1963	8	15.30	09.10.1963	47	115	Negated
-do-	NCM	-do-	-do-	18.01.1965 19.01.1965 20.01.1965 21.01.1965	14	15.10	21.10.1965	29	131	Negated
-do-	NCM	-do-	-do-	25.11.1966	9	-	25.11.1966	33	123	Negated
-do-	NCM	-do-	-do-	22.12.1967 23.12.1967	33	-	23.12.1967	-	-	Negated by voice vote

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
S.D. Kotavale	NCM	Veerendra Patil	-do-	21.01.1969 22.01.1969	16	-	22.01.1969	-	-	Negatived by voice
P. Venkata- ramana	NCM	D. Devaraj Urs	R. Gundu Rao	25.09.1979 26.09.1979 27.09.1979	12	16.05	27.09.1979	Nil	133	Negatived*
D.B. Chandre Gowda	CM	Rama- krishna Hegde	Rama krishna Hegde	17.01.1984	13	06.45	17.01.1984	128	Nil	Adopted
S.M. Krishna	CM	S. Bangarappa	S. Bangarappa	25.10.1990	9	04.25	25.10.1990	-	-	Adopted by voice
-do-	NCM	-do-	D.B. Chandre Gowda	02.09.1991 08.09.1991	7	12.38	05.09.1991	-	-	Negatived by voice
V.S. Koujalagi	NCM	M. Veerappa Motily	R.V. Deshpande	08.09.1991 01.09.1993 02.09.1993 06.09.1993	6	07.16	08.09.1993	-	-	Negatived by voice vote

* Walk-out by Opposition

Speaker	NCM/CMs	Cabinet	Mover	Dates of Discussion	No. of Participants	Time Taken Hrs-Mts.	Date of Voting	Ayes	Noes	Result
Ramesh Kumar	NCM	H.D. Deve Gowda	B.S. Yediyurappa	07.08.1995 08.08.1995	9	16.32	09.08.1995	38	96	Negated
-do-	NCM	J.H. Patel	-do-	26.08.1996 27.08.1996	7	08.20	27.08.1996	-	-	Negated by voice vote
-do-	CM	-do-	J.H. Patel	27.01.1998	5	06.05	27.01.1998	135	Nil	Adopted*
-do-	NCM	-do-	Mallikarjuna Kharge	02.11.1998 05.11.1998 10.11.1998	17	32.00	10.11.1998	83	133	Negated

* Walk-out by Opposition

Table 5

Governors of Karnataka

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
1.	Maharaja Jayachamarajendra Wodeyar	20.03.1952 - 03.05.1964
2.	Shri Nittur Srinivas Rao (Acting Governor)	07.08.1963 - 07.10.1963
3.	Shri S.M. Srinagesh	04.05.1964 - 01.04.1965
4.	Shri V.V. Giri	02.04.1965 - 13.05.1967
5.	Shri G.S. Pathak	13.05.1967 - 31.08.1969
6.	Shri Somanatha Iyer (Acting Governor)	31.08.1969 - 23.10.1969
7.	Shri Dharma Vira	23.10.1969 - 01.02.1972
8.	Shri Mohanlal Sukhadia	01.02.1972 - 10.01.1976
9.	Shri Umashankar Dikshit	10.01.1976 - 02.08.1977
10.	Shri M. Govind Narain	02.08.1977 - 15.04.1983
11.	Shri Ashoknath Banerji	15.04.1983 - 25.02.1988
12.	Shri P. Venkatasubbaiah	25.02.1988 - 05.02.1990
13.	Justice S. Mohan (Acting Governor)	05.02.1990 - 08.05.1990
14.	Shri Bhanu Pratap Singh	08.05.1990 - 06.01.1991
15.	Shri Khurshed Alam Khan	06.01.1991 - 01.12.1999
16.	Smt. V.S. Rama Devi	02.12.1999 - 20.08.2002
17.	Shri T.N. Chaturvedi	21.08.2002 - till date

Table 6

Chief Ministers of Karnataka

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri K. Hanumanthaiah	31.03.1952 - 19.08.1956
2.	Shri Kadidal Manjappa	19.08.1956 - 31.10.1956
3	Shri S. Nijalingappa	01.11.1956 - 19.04.1957 19.04.1957 - 16.05.1958
4.	Shri B.D. Jatti	16.05.1958 - 09.03.1962
5.	Shri S.R. Kanthi	09.03.1962 - 20.06.1962
6.	Shri S. Nijalingappa	21.06.1962 - 03.03.1967 03.03.1967 - 29.05.1968
7.	Shri Veerendra Patil	29.05.1968 - 27.03.1971
	President's Rule	27.03.1971 - 20.03.1972
8.	Shri D. Devaraj Urs	23.03.1972 - 31.12.1977
	President's Rule	31.12.1977 - 27.02.1978
9.	Shri D. Devaraj Urs	28.02.1978 - 07.01.1980
10.	Shri R. Gundu Rao	12.01.1980 - 07.01.1983
11.	Shri Ramakrishna Hegde	10.01.1983 - 02.01.1985 08.03.1985 - 13.02.1986 16.02.1986 - 11.08.1988
12.	Shri S.R. Bommai	13.08.1988 - 21.04.1989
	President's Rule	21.04.1989 - 30.11.1989
13.	Shri Veerendra Patil	30.11.1989 - 10.10.1990
	President's Rule	10.10.1990 - 17.10.1990
14.	Shri S. Bangarappa	17.10.1990 - 19.11.1992
15.	Shri M. Veerappa Moily	19.11.1992 - 10.12.1994
16.	Shri H.D. Deve Gowda	11.12.1994 - 31.05.1996
17.	Shri J.H. Patel	31.05.1996 - 10.10.1999
18.	Shri S.M. Krishna	11.10.1999 - till date

demands of the State in several areas of Government activity for securing efficiency in administration and dispatch of works. The motion was discussed for four days on 4, 6, 8 and 9 March 1961 in which 16 members participated.

Moving the motion, Shri Puttaramaiah said that under the present Ministry in Mysore, democratic principles, instead of being upheld, were given the go by and in the name of democracy many evil things were being committed. He accused the Government of corruption, nepotism and inefficiency. Opposing the motion, Shri Kothawale (Congress) pointed out that as a result of the First and Second Five-Year Plans, employment opportunities had improved very much. He refuted the allegation that the Ministry had interfered with the appointment of the judges of the High Court and pointed out that these appointments were made by the President of India on the recommendations of the Chief Justice of the Supreme Court.

Replying to the debate which lasted 9 hours 25 minutes, the Chief Minister said that the performance of the Opposition was enough to show that this motion was only an election stunt and an attempt to show that they were trying to do something more for the people than the Government of the day.

In the voting held on 9 March 1961, the motion was negatived by voice vote.

Third Legislative Assembly (1962-1967)

In the General Elections held in 1962, the Congress Party secured 138 seats in the 208-member House, while the Praja Socialist Party won 20 seats, Swatantra 9, Communists 3, Socialists 1 and Independents and others 37 seats. Shri S.R. Kanthi was sworn in as the Chief Minister. However, following the resignation of Shri Kanthi on 21 June 1962, Shri S. Nijalingappa became the Chief Minister.

Four Motions of No-Confidence, all from Shri S. Shivappa (PSP), Leader of the Opposition, were admitted, discussed and negatived during the tenure of the Third Legislative Assembly.

First No-confidence Motion

The first No-confidence Motion in the Third Legislative Assembly was moved on 21 September 1962. The grounds mentioned in the motion included: refusal of the concerned Minister to institute a public inquiry into the affairs of the construction of the Sharavathy power project, the indifferent attitude of the Education Minister to the agitation against the enhancement of college tuition fees, the partisan attitude of the Government in recommending the names of three persons to the State Legislative Council, and failure to implement land reforms and to check the soaring prices. Six members participated in the two-day discussion held on 26 and 27 September 1962 lasting 8 hours and 40 minutes.

Initiating the debate, Shri Shivappa said that the original outlay on the Sharavathy project, work on which began in 1954, had gone up to Rs. 80 crore. The

Government's handling of the project work had resulted in a huge loss to the State and whoever was responsible for it must be made to quit the Ministry. Referring to the enhancement of college fees in the old Mysore area, he criticised the Education Minister's explanation in this regard as unconvincing and irrelevant and said the Education Minister had taken up a wrong approach to the issue. He also assailed the three nominations made to the Legislative Council and stated that this had been done to patronise party men and to serve party interests.

Replying to the two-day debate, the Chief Minister Shri S. Nijalingappa said that the execution of the Sharavathy power project was being done at all stages with the full knowledge of the Government of India which had been giving financial assistance to the project. The engineers of the Central Water and Power Commission were associated with the various Committees appointed for the project. He characterised the Opposition charges as irresponsible and said it would be evident from a perusal of the No-confidence Motion which sought to censure the Government in regard to several matters outside their purview.

The motion, when put to vote, was negatived with 40 members voting in favour and 123 members voting against it.

Second No-confidence Motion

The grounds on which Shri S. Shivappa (PSP) tabled on 5 October 1963 his second Motion of No-confidence against Shri Nijalingappa were: the alleged irregularities in the execution of the Sharavathy power project, and the affairs of the Khadi and Village Industries Board and the State Electricity Board. The discussion on the motion was held for three days on 7, 8 and 9 October 1963 in which 8 members participated.

Initiating the discussion, Shri Shivappa demanded President's Rule in the State as a prelude to the ensuing General Elections. He accused the Government of failing the people and using the Emergency in force for party ends. The Government, he stated, disregarded the need for economy in expenditure during the Emergency and cited in support of it, the size of the Ministry. He criticised the Government for the alleged irregularities in the execution of the Sharavathy project, the affairs of the Khadi and Village Industries Board, the Electricity Board and also the Government policies on education, prohibition, nationalisation of road transport and food price.

Replying to the debate which lasted 15 hours and 30 minutes, the Chief Minister, Shri S. Nijalingappa, dismissed the Opposition charges against his Ministry as old, vague and inconsequential. On the allegations of irregularities in the Sharavathy project, he reiterated he would personally study the records connected with the project. He was going through them and would invite critics to come to him for discussions. The House could have all the relevant information before it, if so desired. The judicial inquiry asked for could also be considered if it became necessary. The

Chief Minister defended the Electricity Board's investment of about Rs.2.5 crore in two particular banks and said the banks had played a very useful and significant part in the success of the public loan. In regard to criticism about the financial transactions of the Khadi and Village Industries Board, Shri Nijalingappa admitted that there could have been some irregularities. Investigations into the accounts were on and if misappropriation was brought to light, those involved would be brought to book. He refuted the allegation of neglect of linguistic minorities in the State and observed that since the States' reorganisation, the number of Marathi schools had registered a 50 per cent rise. The safeguards for linguistic minorities in Mysore were better than in other States.

The motion was defeated with 47 members voting in favour and 115 members voting against it.

Third No-confidence Motion

The third No-confidence Motion against Shri Nijalingappa was moved on 18 January 1965. Leave for moving the motion was granted on 15 January 1965. In all, 14 members participated in the debate held on 18, 19, 20 and 21 January 1965.

Shri S. Shivappa, Leader of the Opposition, who initiated the debate, demanded the dissolution of the Nijalingappa Ministry on the ground that it had lost the confidence of the people and wanted mid-term elections. He claimed that the Opposition had a large volume of evidence and facts and figures against the Ministry and offered to volunteer them, should a judicial inquiry, as demanded by him, be instituted. In his charges against the Ministry, he dealt at length on the execution of the Sharavathy power project, favouritism in the award of contracts, hurried sanction of payment to a certain contractor in terms of an arbitration award and the bypassing of the high power Hydro-electric Construction Project Board in deciding certain vital technical aspects.

Referring to the Sharavathy project, the Chief Minister Shri Nijalingappa said that after he had originally offered to make inquiries on his own, he did go through all the papers and documents connected with the project thoroughly and was convinced that no injustice had taken place. A judicial inquiry, he asserted, was impossible and unnecessary.

At the end of the four-day debate lasting 15 hours and 10 minutes, the motion was negatived with 131 members voting against and 29 members voting in favour in the 208-member House.

Fourth No-confidence Motion

The fourth and the last No-confidence Motion in the Third Legislative Assembly was admitted on 24 November 1966. The main reasons for bringing the motion before the House were the Government's handling of the Mysore-Maharashtra border

issue, the problem of food production and distribution, and the failure of the leadership to present to the Centre the State's case in regard to a steel plant and the river waters issue. The motion was debated on 25 November 1966 in which nine members took part.

Initiating the debate, Shri Shivappa said that there was frustration among all sections of the people as a result of the misrule of the present Ministry in the last four and a half years. No major irrigation project had been taken up or completed. At the fog end of the term, the Ministry indulged in talk about taking up the projects on the Cauvery. It smacked of electioneering and nothing else.

Shri Ramakrishna Hegde, Finance Minister, listed out the achievements of the Ministry in the last four and a half years. Referring to the inter-State border issue, he said there had been no shift in the Government's policy at all. The Government stuck to the stand that the State's border had been finally settled by an Act of Parliament and the State would not countenance its reopening. Shri Veerendra Patil, Public Works Minister, observed that the main hurdle in the way of construction of irrigation projects was the paucity of funds. It required sacrifices on the part of the people to raise funds to finance projects. But still, in order to safeguard the rights of the State to its share of the waters of Krishna, Godavari and the Cauvery, projects were being undertaken despite the shortage of funds.

In the voting held on 25 November 1966, the motion was defeated with 33 members voting in favour and 123 members voting against it.

Fourth Legislative Assembly (1967-1971)

In the Fourth General Elections held in 1967, the Congress Party again secured an absolute majority, winning 126 seats in the House of 216. The Swatantra Party won 16 seats, PSP 20 seats and the remaining seats were won by Independents and other parties. Shri S. Nijalingappa was re-elected Leader of the Congress Legislature Party and appointed Chief Minister on 3 March 1967 by Governor Shri V.V. Giri.

Two Motions of No-confidence, both by Shri S. Shivappa, Leader of Opposition, were moved during the tenure of the Fourth Legislative Assembly.

First No-confidence Motion

A No-confidence Motion was brought against the Congress Government⁷ of Shri S. Nijalingappa by Shri S. Shivappa. Leave for moving the motion was granted on 18 December 1967. The motion was discussed for two days on 22 and 23 December 1967 in which 33 members took part. Replying to the debate, the Chief Minister Shri Nijalingappa described the Opposition charges as having no substance and meaning. He further said that only old grievances had been voiced.

The motion was negatived by voice vote on 23 December 1967.

Shri Nijalingappa was subsequently elected President of the Indian National Congress and on 29 May 1968 submitted to the State Governor the resignation of his

Cabinet. The Congress Party elected Shri Veerendra Patil as the leader and he assumed the office of the Chief Minister on the same day.

Second No-confidence Motion

Another No-confidence Motion was brought by Shri S. Shivappa against the eight-month-old Congress Ministry headed by Shri Veerendra Patil. The leave for moving the motion was granted on 21 January 1969. The main reason for tabling the motion was the observations made by the Supreme Court with regard to the excise contract deal in the Gulbarga and Raichur districts.

Moving the motion, Shri Shivappa dealt at length on the observations made by the Supreme Court and said that the Government had failed to follow a uniform procedure in the disposal of excise rights.

Replying to the debate, the Chief Minister, Shri Veerendra Patil, told the House that the Government had been advised that the portion of the judgment relied upon by the Opposition was not a finding or a stricture on the Government. It was a passing remark or an observation. He further said that the Government's conscience was clear and in all its actions concerning the excise contract, it was guided by the sole object of getting the maximum revenues to the State exchequer.

The motion was discussed for two days on 21 and 22 January 1969 in which 16 members participated. The motion was negated by voice vote.

No Motion of Confidence or No-confidence was moved in the Fifth Legislative Assembly.

Sixth Legislative Assembly (1978-1983)

In the elections held to the Karnataka Legislative Assembly in February 1978, the Congress(I) won a two-thirds' majority in the 224-member House. While the Congress(I) won 149 seats and its ally the CPI 3 seats, the Janata Party got 59 seats and Independents and others 13 seats. Shri D. Devaraj Urs was sworn in as the Chief Minister on 28 February 1978 by the Governor, Shri Govind Narain. In mid-1979, there was a split in the Congress(I) Party and a new party, Karnataka Congress, consisting of 134 members, was formed under the leadership of Shri Devaraj Urs. One Motion of No-confidence was discussed in the Sixth Legislative Assembly.

Motion of No-confidence

Shri R. Gundu Rao (Congress-I), Leader of Opposition, moved on 24 September 1979 a No-confidence Motion against the Government of Shri Devaraj Urs. The motion was discussed for three days on 25, 26 and 27 September 1979 in which 12 members took part.

Speaking on the motion, Shri Gundu Rao demanded the resignation of the Chief Minister contending that Shri Urs could not continue as both the Congress President and the Chief Minister. Shri S. Bangarappa, President of the Karnataka

PCC(I), demanded the resignation of Law Minister, Shri L.G. Havanur, because he had tendered an unconditional apology to the Karnataka High Court in a contempt of court case filed against him. During the course of the debate, the Law Minister Shri Havanur maintained that he had not authorised the Advocate-General to apologize on his behalf. The Advocate-General had tendered a formal apology at the desire of the High Court. It was not correct on the part of the High Court to accept an apology from a third person.

In his reply to the debate, the Chief Minister, Shri Devaraj Urs, denounced the concept of loyalty to the leader (*Swami Bhakti*) as meaningless in the democratic set up. It was a feudal concept and he was not prepared to accept it even if he were compelled to take political *sanyasa*. He further said that the real masters of this country were the people and the elected representatives must be loyal to them, striving for their welfare and showering love and affection on them. That was the political *dharma* or righteousness. His party legislators had supported and stood by him in the ideological conflict. The Opposition could not succeed in breaking them as they knew that the path he had chosen was correct.

Before the motion was put to the vote, the Congress(I) and Opposition members belonging to the Janata Party walked out. The Janata Party members led by Shri S.R. Bommai walked out on the plea that the Chief Minister had not indicated what follow-up action he had taken on the Grover Inquiry Commission findings. The walk out by the Congress(I) members came on the issue of the Chief Minister having not replied to the questions raised by the party such as the resignation of the Law Minister Shri L.G. Havanur and which of the two posts Shri Urs would retain - the Chief Ministership or the Congress Presidentship.

In the voting held on 27 September 1979 after a debate lasting 16 hours and 5 minutes, the motion was defeated with 133 members voting against it and none in favour.

Seventh Legislative Assembly (1983-1985)

In the General Elections held in January 1983, the Janata-Kranti Ranga combination won 95 seats, Congress(I) 80, Bharatiya Janata Party 18, Communist Party of India 3, Community Party of India (Marxist) 3 and Independents and other parties 23 seats. Repoll was ordered in one constituency while in another constituency the poll was counter-manded. Shri Ramakrishna Hegde was sworn in as the Chief Minister on 10 January 1983 by the State Governor Shri Govind Narain.

One Motion of Confidence was debated and carried during the Seventh Legislative Assembly.

Motion of Confidence

On 17 January 1984, Shri Ramakrishna Hegde moved the first Confidence

Motion in the Legislative Assembly. Shri Hegde, who moved the motion immediately after Question Hour, admitted that it was an unusual exercise in parliamentary Government. He said there were special circumstances warranting such a step in Karnataka. There had been an uninterrupted campaign that the Government had no majority and that it would fall any moment. With that kind of uncertainty, no Government could function effectively. There was scepticism among the people and the State employees about its stability. He asserted that the Janata Party had not rigged the Assembly elections. The people wanted a change in the Government. On the other hand, unethical and immoral means were being adopted to bring down the Ministry, although it would be legitimate on the part of any Opposition to remove a Government by constitutional means. The Legislative Assembly was the forum for a trial of strength and that was why he had come before it for a confidence vote.

At the end of the day-long debate lasting 5 hours and 45 minutes in which 13 members participated, the motion was adopted with 128 members voting in favour and none against it.

No Motion of confidence or No-confidence was moved in the Eighth Legislative Assembly.

Ninth Legislative Assembly (1989-1994)

In the elections held for the 224-member State Legislative Assembly on 24 November 1989, the Congress(I) won 178 seats and secured two-thirds' majority. The Janata Dal won 24 seats and the remaining seats were shared by Independents and other parties. Shri Veerendra Patil was sworn in as the Chief Minister on 30 November 1989 for the second time. In October 1990, a dissident group was formed in the ruling Congress(I) Legislature Party which demanded a change in leadership. Some of the Ministers attended meetings of both the groups. The political uncertainty eventually led to the imposition of President's Rule in the State on 10 October 1990. The Legislative Assembly was, however, kept under suspended animation. On 13 October 1990, Shri S. Bangarappa was unanimously elected as the new Leader by the Congress Legislature Party. He was sworn in as the Chief Minister on 17 October 1990, and was asked to prove his majority on the floor of the House.

One Motion of Confidence and two Motions of No-confidence were moved during the Ninth Legislative Assembly.

Confidence Motion

In accordance with the requirement laid down by the Governor, Shri Bhanu Pratap Singh, the Chief Minister, Shri S. Bangarappa, moved on 25 October 1990 a Motion of Confidence in the House. During the debate, the Janata Dal members alleged that Shri Veerendra Patil was a victim of a conspiracy and the inhuman

manner in which he was sought to be removed was an insult to the Kannadigas and the State. The restoration of the Congress(I) Government was a product of the liberality of the V.P. Singh Government. But, yet, Shri Bangarappa was trying to seek the verdict of the House under threat of operation of the party whip and under duress fearing possible dissolution of the Legislative Assembly.

In his reply to the debate, Shri Bangarappa accused the Janata Dal of having hatched an unsuccessful plot to overthrow the Congress(I) Government. They had tried to pressurise the Governor into toeing their line of action. However, the Governor had realised the realities of the situation and in his final report had recommended the restoration of the elected Government. Nine members participated in the discussion lasting four hours and twenty-five minutes. The motion was adopted by voice vote.

First No-confidence Motion

Shri D.B. Chandre Gowda (Janata Dal), Leader of the Opposition, moved on 27 August 1991 a No-confidence Motion against the Ministry headed by Shri S. Bangarappa. The discussion on the motion was held on 2, 3 and 5 September 1991 for twelve hours and thirty-eight minutes in which 7 members participated.

Initiating the debate, Shri Chandre Gowda pointed out many omissions and commissions of the Government headed by Shri Bangarappa such as de-notification of 62 acres of prime land which had been notified for acquisition by the Bangalore Development Authority in favour of a private educational institute, granting of licences for quarrying of granite, corruption charges in connection with transfer of Government officials and promotion of corrupt officials. He asked Shri Bangarappa to step down forthwith as the people and some of his own partymen had lost confidence in his leadership.

Replying to the debate, the Chief Minister Shri Bangarappa denied the charge that his Government had denotified 62 acres of land and asserted that the denotification was done on the basis of a High Court order issued on 27 December 1990. He claimed that the only action taken by his Government was to grant exemption to the institute from the provisions of the Urban Land Ceiling Act. On the sanction of granite quarrying leases, which had led to a *dharna* by the Opposition parties in the well of the Assembly, the Chief Minister refuted the allegation that his Government had sanctioned hundreds of leases overnight or that it had violated the High Court stay order. He clarified that the leases had been sanctioned over a fortnight. The Mines and Geology Minister stopped the grant of licences for granite quarrying on 5 July after seeing newspapers reports pertaining to the High Court stay order, which had not been communicated to the Government by anybody. He assured the House that the Government would abide by the decision of the Speaker, Shri S.M.

Krishna, over the Opposition demand for constitution of a House Committee to examine the entire issue.

The motion was negated by voice vote.

On 11 November 1992, Shri Bangarappa submitted his resignation as Chief Minister. Shri M. Veerappa Moily who was elected the new Leader of the Congress Legislature Party assumed the office of the Chief Minister on 20 November 1992.

Second No-confidence Motion

The second No-confidence Motion in the Ninth Legislative Assembly was moved against the Congress(I) Ministry headed by Shri Veerappa Moily on the grounds that he had lost the confidence of the Council of Ministers. Notices of the motion were given by Shri R.V. Deshpande (Janata Dal), Shri B.S. Yediyurappa (BJP) and Prof. M.D. Nanjundaswamy and Shri Babu Gowda (both of the Farmer's Association). Leave for moving the motion was granted to Shri R.V. Deshpande on 1 September 1993. The motion was debated for three days spanning seven hours and sixteen minutes. Six members took part in the discussion.

Taking part in the discussion, Shri D.B. Chandre Gowda (JD) observed that Shri Moily had no support either from the Ministers or the members of his party. In the absence of anyone to defend the motion, it should be construed to have been passed. On 6 September 1993, when Shri Verrappa Moily, Chief Minister, started replying to the debate, the dissident Congress members as well as the Opposition members protested loudly and nothing was audible in the din. Shri Moily, in his one-line reply, denied the charges levelled by the Opposition against the Government and urged that the motion be rejected. The Speaker Shri V.S. Koujalagi put the motion to a voice vote and declared that the motion was defeated.

Tenth Legislative Assembly (1994-1999)

The elections to the 224-member Legislative Assembly were held on 26 November and 1 December 1994. The Janata Dal got 115 seats, the Bharatiya Janata Party won 40, Congress 35, Karnataka Congress Party 10, and Independents 24 seats. On 11 December 1994, Shri H.D. Deve Gowda and Shri J.H. Patel were sworn in as the Chief Minister and the Deputy Chief Minister, respectively.

In the Tenth Legislative Assembly, three Motions of No-confidence and one Motion of Confidence were discussed.

First No-confidence Motion

The first No-confidence Motion was moved by Shri B.S. Yediyurappa (BJP) against the 8-month-old Janata Dal Government of Shri H.D. Deve Gowda. Some of the reasons for tabling the motion were: allegations of land scandal against the Union Railway Minister, general transfer of personnel and issues relating to the

Cogentrix thermal power project. The leave for moving the motion was granted on 7 August 1995. The motion was discussed for three days on 7, 8 and 9 August 1995 in which nine members took part.

Tabling the motion, Shri Yediyurappa accused the State Government of trying to hush up the allegations of land scandal against the Railway Minister Shri Jaffer Sharief.

Replying to the debate, the Chief Minister, Shri Deve Gowda, said that his Government was going ahead with development works despite financial constraints. He refuted the allegation that the Government was shielding the Railway Minister with regard to land acquisition. He further said the Government had sent all the documents concerning the land acquisitions to the High Court which had entertained two public interest litigations. On the Cogentrix power project, the Chief Minister revealed that the cost of electricity from the project would be less than that from the fourth stage of the Raichur thermal project. The cost of the Cogentrix project might further go down. The preliminary estimate was Rs.5,200 crore and it came down to Rs.4,700 crore when the power purchase agreement was signed. He also refuted the charge of favouritism and practice of casteism in the posting of officials.

In the voting held on 9 August 1995, after a debate lasting 16 hours and 32 minutes, the motion was negated with 38 members voting in favour and 96 members voting against it.

Following his election as the United Front leader and subsequently as the Prime Minister-designate, Shri H.D. Deve Gowda resigned from the office of Chief Minister on 31 May 1996. The newly elected leader of the Janata Dal Legislature Party, Shri J.H. Patel, was sworn in as the Chief Minister on the same day.

Second No-confidence Motion

A No-confidence Motion was tabled by the combined Opposition parties on 26 August 1996 against Shri J.H. Patel. The debate on the motion lasted two days on 26 and 27 August 1996 spanning 8 hours and 20 minutes in which seven members took part. The Deputy Speaker Shri C.M. Mamani presided over the debate in the absence of Speaker Shri Ramesh Kumar (BJP) who was out of the country. The BJP and the Congress Party had given notice of No-confidence Motion on the State Government's alleged mishandling of the Almatti dam dispute. The issue of the Almatti dam was, however, relegated to the background by Shri Yediyurappa himself and urban land deals and issues relating to the Krishna waters dominated the attack on the Government. Moving the motion, Shri Yediyurappa presented a charge-sheet which included the alleged illegal acquisition of 1000 acres of land near Bangalore by the son of a former Chief Minister. Intervening in the debate, the Chief Minister Shri Patel said it would be against the rules to permit such allegations. Shri Yediyurappa should not be allowed to mention any names. The

Minister of Large and Medium Industries Shri R.V. Deshpande said that the allegation made by Shri Yediyurappa that thousands of acres of land in the Bidai region near Bangalore were being acquired for wealthy, private persons was baseless.

The motion was put to voice vote at the request of Shri J.H. Patel who was obstructed from giving his reply. The motion was declared defeated amid confusion and staging of *dharna* by a group of Maharashtra Ekikarana Samithi (MES) and Congress(I) members.

Confidence Motion

A Confidence Motion was moved by the Chief Minister Shri J.H. Patel on 27 January 1998 in a Special Session of the State Legislative Assembly. This was necessitated in the wake of six Janata Dal legislators, including three Ministers who resigned from the Cabinet, joining Lok Shakti leader Shri Ramakrishna Hegde's apolitical outfit, the Rashtriya Navnirman Vedike. However, no member resigned from his party membership or Assembly seat. All the six maintained that their joining the Vedike was not an attempt to destabilise the Patel Ministry. During the course of the debate, Shri R.V. Deshpande, one of the three Ministers who had resigned from the Cabinet, said there was no valid or convincing reason for the Government to seek a vote of confidence in the House. He further said that he had told the Chief Minister before the three Ministers submitted their resignation that it was not their intention to destabilise the Government. They had not resigned from the Legislative Assembly because they did not want to disturb the Government.

Replying to the debate, the Chief Minister Shri J.H. Patel said that a clear picture of the achievements of the Government was presented to enable the members and the people to make a comparison with the previous Government. The Government had sought the confidence vote keeping in view both the short-term and the long-term strategies. It was intended mainly to counter the efforts of some persons to destabilise the Government. Another objective was to silence the Opposition leaders who were demanding the resignation of the Ministry on the ground that the Government had been reduced to a minority following desertions.

In all, five members took part in the debate. At the end of the debate lasting six hours and five minutes, the two major Opposition parties, the Congress and the BJP, staged a walk-out before the motion was put to vote. The motion was adopted with 135 members voting in favour and none against it.

Third No-confidence Motion

In the backdrop of the campaign by dissidents for a change in the leadership, two Motions of No-confidence were tabled separately by the Congress(I) and BJP against the J.H. Patel Ministry on 29 October 1998. However, the two motions were clubbed together and taken up for discussion. The ground for bringing the motion

before the House was the failure of the Government on several fronts. Levelling 23 charges against the Government, Shri Mallikarjuna Kharge (Congress-I) accused the Government of failure in tackling the floods and deteriorating law and order, not curbing sky-rocketing prices and for agreeing to the Cauvery river accord with other riparian States. He charged that the Government had failed to safeguard farmers' interests and to take concrete steps for the welfare of agricultural labourers, the downtrodden, the minorities, backward classes and women. He said that the administration had come to a standstill, corruption had increased in the Government and the Chief Minister had lost control over his colleagues. As such, he contented that the Government had no right to continue in power.

Replying to the debate, Shri J.H. Patel, Chief Minister, said there was no seriousness in the Motion of No-confidence. He asked the Opposition members to look around and see for themselves the advances made by Karnataka in the field of information technology and other sectors. He said it was time that all politicians, cutting across party lines, combined together and looked for ways to sort out the problems facing the country.

The discussion on the motion spread over three days lasted 32 hours. In the voting held on 10 November 1998, the motion was defeated with 83 members voting in favour of the motion and 133 against the motion.

No Motion of Confidence or No-confidence was taken up in the Eleventh Legislative Assembly.

Motions of Confidence and No-confidence in the Karnataka Legislative Assembly - An Analysis

In all, 13 Motions of No-confidence and three Motions of Confidence were admitted and discussed in the State Legislative Assembly. Out of the 13 Motions of No-confidence, the largest number of four No-confidence Motions were debated in the Third Legislative Assembly followed by three motions in the Tenth Legislative Assembly, two each in the Fourth and Ninth Legislative Assemblies and one each in the Second and Sixth Legislative Assemblies. One Motion of Confidence each was debated in the Seventh, Ninth and Tenth Legislative Assemblies. In the First, Fifth, Eighth and Eleventh Legislative Assemblies no such motion was discussed. While the three Motions of Confidence moved by the incumbent Chief Ministers were adopted, all the 13 Motions of No-confidence were defeated in the House.

Table 2 gives the number of No-confidence and Confidence Motions admitted and discussed during the tenures of different Speakers of the Legislative Assembly, which shows that Speaker Shri Vaikunta Baliga presided over the debates on the highest number of five No-confidence Motions. Speakers Shri S.M. Krishna and Shri Ramesh Kumar chaired the debates on motions of both types - No-confidence Motion and Confidence Motion.

Table 3 gives an account of the No-confidence Motions and Confidence Motions debated. Of the 13 Motions of No-confidence, Shri S. Nijalingappa faced five motions. Shri J.H. Patel faced two Motions of No-confidence and Sarvashri B.D. Jatti, Veerendra Patil, D. Devaraj Urs, S. Bangarappa, M. Veerappa Moily and H.D. Deve Gowda faced one Motion of No-confidence each. As regards Motions of Confidence, one each was moved by Shri Ramakrishna Hegde, Shri S. Bangarappa and Shri J.H. Patel and all the three were adopted. Chief Ministers Shri J.H. Patel and Shri S. Bangarappa faced motions of both types - No-confidence Motion and Confidence Motion.

Table 4 gives statistical information pertaining to the participation of members in the debates on various Motions of No-confidence. It also depicts the time taken and the result of the division.

Participation by Members

Table 4 shows that, in all, 187 members participated in the debates on the motions - 160 in the 13 Motions of No-confidence and 27 in the three Motions of Confidence. The highest number of 33 members took part in the debate on the No-confidence Motion moved by Shri S. Shivappa in December 1967. Another of Shri Shivappa's motion moved September 1962 and Shri R.V. Deshpande's motion moved in September 1993 entailed the lowest participation of 6 members. Shri S. Shivappa moved the largest number of six No-confidence Motions consecutively. The Confidence Motion moved by Shri Ramakrishna Hegde in January 1984 had the highest number of 13 members participating in it while the one moved by Shri J.H. Patel in January 1998 had the the lowest number of five members participating in the discussion.

Time taken

The total time spent on debating the 10 Motions of No-confidence comes to 141 hours and 36 minutes (figures are not available for three Motions of No-confidence) while the time taken on the three Motions of Confidence was 16 hours and 15 minutes. The total number of days taken to discuss the 13 Motions of No-confidence and 3 Motions of Confidence comes to 35 days and 3 days, respectively. Individually, the motions moved by Shri B.K. Puttaramaiah on 3 March 1961 and Shri S. Shivappa on 15 January 1965 were discussed for four days each. The No-confidence Motion moved by Shri Mallikarjuna Kharge on 29 October 1998 was debated for the longest duration of 32 hours, while the lowest duration of 7 hours and 16 minutes was taken by the No-confidence Motion moved by Shri R.V. Deshpande in September 1993. The Confidence Motion moved by Shri J.H. Patel was debated for the longest duration of 6 hours and 5 minutes whereas the lowest duration was taken by the Confidence Motion moved by Shri S. Bangarappa on 25 October 1990 which was debated for 4 hours and 25 minutes.

Division

Of the 13 Motions of No-confidence which were debated by the Legislative Assembly, six were negatived by voice vote while seven were negatived by division. Two Motions of Confidence were adopted by division and one by voice vote. The No-confidence Motion moved by Shri Gundu Rao against the Ministry of Shri Devaraj Urs voted on 27 September 1979 was negatived with the widest margin of 133 votes while the motion moved by Shri Mallikarjuna Kharge against Shri J.H. Patel, voted on 10 November 1998, was negatived by the narrowest margin of 50 votes. The Motion of Confidence, moved by the Chief Minister Shri J.H. Patel in January 1998 was adopted with the widest margin of 135 votes and the one moved by Shri Ramakrishna Hegde in January 1984 was adopted with a margin of 128 votes.

Kerala Legislative Assembly

The Kerala Legislature has had three parallel courses of development in the three regions of Travancore, Cochin and Malabar until they were merged together on 1 November 1956. In fact, the Kerala Legislative Assembly has a history dating back to 1888. On 30 March 1888, Sri Moolam Thirunal Rama Verma, the Maharaja of Travancore, by passing a Regulation, established a Council for the purpose of making laws and regulations. The Regulation of 1888 was modified ten years later by another Regulation passed on 21 March 1898. The important modification related to raising of the membership of the Legislative Council to 15. The new Regulation also defined the Constitution and powers of the Council and enabled the Government to frame rules for the selection of non-official members.

In 1904, the Maharaja took another significant step to associate the people with the administration by creating the Sri Moolam Popular Assembly of Travancore in addition to the Legislative Council. The total membership of the Assembly was 100. It was, however, not a law-making body and had no voice in the administration. In 1907, the Assembly was empowered to elect four members to the Legislative Council.

The Legislative Council was remodelled in 1919, raising its strength to a maximum of 25 from the existing 15. It, for the first time, introduced an element of election in the Council. The twin features of the reform were the right to discuss the Budget and the right to interpellation. Within two years, in October 1921, the composition and character of the Council underwent further change. The total membership of the Council was raised to 50, of whom 28 were to be elected and 22 nominated; of the latter, 7 were to be non-officials. Members were given the right to vote on the Budget demands subject to certain limitations, to move resolutions on matters of public interest, to ask supplementary questions and bring motions for adjournment.

In 1932, the Maharaja introduced a major reform through the promulgation of the Travancore Legislative Reforms Regulation II of 1108 M.E. (1932). The Regulation sought to place the Sri Moolam Popular Assembly on a statutory basis with enlarged functions and powers and to amend the law relating to the Legislative Council in

such manner that the Assembly and the Council should function as two Chambers of a Legislature. The new bicameral Legislature under this scheme was created on 1 January 1933, with two Houses known, respectively, as the Sri Moolam Assembly (Lower House) and the Sri Chitra State Council (Upper House). The franchise was further broadened. The powers, privileges and functions of the Legislature were enhanced. The Dewan was the *ex-officio* President of both the Houses. The Assembly elected its own Deputy President and was given the right to vote on Demands for Grants and to reduce or omit any item of the Demands. Provision was made to constitute a Public Accounts Committee.

The bicameral Legislature continued till 4 September 1947, when the Maharaja proclaimed the establishment of responsible Government in Travancore. The new Assembly, called the Representative Body, was to function as the Constituent Assembly of Travancore.

In Cochin State, the first Legislative Council was inaugurated in April 1925 under the Cochin Legislative Council Act of 1923. In 1938, Cochin made a unique constitutional experiment under the Government of Cochin Act, 1938. A system of dyarchy was introduced by which a member of the Legislature was appointed Minister to administer certain transferred subjects. In 1946, the number of Ministers was raised to four, and more subjects were transferred. On 14 August 1947, on the eve of India's Independence, the Maharaja of Cochin, in a message sent to the Legislative Council, announced his decision to grant full responsible Government. In 1948, adult franchise was introduced and the Legislative Council was termed as the Legislative Assembly.

On 1 July 1949, Travancore and Cochin were merged and this integrated State came to be known as the United State of Travancore and Cochin. The Maharaja of Travancore became the head (styled as Rajapramukh) of the new State. The Legislative Assembly of the State was to consist of all persons who, immediately before integration, were members of the Representative Body of Travancore and the Legislative Assembly of Cochin. On 26 January 1950, when India was proclaimed a Republic and the new Constitution came into force, Travancore-Cochin, along with other Indian States, became a constituent unit of the Union of India. And with the merger of Malabar district with the Travancore-Cochin State on 1 November 1956, the State of Kerala came into existence. The first General Elections to the Kerala Legislative Assembly were held in February-March 1957.

Motion of No-confidence

As per Rule 63 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly, a motion expressing want of confidence in the Council of Ministers may be moved after Questions and before the List of Business for the day is entered upon. The member asking for leave must give to the Secretary a written

notice of the motion which he proposes to move, three clear days before the date on which he proposes to move it. If the Speaker is of the opinion that the motion is in order, he reads the motion to the Assembly and requests those members who are in favour of leave being granted to rise in their places, and if not less than twenty members rise accordingly, the Speaker declares that leave is granted and the motion will be taken up on such day, not being more than ten days from the date on which leave is asked for. The Speaker, may at the appointed hour, on the allotted days forthwith put every question necessary to determine the decision of the Assembly on the motion. The Speaker may prescribe a time limit for speeches.

Motion of Confidence

As regards Motion of Confidence, the Speaker, Shri D. Damodaran Potti, gave a ruling on the procedure to be followed for demanding a vote of confidence in the Government on 20 March 1970 when the then Chief Minister Shri C. Achutha Menon moved a Motion of Confidence in the House. He held that it was not advisable to insist on the adoption of the relatively rigid requirements laid down in the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly for moving a Motion of No-confidence in the case of a motion seeking vote of confidence. He formulated the following procedure for the moving of a Motion of Confidence: "The Chief Minister or a member of the Council of Ministers or the Leader of the House may at any time give notice of a motion seeking vote of confidence in the Council of Ministers. There is no necessity to ask for leave of the House to move such a motion. The Speaker shall in consultation with the Leader of House declare that the motion will be taken on such day as he may appoint and shall allot a day or days for the discussion of the motion. The Speaker shall, at the appointed hour on the allotted days or as the case may be the last of the allotted days, put the question necessary to determine the sense of the House on the motion by the Assembly. The Speaker may if he thinks fit prescribe a time limit for speeches."

Motions in different Legislative Assemblies

Travancore-Cochin Legislative Assembly (1949-1956)

Two Motions of Confidence and three Motions of No-confidence were debated in the Travancore-Cochin Legislative Assembly. In the First Legislative Assembly, two notices of No-confidence Motion against the Council of Ministers of Shri C. Kesavan were received on 24 September 1951. Shri D. Gnanasigamoni's motion was ruled out of order by the Speaker Shri T.M. Varghese as the motion had exceeded the scope of the rule. The other motion of No-confidence tabled by Shri T.A. Moideen Kunju (Independent) was not granted leave as the required number of members did not support the motion.

Table 1

NCMs/CMs admitted/discussed in different Legislative Assemblies
(1949-2003)

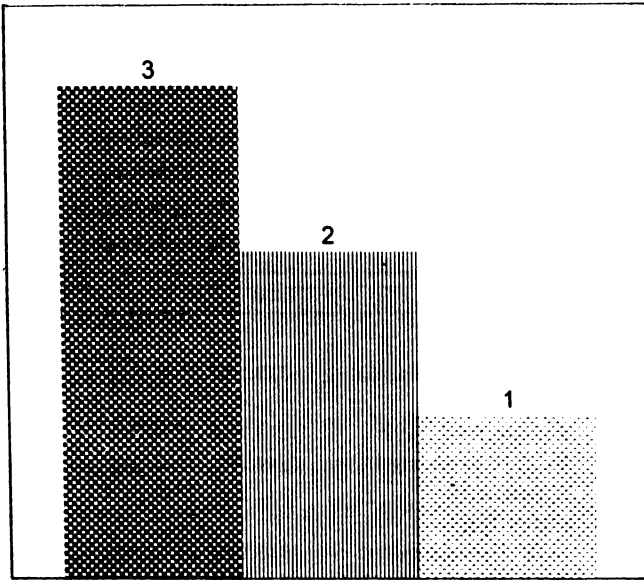
<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Travancore-Cochin Legislative Assembly			
First Legislative Assembly	11.07.1949 - 12.03.1952	-	-
Second Legislative Assembly	12.03.1952 - 25.09.1953	1	1
Third Legislative Assembly	16.03.1954 - 23.03.1956	2	1
Total		3	2
Kerala Legislative Assembly			
First Legislative Assembly	01.04.1957 - 31.07.1959	-	-
Second Legislative Assembly	22.02.1960 - 10.09.1964	4	-
Third Legislative Assembly	03.03.1967 - 26.06.1970	-	1
Fourth Legislative Assembly	04.10.1970 - 22.03.1977	3	-
Fifth Legislative Assembly	22.03.1977 - 30.11.1979	-	-
Sixth Legislative Assembly	25.01.1980 - 17.03.1982	1	-
Seventh Legislative Assembly	24.05.1982 - 25.03.1987	3	-
Eighth Legislative Assembly	25.03.1987 - 05.04.1991	2	-
Ninth Legislative Assembly	21.06.1991 - 14.05.1996	1	-
Tenth Legislative Assembly	14.05.1996 - 16.05.2001	-	-
Eleventh Legislative Assembly	16.05.2001 - till date	-	-
Total		14	1

Table 2

**NCMs / CMs admitted/discussed during the tenures of different Speakers
(1949-2003)**

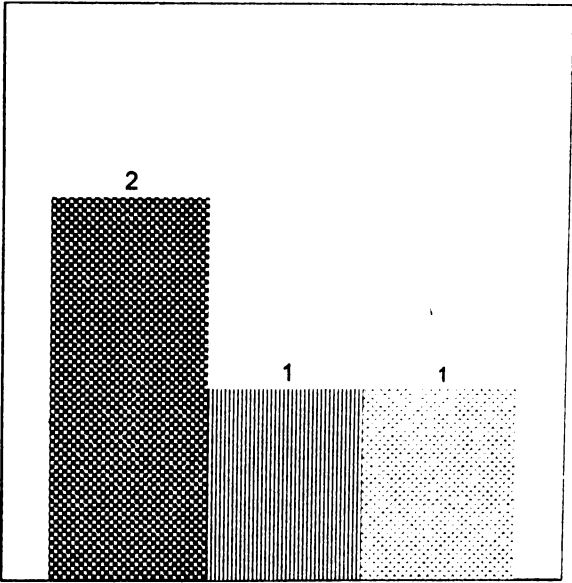
<i>Sl.No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Travancore-Cochin Legislative Assembly				
1.	Shri T.M. Varghese	11.07.1949 - 17.09.1951		
2.	Shri A.M. Thomas	19.09.1951 - 27.01.1952		-
3.	Shri K.P. Nilakanta Pillai	24.03.1952 - 22.03.1954	1	1
4.	Shri V. Gangadharan	22.03.1954 - 23.03.1956	2	1
Total			3	2
Kerala Legislative Assembly				
1.	Shri R. Sankaranarayanan Thampi	27.04.1957 - 31.07.1959		-
2.	Shri K.M. Seethi Sahib	12.03.1960 - 17.04.1961	-	-
3.	Shri C.H. Mohammed Koya	09.06.1961 - 10.11.1961	1	-
4.	Shri Alexander Parambithara	13.12.1961 - 10.09.1964	3	-
5.	Shri D. Damodaran Potti	15.03.1967 - 21.10.1970	-	1
6.	Shri K. Moideenkutty Haji	22.10.1970 - 08.05.1975	3	-
7.	Shri T.S. John	17.02.1976 - 25.03.1977	-	-
8.	Shri Chakkeeri Ahmedkutty	28.03.1977 - 14.02.1980	-	-
9.	Shri A.P. Kurian	15.02.1980 - 01.02.1982	-	-
10.	Shri A.C. Jose	03.02.1982 - 23.06.1982	1	-
11.	Shri Vakkom B. Purushothaman	24.06.1982 - 28.12.1984	1	-
12.	Shri V.M. Sudheeran	08.03.1985 - 27.03.1987	2	-
13.	Shri Varkala Radhakrishnan	30.03.1987 - 28.06.1991	2	-
14.	Shri P.P. Thankachan	01.07.1991 - 03.05.1995	1	-
15.	Shri Therambil Ramakrishnan	27.06.1995 - 28.05.1996	-	-
16.	Shri M. Vijayakumar	30.05.1996 - 04.06.2001	-	-
17.	Shri Vakkom B. Purushothaman	06.06.2001 - till date	-	-
Total			14	1

Graph I
NCMs in Travancore-Cochin Legislative Assembly
(1949 - 1956)



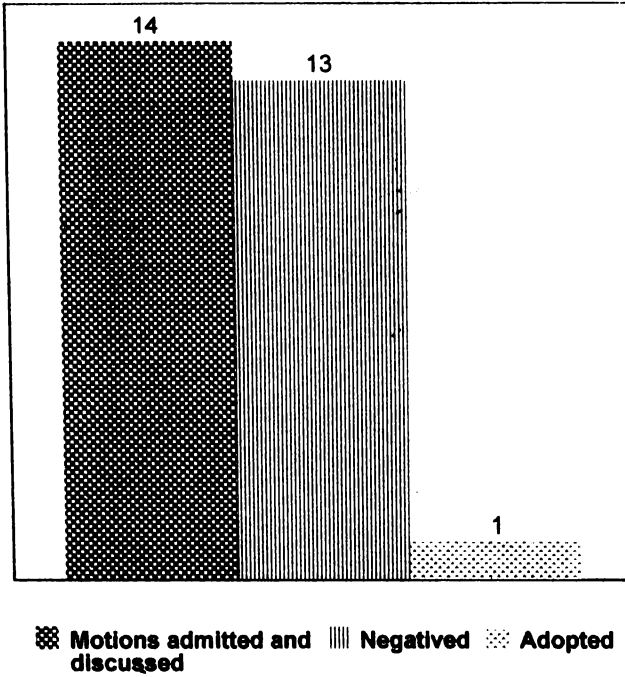
▣ Motions admitted and discussed ▤ Negative ▥ Adopted

Graph II
CMs in Travancore-Cochin Legislative Assembly
(1949-1956)

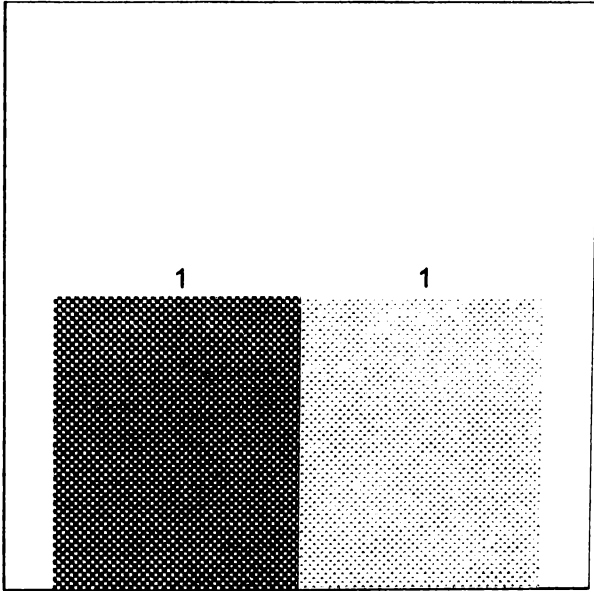


▣ Motions admitted and discussed ▤ Negative ▥ Adopted

Graph III
NCMs in Kerala Legislative Assembly
(1957 - 2003)



Graph IV
CMS in Kerala Legislative Assembly
(1957 - 2003)




 Motions admitted and discussed  Adopted

Table 3

**NCMs against/CMs in the Council of Ministers
(1949-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Travancore-Cochin Legislative Assembly					
A.J. John (Second Legislative Assembly)	Congress 44/108 (40.7%)	NCM	T.V. Thomas (12)	(28.10.1952) 30.10.1952 05.00	Negatived Ayes-46 Noes-61
-do-		CM	A.J. John (9)	(22.09.1953) 23.09.1953 03.45	Negatived Ayes-51 Noes-56 Abstention-1
Pattom Thanu Pillai (Third Legislative Assembly)	Praja Socialist Party 19/117 (16.23%)	CM	Joseph Chazhikattu (11)	02.08.1954 04.20	Adopted Ayes-61 Noes-40 Abstention-1
-do-		NCM	Ramaswami (11)	(05.02.1955) 08.02.1955 05.10	Adopted Ayes-60 Noes-30 Abstentions-27
P. Govinda Menon (Third Legislative Assembly)	Congress 45/117 (38.46%)	NCM	T.K. Divakaran (11)	(10.10.1955) 13.10.1955 05.06	Negatived Ayes-55 Noes-61

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Kerala Legislative Assembly					
Pattom Thanu Pillai (Second Legislative Assembly)	Congress-Praja Socialist Party Coalition 94/127 (74.01%)	NCM	C.G. Janardhanan (13)	(27.06.1961) 28.06.1961 05.35	Negated Ayes-30 Noes-86 Abstention-1
R.Sankar (Second Legislative Assembly)		NCM	C. Achutha Menon (14)	(10.10.1962) 11.10.1962 04.06	Negated Ayes-29 Noes-78 Abstentions-11
-do-		NCM	-do- (16)	(11.09.1963) 19.09.1963 20.09.1963 07.15	Negated Ayes-45 Noes-65 Abstentions-8
-do-		NCM	P.K. Kunju (20)	(03.09.1964) 07.09.1964 08.09.1964 10.15	Adopted Ayes-73 Noes-50
C. Achutha Menon (Third Legislative Assembly)	United Front Coalition	CM	C. Achutha Menon (11)	(18.03.1970) 20.03.1970 23.03.1970 11.00	Adopted Ayes-66 Noes-58 Abstentions-5
C. Achutha Menon (Fourth Legislative Assembly)	United Front Coalition 68/134 (50.74%)	NCM	C.B.C. Warriar (32)	(06.04.1971) 06.04.1971 07.04.1971 09.45	Negated Ayes-48 Noes-69 Abstentions-13

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
-do-		NCM	John Manjooran (36)	(26.11.1971) 01.12.1971 02.12.1971 11.13	Negated Ayes-56 Noes-72
-do-		NCM	E. Balanandan (34)	(26.09.1972) 26.09.1972 27.09.1972 12.00	Negated Ayes-58 Noes-70
K. Karunakaran (Sixth Legislative Assembly)	United Democratic Front 71/141 (50.35%)	NCM	A.C. Shanmughadas (35)	(03.02.1982) 03.02.1982 04.02.1982 10.38	Negated* Ayes-70 Noes-70
K. Karunakaran (Seventh Legislative Assembly)	United Democratic Front 77/141 (54.60%)	NCM	Baby John (42)	(19.12.1983) 19.12.1983 20.12.1983 10.38	Negated Ayes-63 Noes-72
-do-		NCM	M.V. Raghavan (49)	(08.04.1985) 08.04.1985 09.04.1985 12.13	Negated Ayes-64 Noes-74
-do-		NCM	E.K. Nayanar (43)	(21.07.1986) 30.07.1986 31.07.1986 13.06	Negated Ayes-59 Noes-80
E.K. Nayanar (Eighth Legislative Assembly)	Left Democratic Front 76/141 (53.9%)	NCM	V.M. Sudheeran (40)	(23.11.1987) 23.11.1987 24.11.1987 15.58	Negated Ayes-57 Noes-79

* Speaker Shri A.C. Jose exercised his casting vote against the motion.

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
-do-		NCM	K. Sankaranarayanan (43)	(04.01.1989) 04.01.1989 05.01.1989 12.41	Negatived Ayes-57 Noes-77
K. Karunakaran (Ninth Legislative Assembly)	United Democratic Front 90/140 (64.28%)	NCM	V.S. Achuthanandan (31)	(03.02.1995) 10.02.1995 14.02.1995 13.07	Negatived Ayes-50 Noes-87

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1949-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Travancore-Cochin Legislative Assembly										
K.P. Nilakanta Pillai	NCM	A.J. John	T. V. Thomas	30.10.1952	12	05.00	30.10.1952	46	61	Negated
-do-	CM	-do-	A.J. John	23.09.1953	9	03.45	23.09.1953	51	56	Negated
V. Ganga- dharan	CM	Pattom Thanu Pillai	Joseph Chazhi- kattu	02.08.1954	11	04.20	02.08.1954	61	40	Adopted
-do-	NCM	-do-	Rama- swami	08.02.1955	11	05.10	08.02.1955	60	30	Adopted
-do-	NCM	P. Govinda Menon	T.K. Divakaran	13.10.1955	11	05.06	13.10.1955	55	61	Negated

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Kerala Legislative Assembly										
C.H. Mohammed Koya	NCM	Patton Thanu Pillai	C.G. Janardhanan	28.06.1964	13	05.35	28.06.1961	30	86	Negated
Alexander Parambithara	NCM	R. Sankar	C. Achutha Menon	11.10.1962	14	04.06	11.10.1962	29	78	Negated
-do-	NCM	-do-	-do-	19.09.1963 20.09.1963	16	07.15	20.09.1963	45	65	Negated
-do-	NCM	-do-	P.K. Kunju	07.09.1964 08.09.1964	20	10.15	08.09.1964	73	50	Adopted
D. Damodaran Potti	CM	C. Achutha Menon	C. Achutha Menon	20.03.1970 23.03.1970	11	11.00	23.03.1970	66	58	Adopted
K. Moideenkutty Haji	NCM	-do-	C.B.C. Warriar	06.04.1971 07.04.1971	32	09.45	07.04.1971	48	69	Negated
-do-	NCM	-do-	John Manjooran	01.12.1971 02.12.1971	36	11.13	02.12.1971	56	72	Negated

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	NCM	-do-	E. Bala- nandan	26.09.1972 27.09.1972	34	12.00	27.09.1972	58	70	Negatived
A.C. Jose	NCM	K.Karuna- karan	A.C. Shanmu- ghadas	03.02.1982 04.02.1982	35	10.38	04.02.1982	70@	70	Negatived
Vakkom B. Purushotha- man	NCM	-do-	Baby John	19.12.1983 20.12.1983	42	10.38	20.12.1983	63	72	Negatived
V.M. Sudheeran	NCM	-do-	M.V. Raghavan	08.04.1985 09.04.1985	49	12.13	09.04.1985	64	74	Negatived
-do-	NCM	-do-	E.K. Nayanar	30.07.1986 31.07.1986	43	13.06	31.07.1986	59	80	Negatived
Varkala Radhakrish- nan	NCM	E.K. Nayanar	V.M. Sudheeran	23.11.1987 24.11.1987	40	15.58	24.11.1987	57	79	Negatived
-do-	-do-	-do-	K. Sankara- narayanan	04.01.1989 05.01.1989	43	12.41	05.01.1989	57	77	Negatived

@ Speaker exercised his casting vote against the motion

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
P.P. Thankachan	NCM	K. Karuna- karan	V.S. Achu- nandan	10.02.1995 14.02.1995	31	13.07	14.02.1995	50	87	Negatived

Table 5

Governors of Kerala

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
Rajapramukh		
	Sri Chithira Thirunal Bala Rama Varma	01.07.1949-01.11.1956
Governors		
1.	Dr. B. Ramakrishna Rao	22.11.1956 - 01.07.1960
2.	Shri V. V. Giri	01.07.1960 - 02.04.1965
3.	Shri Ajit Prasad Jain	02.04.1965 - 06.02.1966
4.	Shri Bhagwan Sahay	06.02.1966 - 15.05.1967
5.	Shri V. Viswanathan	15.05.1967 - 01.04.1973
6.	Shri N.N. Wanchoo	01.04.1973 - 10.10.1977
7.	Smt. Jyothi Venkatachellum	14.10.1977 - 27.10.1982
8.	Shri P. Ramachandran	27.10.1982 - 23.02.1988
9.	Smt. Ram Dulari Sinha	23.02.1988 - 12.02.1990
10.	Dr. Sarup Singh	12.02.1990 - 20.12.1990
11.	Shri B. Rachaiah	20.12.1990 - 09.11.1995
12.	Shri P. Shiv Shanker	12.11.1995 - 01.05.1996
13.	Shri Khurshed Alam Khan	05.05.1996 - 25.01.1997
14.	Shri Sukhdev Singh Kang	25.01.1997 - 18.04.2002
15.	Shri Sikander Bakht	18.04.2002 - 23.02.2004
16.	Shri T.N. Chaturvedi	24.02.2004 - till date

Table 6

Chief Ministers of Kerala

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
Travancore-Cochin		
1.	Shri Pattom Thanu Pillai	24.03.1948-20.10.1948
2.	Shri T.K. Narayana Pillai	22.10.1948-01.03.1951
3.	Shri C. Kesavan	03.03.1951-12.03.1952
4.	Shri A. J. John	12.03.1952-24.09.1953
5.	Shri Pattom Thanu Pillai	16.03.1954-14.02.1955
6.	Shri P. Govinda Menon	14.02.1955-23.03.1956
	President's Rule	23.03.1956- 05.04.1957
Kerala		
1.	Shri E.M.S. Namboodiripad	05.04.1957-31.07.1959
	President's Rule	31.07.1959-22.02.1960
2.	Shri Pattom Thanu Pillai	22.02.1960-25.09.1962
3.	Shri R. Sankar	26.09.1962-10.09.1964
	President's Rule	10.09.1964-06.03.1967
4.	Shri E.M.S. Namboodiripad	06.03.1967-01.11.1969
5.	Shri C. Achutha Menon	01.11.1969-04.08.1970
	President's Rule	04.08.1970-03.10.1970
6.	Shri C. Achutha Menon	04.10.1970-25.03.1977
7.	Shri K. Karunakaran	25.03.1977-25.04.1977
8.	Shri A.K. Antony	27.04.1977-27.10.1978
9.	Shri P.K. Vasudevan Nair	29.10.1978-07.10.1979
10.	Shri C.H. Mohammed Koya	12.10.1979-01.12.1979
	President's Rule	05.12.1979-25.01.1980
11.	Shri E.K. Nayanar	25.01.1980-20.10.1981
	President's Rule	21.10.1981-28.12.1981
12.	Shri K. Karunakaran	28.12.1981-17.03.1982
	President's Rule	17.03.1982-23.05.1982
13.	Shri K. Karunakaran	24.05.1982-25.03.1987
14.	Shri E.K. Nayanar	26.03.1987-17.06.1991
15.	Shri K. Karunakaran	24.06.1991-16.03.1995
16.	Shri A.K. Antony	22.03.1995-09.05.1996
17.	Shri E.K. Nayanar	20.05.1996-13.05.2001
18.	Shri A.K. Antony	17.05.2001-till date

Second Legislative Assembly (1952-1953)

In the elections to the Legislative Assembly held in December 1951, the Congress won 44 seats, United Front of Leftists 32, Socialists 12, Tamil Nadu Congress 8, Cochin Party 1 and Independents 11 seats. The failure of both the Congress and the Left wing parties to secure a majority led to a political deadlock in the State. The outgoing Chief Minister Shri C. Kesavan submitted his resignation on 10 February 1952 but the Rajapramukh requested his Ministry to continue temporarily in office. Shri N. Sreekantan Nair, Leader of the Revolutionary Socialist Party in the State, declared on 1 March that the formation of a Ministry by the United Front was impossible because of the Socialists' refusal of support. On 9 March, Shri A.J. John of the Congress stated that most of the Independents were expected to support the Congress, whilst the Leader of the Socialist group had given an assurance that they would not vote Congress out of office. On 12 March, Shri A.J. John was sworn in as the Chief Minister. On 9 May, eight members of the Travancore Tamil Nadu Congress in the State Legislative Assembly joined the Congress Legislature Party. With this, and the support of the 11 Independents, the voting strength of the Congress in the State Legislature rose to 61 out of a total membership of 109 (including one nominated member).

In the Second Legislative Assembly, one Motion of No-confidence and Confidence each were debated and negated.

Motion of No-confidence

On 28 October 1952, Shri T.V. Thomas, Leader of the United Front of Leftists, moved a Motion of No-confidence against the Council of Ministers of Shri A.J. John. The Motion was discussed for five hours on 30 October 1952 in which 12 members participated.

Moving the motion, Shri T.V. Thomas said all hopes and expectations of the people had been shattered by the Ministry. There was famine and unemployment in the State and vital problems affecting the people had been neglected. Some of those who had fought for the freedom of the country were put in jail by the so called democratic Government. There were police excesses, organized violence against political opponents and every kind of oppression.

Replying to the criticism against the Government, Shri Panampilli Govinda Menon, Minister-in-charge, stated that the motion was more in the nature of an election manifesto. The main targets of attack were the state of unemployment, famine conditions in coastal areas and the slump in some industries. Every attempt was being made to tackle many of the difficult problems and some measure of success had been achieved. He further said that organised violence was quite wrong and everyone must cooperate in putting it down. But if there was a disturbance of peace anywhere, the police had necessarily to intervene as it was their duty. The party in

Opposition had been trying method after method to dislodge the present Government and finding them all a failure had brought forward this motion without any basis or foundation. He was of the view that there was no *bona fides* in the motion and it was intended to create unnecessary confusion and lawlessness in the State.

The motion was defeated with 46 members voting in favour and 61 members voting against it.

Motion of Confidence

On 23 September 1953, the Chief Minister Shri A.J. John moved a Motion of Confidence in the House.

Explaining the object of his Motion of Confidence, the Chief Minister said he and his Government were anxious to ascertain whether the House would support the policy and programmes of the Government in the present circumstances when the Congress Party's strength in the Legislative Assembly was reduced to 47 following the break up of the coalition with the Tamil Nadu Congress. He was confident that the various developmental schemes and projects undertaken by the Government had the full cooperation and support of vast sections of the people which was reflected in the elections to panchayats and municipalities in the State. Detailing the schemes which were being undertaken and implemented by the Government, the Chief Minister expressed the hope that the House would extend their support, failing which he would like to make a final appeal to the people, who, he claimed, were supporting the Government policy in large numbers. He wanted to ascertain in this connection whether the House really reflected the opinion of the people. While making it clear that he never wanted fresh elections, the Chief Minister said his party would be prepared to face an election if the situation warranted.

Opposing the motion, Shri T.V. Thomas, the Leader of Opposition, deplored the anxiety shown by the Ministry to continue in power at any cost, even by threatening to dissolve the Legislative Assembly and hold fresh elections when they knew that they did not have the requisite majority in the House. He doubted whether the people really supported the Government's policies and said that the people did not want fresh elections before the expiry of the term of the Legislative Assembly. He charged the Government with having brought the State to the verge of economic collapse by surrendering to the Centre all major sources of revenue. The Government did not have any definite policy in checking the rising tide of unemployment in the State. Quoting constitutional authorities, Shri Thomas stressed that there was no special issue on which the mandate of the people should be sought after dissolving the Legislative Assembly. He requested the Rajapramukh to give a chance to the Opposition parties to form a Government if the Confidence Motion was defeated in the Legislative Assembly.

In all, 9 members participated in the debate lasting 3 hours 45 minutes. At the end, the Speaker put the motion to vote and declared it lost by a show of hands. Shri Adbul Kadir (Independent) demanded a poll. 51 members voted in favour of the motion and 56 members against it and one member remained neutral. The Speaker announced that the motion was lost and adjourned the House *sine die*. Thereafter, the Rajapramukh issued a notification dissolving the Travancore Cochin Legislative Assembly with effect from 24 September 1953.

Third Legislative Assembly (1954-1956)

In the elections held in January 1954 to the 117-member Legislative Assembly, the Congress Party secured 45 seats, Communists 23, Praja Socialists Party 19, Revolutionary Socialist Party 9, Travancore Tamil Nadu Congress (TTNC) 12 and Independents 9 seats. The Praja Socialist Party formed the Government with the support of the Congress. Shri Pattom Thanu Pillai was sworn in as the Chief Minister.

Two motions of No-confidence and one Motion of Confidence were debated during the tenure of the Third Legislative Assembly.

Motion of Confidence

The Praja Socialist Party Government of Shri Pattom Thanu Pillai suffered a defeat in the Legislative Assembly on 31 July 1954 when the Supplementary Demand for a grant of Rs.1,94,000 for the Administration of Justice was voted down by the House, with 34 members voting in favour, 74 members voting against and 27 members remaining neutral.

Following the vetoing of the Supplementary Grant, Shri Panampilli Govinda Menon, Leader of the Congress Party, in a written letter to the Chief Minister, stated that the adverse vote of the Congress in the Legislative Assembly need not be construed as expressing want of confidence in the Government. If a vote for confidence was moved by the Government in the Legislative Assembly, the Congress Party would support the motion.

On 2 August 1954, Shri Joseph Chazhikattu (Independent) moved a Motion of Confidence in Shri Pattom Thanu Pillai's Government.

The Chief Minister Shri Pattom Thanu Pillai stated that subsequent to the adverse vote of 31 July, the Leader of the Congress Legislature Party had written to say that his party's negative vote need not be considered as registering a lack of confidence in the Ministry or as a censure vote. In the light of this, he doubted whether there was any need for the Confidence Motion tabled by Shri Joseph Chazhikattu. In reply to the points raised as to whether a private member could move such a motion at this stage and whether it was not the Ministry that could move it, the Speaker ruled that the moving of the motion by a private member was quite in order. The Chief Minister then stated that he was prepared to accept the motion moved by Shri Joseph Chazhikattu.

Moving the motion, Shri Joseph Chazhikattu contended that the adverse vote of 31 July had created some doubts whether there was confidence in the Government. The public should know beyond any doubt whether the Ministry enjoyed the confidence of the House or not. He contended that the record of the Ministry so far was quite good and an improvement on its predecessors and there was not much point in throwing out the Supplementary Demand the other day. He argued that the Congress had promised support to the PSP Government and they should keep up their promise.

During the debate, Shri Panampilli Govinda Menon, Leader of the Congress Legislature Party, said that in his opinion there was no need for a Confidence Motion at all. The proper procedure should be for the Chief Minister to move the Confidence Motion. He made it clear that his party had promised general support and responsive cooperation to the PSP Government and would stand by it but it should not be construed as a pledge to support every action of the Government and differences on certain matters were inevitable, in which case his party could not help expressing them.

The Chief Minister Shri Pattom Thanu Pillai said that the House should realize that a minority party was in office in the State at the moment and that it had certain limitations in its functioning. He claimed that whatever actions had been taken so far, they had not deflected from the fundamental policy of the party. He was emphatic that nothing would be done on the directions or at the behest of anybody in executing various policies. He assured the House that on major policies affecting the people and the State as a whole, he would only be glad to associate leaders of all parties in the House and seek their advice and guidance. He appealed to the Congress members to give the Government a little freedom to act in its own way in the day-to-day administration of the State.

The motion was discussed for 4 hours 20 minutes; eleven members participated. The motion was carried with 61 members voting in favour and 40 members voting against it and one remained neutral.

First Motion of No-confidence

A Motion of No-confidence was moved by Shri Ramaswami (Independent) against the PSP Ministry of Shri Pattom Thanu Pillai on 8 February 1955 for which leave was granted on 5 February 1955. Introducing the motion, Shri Ramaswami charged the Ministry with crushing minorities and endangering civil liberties. He further charged that the PSP Ministry had failed to take steps to solve the problem of unemployment and protect the interests of the working class. Referring to the linguistic agitation of the Tamils in the State, he said the PSP stood for linguistic reorganization. The police firing in South Travancore showed the attitude of the Ministry towards the Tamil minorities. Making a reference to the incidents that happened in South

Travancore area on 11 August 1954, Shri Ramaswami said there were picketings, public meetings and processions and also in some cases stone throwing. The Government's approach to the incidents in South Travancore was police firing.

In his reply, the Chief Minister Shri Pattom Thanu Pillai charged the Congress Party in the State with exploiting the present position of the TTNC in an attempt to come to power. The Congress Party withdrew its support from the PSP Ministry in December 1954 because the Congress wanted to come to power with the support of TTNC. Another reason which might have weighed with the Congress was that if the present Ministry was voted out, the land bills could be delayed. The Congress could not frame a land bill during its six years in power. His Government, he added, would consider the question of withdrawal of cases that had not been transferred to courts outside the State against persons connected with the incidents on 11 August 1954 in South Travancore. He further said that while the decision of the States Reorganisation Commission in regard to the demand for merger of the Tamil taluks was awaited, it was their duty to see that various sections of the people lived peacefully as long as they were under the Government of the State.

Eleven members participated in the debate which lasted 5 hours and 10 minutes. The motion was carried with 60 members voting in favour and 30 members voting against it, and 27 members remaining neutral.

Following the defeat of the PSP Ministry, Shri Panampilli Govinda Menon, Leader of the Congress Party in the State Legislative Assembly, was sworn in as the Chief Minister on 14 February 1955.

Second Motion of No-confidence

A Motion of No-confidence was brought against the Congress Government headed by Shri Govinda Menon. Leave for moving the motion was granted to Shri T.K. Divakaran (RSP) on 10 October 1955. The motion was debated for 5 hours and 6 minutes on 13 October 1955 in which eleven members participated.

Shri T.K. Divakaran said that the main reason for moving the motion was the unsympathetic attitude of the Government in regard to the Chavara mineral workers' dispute. He charged Government with trying to disrupt the organized workers of the Chavara mineral concerns by promoting the interests of the ruling party. In regard to the irregularities alleged in the rice contract, he demanded an inquiry to be made by a Committee of the Assembly and added that no purpose would be served by a judicial enquiry promised by the Chief Minister. He criticized the Government for not holding an enquiry into the use of police force on workers who staged demonstration before the Assembly. He feared that the present Government would sacrifice the interests of the State in matters such as sharing of river waters.

In his reply, the Chief Minister Shri Govinda Menon observed that in the Chavara industrial dispute, the Government, as was clear from the fact that it had been referred to adjudication, had not adopted any passive attitude. The present Government had

ordered recruitment through Employment Exchange of 128 workers for starting work on the plant. It had also ordered an informal arbitration by the Labour Commissioner who, after arbitration, reported that it was not possible to prepare a list of former workers from whom workers might now be recruited. The issue had, however, been referred to adjudication. Dealing with the coir workers dispute, Shri Menon said that the dispute was of a different nature and problems involved were deep rooted, stemming from fixation of minimum wages. He said he was prepared to consider such problems in consultation with the Opposition members. Refuting the allegation that the present Congress Government had no stand on the reorganisation of States, Shri Menon said he had given evidence before the Commission on the basis of the Pradesh Congress Committee memorandum favouring formation of the Kerala State in which the Travancore-Cochin State would be included in full and with Malabar and Gualore taluks.

The motion was defeated with 55 members voting in favour and 61 voting against it.

Kerala State Legislative Assembly

Till date, fourteen Motions of No-confidence and one Motion of Confidence have been admitted and discussed in the Kerala Legislative Assembly. Tables 1 to 4 give statistical details in respect of these motions. A graphical presentation of the motions is available in Graphs I to IV. Tables 5 and 6 enumerate the Governors and Chief Ministers, respectively, of the State.

In the First, Fifth, Tenth and Eleventh Legislative Assemblies, no Motion of Confidence or No-confidence was discussed.

Second Legislative Assembly (1960-1964)

The mid-term elections to the Kerala State Legislative Assembly following the President's Proclamation of 31 July 1959 taking over the administration of the State, were held on 1 February 1960. The Congress won 63 seats, Praja Socialist Party 20, Muslim League 11, Communist Party of India 29, Revolutionary Socialist Party 1 and Independents 2 seats. The Congress-PSP-Muslim League alliance secured a decisive majority by winning 94 out of the 126 seats in the Legislative Assembly. A Congress-PSP coalition Ministry, headed by Shri Pattom Thanu Pillai of the PSP, was sworn in on 22 February 1960. The Muslim League did not participate in the Cabinet formation.

In all, four Motions of No-confidence were debated in the Second Legislative Assembly.

First Motion of No-confidence

A Motion of No-confidence was brought against the Congress-PSP coalition Ministry on the grounds of allegations of corruption against some Ministers in June

1961. Leave to move the motion was granted to Shri C.G. Janardhanan (Independent) on 27 June 1961. The motion was discussed on 28 June 1961 for five hours and thirty five minutes in which 13 members participated.

Moving the motion, Shri Janardhanan said that his original intention was to move a Motion of No-confidence only against the PSP Ministers but as that was not possible according to the rules, he was moving the present motion. He made charges of favouritism and nepotism against the Chief Minister. Demanding an inquiry into his allegations, he said that he was prepared to place the evidence in his possession before the enquiry commission. Concluding his speech, he challenged the Chief Minister to resign and contest the elections to test his popularity with the electorate.

Replying to the debate, the Chief Minister Shri Pattom Thanu Pillai said that there was no necessity for him to accept the challenge of Shri Janardhanan to resign his Assembly membership and contest the elections. He further said that nothing had been made out in the Legislative Assembly either to substantiate or to form even a weak and fragile basis for a motion of this kind. He also refuted charges of favouritism.

The motion was negatived with 30 members voting in favour, 86 members voting against it and 1 member remaining neutral.

On 9 November 1961, due to differences with the Congress, the Muslim League left the alliance. On 25 September 1962, following his appointment as the Governor of Punjab, the Chief Minister Shri Pattom Thanu Pillai submitted his resignation to the Governor, Shri V.V. Giri. Shri R. Sankar, Leader of the Congress Legislature Party, was sworn in as the Chief Minister on 26 September 1962.

Second Motion of No-Confidence

Leave was granted on 10 October 1962 to Shri C. Achutha Menon (CPI) to move a Motion of No-confidence against the coalition headed by Shri R. Sankar. The motion was brought on the grounds of the indifferent attitude of the Government in tackling problems of unemployment, poverty, etc. and corruption in various levels of administration. The change brought about in the educational field such as the removal of reservation among backward classes was also cited as one of the reasons for moving the motion.

As soon as the Speaker announced that he had received a notice of No-confidence Motion, Shri P. Narayanan Thampi (PSP), raising a point of order, contended that the present motion was infructuous and a new motion should be moved, since after the motion was given notice of, a change had come in the Council of Ministers. Two PSP Ministers had resigned and a new Congress Minister was included in the Ministry. The Speaker, ruling out the point of order, declared that it was for the mover to decide if he wanted to present a new motion. The motion was against the Council of Ministers headed by Shri R. Sankar and Shri R. Sankar

continued to head the Council of Ministers. The Speaker then put the motion for the leave of the House which was granted. The motion was debated on 11 October 1962 for four hours and six minutes. In all, 14 members participated in the discussion.

Moving the motion, Shri C. Achutha Menon said the Congress Ministry had no right to continue in office following the withdrawal of its PSP partner from the coalition. It was the triple alliance of the Congress, Praja Socialist Party and Muslim League that gained the mandate of the electorate in the 1960 mid-term elections. Shri Sankar who was Deputy Chief Minister in the erstwhile coalition Cabinet had assumed the office of the Chief Minister in disregard of democratic principles. The new Chief Minister should have brought forward a Confidence Motion before the House and explained the policies of the Government. He said the Government had failed in getting the State's due share from the Centre in the matter of development schemes. He also criticised the system of police verification of the character and antecedents of candidates selected by the Public Service Commission. He reiterated his party's demand for a judicial inquiry into the allegations of corruption against some of the Ministers.

Replying to the debate, the Chief Minister Shri R. Sankar said that the Congress never wanted the other two parties in the alliance to break away from the coalition. If they quit on their own, the Congress could not help it. He referred to the change that had come about in the ministerial set-up since the No-confidence Motion was given notice of on 3 October, and said while the Congress-PSP coalition was in office when the notice was given, a Congress Ministry was in office at the time of discussion. The PSP had declared it would oppose the No-confidence Motion and the Muslim League was also not supporting the motion. He further said the Congress Party had secured 63 seats in a House of 126 elected members in the mid-term elections. The Leader of the Congress Party was invited to form the Government but the Congress preferred to head a coalition Ministry with the PSP in the interests of a stable Government. On the question of police verification, he said that it was a practice followed by Governments all over the world.

The motion was declared lost with 29 members voting in favour, 78 members voting against and 11 members remaining neutral.

Third Motion of No-confidence

The grounds on which Shri C. Achutha Menon (CPI) tabled on 11 September 1963 his second Motion of No-confidence against the Congress Ministry of Shri Sankar included allegations of corruption, bribery and nepotism. The discussion continued for two days on 19 and 20 September 1963.

Initiating the debate, Shri Achutha Menon said this was the second No-confidence Motion tabled by his party and that expectation of any change in the behaviour of the Ministry after the first one had not materialized. The Ministry had

antagonised large sections of the people. There was opposition to it even within the ranks of the ruling party. He also levelled corruption charges against the Chief Minister. Shri Menon further alleged that the Home Minister, Shri P.T. Chacko had sought to suppress information about a circular from the Union Home Ministry about treating Communists as subversive elements in the matter of appointment to public services.

Intervening in the debate, Shri Chacko said he had not said anything untrue when he mentioned that the circular had not been received during the time of the present Ministry. Replying to the debate, the Chief Minister Shri R. Sankar challenged the Opposition to prove their charges against him and stressed that he was not a party to any illegalities or irregularities.

At the end of the debate lasting 7 hours and 15 minutes in which 16 members took part, the motion was negatived with 45 members voting in favour, 65 members voting against it and 8 members remaining neutral.

Fourth No-confidence Motion

On 2 September 1964, fifteen Congress legislators withdrew support to Shri Sankar's Ministry. The fourth and the last No-confidence Motion in the Second Legislative Assembly was moved by Shri P. K. Kunju (PSP) against the Congress Government of Shri R. Sankar for which leave was granted on 3 September 1964. The grounds for bringing the motion before the House were : lack of faith in Government, allegations of corruption against the Chief Minister and mishandling of the education and food sectors. The motion was debated for two days on 7 and 8 September 1964 for 10 hours and 15 minutes in which 20 members participated.

Speaking on the motion, Shri P.K. Kunju said the Opposition had only exercised its right to expose the shortcomings of the Government. The No-confidence Motion had the support of the entire Opposition, irrespective of their political affiliation. If the Ministry had any sense of self-respect, it would have resigned immediately after a majority of the members of the House rose on 3 September 1964 in support of granting leave for the consideration of the motion. The continuance of the Ministry, even after it had ceased to command confidence, only showed its autocratic mentality. He also accused the Chief Minister of having manoeuvred the arrest of Communist MLAs in the guise of dealing with the food agitation to ensure that the No-confidence Motion was not passed.

Replying to the debate, the Chief Minister Shri Sankar vehemently denied the charges of financial irregularities. He expressed surprise at the Muslim League's support to the No-confidence Motion. On the criticism of a League member that steps had not been taken for rehabilitation of Burmese repatriates of Kerala origin, the Chief Minister said the Government had already ordered that all concessions given to displaced goldsmiths be extended to these repatriates. He denied that the arrest

and detention of some Communist MLAs under the Defence of India Rules on the eve of the price agitation on 31 August was aimed at preventing the No-confidence Motion being passed in the Legislative Assembly. Rejecting the criticism of Opposition members that the Ministry should have resigned immediately when the majority of members supported leave for the motion, he said that was not the normal practice. All those members who supported leave need not necessarily support the No-confidence Motion at the time of voting.

In the voting held on 8 September 1964, the motion was carried with 73 members voting in favour and 50 members voting against it.

Following the adoption of the No-confidence Motion, the Chief Minister Shri R. Sankar resigned on 8 September 1964. As the Opposition parties were unable to form an alternative Government, the President of India issued on 10 September 1964 a Proclamation dissolving the Legislative Assembly and imposing President's Rule in the State.

Third Legislative Assembly (1967-1970)

The General Elections to the Kerala Legislative Assembly were held in March 1967. Earlier, after the mid-term Assembly elections held on 4 March 1965, no single party had secured an absolute majority and therefore no party by itself was in a position to form a Government. Even a combination of parties were not able to form a Ministry. Thus, President's Rule in the State was extended till March 1967.

In the March 1967 Assembly elections, the Congress secured 9 seats, Kerala Congress 5, Communist Party of India (Marxist) 52, Communist Party of India 19, Samyukta Socialist Party 19, Muslim League 14, Revolutionary Socialist Party 6, Kerala Socialist Party 1, Karshaka Thozhilali Party 2 and Independents 6 seats. A seven-party United Front consisting of the CPI(M), the CPI, the SSP, the Muslim League, the RSP and KTP and the KSP, won a decisive majority winning 113 seats in the 133-member Legislative Assembly.

The United Front Ministry with Shri E.M.S. Namboodiripad, Leader of the CPI(M) as the Chief Minister, took charge on 6 March 1967. On 24 October 1969, following the adoption of a resolution moved by a CPI legislator calling for a judicial enquiry against the Ministers of the CPI(M) and the KSP, the Chief Minister Shri Namboodiripad tendered the resignation of his Council of Ministers. A fresh alignment of forces within the Legislative Assembly followed and a new United Front Ministry comprising the CPI, the Muslim League, the Indian Socialist Party (ISP) and the Kerala Congress headed by Shri C. Achutha Menon of the CPI was sworn in on 1 November 1969.

One Motion of Confidence was discussed and adopted during the tenure of the Third Legislative Assembly.

Motion of Confidence

Following the withdrawal of support by five members - two of them belonging to the ruling United Front - the Chief Minister Shri C. Achutha Menon on 20 March 1970 stated in the House that since certain members who had been supporting the Government were reported to have joined the Opposition, the Government did not intend to move the Demands for Grants in the Budget for 1970-71. Instead, he said, he would seek a vote of confidence from the House and requested for leave to move the motion expressing confidence in the Council of Ministers headed by him.

An objection to this was raised by the Opposition leader, Shri E.M.S. Namboodiripad, Shri K.K. Aboo (SSP) and Dr. George Thomas (Congress-O). They insisted that the House should go on with the business for voting on the Budget Demands as already decided by the Business Advisory Committee and complained that the Chief Minister had come out with a surprise move ignoring the Opposition parties. Shri Namboodiripad alleged that the Chief Minister was afraid of an adverse vote on the Budget Demands and was therefore trying to gain time. The Chief Minister said it was not desirable to perpetuate the uncertainty and the Government had, therefore, chosen the democratic procedure of seeking a confidence vote.

The Speaker Shri D. Damodaran Potti said he could not compel the Ministers to move the Budget Demands. Further, motions which either sought the vote of confidence of the House or expressed no-confidence in the Government always had precedence over all other business.

Initiating the two-day debate on the motion, the Chief Minister Shri Achutha Menon observed that though the Marxists had offered to support an alternative Government no one would expect that any of the Opposition groups with a strength of three or four members each would be in a position to form an alternative Ministry. Refuting the charge that the Government was trying to intimidate the members and raise the bogey of President's Rule, Shri Menon said they had every right to give the people their assessment of what would happen if the present Government fell. It could not be construed as being, in any way, a threat. Explaining the circumstances in which his Ministry assumed office after Shri Namboodiripad, whose coalition enjoyed a big majority, chose to resign in October, he said they took office in deference to the popular feelings against pushing the State into President's Rule. He said the present Government was honestly trying to bring about social and economic betterment through progressive measures. Among the achievements of the Government were the welfare measures for toddy and industrial workers, steps to reorganize the coir and cashew industries, fair wages for farm labour and expediting land-assignment as part of the implementation of land reforms.

Participating in the debate, Smt. K.R. Gouri, Deputy Leader of the CPI(M), said the propaganda of President's Rule would not sell as her party would support any alternative Ministry which would give relief from the present misrule.

Replying to the debate, the Chief Minister denied the Opposition charge of nepotism and favouritism against him and other Ministers.

At the end of the 11 hours long debate in which 11 members took part, the motion was adopted with 66 members voting in favour, 58 members voting against it and 5 members remaining neutral.

Fourth Legislative Assembly (1970-1977)

The mid-term elections to the Kerala Legislative Assembly were held on 17 September 1970. The 21 parties and groups which contested the elections were broadly split among three fronts - the CPI led Front which had entered into an electoral understanding with the Congress; the CPI(M) led Front in association with the Indian Socialist Party and the Democratic Front of the Congress (O) and the Kerala Congress.

The alliance between the Congress and the CPI led Front which included the Muslim League, the Revolutionary Socialist Party and the Praja Socialist Party gained an absolute majority in the newly elected State Legislative Assembly, winning 68 seats in a House of 133 (excluding the nominated). The CPI (M) secured 32 seats, SSP 7, KTP 2, KSP 2, ISP 3, INC (O) 4, INC (R) 32, Kerala Congress 14, PSP 3, RSP 6, Muslim League 12 and CPI 16.

A nine-member Ministry of the United Front comprising the CPI, Muslim League, PSP and RSP, headed by the CPI leader, Shri C. Achutha Menon, was sworn in by the Governor Shri V. Viswanathan on 4 October 1970. The 32-member Congress group in the Legislative Assembly initially supported the Ministry from outside and later joined the Government on 25 September 1971 whereas the Kerala Congress joined on 26 December 1975.

In the Fourth Legislative Assembly, three Motions of No-confidence against the Achutha Menon Ministry were debated and negated.

First Motion of No-confidence

The first No-confidence Motion against the coalition Government was brought by Shri C.B.C. Warriar of the CPI(M) on the grounds of alleged corruption in the land acquisition for an Agricultural University. Leave for moving the motion was granted on 6 April 1971. In all, 32 members participated in the two-day discussion held on 6 and 7 April 1971.

Moving the motion, Shri C.B.C. Warriar said the Government and the party in power who had taken upon themselves the self-imposed task of cleaning the administration of all traces of corruption, themselves stood condemned. Two enquiry commissions - consisting of officers of the Government - had sent adverse reports in respect of certain matters on which there were allegations of corruption, nepotism and favouritism. Referring to the allegations of corruption in the acquisition of land for the Agricultural University, the Government had ordered an enquiry by a senior

civil servant and on finding the report unacceptable had ordered a second enquiry on the matter by a judicial officer. The other report, *viz.* on the allegations of corruption, nepotism and favouritism in certain appointments in the Travancore Cochin Chemicals was equally adverse. Against such overwhelming evidence, the only course for any honest Government was resignation.

Replying to the debate, the Chief Minister Shri Achutha Menon said the Government was not bound to accept any report submitted by an officer of the Government, however senior he might be. He believed it was the duty of a Government to get reports from their officers, evaluate them and accept or reject them. In this case, the Government could not accept the report and had, therefore, ordered a second inquiry. He said that the University file had been kept shuttling since 1956 and only last year, the Government had decided to expedite matters. He expressed surprise at how the Opposition could complain of haste when the usual complaint was about inordinate delay. Referring to the appointments in the Travancore Cochin Chemicals, he said the Government had accepted the Home Secretary's impartial report. The motion, debated for 9 hours and 45 minutes, was negatived with 48 members voting in favour and 69 members voting against it and 13 members remained neutral.

Second Motion of No-confidence

The grounds on which Shri John Manjooran (Kerala Socialist Party) tabled on 26 November 1971 the second Motion of No-confidence against the Council of Ministers headed by Shri C. Achutha Menon were the police policy of the Government and fall in the prices of agricultural products which formed the backbone of the State's economy. The motion, debated on 1 and 2 December 1971, lasted 11 hours and 13 minutes in which 36 members took part.

Shri John Manjooran said he was prompted to move the motion because of the economic crisis facing the State which was a result of the wrong policies pursued by the Government. There was a heavy fall in the price of cash crops, especially rubber and coconut. The taxation policy of the Government had adversely affected the common man. Quoting statistics, he said that the number of labour disputes had increased double-fold after the present Government had come to power. There were allegations that the police was interfering in labour disputes. Criticising the police policy of the Government, he alleged that there were shocking reports of police atrocities. Referring to the reported statement of the Home Minister that the police would stand along with the majority, he said that such a wrong policy would only spell ruin as far as the law and order situation in the State was concerned.

Regarding the police policy, the Home Minister, Shri K. Karunakaran said when the majority of the labourers in an industry was striking peacefully, the police would not interfere to import foreign elements in order to defeat the strike. He had

only stated categorically that the police would act generously with Harijans, sympathise with the rights of the *Kudikidappukars* and generally protect all who were suffering disability and hardships. He asserted that the police had been given orders to act impartially.

In his reply, the Chief Minister Shri Achutha Menon said his Ministry had a definite common programme and outlook to solve the problems facing the State although there were limitations. He listed private forest nationalization, taking over of the fallow lands held by the Kannan Devan Company and radical amendments to the land reforms as some of the achievements of the one-year-old coalition Government. He claimed that nearly 60,000 workers were ensured regular employment by the reopening of 155 factories during the last one year. The State owned Cashew Development Corporation could stabilize the jobs of another 15,000 workers. He said the slump in the prices of agricultural produce was a complicated economic problem. He agreed with Shri.E. Balanandan of the CPI(M) that much had to be done to stabilize the coir and cashew industries.

The motion was defeated with 56 members voting in favour and 72 voting against it.

Third Motion of No-confidence

The third and the last Motion of No-confidence in the Fourth Legislative Assembly was moved on 26 September 1972 by Shri E. Balanandan of the CPI(M). The main reasons for bringing the motion before the House were fall in prices of agricultural products which was the main source of income for the State and rise in prices of all essential commodities. In all, 34 members participated in the 12 hours long debate held on 26 and 27 September 1972.

Initiating the debate, Shri Balanandan said the main intention in bringing the motion was to expose the weaknesses and failures of the Government in solving the problems that beset the State. He charged the Government with failure to hold the price line, save commercial crops from price decline and resuscitate the dying traditional industries, especially the cashew industry. He further alleged that Police Department of the State had failed in creating a proper climate for industrial development. A sort of artificial quiet was enforced in the industrial sector by banning strikes in the industries and declaring the industries as essential service.

In his reply, the Chief Minister Shri Achutha Menon said that in a coalition Government, there need not be perfect unison of opinion on all matters. Such a harmony of opinion never existed anywhere in the world nor in the State in the past. He asserted that the Government had no delusions and was aware of its limitations, but it was proceeding steadily forward to fulfil its promises to the electorate.

At the end, the motion was negatived with 58 members voting in favour and 70 members voting against it.

No Motion of Confidence or No-confidence was moved in the Fifth Legislative Assembly.

Sixth Legislative Assembly (1980-1982)

In the General Elections to the 140-member Kerala Legislative Assembly held on 21 January 1980, the Left Democratic Front won 93 seats, as against 41 seats secured by the United Democratic Front. The final party position was as follows: Left Democratic Front-93 [CPI(M)-35, Congress(U)-21, CPI-17, Kerala Congress(M)-8, RSP-6, AIML5 and Kerala Congress (P) 1]; United Democratic Front-41 [Congress(I)-17, IUML 14, Kerala Congress(J)-6, NDP-3 and PSP-1]; Janata Party-5 and independent-1.

A 17-member Council of Ministers headed by Shri E.K. Nayanar, Leader of the Joint Legislature Party of the Left Democratic Front, was sworn in on 25 January 1980.

Consequent on the withdrawal of support by two of its constituents, *viz.* the Congress(U) and the Kerala Congress (Mani Group) to the Left Democratic Front Ministry, the ruling Front was reduced to a minority on 20 October 1981, with only 62 members in the Legislative Assembly. On the same day, the State Governor Smt. Jyothi Venkatachellum accepted the resignation tendered by the Chief Minister, Shri Nayanar. On 21 October 1981, President Dr. N. Sanjiva Reddy signed a Proclamation under Article 356 of the Constitution, placing the State under President's Rule, while keeping the Legislative Assembly in suspended animation. After a brief spell of President's Rule, a new United Democratic Front coalition Ministry headed by Shri K. Karunakaran of the Congress(I) assumed office on 28 December 1981.

One Motion of No-confidence was discussed during the Sixth Legislative Assembly.

Motion of No-confidence

On 3 February 1982, Shri A.C. Shanmughadas of the Congress(S) moved a Motion of No-confidence against the UDF Ministry. The motion was debated for two days spanning 10 hours and 38 minutes. 35 members took part in the discussion.

Initiating the debate, Shri Shanmughadas recalled that had he and his colleagues adopted a defiant line towards the State leadership, Shri E.K. Nayanar's Government would still have been in power. The Opposition members contented that the present Government never had and even now did not have a majority in the Legislative Assembly. The Government had failed to secure justice from the Centre on Plan allocations, they argued. The ruling front members emphasised that a minority Government was not a sin; the Government did enjoy a majority in the House and was not afraid of facing an election.

Replying to the debate, the Chief Minister Shri Karunakaran said there was nothing wrong if the Speaker used his casting vote as it had been provided for in the Constitution.

When the motion was put to vote on 4 February 1982, seventy members each voted for and against the motion. The Speaker Shri A.C. Jose announced then that he was, as empowered by article 189 (1) para 2 of the Constitution, exercising his right for a casting vote because there was an equality of votes. It was customary for the Speaker to exercise his vote to maintain the *status quo*. The Speaker then voted against the motion and declared the motion as lost.

Seventh Legislative Assembly (1982-1987)

The mid-term elections in Kerala, which was placed under President's Rule on 17 March 1982, were held on 19 May 1982. The United Democratic Front led by Congress(I) won 77 seats in the 140-member Legislative Assembly, as against 63 seats by the Left Democratic Front led by the CPI(M). On 24 May 1982, the United Front Ministry headed by Shri K. Karunakaran of the Congress(I) was sworn in by the State Governor, Smt. Jyothi Venkatachellum.

Three Motions of No-confidence against Shri Karunakaran's Council of Ministers were admitted, discussed and negatived during the Seventh Legislative Assembly.

First Motion of No-confidence

The first No-confidence Motion was moved by Shri Baby John (RSP). The major reasons for tabling the motion were the failure of the Government in getting Central assistance for developmental activities and tackling the drought situation in the State and lack of vision while framing financial policies. Leave for moving the motion was granted on 19 December 1983. The motion was discussed for two days in which 42 members participated in the 10 hours 38 minutes long debate.

Moving the motion, Shri Baby John said the ruling Front and the Government were a divided House. He further said that the Government's subservient attitude to the Centre had resulted in the State not getting its due share in Plan allocation, drought relief and food allocation. Its wrong financial policies had caused stagnation in development and industrial activities.

In his reply to the two-day debate, the Chief Minister Shri Karunakaran alleged that the Opposition had resorted to all sorts of activities to pull down a duly constituted majority Government. He denied the allegations of corruption which had figured in the debate and challenged the Opposition to give the charges in writing so that a judicial inquiry could be ordered. Denying the Opposition allegation that the Ministry was subservient to the Centre and had failed to protect Kerala's legitimate interests, he said Kerala was the only State which had received Rs.12 crore in a month from the Centre for drought relief measures.

In the voting held on 20 December 1983, 63 members voted in favour and 72 members voted against the motion. Accordingly, the motion was negatived.

Second Motion of No-confidence

A No-confidence Motion was moved by Shri M.V. Raghavan on 8 April 1985 on the grounds of corruption, rise in unemployment and failure on the part of the Government in getting Central assistance. The discussion was held on 8 and 9 April 1985 for 12 hours and 13 minutes in which 49 members participated.

Moving the motion, Shri M.V. Raghavan of CPI(M) said the Government had forfeited its right to continue in office as it was corrupt and its extravagance had emptied the State exchequer. He accused the Government of undermining the economy of the State and said the Seventh Plan could not yet be finalized though it was to have begun on 1 April. The official deficit at the end of the Plan would be about Rs.1800 crore but judging from the present trends, it was likely to be over Rs.10,000 crore.

Defending the Government, Shri C.V. Padmarajan said the No-confidence Motion was irrelevant, untimely and intended to inconvenience the Government by suspending legislative business. He denied that there were any basic differences among the constituents of the ruling Front and said that the Opposition was interested only in creating a smoke screen of corruption and was not sincere about putting an end to corruption.

Replying to the debate on the motion, the Chief Minister Shri K. Karunakaran declared that the ruling Front would stick together and continue to administer the State.

The motion was negatived with 64 members voting in favour and 74 members voting against it.

Third Motion of No-confidence

The Third Motion of No-confidence was moved by Shri E.K. Nayanar (CPI-M) on 30 July 1986. The reasons for bringing the Motion before the House were the privatization of pre-degree education and consequent developments in the educational sector, deteriorating law and order situation in the State and rise in corruption at various levels of administration. Leave to move the motion was granted on 21 July 1986. The motion was discussed for 13 hours and 6 minutes in which 43 members participated.

Moving the motion, Shri Nayanar arraigned the Government for its acts of omission and commission which imperilled the integrity and security of the nation as a whole. He charged that administratively, corruption was rampant, communal elements were being bluntly appeased and the law and order situation had worsened. Economically, the State was in deep trouble.

Replying to the debate on 31 July, the Chief Minister Shri Karunakaran listed out the achievements of his Government and maintained that the CPI(M)'s base was shrinking steadily because that party had discarded the toiling masses in favour of the white-collar elite sections. He said that the corruption charges against the Government were hollow because the Opposition had not substantiated the charges before the Commission set up to probe such charges against public men.

The motion was defeated with 59 members voting in favour and 80 members voting against it.

Eighth Legislative Assembly (1987-1991)

In the elections held for the 140-seat Legislative Assembly on 23 March 1987, the Left Democratic Front comprising the CPI(M), CPI, Janata Party, Congress(S), Revolutionary Socialist Party, Lok Dal and 5 Independents secured a majority by winning 76 seats. The United Democratic Front consisting of the Congress(I), Muslim League, Kerala Congress, Kerala Congress (M), National Democratic Party and 2 Independents won 60 seats. The Communist Marxist Party and an Independent candidate won one seat each. Elections to two seats were countermanded. On 26 March 1987, the Left Democratic Front Ministry headed by Shri E.K. Nayanar was sworn in by the Governor Shri P. Ramachandran.

Two Motions of No-confidence were debated during the tenure of the Eighth Legislative Assembly.

First Motion of No-confidence

A No-confidence Motion was brought against the LDF Ministry of Shri E.K. Nayanar by Shri V.M. Sudheeran of Congress(I) for which leave was granted on 23 November 1987. The motion was brought before the House on the grounds of rise in prices of essential commodities and alleged malpractices in delimitation of wards for the elections to the local bodies and to take control of the cooperative sector. The motion was discussed for two days on 23 and 24 November 1987 in which 40 members took part.

Moving the motion, Shri Sudheeran charged the Government with following anti-people and anti-democratic policies, trampling democratic rights and suppressing popular agitations and intimidating and humiliating policemen. He criticized the Government's refusal to order a judicial inquiry into the recent lathi-charges on Youth Congress workers, to suspend the policemen who misbehaved with the Congress(I) MLAs and to place on the Table of the Legislative Assembly the intelligence report on the alleged conspiracy hatched by two Congress(I) MLAs to disrupt law and order in the State. He further charged the Government with systematic attempts to undermine the democratic character of the cooperatives and said after having manipulated the societies the Government had concentrated its attention on the local bodies.

Replying to the debate, the Chief Minister, Shri E.K. Nayanar rejected outright the Opposition demand for a judicial inquiry into the police lathi-charge on the Youth Congress workers in Trivandrum and three other places on 18 November 1987 and also for action against the police officers who had allegedly misbehaved with some Opposition MLAs in front of the Secretariat. Referring to the demands of the Opposition, Shri Nayanar said that what was actually needed was instituting criminal cases against Youth Congress workers because they had committed criminal offences under the cover of agitation against the increase in the prices of essential commodities. He also said that he would look into the complaints of the MLAs only if the complaints were given in writing either to the Speaker or to him. However, he disclosed that he had already ordered an inquiry into the charge that a Congress MLA Shri Pandalam Sudhakaran was unlawfully detained and abused by the police.

At the end of the debate lasting 15 hours and 58 minutes, the House divided with 57 members voting in favour and 79 members voting against the motion. The motion was accordingly negatived.

Second Motion of No-confidence

The second No-confidence Motion in the Eighth Legislative Assembly was moved by Shri K. Sankaranarayanan of the Congress(I) on the grounds of rise in prices, electricity and transportation charges, financial crisis in the State and police policy. The leave for moving the motion was granted on 4 January 1989. The motion was debated for two days on 4 and 5 January 1989 spanning 12 hours and 41 minutes. 43 members took part in the discussion.

Moving the motion, Shri Sankaranarayanan held the Government responsible for the breakdown of law and order, for trampling the rights of the legislators, for the sharp increase in the cost of living which had made life of the people miserable and for bringing the State to the brink of bankruptcy. Referring to the police lathi-charges at Palghat and Cannanore, Shri Sankaranarayanan and Shri P. Balan, the two Congress(I) MLAs whose heads were fractured with lathi-blows said that they were denied even a chance to make a statement in the Legislative Assembly about what the police had done to them. This had never happened in any Legislature in the country. Shri Sankaranarayanan said that during the last 21 months, 42 Congress workers had been killed. Many of these incidents could have been averted if the police had been permitted to discharge their duties impartially.

Replying to the debate, the Chief Minister, Shri Nayanar maintained that the Opposition had nothing serious to say against his 21-month-old Ministry. He also dismissed the Opposition charges of misuse of power to collect funds.

Refuting the Opposition complaints about law and order as part of a vilification campaign against the LDF Government, he said the law and order situation in

Kerala was much better when compared to most other States in the country. He appealed to the Opposition not to disturb peace and communal harmony at Nadapuram in Calicut District and said the police had taken action against all those who were involved in the clashes there. Answering the Opposition criticism of the raw material and labour agreement signed with the management of the Birla-owned factories at Mavoor near Calicut, he said the LDF Government had nothing to regret about these agreements. On the contrary, it was proud of its achievement in getting these factories reopened after three years of closure. These agreements had helped about 10,000 workers to get back their work. The Opposition should not forget the fact that all the 13 unions in the factory, including those belonging to the Congress(I), were signatories to the agreement.

On 5 January 1989, the motion was negatived with 57 members voting in favour and 77 members against it.

Ninth Legislative Assembly (1991-1996)

The elections to the Ninth Legislative Assembly were held on 12 June 1991. The Congress(I) led United Democratic Front gained an absolute majority in the Legislative Assembly. The Congress(I) won 55 seats, CPI (M) 29, CPI 12, Janata Dal 3, Independents 2 and others 38 seats. Shri K. Karunakaran was sworn in as the Chief Minister by the Governor Shri B. Rachaiah on 24 June 1991.

In the Ninth Legislative Assembly, one Motion of No-confidence was moved against the UDF Ministry of Shri K. Karunakaran.

Motion of No-confidence

The reported Government attempt to shield a police officer who was alleged to have been involved in the Indian Space Research Organisation (ISRO) espionage case formed the grounds for the Motion of No-confidence moved against the UDF Ministry of Shri K. Karunakaran. Leave was granted to Shri V.S. Achuthanandan of the CPI(M) on 3 February 1995. The debate on the motion held on 10 and 14 February 1995 lasted 13 hours and 7 minutes. 31 members took part in the debate.

Initiating the debate, Shri V.S. Achuthanandan, Leader of the Opposition, said the Chief Minister had come to know of the involvement of the police officer in the spy ring during the initial stages of the investigation itself. But the Chief Minister prevented his arrest.

Defending the Government, Congress(I) members said that the Opposition was levelling unfounded allegations against the Chief Minister as they had done in the past. They argued that the Chief Minister had taken necessary steps for the investigation of the ISRO case. The case had been duly handed over to the CBI when the Special Investigation Team, which did the initial investigation, recommended that.

Shri K. Karunakaran said if there was any shortcoming in the enquiry conducted by the CBI, he was ready to refer the case to any judge of the High Court. There were clear guidelines for taking action against IPS officers. He would not have referred the case to the CBI if he had wanted to save someone. He said that the Opposition had not been able to point any single mistake and had not given any evidence to prove that the Government had not respected any of its election promises.

The motion, when put to vote, was negatived with 50 members voting in favour and 87 members voting against it.

In the Tenth and the Eleventh (till date) Legislative Assemblies, no Motion of Confidence or No-confidence was discussed.

Motions of Confidence and No-confidence in the Travancore-Cochin and Kerala State Legislative Assembly - An Analysis

Travancore-Cochin Legislative Assembly

In all, three Motions of No-confidence and two Motions of Confidence were debated in the Legislative Assembly. Of the three Motions of No-confidence, two were discussed in the Third Legislative Assembly and one in the Second Legislative Assembly. One Motion of Confidence each was debated in the Second and the Third Legislative Assemblies.

Speaker Shri V. Gangadharan presided over the debates on three Motions - two No-confidence Motions and one Confidence Motion. Speaker Shri K.P. Nilakanta Pillai chaired the debates on one Motion of Confidence and No-confidence each.

Chief Ministers Shri A.J. John and Shri Pattom Thanu Pillai faced Motions of both types - No -confidence and Confidence. Incidentally, both Shri John and Shri Thanu Pillai had to bow out of office following division on the motions. Whereas Shri A.J. John had to go after his Motion of Confidence was negatived, Shri Pattom Thanu Pillai had to resign when a No-confidence Motion against his Ministry was carried in the Legislative Assembly.

The total time taken to discuss the three Motion of No-confidence comes to 15 hours 16 minutes in which 34 members participated whereas 8 hours 5 minutes were taken to debate the two Motion of Confidence and 20 members took part in the discussion on these motions.

All the five motions were decided by division. Two Motions of No-confidence were negatived and one was carried. Of the two Motions of Confidence, one was negatived and the other was carried.

Kerala State Legislative Assembly

Table 1 gives details of motions admitted/discussed in each Legislative Assembly along with its duration.

In all, 14 Motions of No-confidence and one Motion of Confidence were admitted and discussed in the State Legislative Assembly. Out of the 14 motions of No-confidence, the highest number of four No-confidence Motions were debated in the Second Legislative Assembly and three each by the Fourth and the Seventh Legislative Assemblies. The lone Motion of Confidence was debated in the Third Legislative Assembly. In the First, Fifth, Tenth and Eleventh (till December 2003) Legislative Assemblies, no such motion was discussed.

Table 2 gives the number of No-confidence and Confidence Motions discussed during the tenure of different Speakers of the Legislative Assembly. Speakers Sarvashri Alexander Parambithara and K. Moideenkutty Haji presided over the debates on three No-Confidence Motions each. Speakers Sarvashri V.M. Sudheeran and Varkala Radhakrishnan chaired the debate on two Motions of No-confidence each. Speakers Sarvashri C.H. Mohammed Koya, A.C. Jose, Vakkom B. Purushothaman and P.P. Thankachan chaired the debate on one Motion of No-confidence each. Speaker Shri D. Damodaran Potti presided over the debate on the lone Motion of Confidence. Speaker Shri A.C. Jose exercised his casting vote when the House divided equally on a No-confidence Motion, and voted against it to maintain the *status quo*.

Table 3 gives an account of the No-confidence Motions and Confidence Motions debated during the different Councils of Ministers. Of the 14 Motions of No-confidence, Shri K. Karunakaran faced five such motions followed by Shri R. Sankar and Shri C. Achutha Menon who faced three Motions of No-confidence each. Shri E.K. Nayanar faced two Motions of No-confidence and Shri Pattom Thanu Pillai faced one such motion. The lone Motion of Confidence was moved by Shri C. Achutha Menon. Shri R. Sankar was the only Chief Minister against whom a No-confidence Motion was carried. Chief Minister Shri Achutha Menon sought the trust of the House through a Confidence Motion; he also faced three Motions of No-confidence against his Council of Ministers. Similarly, Shri Pattom Thanu Pillai faced one No-confidence Motion in the Travancore-Cochin Legislative Assembly even as he moved one Confidence Motion as well. In the newly formed Kerala State, Shri Thanu Pillai again faced a No-confidence Motion.

Table 4 gives statistical information pertaining to the participation of members in the debate on the various Motions of No-confidence and Confidence. It also depicts the time taken and the result of the division.

Participation by Members

In all, 448 members of the Legislative Assembly participated in the debates on the Motions of No-confidence and 11 members in the Motion of Confidence. The highest number of 49 members participated in the discussion on the motion moved by Shri M.V. Raghavan against the Cabinet of Shri K. Karunakaran in April 1985. Shri C.G. Janardhanan's motion moved in June 1961 against the Ministry of Shri Pattom Thanu Pillai entailed the lowest participation by 13 members.

Shri C. Achutha Menon moved two No-confidence Motions against incumbent the Chief Minister Shri R. Sankar and one Confidence Motion when he was the Chief Minister himself.

Time taken

The total time spent on debating the 14 Motions of No-confidence comes to 148 hours and 30 minutes while the time taken on the lone Motion of Confidence was 11 hours. The total number of days taken to discuss the 14 Motions of No-confidence and one Motion of Confidence comes to 26 days and 2 days, respectively. Individually, the No-confidence Motions moved by Shri C.G. Janardhanan on 28 June 1961 and Shri C. Achutha Menon on 11 October 1962 were discussed for a day each whereas all the other 12 Motions of No-confidence were debated for two days. The No-confidence Motion moved by Shri V.M. Sudheeran on 23 November 1987 was debated for the longest duration of 15 hours and 58 minutes while the shortest time of 4 hours and 6 minutes was taken by the No-confidence Motion moved by Shri Achutha Menon on 11 October 1962.

Division

All the 14 Motions of No-confidence debated by the Legislative Assembly were decided by division. While one Motion of No-confidence was carried, 13 Motions of No-confidence were negatived. The lone Motion of Confidence was adopted by division. The No confidence Motion moved by Shri C.G. Janardhanan against the Ministry of Shri Pattom Thanu Pillai voted on 28 June 1961 was negatived with the widest margin of 56 votes. The No-confidence Motion moved by Shri A.C. Shanmughadas against Shri K. Karunakaran voted on 4 February 1982 was negatived by the casting vote of the Speaker, Shri A.C. Jose after there was a tie in favour and against the motion. The lone Motion of Confidence moved by Shri C. Achutha Menon was adopted by a margin of 8 votes.

Madhya Pradesh Legislative Assembly

The State of Madhya Pradesh was formed on 1 November 1956 by merging the territories of the States of Madhya Bharat, a Union of princely States in the Malwa Plateau region; Vindhya Pradesh, a union of States in the Vindhya region; Bhopal, a centrally administered princely State; the Hindi speaking areas of Mahakoshal; and the Chhattisgarh region of the State of Central Provinces and Berar. The State was further reorganized in November 2000 when the new State of Chhattisgarh was carved out of it by including in it 16 Districts of Madhya Pradesh.

State Legislature

The Madhya Pradesh State Legislature is unicameral. Before the State was reorganized in November 2000, the strength of the State Legislative Assembly was 320, including one nominated member. Following the reorganization of the State in November 2000, out of the 320 seats, 90 seats were allotted to the Legislative Assembly of the State of Chhattisgarh, while 230 seats remained with Madhya Pradesh.

Motion of No-confidence

The Rules of Procedure and Conduct of Business of the Legislative Assembly make provision for moving a Motion of No-confidence in the House. (Rule 143)

A motion expressing want of confidence in the Council of Ministers may be made subject to the restriction that leave to make the motion must be asked for by the member when called by the Speaker, and the member asking for leave must, before the commencement of the sitting of the day, leave with the Secretary, a written notice of the motion which he proposes to move. If leave is granted, the Speaker may, after considering the state of business in the House, allot a day for the discussion of the motion. The member communicates in writing to the Secretary, before the appointed time, the charges to be levelled during the course of discussion by the member or members who give (s) the notice of the motion, as the case may be. At the appointed hour on the allotted day, the Speaker forthwith puts every question necessary to

determine the decision of the House on the motion. The Speaker may, if he thinks fit, prescribe a time limit for speeches.

Motion of Confidence

There is no such provision in the Rules of Procedure and Conduot of Business for moving a Motion of Confidence. Incidentally, the House has not taken up any such motion so far.

Motions in different Legislative Assemblies

Ever since the formation of the State on 1 November 1956, a total of 26 Motions of No-confidence have been admitted /debated in the House and all of them were negatived. While no motion was taken up by the First Legislative Assembly, each of the 10 Assemblies (*i.e.* Second to the Eleventh) deliberated one or more motions during its duration. The present Assembly, the Twelfth one, has not taken up a Motion of Confidence or No-confidence till date.

Tables 1 to 4 give statistical details of these motions while Tables 5 and 6 list the names of the Governors and Chief Ministers, respectively, of the State. A graphical presentation of the motions is available in Graph.

In the First Legislative Assembly, no Motion of Confidence or No-confidence was taken up.

Second Legislative Assembly (1957-1962)

In the elections to the Second Legislative Assembly held in 1957, the Congress Party won 231 seats in the 288-member House, while the PSP won 12 seats; the remaining seats were shared by other parties and Independents.

A Congress Government headed by Dr. K.N. Katju was sworn in by the Governor on 14 April 1957.

The Second Legislative Assembly debated two Motions of No-confidence and both were negatived.

First Motion of No-confidence

The Congress Ministry headed by Dr. Katju faced its first Motion of No-confidence on 4 December 1957. The motion was brought forth by Shri V.Y.R. Tamaskar of the PSP. The leave of the House was granted on 26 November 1957.

Moving the motion on 4 December 1957, Shri Tamaskar said that the Opposition was compelled to bring the motion because it was convinced that the Ministers were working against the Constitution. He also read out an 18-point chargesheet against the Government. Shri Tamaskar observed that although the Ministry was headed by an eminent person like Dr. Katju who had shouldered various responsibilities at the Central and the State Governments at different points of time, he had failed to have a grip over the administration and lacked a practical outlook. He further said that the people had lost faith in the Ministry and, therefore, it should tender its resignation.

Table 1**NCMs/ CMs admitted/discussed in different Legislative Assemblies
(1956-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	01.11.1956 - 05.03.1957	-	-
Second Legislative Assembly	01.04.1957 - 07.03.1962	2	-
Third Legislative Assembly	07.03.1962 - 01.03.1967	5	-
Fourth Legislative Assembly	01.03.1967 - 17.03.1972	4	-
Fifth Legislative Assembly	17.03.1972 - 30.04.1977	2	-
Sixth Legislative Assembly	23.06.1977 - 17.02.1980	1	-
Seventh Legislative Assembly	09.06.1980 - 10.03.1985	5	-
Eighth Legislative Assembly	10.03.1985 - 03.03.1990	2	-
Ninth Legislative Assembly	05.03.1990 - 15.12.1992	2	-
Tenth Legislative Assembly	07.12.1993 - 01.12.1998	2	-
Eleventh Legislative Assembly	01.12.1998 - 05.12.2003	1	-
Twelfth Legislative Assembly	05.12.2003 - till date	-	-
Total		26	-

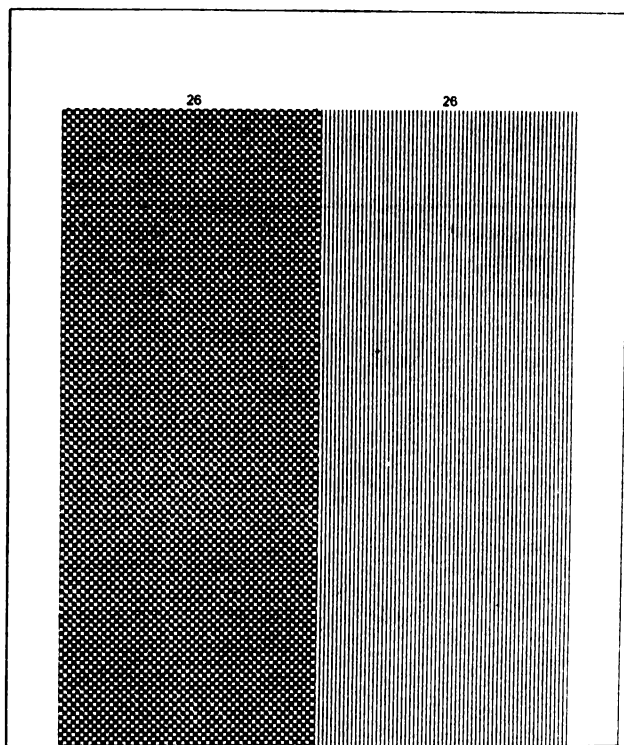
Table 2

NCMs/CMs admitted/discussed during the tenures of different Speakers
(1956 - 2003)

Sl No.	Speaker	Period	NCMs	CMs
1.	Pandit Kunjilal Dubey	01.11.1956 - 07.03.1967	7	-
2.	Shri K.P. Pandey	24.03.1967 - 24.03.1972	4	-
3.	Shri T.L. Tembhare	25.03.1972 - 10.08.1972	-	-
4.	Shri Gulsher Ahmad	14.08.1972 - 14.07.1977	2	-
5.	Shri M.S. Nevalkar	15.07.1977 - 02.07.1980	1	-
6.	Shri Y.D. Sharma	03.07.1980 - 19.07.1983	3	-
7.	Shri R.K. Shukla [⊙]	05.03.1984 - 13.03.1985	2	-
8.	Shri R.P. Shukla	25.03.1985 - 19.03.1990	2	-
9.	Shri B.M. Mishra	20.03.1990 - 22.12.1993	2	-
10.	Shri Shriniwas Tiwari	24.12.1993 - 11.12.2003	3	-
11.	Shri Ishwardas Rohani	16.12.2003 - till date		
Total			26	-

- ⊙ The Speaker Shri Y.D. Sharma tendered his resignation on 19 July 1983. The Deputy Speaker Shri R.K. Shukla was elected Speaker on 5 March 1984. Shri R.K. Shukla presided over the Motion of No-confidence of 11 October 1983 as Deputy Speaker and another one as the Speaker on 20 October 1984.

Graph
NCMs in Madhya Pradesh Legislative Assembly
(1956 - 2003)



⊗ Motions admitted and discussed ||| Negated

No Motion of Confidence was taken up in the Madhya Pradesh Legislative Assembly.

Table 3

**NCMs against/CMs in the Council of Ministers
(1956-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
K.N. Katju (Second Legislative Assembly)	Congress 231/288 (80%)	NCM	V.Y. R. Tamaskar (17)	(26.11.1957) 04.12.1957 05.12.1957 07.04	Negatived Ayes - 42 Noes - 176
-do-	-do-	NCM	-do- (20)	(18.09.1961) 21.09.1961 22.09.1961 07.58	Negatived by voice vote
B.A. Mandloi (Third Legislative Assembly)	Congress 142/288 (49.3%)	NCM	G.C. Tamot (23)	(08.08.1962) 09.08.1962 02.53	Negatived by voice vote
D.P. Mishra		NCM	V.K. Sakhlecha (15)	(25.08.1964) 01.09.1964 02.09.1964 03.09.1964 12.19	Negatived Ayes - 96 Noes - 168
-do-	Congress	NCM	L.N. Agrawal (27)	(23.08.1965) 31.08.1965 01.09.1965 02.09.1965 10.22	Negatived Ayes - 73 Noes - 166
-do-	-do-	NCM	M.L. Tiwari (07)	(26.03.1966) 05.04.1966 06.04.1966 07.46	Negatived Ayes - 78 Noes - 167

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCM/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
-do-	-do-	NCM	V.K. Sakhlecha (16)	(26.09.1966) 28.09.1966 29.09.1966 07.32	Negated Ayes - 83 Noes - 170
Govind Narain Singh (Fourth Legislative Assembly)	SVD 165/296 55.7%	NCM	S.C. Shukla (13)	(28.03.1968) 29.03.1968 30.03.1968 05.38	Negated Ayes - 124 Noes - 163
-do-	-do-	NCM	D.P. Mishra (11)	(09.09.1968) 17.09.1968 07.04	Negated by voice vote
S.C. Shukla (Fourth Legislative Assembly)	Congress 185/296 (62.5%)	NCM	V.S. Pradhan (8)	(09.01.1970) 16.01.1970 04.54	Negated by voice vote
-do-	Congress	NCM	-do- (10)	(21.09.1971) 22.09.1971 04.01	Negated Ayes - 56 Noes - 167
P.C. Sethi (Fifth Legislative Assembly)	Congress 220/296 (74%)	NCM	Kailash Joshi (13)	(27.02.1973) 07.03.1973 04.44	Negated Ayes - 37 Noes - 219
-do-	Congress	NCM	Laxmi Narayan Nayak (14)	(25.07.1973) 01.08.1973 03.45	Negated by voice vote
V.K. Sakhlecha (Sixth Legislative Assembly)	Janata Party 230/320 (72%)	NCM	Vedram (40)	(26.10.1979) 27.10.1979 10.49	Negated by voice vote
Arjun Singh (Seventh Legislative Assembly)	Congress(I) 246/320 (76.8%)	NCM	Ramashankar Singh and Sunder Lal Patwa (10)	(18.09.1980) 18.09.1980 04.00	Negated by voice vote

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
-do-		NCM	Sunderlal Patwa (18)	(15.09.1981) 17.09.1981 08.40	Negatived by voice vote
-do-		NCM	-do- (16)	(05.10.1982) 05.10.1982 06.10.1982 08.04	Negatived by voice vote
-do-		NCM	-do- (13)	(11.10.1983) 11.10.1983 05.56	Negatived by voice vote
-do-		NCM	-do- (11)	(20.10.1984) 20.10.1984 05.31	Negatived by voice vote
Motilal Vora (Eighth Legislative Assembly)	Congress(I) 250/320 (78%)	NCM	Kailash Joshi (20)	(22.12.1986) 26.12.1986 09.26	Negatived by voice vote
-do-		NCM	-do- (18)	(15.09.1989) 16.09.1989 06.51	Negatived by voice vote
Sunderlal Patwa (Ninth Legislative Assembly)	BJP 220/320 (68.7%)	NCM	S.C. Shukla (18)	(25.03.1991) 26.03.1991 27.03.1991 09.09	Negatived by voice vote
-do-		NCM	-do- (20)	(10.09.1992) 11.09.1992 09.30	Negatived by voice vote
Digvijay Singh (Tenth Legislative Assembly)	Congress(I) 174/320 (54.3%)	NCM	Vikram Verma (48)	(10.09.1996) 11.09.1996 12.09.1996 14.22	Negatived by voice vote

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
-do-	-do-	NCM	-do- (58)	(04.08.1998) 05.08.1998 06.08.1998 07.08.1998 18.30	Negated by voice vote
Digvijay Singh (Eleventh Legislative Assembly)	Congress(I) 127/230* (55.2%)	NCM	G.S. Shejwar (40)	(16.07.2002) 22.07.2002 23.07.2002 24.07.2002 16.53	Negated by voice vote

* 90 out of the 320 seats in the State Legislative Assembly were transferred to the Legislative Assembly of the newly created State of Chhattisgarh in November 2000.

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1956-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipants	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Kunjilal Dubey	NCM	K.N. Kajju	V.Y.R. Tamaskar	04.12.1957 05.12.1957	17	07.04	05.12.1957	42	176	Negated
-do-	NCM	-do-	-do-	21.09.1961 22.09.1961	20	07.58	22.09.1961	-	-	Negated by voice vote
-do-	NCM	B.A. Mandloi	G.C. Tamot	09.08.1962	23	02.53	09.08.1962	-	-	Negated by voice vote
-do-	NCM	D.P. Mishra	V.K. Sakhlecha	01.09.1964 02.09.1964 03.09.1964	15	12.19	03.09.1964	96	168	Negated
-do-	NCM	-do-	L.N. Agrawal	31.08.1965 01.09.1965 02.09.1965	27	10.22	02.09.1965	73	166	Negated
-do-	NCM	-do-	M.L. Tiwari	05.04.1966 06.04.1966	07	07.46	06.04.1966	78	167	Negated

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	NCM	-do-	V.K. Sakhlecha	28.09.1966 29.09.1966	16	07.32	29.09.1966	83	170	Negated
K.P. Pandey	NCM	Govind Narain Singh	S.C. Shukla	29.03.1968 30.03.1968	13	05.38	30.03.1968	124	163	Negated
-do-	NCM	-do-	D.P. Mishra	17.09.1968	11	07.04	17.09.1968	-	-	Negated by voice vote
-do-	NCM	S.C. Shukla	V.S. Pradhan	16.01.1970	8	04.54	16.01.1970	-	-	Negated by voice vote
-do-	NCM	-do-	-do-	22.09.1971	10	04.01	22.09.1971	56	167	Negated
Gulsher Ahmad	NCM	P.C. Sethi	Kailash Joshi	07.03.1973	13	04.44	07.03.1973	37	219	Negated
-do-	NCM	-do-	Laxmi Narayan Nayak	01.08.1973	14	03.45	01.08.1973	-	-	Negated by voice vote
M.S. Nevalkar	NCM	V.K. Sakhlecha	Vedram	27.10.1979	40	10.49	27.10.1979	-	-	Negated by voice vote

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts	Date of Voting	Ayes	Noes	Result
Y.D. Sharma	NCM	Arjun Singh	Rama- shankar Singh and Sunderial Patwa	18.09.1980	10	04.00	18.09.1980	-	-	Negated by voice vote
-do-	NCM	-do-	Sunderial Patwa	17.09.1981	18	08.40	17.09.1981	-	-	Negated by voice vote
-do-	NCM	-do-	-do-	05.10.1982 06.10.1982	16	08.04	06.10.1982	-	-	Negated by voice vote
R.K. Shukla	NCM	-do-	-do-	11.10.1983	13	05.56	11.10.1983	-	-	Negated by voice vote
-do-	NCM	-do-	-do-	20.10.1984	11	05.31	20.10.1984	-	-	Negated by voice vote
R.P. Shukla	NCM	Motil Vora	Kailash Joshi	26.12.1986	20	09.26	26.12.1986	-	-	Negated by voice vote

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
-do-	NCM	-do-	-do-	16.09.1989	18	06.51	16.09.1989	-	-	Negated by voice vote
B.M. Mishra	NCM	Sunderlal Patwa	S.C. Shukla	26.03.1991 27.03.1991	18	09.09	27.03.1991	-	-	Negated by voice vote
-do-	NCM	-do-	-do-	11.09.1992	28	09.30	11.09.1992	-	-	Negated by voice vote
Shrinivas Tiwari	NCM	Digvijay Singh	Vikram Verma	11.09.1996 12.09.1996	48	14.22	12.09.1996	-	-	Negated by voice vote
-do-	NCM	-do-	-do-	05.08.1998 06.08.1998 07.08.1998	58	18.30	07.08.1998	-	-	Negated by voice vote
-do-	NCM	-do-	G.S. Shetwar	22.07.2002 23.07.2002 24.07.2002	40	16.53	24.07.2002	-	-	Negated by voice vote

Table 5

Governors of Madhya Pradesh

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Dr. B.P. Sitaramayya	01.11.1956 - 13.06.1957
2.	Shri H.V. Patasker	14.06.1957 - 10.02.1965
3.	Shri K.C. Reddy	11.02.1965 - 02.02.1966
4.	Justice P.V. Dixit	03.02.1966 - 09.02.1966
5.	Shri K.C. Reddy	10.02.1966 - 07.03.1971
6.	Shri S.N. Sinha	08.03.1971 - 13.10.1977
7.	Shri N.N. Wanchoo	14.10.1977 - 16.08.1978
8.	Shri C.M. Poonacha	17.08.1978 - 29.04.1980
9.	Shri B.D. Sharma	30.04.1980 - 25.05.1981
10.	Justice G.P. Singh	26.05.1981 - 09.07.1981
11.	Shri B.D. Sharma	10.07.1981 - 20.09.1983
12.	Justice G.P. Singh	21.09.1983 - 07.10.1983
13.	Shri B.D. Sharma	08.10.1983 - 14.05.1984
14.	Prof. K.M. Chandy	15.05.1984 - 30.11.1987
15.	Justice N.D. Ojha	01.12.1987 - 29.12.1987
16.	Prof. K.M. Chandy	30.12.1987 - 10.12.1988
17.	Justice G.G. Sohani	11.12.1988 - 09.01.1989
18.	Prof. K.M. Chandy	10.01.1989 - 30.03.1989
19.	Smt. Sarla Grewal	31.03.1989 - 15.02.1990
20.	Kunwar Mahmood Ali Khan	16.02.1990 - 23.06.1993
21.	Shri Mohammed Shafi Qureshi	24.06.1993 - 21.04.1998
22.	Dr. Bhai Mahavir	22.04.1998 - 06.05.2003
23.	Shri Ram Prakash Gupta	07.05.2003 - till date

Table 6

Chief Ministers of Madhya Pradesh

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Pandit Ravi Shankar Shukla	01.11.1956 - 31.12.1956
2.	Shri Bhagwantrao Annabhau Mandloi	09.01.1957 - 30.01.1957
3.	Dr. Kailash Nath Katju	31.01.1957 - 14.04.1957 14.04.1957 - 11.03.1962
4.	Shri Bhagwantrao Annabhau Mandloi	12.03.1962 - 29.09.1963
5.	Pandit Dwarka Prasad Mishra	30.09.1963 - 07.03.1967 08.03.1967 - 30.07.1967
6.	Shri Govind Narain Singh	30.07.1967 - 12.03.1969
7.	Shri Raja Naresh Chandra Singh	13.03.1969 - 25.03.1969
8.	Shri Shyama Charan Shukla	26.03.1969 - 28.01.1972
9.	Shri Prakash Chand Sethi	29.01.1972 - 23.03.1972 23.03.1972 - 23.12.1975
10.	Shri Shyama Charan Shukla	23.12.1975 - 30.04.1977
	President's Rule	30.04.1977 - 23.06.1977
11.	Shri Kailash Chandra Joshi	24.06.1977 - 17.01.1978
12.	Shri Virendra Kumar Sakhlecha	18.01.1978 - 19.01.1980
13.	Shri Sunderlal Patwa	20.01.1980 - 17.02.1980
	President's Rule	17.02.1980 - 09.06.1980
14.	Shri Arjun Singh	09.06.1980 - 10.03.1985 11.03.1985 - 12.03.1985
15.	Shri Motilal Vora	12.03.1985 - 13.02.1988
16.	Shri Arjun Singh	14.02.1988 - 24.01.1989
17.	Shri Motilal Vora	25.01.1989 - 09.12.1989
18.	Shri Shyama Charan Shukla	09.12.1989 - 04.03.1990
19.	Shri Sunderlal Patwa	05.03.1990 - 15.12.1992
	President's Rule	15.12.1992 - 07.12.1993
20.	Shri Digvijay Singh	07.12.1993 - 01.12.1998 01.12.1998 - 08.12.2003
21.	Kumari Uma Bharati	08.12.2003 - till date

The debate was on party lines with the Opposition criticising the entire administration and levelling charges of favouritism, corruption and nepotism against certain Departments. The ruling party members, on the other hand, claimed that the State had made significant strides under the leadership of Dr. Katju despite numerous difficulties posed by its reorganization.

Replying to the two-day debate, the Chief Minister Dr. K.N. Katju observed that the Opposition had brought the motion on very insignificant points and described it as an "abuse of the process of democracy". He said that there was no substance in the charges levelled against his Ministry as they were based on trivial matters and added that he did not change the old Cabinet because all the members of the Cabinet were very capable and experienced.

Seventeen members took part in the two-day debate lasting seven hours and four minutes. The motion was negated as 42 members voted in its favour while 176 members voted against it.

Second Motion of No-confidence

Dr. K.N. Katju faced a second Motion of No-confidence in September 1961. The grounds for moving the motion were widespread corruption, favouritism and inefficiency in the administration. The motion which was brought by Shri V.Y.R. Tamaskar of the PSP levelled 51 charges against the Katju Ministry and was supported by the entire Opposition. It was taken up by the Speaker Pandit Kunjilal Dubey on 18 September 1961. As 29 members extended support to the motion, leave of the House was granted on the same day and it was fixed for debate on 21 and 22 September 1961. The Speaker also said that he had received notices of five other Motions of No-confidence against the Ministry.

Initiating the debate on 21 September 1961, Shri Tamaskar said that the Government had failed to integrate the State fully by lessening the area differences between the people of Bhopal, Madhya Pradesh, Vindhya Pradesh and Madhya Bharat. He also criticized the Government for its failure to satisfy the masses, whether they were Class III or Class IV Government servants or village craftsmen. Shri Tamaskar also cited some examples to prove his points of inefficiency and incompetence of the Government. Besides, he urged the Law Minister to initiate steps towards separating the Executive from the Judiciary in order to increase public faith in the legal system.

Participating in the debate on 22 September 1961, the Chief Minister Dr. Katju repudiated all the charges made against his Government. He hoped that the electorate would have ample opportunity during the ensuing General Elections to judge the work of the Government. He said that under the pretext of this censure motion, the Opposition had indeed started their election campaign. Referring to the charges of corruption, Dr. Katju said that there might be some black sheep in the

administration but to put the blame for that on the entire system would be an act of grave injustice.

In the two-day long debate lasting seven hours and fifty-eight minutes, 20 members took part. Thereafter, the motion was negated by voice vote.

Third Legislative Assembly (1962- 1967)

In the elections to the Third Legislative Assembly held in April 1962, no party could get an absolute majority. The Congress Party secured 142 seats in the 288-member House, the PSP got 33 seats and the Jan Sangh secured 41 seats. The remaining seats were won by other parties and Independents. Besides its strength of 142, the Congress Party received the support of some Independents. A Congress Ministry headed by Shri B.A. Mandloi was sworn in by the Governor Shri H.V. Patasker on 12 March 1962.

The Third Legislative Assembly took up five Motions of No-confidence and all the five were negated.

First Motion of No-confidence

Shri Mandloi faced the first Motion of No-confidence in August 1962. The notice for the motion was given by Shri Gulab Chand Tamot (Socialist Party). The reasons for moving the motion were that the Government had increased tax on peasants and labourers which discouraged them from increasing production. Moreover, the Government had facilitated the rich entrepreneur to produce the consumer goods which had unjustified price and profit. The motion also alleged that the Government had not taken any proper action in respect of the recommendations of Committees which had been set up to solve the problem of corruption. As more than 29 members supported the motion, it was admitted by the Speaker Pandit Kunjilal Dubey on 8 August 1962 and it was fixed for debate on 9 August.

Initiating the debate, Shri Gulab Chand Tamot charged the Government with rampant corruption, malicious policies and excessive taxation. He alleged that though the Public Accounts Committee had pointed out that there had been defalcation to the tune of lakhs of rupees in the former Madhya Bharat Roadways, the case had been skillfully suppressed by the Government. Demanding a judicial inquiry into the case, he accused the Government of not being able to check corruption.

Rejecting the charges made against his Government, the Chief Minister Shri Mandloi said that these charges had already been raised by the Opposition in the ongoing Budget Session. Reacting to a member's suggestion that the Government could have imposed royalty on raw materials used by cement factories and the Bhilai Steel Plant, the Chief Minister said that the question of royalty was a Central

subject and the State Government had already approached the Centre for increasing the royalty.

In the debate lasting two hours and fifty-three minutes, 23 members took part. The motion was negatived by voice vote.

Following the resignation of Shri Mandloi, Shri D.P. Mishra was sworn in as the new Chief Minister on 30 September 1963. During his tenure, Shri Mishra faced four Motions of No-confidence against his Ministry.

Second Motion of No-confidence

The Chief Minister Shri D.P. Mishra faced the first Motion of No-confidence in August 1964. The notice for the motion was listed in the name of Shri V.K. Sakhlecha (Jan Sangh). The grounds for moving the motion were the failure of the Government in eliminating corruption; deteriorating law and order situation; failure of the Government in solving the dacoit menace and food problem; irregularities in the Education Department; and negligence in the treatment of patients in the hospitals.

The leave of the House was granted on 25 August 1964 and it was fixed for debate on 1, 2 and 3 September 1964.

Moving the Motion of No-confidence, the Leader of the Opposition, Shri V.K. Sakhlecha levelled charges of corruption and misconduct against some members of the Cabinet.

Replying to the three-day debate, the Chief Minister, Shri D.P. Mishra denied all the charges levelled by the Opposition against his Government and dismissed them as political propaganda. The Chief Minister also denied the charge that his Government had failed in handling the law and order situation in the State and assured the House that all short-term or long-term measures would be implemented to control crimes.

In all, 15 members participated in the debate lasting 12 hours and 19 minutes. The motion was negatived as 168 members voted against it and 96 members voted in its favour.

Third Motion of No-confidence

The Chief Minister Shri D.P. Mishra faced another Motion of No-confidence in August 1965. The motion was listed in the name of Shri L. N. Agrawal (PSP). The grounds for moving the motion were: shortage of food grains; dacoities; poor law and order situation; failure of the education policy; excessive taxation; no control on corruption; and inadequacy of irrigation facility.

The leave of the House was granted on 23 August 1965. The motion was taken up for debate on 31 August 1965 which continued on 1 and 2 September 1965.

Initiating the debate, Shri L.N. Agrawal held the Government responsible for the food crisis in the State. He felt that due to the food grain policy of the Government,

the whole State was bound to starve. He demanded the resignation of the Government as it had failed completely in the field of education. He also accused the Government of levying more and more tax on the general public while the outstanding tax from the big enterprises remained uncollected.

In his reply, on 2 September 1965, the Chief Minister Shri D.P. Mishra refuted the charge that his Government's food grain policy was responsible for the food scarcity in the State. He said that although plenty of rice was produced in some areas of the State, people were not able to procure rice as their purchasing power was very low. The second reason, he said, was the smuggling out of a large portion of rice to other States. He urged the members not to fight over this problem but instead to help in solving the crisis.

The motion was debated for three days for 10 hours and 22 minutes in which 27 members participated. In the voting held thereafter, 73 members voted in favour of the motion while 166 members voted against it. The motion was accordingly defeated.

Fourth Motion of No-confidence

Another Motion of No-confidence was moved against the Ministry of Shri D.P. Mishra in April 1966. The motion was listed in the name of Shri Madan Lal Tiwari (SSP) and was supported by the members belonging to the Jan Sangh, PSP and HMS. The leave of the House was granted on 26 March 1966.

Initiating the debate on 5 April 1966, Shri Madan Lal Tiwari criticised the food policy of the Government which, he said, went against the interests of the peasants. He also alleged that the Chief Minister had not done anything about corruption charges although a report against a Minister was sent to him by the Vigilance Commission.

Replying to the debate on 6 April, the Chief Minister Shri D.P. Mishra criticised the Opposition parties and refuted all the charges and allegations levelled against his Government. Further, the Chief Minister rebutted the Opposition's charge of not paying any attention to the progress of the tribal people.

In all, 7 members took part in the two-day debate spread over 7 hours and 46 minutes. The House divided on the motion which was defeated by 167 to 78 votes.

Fifth Motion of No-confidence

Shri D.P. Mishra faced yet another Motion of No-confidence against his Ministry in September 1966. The notice for the motion was given by Shri V.K. Sakhlecha (Jan Sangh) citing various reasons such as: making the State a police State; firing and lathi-charge on citizens and students; starvation due to shortage of food grains; corruption and favouritism by the Government; and suffering of the public because of the dacoits and anti-social elements. The leave of the House was granted on 26 September 1966 and it was taken up for debate on 28 September 1966.

Initiating the debate, Shri Sakhlecha held the Government responsible for the abnormal conditions in the State as the public was facing brutal cruelties of the police, curfew, lathi-charge and tear-gas very often and demanded an inquiry into their high handness. He also criticised the Government for its food policy. Though the State had rich and cultivable land and hardworking peasants, it was solely because of the Government that this type of scarcity had come about. He alleged that the Government had completely failed in exporting grains from surplus areas to deficit areas to solve the food problem. Shri Sakhlecha also demanded the resignation of the Chief Minister and imposition of President's Rule in the State.

Replying to the debate on 29 September 1966, the Chief Minister Shri D.P. Mishra said that there was no specific charge against the Government and blamed the Opposition for taking political mileage out of the food situation in the State. He also refuted the charge of police atrocities on the students and stated that the Opposition which had many times in the past accused the police force of inefficiency was now accusing it of being irresponsible and cruel when in fact the police took action to save public property.

In all, 16 members took part in the two-day debate which lasted 7 hours and 32 minutes. The motion was negatived as 170 members voted against and 83 members voted in favour of the motion.

Fourth Legislative Assembly (1967-1972)

In the elections to the Assembly held in March 1967, the Congress Party secured an absolute majority by getting 165 seats out of a total of 296 seats while the Jan Sangh secured 78 seats and other parties and Independents shared the remaining seats. A Congress Ministry headed by Shri D.P. Mishra was sworn in on 8 March 1967.

The Fourth Legislative Assembly deliberated four Motions of No-confidence and all the four were negatived.

The four-month-old Congress Government of Shri Mishra faced a crisis when 36 members of the Congress Legislature Party led by Shri Govind Narain Singh, following differences in the party, shifted their loyalty to the Opposition on 19 July 1967. They met the Governor and stated that the Government led by Shri Mishra had been reduced to a minority. The Governor advised them to decide the issue on the floor of the House when the vote on the Demands for Grants of the Education Department would be taken up.

On 29 July 1967, the Demands for Grants of the Education Department was defeated by a margin of 16 votes. Following this, Shri Mishra tendered the resignation of his Ministry which was accepted by the Governor Shri K.C. Reddy on 30 July 1967.

Shri Govind Narain Singh who was earlier elected leader of the Samyukta Vidhayak Dal (SVD) was invited to form the Government. Shri Singh was sworn in as the Chief Minister on 30 July 1967.

The eight-month-old SVD Government faced its first Motion of No-confidence in March 1968.

First Motion of No-confidence

The notice for the Motion of No-confidence against the SVD Ministry was given by Shri S.C. Shukla of the Congress Party. The reasons for moving the motion *inter alia* were lack of collective responsibility; misuse of administrative machinery; demoralization among the Government officials; favouritism in allocation of grants; lack of coordination between different Government Departments; non-implementation of the 25-point programme; and irregularities in certain Departments of the Government. The leave of the House was granted on 28 March 1968.

Initiating the debate on 29 March 1968, Shri S.C. Shukla alleged that the Government was not fulfilling the hopes and aspirations of the masses which they had promised at the time of the elections. There was a need to change the Government so that the existing discontentment among the people could be ended. He also called the Government unconstitutional and one which was involved in corruption and without any values. He alleged that the Government had created an atmosphere of threat and terror even against the members of the House.

Opposing the motion, Shri V.K. Sakhlecha said that the Government was doing its best to implement the 25-point programme. He refuted the charge of creating an atmosphere of terror and assured the House that steps would be taken against intimidation and also against those linked to dacoits.

Taking part in the debate, the Chief Minister Shri Govind Narain Singh said that there was no merit in the motion and asked the Opposition to do some introspection before blaming him.

In all, 13 members took part in the two-day debate spanning five hours and thirty-eight minutes. The motion was negated with 163 members voting against it and 124 members voting in favour.

Second Motion of No-confidence

The SVD Government faced the second Motion of No-confidence within six months of sailing through the first one. Two notices of Motions of No-confidence were received in September 1968. The notice given by Shri D.P. Mishra was granted leave of the House on 9 September 1968 as 30 members stood in favour of the motion while another notice of Motion of No-confidence given by Shri Shabir Ali Khan was not admitted as it did not get the requisite support in the House. The Motion of No-confidence given by Shri D.P. Mishra was taken up by the House on 17 September 1968.

Initiating the debate, Shri Mishra said that the Cabinet consisted of various political parties and hence it became necessary to know the motives of these parties to become part of the Government. He alleged that there were serious charges against the present Government.

Participating in the debate, the Chief Minister Shri Govind Narain Singh denied the charge of having pressurized Government functionaries. As regards various charges levelled against some Ministers, he said that he would appoint a Commission headed by a sitting Supreme Court judge to inquire into these charges. He urged the House to reject the motion.

In all, 11 members took part in the seven hours and four minutes long debate. Later, the motion was negatived by voice vote.

Following differences among the constituent parties of the Samyukta Vidhayak Dal Ministry and also growing Opposition within the SVD to his continuance in office, the Chief Minister Shri Govind Narain Singh resigned on 10 March 1969. On the same day, the SVD Legislature Party elected Shri Raja Naresh Chandra Singh as its leader. Shri Singh was sworn in as the Chief Minister on 13 March 1969.

Meanwhile, Shri S.S. Shyam, Leader of the newly formed Progressive Vidhayak Dal (PVD), while announcing the joining of 22 members of the SVD in his party, said that they had severed their connection with the SVD. On 20 March 1969, the Chief Minister Shri Raja Naresh Chandra Singh resigned and advised the Governor to dissolve the Assembly. However, the Governor Shri K.C. Reddy, while accepting the resignation of Shri Singh, rejected the advice of the Chief Minister to dissolve the Assembly and impose President's Rule in the State.

Meanwhile, Shri Govind Narain Singh returned to the Congress Party along with some MLAs of the SVD, thereby increasing the Congress Party's strength to 185 in the House.

On 26 March 1969, Shri S.C. Shukla was elected the Leader of the Congress Legislature Party and was sworn in as the Chief Minister.

Third Motion of No-confidence

A Motion of No-confidence against the Congress Ministry was jointly sponsored by the Jan Sangh, Lok Sewak Dal and the SSP in January 1970. The motion was listed in the name of Shri V.S. Pradhan and others. The grounds for moving the motion *inter alia* were misuse of relief funds by the Ministers; misuse of public funds for political goals; false cases against the Jan Sangh workers; increase in the number of dacoities and robberies; favouritism in admissions to medical colleges; and increasing unemployment among the educated youth.

Leave of the House was granted on 9 January 1970 and the motion was taken up for debate on 16 January 1970.

Initiating the debate, Shri V.S. Pradhan accused the Congress Government of ignoring the ideals and values enunciated by Mahatma Gandhi. He accused the

Ministry of misusing public money in arranging and organising different meetings and spending thousands of rupees in the transport of the Ministers. He criticised the Government for its attempts to suppress the rising power of the Jan Sangh by all possible means and accused the Government of falsely implicating the Jan Sangh workers in criminal cases. He charged the Government with adopting a policy of favouritism in admissions to different educational institutions. He also alleged that unemployment was increasing in rural areas and criticised the Government for not paying attention to the demands of the pensioners.

Participating in the debate, the Chief Minister Shri S.C. Shukla refuted the charges made by the Opposition. He said if any deed of corruption came to his notice he would not waste a single minute in demanding the resignation of the concerned person. He also challenged the Opposition by saying that even if a single charge of corruption was proved against him, he would quit public life for ever. Shri Shukla accused the Opposition of creating hurdles in the way of development.

In all, 8 members participated in the debate lasting four hours and fifty-four minutes. The motion was, thereafter, negatived by voice vote.

Fourth Motion of No-confidence

Yet another Motion of No-confidence against the Ministry headed by Shri S.C. Shukla was jointly given by Shri V.S. Pradhan, Shri Chanpuria and Shri Laxminarayan Gupta. As more than 30 members stood in support of the motion, leave of the House was granted on 21 September 1971. The grounds for moving the motion were dissolution of cooperative societies for political reasons; giving permit to vehicles for transportation of rice and in return accepting money for party funds; deteriorating law and order; interference in the work of elected municipalities run by the Jan Sangh; corruption; and irregularities in the medical college admissions.

Initiating the debate on 22 September 1971, Shri V.S. Pradhan said that since 1959, twenty-three cooperative societies had been dissolved. The existing societies were in the hands of the Congress Party. He also alleged ministerial interference in the administration. Criticising the Government for not paying attention to the reasonable demands of students, he said that this had resulted in dissatisfaction among them, making them violent and aggressive. He alleged that corruption was increasing day by day and also criticised the Government for the deteriorating law and order situation.

Participating in the debate, the Chief Minister Shri S.C. Shukla said that this motion was brought to create a propaganda against the Government and to gain political mileage in the forthcoming elections. He denied the charges and allegations levelled against his Ministry. Listing out the developmental works undertaken by his Government during the previous 2 to 3 years, Shri Shukla described it as a record. He assured the House that if any charge of corruption against any Minister

was proved, he would drop that Minister. He said that in order to maintain democracy in the country, corruption must be rooted out; at the same time, people who make false allegations should also be punished.

In all, 10 members took part in the debate lasting four hours and one minute. Thereafter, the motion was put to vote and defeated by a majority of 111 votes with 167 members voting against it while 56 members voted in its favour.

Following the resignation of the Chief Minister Shri S.C. Shukla, Shri P.C. Sethi was sworn in as the new Chief Minister on 29 January 1972.

Fifth Legislative Assembly (1972-1977)

The Congress Party secured more than two-thirds majority in the Assembly elections held in March 1972 by winning 220 seats in the 296-member House. Shri P.C. Sethi was re-elected leader of the Congress Legislature Party and an eleven-member Council of Ministers headed by Shri Sethi was administered the oath of office and secrecy on 23 March 1972.

The Fifth Assembly took up two Motions of No-confidence and both were defeated.

First Motion of No-confidence

The Chief Minister Shri P.C. Sethi faced his first Motion of No-confidence in March 1973. Shri Kailash Joshi, Leader of the Jan Sangh, gave the notice of the Motion of No-confidence. As more than 29 members stood in support of the motion, leave of the House was granted on 27 February 1973.

Initiating the debate on 7 March 1973, Shri Kailash Joshi said that he had tabled the motion not only because of the failure of the Government on all fronts but also because of the failure of the Government to fulfil the promises made to the public during the elections. He also cited the inability of the Government to run the administration as a ground for bringing the motion. Shri Joshi alleged that there was no coordination and trust among the Ministers and blamed the Chief Minister for having expanded the Cabinet unsystematically. Accusing the Ministers of inefficiency and irresponsibility, he said they did not devote their time for beneficial work but instead they wasted their time in travelling in and outside the State.

Participating in the debate, the Chief Minister Shri P.C. Sethi denied all the charges levelled against his Ministry. He said that it had become a routine to bring forward a Motion of No-confidence every year. He refuted the charge that there was no coordination in his Cabinet and said that every decision was taken with the consent of the whole Cabinet. He strongly denied that there was any extravagance on his publicity and said his Government was fully development oriented.

Thirteen members took part in the debate lasting four hours and forty-four minutes. When the House divided, 219 members voted against the motion while 37 voted in its favour. The motion was accordingly defeated.

Second Motion of No-confidence

The notice for the second Motion of No-confidence against the Sethi Government was given by Shri Laxmi Narayan Nayak. The grounds for moving the motion were: unemployment; inflation; scarcity of food grains; torturing of Harijans and Adivasis in the Koli Dhara Police Station; and favouritism in respect of municipalities. The leave of the House was granted on 25 July 1973.

Opening the debate on 1 August 1973, Shri Nayak said that the Sethi Ministry had failed to solve the problems of the public like unemployment, starvation and the soaring prices. The administration was not following its policies properly; accordingly, he demanded a Commission to be set up to look into the matter. Instead of solving the food crisis, the Government had simply suppressed the agitation and discontent of the people. He felt that the Chief Minister could have asked the Central Government to increase the support price to the peasants, as the support price was very low in the State *vis a vis* other States. He also criticised the alleged favouritism shown by the Government in superseding the municipalities controlled by other parties.

Participating in the debate, the Chief Minister Shri Sethi described the motion as baseless. He denied having done injustice to the Opposition-headed municipalities. As regards the food crisis, Shri Sethi said that it was not Madhya Pradesh alone but the whole country was sufferings from a severe drought. To mitigate the suffering of the people, the Government was trying its level best to provide maximum food grains through fair price shops.

After a debate lasting 3 hours and 45 minutes in which 14 members participated, the motion was rejected by voice vote.

Sixth Legislative Assembly (1977-1980)

In the Legislative Assembly elections held in June 1977, by securing 230 seats in the 320-member House, the Janata Party got more than two-thirds majority. The Congress got 84 seats and Independents won 6 seats.

A Janata Party Ministry headed by Shri Kailash Joshi was administered the oath of office and secrecy by the Governor Shri Satya Narayan Sinha on 23 June 1977. Within 6 months, Shri Joshi resigned from the office on personal grounds. Shri V.K. Sakhlecha was sworn in as the new Chief Minister on 18 January 1978 by the Governor Shri N.N. Wanchoo.

One Motion of No-confidence was taken up by the Sixth Legislative Assembly against the Sakhlecha Ministry which was negated.

Motion of No-confidence

On 26 October 1979, the Speaker Shri Nevalkar announced in the House of having received a notice of No-confidence Motion in the Council of Ministers headed

by Shri Virendra Kumar Sakhlecha. The notice was given by Shri Vedram. As more than 32 members stood in support of the motion, leave of the House was granted and it was fixed for debate on 27 October 1979.

Initiating the debate, Shri Vedram alleged that ministerial interference in administration had increased immensely which was demoralizing the officers. There was no law and order in the State and the tribal people and the minority community were feeling insecure. He also alleged that the beneficial programmes initiated by the Congress for the tribals and the backward classes like land distribution and writing off of loans, etc., had been stopped by the present Government. Expressing his concern at the rise in prices of essential commodities, he said that it would cause immense hardship and suffering to the lower and middle class people. Every step of the Government was benefiting only the capitalists and not the working class.

Participating in the debate, the Chief Minister Shri V.K. Sakhlecha said that the motion was baseless as charges levelled and accusations made against his Ministry had no evidence. He said nearly 50,000 tribals had benefited by land distribution. He also said that the Janata Party Government had succeeded in reducing the scarcity of essential commodities. Concurring with the charge that there were crimes against Scheduled Castes and Scheduled Tribes, he said that the accused were punished within six months whereas even a challan had not been filed for 6 months during the Congress rule. He also emphatically stated that there was absolute coordination among his Ministers.

Replying to the debate, Shri Vedram said whatever charges were levelled against the Government stood good. He requested the House not to allow the Government to remain in power even for a minute.

Forty members took part in the 10 hours and 49 minutes long debate. The motion was negated by voice vote.

Seventh Legislative Assembly (1980-1985)

In the elections to the 320-member Legislative Assembly held in May 1980, the Congress(I) won 246 seats, while the Bharatiya Janata Party got 60 seats. The remaining seats were won by others and Independents. A Congress (I) Ministry headed by Shri Arjun Singh was administered the oath of office and secrecy by the Governor Shri Bhagawat Dayal Sharma on 9 June 1980.

Shri Arjun Singh faced five Motions of No-confidence during his tenure between 1980 and 1985. All the five motions were negated.

First Motion of No-confidence

Two notices of Motion of No-confidence were received by the Speaker Shri Y.D. Sharma from Shri Ramashankar Singh and Shri Kapoor Chand Dhuvara and another one from Shri Sunderlal Patwa and Shri Kailash Joshi. Leave of the House was granted to both the motions on 18 September 1980.

Initiating the debate, Shri Ramashankar Singh (JSC) alleged that there was no coordination among Ministers and they were not working as a team. He also alleged that the Government had failed to fulfil its promise of providing loans to the poor people. He accused the Government of not adopting a clear cut policy in respect of the use of Hindi in administrative work. He also criticised the Government for the poor law and order situation in the State.

Shri Sunderlal Patwa (BJP) mentioned various grounds based on which the motion was sought to be moved. The grounds *inter alia* included the failure of the Government in maintaining law and order; association of ruling party MLAs and Ministers with anti-social elements; soaring prices of essential commodities; and corruption and favouritism. He accused the Government of failure in fulfilling its promises made to the people at the time of the elections; he also highlighted the scarcity of essential commodities and soaring prices which were causing serious problems to the people.

Participating in the debate, the Chief Minister Shri Arjun Singh, while refuting the charge that his Government did not fulfil its promises made at the time of the elections, said that some promises had already been fulfilled while some were in the initiation stage. The most important plan of the Government was the 20-point programme and for that the Government was intending to bring a Bill before the House very soon. He assured the House that once the Bill was passed, it would be implemented in the entire State. He also assured the House that action would be taken against anti-social elements and stated that a Bill in this regard had been brought forth.

Shri Ramashankar Singh and Shri Sunderlal Patwa replied to the debate.

Ten members took part in the debate lasting four hours. The Speaker then put both the motions for voting simultaneously which were rejected by voice vote.

Second Motion of No-confidence

The notice for a Motion of No-confidence in the Council of Ministers headed by Shri Arjun Singh was given by the Leader of the Opposition Shri Sunderlal Patwa on 15 September 1981. The motion levelled 45 points of omission and commission of the 15-month-old Government. The debate on the motion was fixed for 17 September 1981.

Earlier, when Shri Sunderlal Patwa was seeking the leave of the House on 15 September 1981 to move the Motion of No-confidence, the Law Minister Shri Krishna Pal Singh raised a point of order saying that a Motion of No-confidence could not be tabled again as the House had already rejected two No-confidence Motions earlier in the same Session on 14 September 1981, one by Shri Ramashankar Singh and the other by Shri Kapoor Chand Dhuvara. While strongly opposing the Law Minister's contention, another member, Shri Sheetal Sahay, said that those two motions were

not discussed in the House as leave was not granted to them; as such, the point of order raised by the Law Minister was not correct.

Giving his ruling on the point of order raised by the Minister of Law, the Speaker Shri Y.D. Sharma stated that granting of leave of the House to a motion was entirely different from a motion being passed or rejected by the House. Leave of the House was only an initial process - whether the permission to debate the motion should be given or not. There is a specific process prior to that: only when the required number of members stood in support of the motion, the leave would be granted to a motion, otherwise not. As far as rejection or acceptance of the motion was concerned, it demanded discussion first. After discussion, the fate of the motion would have to be decided.

In this context, the Speaker read out from Kaul and Shakhder's *Practice and Procedure of Parliament* (p. 589): "No conditions of admissibility of a Motion of No-confidence are laid down in the Rules, except that once a decision, after discussion, is taken by the House on such a motion, no motion raising an identical matter can be moved in the same Session". The Speaker also quoted from p. 591 of the same book: "there is no restriction on the moving of more than one No-confidence Motion in a session, although this has not been done so far, but the second motion is admissible only if it raises new matters not covered by the discussion on the previous motion." The Speaker then ruled that as leave was not granted to both the motions tabled on the previous day, i.e. on 14 September 1981, and no discussion having taken place on those motions, the notice of motion given by Shri Patwa could be raised for asking leave of the House. Accordingly, the objection raised by the Law Minister was rejected.

Initiating the debate on 17 September 1981, Shri Sunderlal Patwa said that the Government had brought the State to bankruptcy. He alleged that the Government had misused all Government land, followed wrong financial priorities and above all it had created overdraft to the tune of Rs. 134 crore. He also alleged that there was rampant corruption in the Government.

Participating in the debate, the Chief Minister Shri Arjun Singh called the Opposition irresponsible and alleged that when the Government had tried to benefit the peasants by increasing the support price of food grains, the Opposition started a campaign to see to it that the peasants did not give their produce to the Government. However, the Congress(I) MLAs and party workers managed to collect 3.3 lakh tons of food grains. The Government had provided finances to organizations which were directly related to peasants. As regards job security of employees, he said as long as an official was doing his duty sincerely, his job security was the responsibility of the Government.

Replying to the debate, Shri Sunderlal Patwa said that the Chief Minister had not replied to the points raised by the Opposition.

In the day-long debate lasting 8 hours and 40 minutes, eighteen members took part. The motion was, thereafter, negated by voice vote.

Third Motion of No-confidence

The Chief Minister, Shri Arjun Singh faced the third Motion of No-confidence in October 1982. The notice of the motion was given by Shri Sunderlal Patwa and was jointly sponsored by the BJP, Lok Dal and the Communist Party of India and was based on a 45-point chargesheet against the Arjun Singh Government accusing it of various commissions and omissions. Leave of the House was granted on 5 October 1982 and it was taken up for debate on the same day.

Initiating the debate, Shri Patwa alleged corruption at all levels of the administration and said that the Government had no right to remain in power as it had destroyed democratic values. It had also lost the confidence of the people as was evident from the results of the by-elections to the Jabalpur and Sagar Lok Sabha constituencies which went against the ruling party.

Participating in the debate on 6 October 1982, the Chief Minister, Shri Arjun Singh rebutted the charges levelled against his Government. He strongly refuted the allegation that he was running the administration for his personal benefit and highlighted the achievements of his Government. At the end, he urged the House to reject the motion.

In all, 16 members took part in the two-day long debate lasting eight hours and four minutes. Thereafter, the motion was negated by voice vote.

Fourth Motion of No-confidence

A notice for moving a Motion of No-confidence in the Council of Ministers headed by Shri Arjun Singh was received on 11 October 1983. The notice was given by Shri Sunderlal Patwa. As more than 32 members stood in favour of the motion, leave of the House was granted and it was fixed for debate on the same day. The grounds for moving the motion were: mixing of beef tallow in edible oil and refined oil by General Foods Pvt. Ltd. Company in Indore; encroachment of urban land for stud farm; huge Ministry; corruption in State Transport Corporation; deteriorating law and order; and protection of criminal elements by the Government. Another notice of a Motion of No-confidence given by Shri Kapoor Chand Dhuvara was not admitted as the same was not found to be in order.

Initiating the debate, Shri Sunderlal Patwa criticised the State Government for not taking any action against the General Foods Private Ltd. Company for illegally importing beef tallow and for mixing it with edible oil and refined oil. He criticised the Chief Minister for constituting the biggest ever Cabinet just to satisfy his party people. Shri Patwa also accused the Government of rampant corruption.

Participating in the debate, the Chief Minister Shri Arjun Singh criticised the Opposition for not doing anything for the backward classes when they were in power. As regards the alleged illegal import of beef tallow, the Chief Minister said that it was the policy of the Janata Party at the Centre which had opened the way for import of beef tallow into the country whereas it was the Congress Government which had formulated the rule that beef tallow could not be imported without permission. The Chief Minister also said that his administration had done its best for the State and its people.

Subsequently, Shri Sunderlal Patwa replied to the debate. In all, 13 members took part in the five hours and fifty-six minutes long debate. The motion was negatived by voice vote.

Fifth Motion of No-confidence

Shri Arjun Singh faced the fifth Motion of No-confidence in October 1984. On 20 October 1984, two notices were received by the Deputy Speaker Shri R.K. Shukla - one from Shri Kapoor Chand Dhuvra and Shri Mahender Verma and the other from the Leader of the Opposition, Shri Sunderlal Patwa. The first motion was not granted leave of the House, since it did not get the requisite support for being moved; however, leave of the House was granted to the notice for the motion given by Shri Patwa. The motion was taken up for debate on the same day. The grounds for moving the motion were: purchase of land by the Chief Minister at a very low rate near the Kerva dam; misutilisation of governmental machinery in the construction of personal kothi in Kerva; remaining as the life-long President of the Bharat Bhavan; loss of lakhs of rupees to the exchequer in the Churhat Children's Welfare Society Lottery; food crisis, etc.

Initiating the debate, Shri Patwa said that the Government had totally failed in fulfilling its promises to the people. He accused the Chief Minister of using the governmental machinery for levelling and gardening of some land and also for the construction of a bungalow near the Kerva dam and demanded a judicial inquiry into the source of income and properties of Shri Arjun Singh. He criticised the Chief Minister for stopping the Madhya Pradesh Government lottery and starting the Churhat Children's Welfare Society Lottery which resulted in lakhs of money as benefit for his family members while it led to a significant loss to the State exchequer. He made several other allegations against the Government and also spoke of issues relating to the Narmada Sagar Vikas Pariyojana.

Participating in the debate, the Chief Minister Shri Arjun Singh denied any irregularity or misuse of Government resources in acquiring Government land near the Kerva dam. As regards the allegations about the Churhat lottery, he said the Churhat Children's Welfare Society was a charitable society engaged in welfare programmes for the handicapped and poor children. On the Narmada Sagar project,

he said that after so many hurdles, the project was going to be inaugurated by the Prime Minister on 23 October 1984. Shri Singh also refuted the charge that the Government had not done anything for the development of the State and its people.

In all, 11 members took part in the debate lasting five hours and thirty-one minutes. The motion was, thereafter, negated by voice vote.

Eighth Legislative Assembly (1985-1990)

The ruling Congress(I) was returned to power in the elections to the Eighth Legislative Assembly held in March 1985. The party won 250 seats in the 320-member House, while the BJP secured 58 seats. The remaining seats were won by other parties and Independents.

Shri Arjun Singh was sworn in again as the Chief Minister on 11 March 1985. However, following his appointment as the Governor of Punjab, Shri Singh tendered his resignation on 12 March 1985. An eight-member Ministry headed by Shri Motilal Vora was administered the oath of office and secrecy by the Governor Prof. K.M. Chandy on 13 March 1985.

Shri Motilal Vora faced two Motions of No-confidence during his tenure as the Chief Minister. Both the motions moved by Shri Kailash Joshi were negated.

First Motion of No-confidence

Shri Motilal Vora faced the first Motion of No-confidence in December 1986. The motion was listed in the name of the Leader of the Opposition, Shri Kailash Joshi. As 45 members stood in support of the motion, leave of the House was granted on 22 December 1986.

Initiating the debate on 26 December, Shri Kailash Joshi alleged that though the Chief Minister, immediately after the swearing in ceremony, had announced that loss-making corporations would be abolished and the heads of corporations against whom serious corruption charges were pending would be removed, no such action had been taken. Requisite abilities and qualifications were not taken into consideration while appointing them to the top posts in these corporations. Shri Joshi accused the Government of making announcements and setting up Commissions and for not taking interest in the actual problem or in the implementation of the recommendations of these Commissions. He held the Government responsible for the delay in the completion of the Narmada Sagar irrigation project and several electricity plants. As regards the daily wage workers, he observed that though the Government had issued the order for regularizing them on 15 January 1985, even after nearly two years the problems of daily wage workers remained unsolved.

Participating in the debate, the Chief Minister Shri Motilal Vora denied the charge of favouritism and political considerations in dissolving the corporations.

He said a decision was taken only after analysing the facts and conditions of different corporations. As regards the problem of daily wage workers, Shri Vora said that the Government was seriously taking steps towards regularizing them. He strongly denied having wilfully created hurdles in the completion of projects on the basis of the Forest Conservation Act. He also strongly rebutted the charge of deteriorating law and order situation during his regime; on the contrary, there was, in fact, a decline in communal riots during his tenure.

In the day-long debate spread over nine hours and twenty-six minutes, 20 members took part. The motion was, thereafter, negatived by voice vote.

Second Motion of No-confidence

On 15 September 1989, on the last day of the Monsoon Session, a notice of a Motion of No-confidence against the Council of Ministers headed by Shri Motilal Vora was given by the Leader of the Opposition Shri Kailash Joshi. As more than 32 members stood in favour of the motion, leave of the House was granted on the same day and the debate was fixed for 16 September 1989, by extending the Monsoon Session by one day. The grounds for moving the motion, *inter alia*, pertained to the transport company of the Chief Minister; withdrawal of pending criminal cases against Ministers; non-implementation of recommendations given by different Commissions; naxalite activities in the Bustar area; and no concessions in sales-tax.

Initiating the debate on 16 September 1989, Shri Joshi accused the Ministers of misusing public funds. He pointed out that the Government had constituted various Commissions like the Farmers' Welfare Commission, Minorities Commission and Labour Commission. However, no one from the lower level right up to the Minister had time to go through the reports of these Commissions. As a matter of fact, the report of the Farmers' Welfare Commission had not been laid before the House till date. He alleged that the weavers' problem was also not getting adequate attention from the Government and their condition was so bad that their children were starving. As regards reservation of jobs for SCs and STs, he said, jobs were given not to locals but to outsiders. He also accused the Government of not doing justice to the Government employees regarding their pay scales and promotions. Further, he demanded an inquiry into the cooperative societies set up for the tendu leaf workers.

Participating in the debate, the Chief Minister Shri Motilal Vora denied all the allegations made by the Opposition. He said that farmers would benefit by lower interest rates. As regards the pay scales of Government employees, Shri Vora said a Committee of Secretaries would be constituted shortly and its report would be implemented as soon as submitted. He said the process of promoting permanent employees and regularising of *ad hoc* employees was going on. As such, he asserted that all the charges made by the Opposition were baseless.

Replying to the debate, Shri Kailash Joshi said all the charges made were based on facts. In all, 18 members took part in the 6 hours and 51 minutes long debate. The motion was, thereafter, negated by voice vote.

Ninth Legislative Assembly (1990-1992)

In the General Elections held in February 1990, the BJP won 220 seats, the Congress(I) secured 56, the Janata Dal won 28 seats, while the remaining seats were shared by other parties and Independents.

Shri Sunderlal Patwa of the BJP was sworn in as the Chief Minister on 5 March 1990 by the Governor Shri Kunwar Mahmood Ali Khan.

The Ninth Legislative Assembly took up two Motions of No-confidence against the Ministry of Shri Patwa and both were negated.

First Motion of No-confidence

Shri Patwa faced his first Motion of No-confidence in March 1991, notice for which was given by Shri S.C. Shukla, Leader of the Opposition, on 25 March 1991 and it was admitted on the same day. The grounds for moving the motion *inter alia* were the demolition of houses of the Harijans and the encroachment of Government land; pressurising the officials for the withdrawal of criminal cases against Ministers and MLAs; torturing of Adivasis by liquor contractors; black marketing of sugar and kerosene oil; increasing unemployment; and growth in criminal activities in the State. The motion also levelled several charges against the Ministry.

Initiating the debate on 26 March 1991, Shri Shukla said that the people of the State were dissatisfied with the performance of the Government in just one year. He said that the farmers were quite unhappy with the present loan waiver scheme. He alleged that the State's finances were in a shambles because of the wrong policies followed by the Government. Criticizing the new liquor policy, he said, this had given entry to contractors into the tribal areas. Pointing out the deteriorating law and order situation, Shri Shukla said that atrocities on the Scheduled Castes and Scheduled Tribes had increased. Criticising the functioning of the Public Distribution System, he said, it had led to a rise in the prices of essential commodities.

Participating in the debate on 27 March 1991, the Chief Minister Shri Sunderlal Patwa observed that the motion was of no use and the chargesheet was baseless. He also listed out the achievements of his Government and said that for the first time in the State, the Government had fulfilled all the promises made to the people. Denying that the Government had become bankrupt, he said loans to the tune of Rs. 644 crore would be waived by 30 June 1991 by which two lakh farmers would benefit.

In the two-day long debate lasting nine hours and nine minutes, 18 members participated. The motion was rejected by voice vote.

Second Motion of No-confidence

Shri Sunderlal Patwa faced yet another Motion of No-confidence against his Ministry in September 1992. The motion was listed in the name of Shri S.C. Shukla and the leave of the House was granted on 10 September 1992. The grounds for moving the motion were: the atrocities on the Harijans and Adivasis; the naxalite problem; increase in Government expenditure; irregularities in public distribution system; decline in the development programmes due to financial crisis; inadequate funding of drought relief work; corruption; and irregularities in the transfer of Government officials. It was fixed for debate on 11 September 1992.

Initiating the debate, Shri Shukla said that there had been rapid rise in the crime rate which was evident from the data tabled in the House. People had hoped that the State with all its rich mineral resources and mines, vast forest belt and other natural resources would be a developed State and would become a source of pride for the whole nation. However, all those hopes had been belied. He alleged that the Government had allotted distributorship under the Public Distribution System to people belonging to the ruling party, and criticised the Government for cancelling the earlier contracts allotted to the elderly, the handicapped and widows. He also criticised the Government for not allocating adequate funds to meet the severe drought of the previous year and also for not starting a single job-oriented plan.

Participating in the debate, the Chief Minister Shri Patwa said the charges levelled by the Opposition were frivolous. He held the previous Congress Government responsible for not having paid any attention to the development of the State and for not making optimum utilization of the natural resources. He said the past Governments did not get the just and right royalty for coal, aluminium and iron while his Government had managed to increase the royalty. He also listed the measures taken for promoting education in the State such as construction of rural primary school buildings and providing cycles free to tribal girl students.

Twenty members took part in the debate that lasted nine and a half hours. The motion was, thereafter, negatived by voice vote.

Tenth Legislative Assembly (1993-1998)

In the elections held in November 1993, the Congress(I) won 174 seats in the 320-member House. The BJP bagged 117 seats. The remaining seats were won by other parties and Independents.

A Congress(I) Ministry led by Shri Digvijay Singh was administered the oath of office and secrecy by the Governor Shri Mohammed Shafi Qureshi on 7 December 1993.

Shri Digvijay Singh faced two Motions of No-confidence and both the motions were negatived after debate.

First Motion of No-confidence

The Digvijay Singh Ministry faced its first Motion of No-confidence after 33 months of coming to power, the notice of which was given by the Leader of the Opposition Shri Vikram Verma. The grounds for moving the motion, *inter alia*, were: the total failure of the Panchayati Raj Institutions in the State; power problem; deteriorating law and order situation; political murders; corruption; and bankruptcy of all Government institutions. The leave of the House was granted on 10 September 1996 and the motion was taken up for debate on 11 September 1996.

Initiating the debate, Shri Vikram Verma said that the Government, having failed totally, had lost the moral right to continue in office. He said that when the present Chief Minister took over, a hope was kindled in the State that being a well educated and young Chief Minister, he would give a proper direction but all hopes had been belied.

Participating in the debate, the Chief Minister Shri Digvijay Singh listed the achievements of his Government and claimed that more than half of the schemes announced by the Government had been implemented. He alleged that the Opposition had made a mockery of the No-confidence Motion by raising all insignificant issues during the debate.

The discussion lasted fourteen hours and twenty-two minutes spread over two days in which 48 members took part. The motion was negated by voice vote.

Second Motion of No-confidence

Shri Digvijay Singh faced the second Motion of No-confidence against his Council of Ministers in August 1998. This motion too was listed in the name of the Leader of the Opposition Shri Vikram Verma. The reasons for moving the motion, *inter alia*, were: complaints against the Ministers involved in corruption; corruption in the Indore and Bhopal Development Authority and Electricity Board; increase in naxalite activities; and bankruptcy of the State Government.

The leave of the House was granted on 4 August 1998. It was taken up for debate on 5 August 1998 and the debate continued for three days.

Initiating the debate, the Leader of the Opposition Shri Vikram Verma charged the Government with failure on all fronts. He criticised the Government for pushing the State into a debt trap and said all development works had come to a standstill. The Plan outlay was being diverted for non-plan expenditure. He also deplored the conditions of the roads in the State pointing out that the capacity of roads had been less than the national average.

Participating in the debate, the Chief Minister Shri Digvijay Singh said that the Government was guided by the principle of probity in public life and had maintained transparency in all policy decisions so as to safeguard the interests of the State and its people. Unless all political parties unitedly fought corruption, the menace could

not be eradicated from society. Transparency, simplification of existing rules and introduction of the right to information would help in minimizing corruption.

In the three-day long debate lasting eighteen and a half hours, 58 members took part. The motion was negatived by voice vote.

Eleventh Legislative Assembly (1998-2003)

The Congress(I) was returned to power in the elections held in November 1998 by winning 173 seats in the 320-member House. The BJP secured 120 seats and the remaining seats were bagged by other parties and Independents. (Subsequently, the strength of the Assembly was reduced to 230 following the formation of the State of Chhattisgarh on 1 November 2000).

Shri Digvijay Singh was sworn in as the Chief Minister for the second time on 1 December 1998. In his second tenure, Shri Digvijay faced one Motion of No-confidence which was negatived.

Motion of No-confidence

A motion expressing want of confidence in the Council of Ministers was moved by the Leader of the Opposition Dr. G.S. Shejwar (BJP) on 22 July 2002 for which leave of the House was granted on 16 July 2002. It was debated on 22, 23 and 24 July.

Initiating the debate, Dr. Shejwar said that the Government had a track record of making tall promises, but the situation at the ground level remained dismal. The Government had gone bankrupt and had been put in the reverse gear as was evident from the miserable power situation, inadequate water supply and deteriorating road conditions in the State.

Participating in the debate, the Chief Minister, Shri Digvijay Singh, while refuting all the charges levelled against his Government, said that the motion lacked substance and was politically motivated. He said it was not the people, but the BJP members who did not have confidence in the Government. Shri Singh said that most of the charges levelled against his Government were a repetition of the earlier charges which had already been denied in the House on previous occasions. He also clarified to the House the position with regard to the charges levelled by the Leader of the Opposition in respect of power supply and the condition of roads.

In all, 40 members took part in the debate lasting 16 hours and 53 minutes. The motion was, thereafter, negatived by voice vote.

No Motion of Confidence or No-confidence has till date been taken up in the Twelfth Legislative Assembly.

Motions of No-confidence in the Madhya Pradesh Legislative Assembly - An Analysis

The Madhya Pradesh Legislative Assembly has so far taken up 26 Motions of

No-confidence against different Councils of Ministers. All the motions were negated. The House has not taken up any Motion of Confidence till date.

Assembly-wise, the Third and the Seventh Legislative Assemblies took up 5 Motions of No-confidence each followed by the Fourth Legislative Assembly which took up 4 motions. The Second, Fifth, Eighth, Ninth and Tenth Legislative Assemblies took up two motions each, while the Sixth and the Eleventh Legislative Assemblies debated one Motion of No-confidence each. The Twelfth Legislative Assembly is yet to take up any Motion of Confidence or No-confidence. Table 1 gives statistical details of the motions admitted and debated in each Assembly.

Table 2 gives information pertaining to the motions admitted and discussed during the tenures of different Speakers. Pandit Kunjilal Dubey who was Speaker for over 10 years presided over the maximum of 7 Motions of No-confidence followed by Shri K.P. Pandey who presided over 4 motions. Speakers Shri Y.D. Sharma and Shri Shrinivas Tiwari presided over three motions each. The other Speakers presided over the debate on one or more motions, except Shri T.L. Tembhare during whose tenure the House did not take up any motion.

Shri R.K. Shukla presided over one Motion of No-confidence on 11 October 1983 when he was Deputy Speaker. Later, as Speaker, Shri Shukla chaired the debate on the motion of 20 October 1984.

Table 3 gives an account of the Motions of No-confidence admitted/debated during the tenure of different Councils of Ministers. Of the 26 motions, Shri Arjun Singh faced the highest number of 5 motions followed by Shri D.P. Mishra who faced 4 motions and Shri Digvijay Singh who faced three motions. All the 5 motions against Shri Arjun Singh's Ministry were moved by Shri Sunderlal Patwa of which one motion was jointly moved with Shri Ramashankar Singh. Shri S.C. Shukla and Shri Kailash Joshi moved 3 motions each.

Table 4 deals with statistical information about the participation of members in the debates on various Motions of No-confidence. It also depicts the time taken and the result of the division.

Participation by Members

All the 26 Motions of No-confidence were taken up for debate in which 524 members took part. The highest number of 58 members took part in the debate of August 1998 while the lowest number of 7 members took part in the debate of April 1966.

Time taken

The debate on the 26 Motions of No-confidence took 213 hours and 41 minutes. The longest duration of eighteen hours and thirty minutes was spent on the three-day debate on the No-confidence Motion of August 1998 followed by the Motion of No-

confidence of July 2002 in which sixteen hours and fifty-three minutes were spent, while the shortest duration of two hours and fifty-three minutes was spent on the debate of 9 August 1962.

In all, 42 days were spent on the debate on the 26 motions. The motions of September 1964, August-September 1965, August 1998 and July 2002 were debated for three days each.

Division

All the 26 Motions of No-confidence were negatived. Of these, the fate of 8 motions was decided by division while the remaining 18 motions were negatived by voice vote. In respect of the 8 motions that were decided by division, the Motion of No-confidence of March 1973 against the Ministry of Shri P.C. Sethi was defeated with the widest margin of 182 votes. The lowest margin was in respect of the Motion of No-confidence against the Govind Narain Singh Ministry in March 1968 which was defeated by 39 votes.

Maharashtra Legislative Assembly

The present State of Maharashtra came into being on 1 May 1960. The administrative evolution of the State of Maharashtra is the outcome of the linguistic reorganization of the States of India in 1956. The State was formed by bringing together all contiguous Marathi-speaking areas which previously belonged to four different administrative hegemonies - the district between Daman & Goa that formed part of the original British Bombay Province; five districts of the Nizam's dominion of Hyderabad; eight districts in the south of the Central Provinces (Madhya Pradesh); and a sizeable number of native-ruled State enclaves lying enclosed within the above areas, which later merged with the adjoining districts.

The genesis and growth of the Maharashtra Legislature synchronise with the constitutional development in India. Till the Charter Act of 1833, the Governor-in-Council of Bombay could make regulations and ordinances for the good government of factories or territories at first acquired in India. The Charter Act of 1833 withdrew this power and vested it in the Governor-General to make laws for the entire country. Under the Charter Act, 1853, the Legislative Council, as distinguished from the Governor-General's Executive Council, was established. This proved to be a forerunner of the Legislative Council which came to be established for the Bombay Presidency under the Indian Councils Act, 1861. However, rigid restrictions were placed upon the powers of the Legislative Councils.

With the passing of the Indian Councils Act of 1892, the powers of the Legislative Councils were liberalized. It also marked a further stage in the development of these bodies as this Act widened the opportunities of non-official members for criticism, suggestion, remonstrance and enquiry.

Subsequently, both the Morley-Minto Reforms of 1909 and the Montague-Chelmsford Reforms of 1919 took the stage of constitutional development still further. The principle of elective representation was for the first time introduced in the Indian Councils. By the Government of India Act of 1919, direct elections were introduced in the Legislatures. Nevertheless, the Governors continued to constitute the real authority in the administration of the Provinces.

The Government of India Act, 1935 which envisaged a federal type of Government gave more powers to the Central and State Legislatures; the control and interference of the Governor-General and the Governors were, to some extent, reduced. In Maharashtra, the Legislative Council was established for the first time after the Government of India Act, 1935 came into force.

The passing of the Indian Independence Act, 1947 saw the transfer of power to the Indian people. Following the reorganization of States on linguistic basis, the State of Bombay was formed in 1956. The Legislative Assembly of the Bombay State consisted of 397 members, including a member nominated to represent the Anglo-Indian community. The bilingual State of Bombay was bifurcated into two new States of Maharashtra and Gujarat in 1960 *vide* the Bombay Reorganisation Act, 1960. The present State of Maharashtra officially came into being on 1 May 1960. Following the bifurcation, of the 396 elected members, 264 members were allotted to Maharashtra and the remaining 132 to Gujarat. The lone nominated member continued to be a member of the Maharashtra Legislative Assembly.

As regards the Legislative Council, while it was decided not to have any Legislative Council for the State of Gujarat, the strength of the Legislative Council of Bombay was reduced from 108 to 78. Thus, the Maharashtra Legislature is bicameral. Under the existing provisions, the Legislative Council can have a maximum number of 96 members though the present strength is 78. The Legislative Assembly has presently 289 members, including one nominated member.

Motion of No-confidence

Rule 95 of the Rules of Procedure and Conduct of Business in the Maharashtra Legislative Assembly provides for a Motion of No-confidence in the Council of Ministers.

A member who desires to move for leave to make a motion expressing want of confidence in the Council of Ministers or a motion disapproving the policy of the Council of Ministers in a particular respect shall give written notice of such motion. If the motion is admitted by the Speaker, leave to make the motion may be asked for on such day not later than two days after it is admitted, if the Assembly is in Session, as the Speaker may appoint, after Questions and before the List of Business for the day is entered upon. Provided that if the notice of such motion is received when the Assembly is not in Session, the leave to make the motion may be asked for on a day not later than two days after the commencement of the Session, as the Speaker may appoint.

After the member has asked for leave of the Assembly to make the motion, the Speaker shall read the motion to the Assembly and request those members who are in favour of leave being granted to rise in their seats, and if not less than 29 members rise accordingly, the Speaker shall intimate that leave is granted and that the motion

will be taken up on such day, not being earlier than three days and more than seven days from the day on which leave is asked, as he may appoint. If less than 29 members rise, the Speaker shall inform the member who has given notice of the motion that he does not have the leave of the Assembly.

Motion of Confidence

The Motion of Confidence is governed by Rule 23 of the Rules of Procedure and Conduct of Business dealing with motions. The rule provides that a matter requiring the decision of the Legislative Assembly shall be decided by means of a question put by the Speaker on a motion made by a member. No motion shall be admissible which does not comply with the following conditions, namely: (a) it shall be clearly and precisely expressed and shall raise one definite issue; (b) it shall not contain arguments, inferences, ironical expressions or defamatory statements; (c) it shall not refer to the conduct or character of any person except in his official or public capacity; and (d) it shall not relate to any matter such as is mentioned in clauses (i), (iv) and (v) of sub-rule (2) of Rule 34 (*i.e.* a member while speaking on the motion must not refer to any matter of fact which is under adjudication by a court of law having jurisdiction in any part of India; reflect upon the conduct of the President as distinct from the Government of India or any Governor as distinct from the State Government; he also must not reflect upon the conduct in the exercise of his or its judicial functions, of any judge or court of law having jurisdiction in any part of India.)

Motions in the Bombay State Legislative Assembly and Maharashtra State Legislative Assembly

In the erstwhile Bombay State Legislative Assembly, one Motion of No-confidence was taken up. In the Maharashtra State Legislative Assembly, 20 motions were discussed. Of these, 7 were Confidence Motions. The number of Motions of No-confidence taken up by the Maharashtra Legislative Assembly is 13. Three other Motions of No-confidence, though admitted, were not taken up by the House.

For statistical information pertaining to these 21 motions taken up by the House, see Tables 1 to 4. A graphical presentation of the motions is available in Graphs I, II and III. Tables 5 and 6, respectively, list the Governors and Chief Ministers of Bombay / Maharashtra.

Motion in the Bombay State Legislative Assembly (1952-1960)

In the elections to the Bombay Legislative Assembly held in March 1952, the Congress Party won 269 out of the 315 seats. The Peasants and Workers Party (PWP) won 14 seats and the remaining seats were won by others.

Shri B.G. Kher's Government resigned on 16 April 1952 and a new Congress Ministry headed by Shri Morarji Desai was sworn in on 17 April 1952.

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Bombay State Legislative Assembly			
First Legislative Assembly	1952 - 1957	1	-
Second Legislative Assembly	1957 - 1960	-	-
Maharashtra State Legislative Assembly*			
First Legislative Assembly	1960 - 1962	1	-
Second Legislative Assembly	1962 - 1967	2	-
Third Legislative Assembly	15.03.1967 - 15.03.72	5	-
Fourth Legislative Assembly	22.03.1972 - 13.03.1978	4\$	-
Fifth Legislative Assembly	17.03.1978 - 17.02.1980**	1@	-
Sixth Legislative Assembly	29.06.1980 - 11.01.1985	1***	1
Seventh Legislative Assembly	20.03.1985 - 20.03.1990	1	-
Eighth Legislative Assembly	21.03.1990 - 22.03.1995	1	-
Ninth Legislative Assembly	24.03.1995 - 19.10.1999	-	3
Tenth Legislative Assembly	11.10.1999 - till date	-	3
Total		17	7

* The State of Maharashtra was formed on 1 May 1960.

\$ One motion was later withdrawn by the mover.

@ Speaker ruled that motion had lapsed as no member was there to move the motion.

** President's Rule was imposed and the Assembly was dissolved simultaneously on 17.2.1980. Elections were held to the Assembly in May 1980.

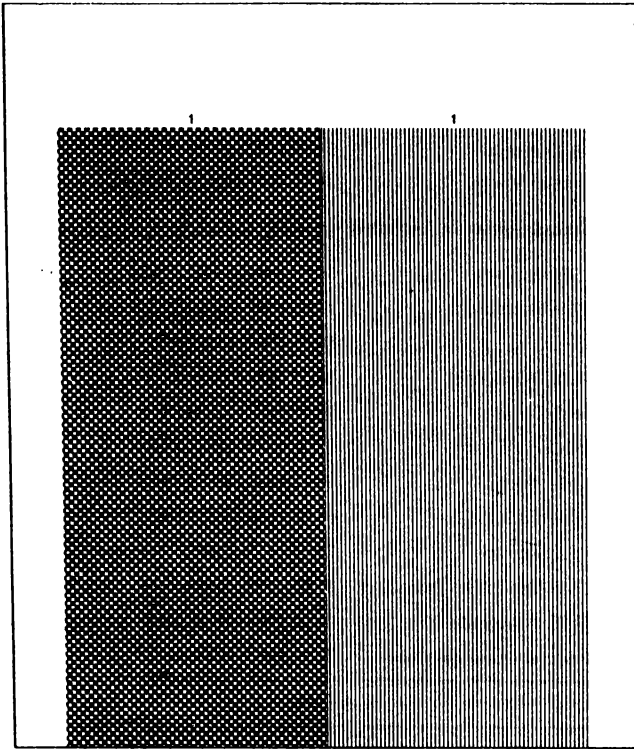
*** As the mover was absent, the motion fell through.

Table 2

**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1952-2003)**

<i>Sl. No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Bombay State Legislative Assembly				
1.	Shri K.D. Kunte	05.05.1952 - 31.10.1956	1	-
2.	Shri Sayaji Silam	21.11.1956 -01.05.1960	-	-
Maharashtra State Legislative Assembly				
1.	Shri Sayaji Silam	01.05.1960 - 12.03.1962	1	-
2.	Shri T.S. Bharade	17.03.1962 - 13.03.1967 15.03.1967- 15.03.1972	7	-
3.	Shri S.K. Wankhede	22.03.1972 - 20.04.1977	3	-
4.	Shri B.S. Desai	04.07.1977 - 13.03.1978	1	-
5.	Shri Shivraj V. Patil	17.03.1978 - 06.12.1979	1	-
6.	Shri P.H. Vora	01.02.1980 - 29.06.1980	-	-
7.	Shri Sharad S. Dighe	02.07.1980 - 11.01.1985	1	1
8.	Shri S.C. Jagtap	20.03.1985 - 20.03.1990	1	-
9.	Shri Madhukar D. Choudhari	21.03.1990 - 22.03.1995	1	-
10.	Shri D.S. Nalawade	24.03.1995 - 19.10.1999	-	3
11.	Shri Arunlal G. Gujarathi	22.10.1999 - till date	-	3
Total			17	7

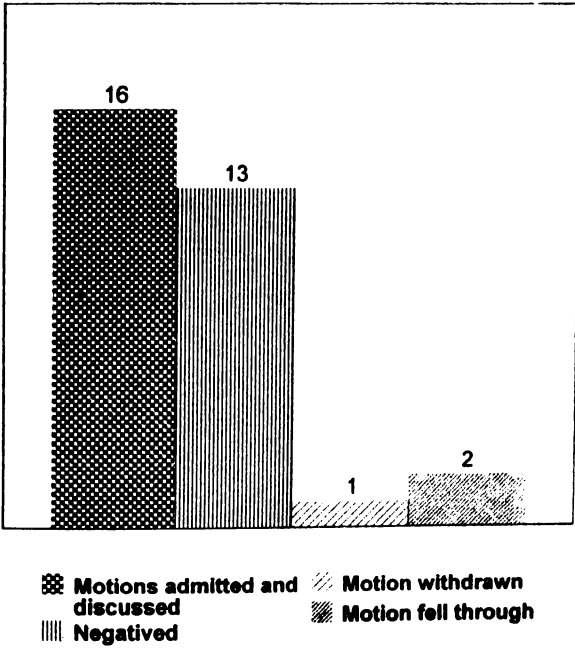
Graph I
NCMs in Bombay State Legislative Assembly
(1952 - 1960)



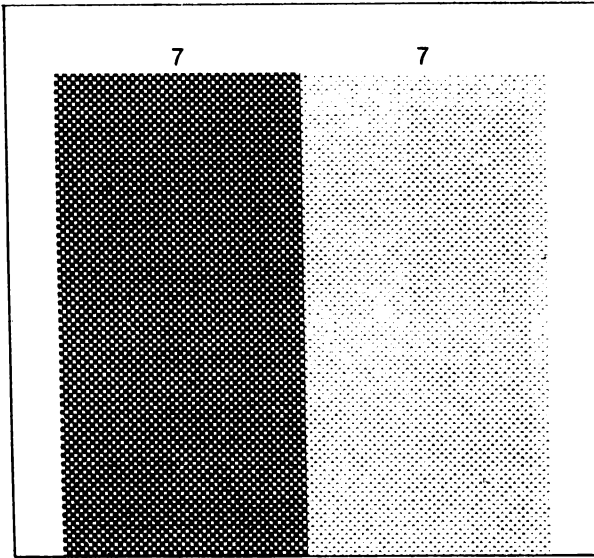
⊗ Motions admitted and discussed |||| Negated

No Motion of Confidence was taken up in the Bombay State Legislative Assembly.

Graph II
NCMs in Maharashtra Legislative Assembly
(1960 - 2003)



Graph III
CMs in Maharashtra Legislative Assembly
(1960-2003)



■ Motions admitted and discussed **□ Adopted**

Table 3

**NCMs against/CMs in the Council of Ministers
(1952-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Bombay State Legislative Assembly					
Morarji Desai (First Legislative Assembly)	Congress 269/315 (85.51%)	NCM	Naushir C. Bharucha and others (19)	(09.10.1956) 15.10.1956 16.10.1956 08.35	Negatived Ayes - 33 Noes - 234
Maharashtra State Legislative Assembly					
Y.B. Chavan (First Legislative Assembly)	Congress 233/396 (58.8%)	NCM	R.D. Bhandare & others (16)	(04.12.1961) 04.12.1961 06.00	Negatived Ayes - 47 Noes - 142 Abaten- tions - 33
M.S. Kannamwar (Second Legislative Assembly)	Congress 215/264 (81.3%)	NCM	P.D. Rahangdale & others (39)	(02.09.1963) 09.09.1963 10.09.1963 11.09.1963 12.09.1963 18.06	Negatived Ayes - 36 Noes - 187
V.P. Naik (second Legislative Assembly)	Congress	NCM	K.N. Dhulup & others (27)	(21.07.1964) 27.07.1964 28.07.1964 11.32	Negatived Ayes - 32 Noes - 182
V.P. Naik (Third Legisla- tive Assembly)	Congress 202/270 (74%)	NCM	-do- (29)	(21.11.1967) 21.11.1967 22.11.1967 23.11.1967	Negatived Ayes - 46 Noes - 144

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
-do-	-do-	NCM	-do- (29)	(03.04.1968) 11.04.1968 12.04.1968 08.30	Negated Ayes - 52 Noes - 177
-do-	Congress	NCM	-do- (5)	(30.04.1970) 06.05.1970 07.05.1970 08.00	Negated Ayes - 42 Noes - 154
-do-	Congress	NCM	-do- (10)	(04.08.1970) 10.08.1970 11.08.1970 08.24	Negated Ayes - 48 Noes - 177
-do-	Congress	NCM	-do- (34)	(11.10.1971) 11.10.1971 05.00	Negated Ayes - 40 Noes - 133
V.P. Naik (Fourth Legislative Assembly)	-do- 222/270 (82%)	NCM	D.B. Patil & others (27)	(20.11.1972) 21.11.1972 22.11.1972 23.11.1972 08.02	Negated by voice vote
-do-	Congress	NCM	-do- (6)	(27.03.1973) 31.03.1973 02.05	Negated by voice vote
-do-	-do-	NCM	-do- (3)	(07.09.1973) 03.20	With- drawn by the mover
Vasantrao Patil (Fourth Legislative Assembly)	Congress	NCM	G.A. Deshmukh & others (35)	(04.08.1977) 09.08.1977 10.08.1977 11.08	Negated

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Sharad Pawar (Fifth Legislative Assembly)	PDF 131/289 (45.3%)	NCM	Pratibha Patil & others (15)	(10.08.1979) 02.34	Motion lapsed
A.R. Antulay (Sixth Legislative Assembly)	Congress(I) 186/289 (64.3%)	NCM	Nihal Ahmed	(01.12.1981)	The motion fell through
do-	Congress(I)	CM	D.S. Desai (2)	18.12.1981 02.00	Adopted
Sharad Pawar (Seventh Legislative Assembly)	Congress(I) 162/289 (56%)	NCM	Mrinal Gore & others (31)	(04.08.1989) 10.08.1989 08.00	Negated Ayes - 48 Noes - 118
-do- (Eighth Legislative Assembly)	Congress(I) 142/289 (49%)	NCM	Gopinath Munde & others (38)	(28.11.1994) 28.11.1994 07.49	Negated Ayes - 80 Noes - 152
Manohar Joshi (Ninth Legislative Assembly)	Shiv Sena, BJP 138/289 (47.7%)	CM	Gajanan Kirtikar	25.03.1995 01.00	Adopted by voice vote
-do-	Shiv Sena, BJP	CM	Ramesh Chandra Bang and others	07.12.1995 00.15	Adopted Ayes- 182 Noes- 0
Narayan Rane	Shiv Sena, BJP	CM	Bhaskar Jadhav & others	17.02.1999 00.30	Adopted by voice
Vilasrao Deshmukh (Tenth Legislative Assembly)	Democratic Front 151/289 (52.2%)	CM	Satish Chaturvedi & others	23.10.1999 00.15	Adopted by voice vote

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
-do-	-do-	CM	Rohidas Patil	13.06.2002 00.15	Adopted Ayes-143 Noes-133
Sushil Kumar Shinde (Tenth Legislative Assembly)	-do-	CM	Rohidas Patil	22.01.2003 00.10	Adopted by voice vote

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
K.D. Kunte	NCM	Morarji Desai	Naushir C. Bharucha & others	15.10.1956 16.10.1956	19	08.35	16.10.1956	33	234	Negativd
S.L. Silam	NCM	Y.B. Chavan	R.D. Bhandare	04.12.1961	16	06.00	04.12.1961	47	142	Negativd
T.S. Bharade	NCM	M.S. Kannamwar	P.D. Rahangdale & others	09.09.1963 10.09.1963 11.09.1963 12.09.1963	39	18.06	12.09.1963	36	187	Negativd
-do-	NCM	V.P. Naik	K.N. Dhulap & others	27.07.1964 28.07.1964	27	11.32	28.07.1964	32	182	Negativd
-do-	NCM	-do-	-do-	21.11.1967 22.11.1967 23.11.1967	29	-	23.11.1967	46	144	Negativd

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	NCM	-do-	K.N. Dhulap & others	11.04.1968 12.04.1968	29	08.30	12.04.1968	52	177	Negatived
-do-	NCM	-do-	-do-	06.05.1970 07.05.1970	5	08.00	07.05.1970	42	154	Negatived
-do-	NCM	-do-	-do-	10.08.1970 11.08.1970	10	08.24	11.08.1970	48	177	Negatived
-do-	NCM	-do-	-do-	11.10.1971	34	05.00	11.10.1971	40	133	Negatived
S.K. Wankhede	NCM	-do-	D.B. Patil & others	21.11.1972 22.11.1972 23.11.1972	27	08.02	23.11.1972	-	-	Negatived by voice vote
-do-	NCM	-do-	-do-	31.03.1973	6	02.05	31.03.1973	-	-	Negatived by voice vote
-do-	NCM	-do-	-do-	07.09.1973	3	03.20	-	-	-	Withdrawn by the mover

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
B.S. Desai	NCM	Vasantrao Patil	G.A. Deshmukh & others	09.08.1977 10.08.1977	35	11.08	10.08.1977	-	-	Negatived
Shivraj V. Patil	NCM	Sharad Pawar	Pratibha Patil and others	10.08.1979	15	02.34	10.08.1979	-	-	Motion lapsed.
S.S. Dighe	NCM	A.R. Antulay	Nihal Ahmed	01.12.1981	-	-	-	-	-	Motion fell through
-do-	CM	-do-	D.S. Desai	18.12.1981	2	02.00	18.12.1981	-	-	Adopted
S.C. Jagtap	NCM	Sharad Pawar	Mirnal Gore & others	10.08.1989	31	08.00	10.08.1989	48	118	Negatived
Madhukar D. Choudhari	NCM	-do-	Gopi- nath Munde & others	28.11.1994	38	07.49	28.11.1994	80	152	Negatived
D.S. Nalawade	CM	Manohar Joshi	Gajanan Kirtikar	25.03.1995	-	01.00	25.03.1995	-	-	Adopted by voice vote

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
-do-	CM	-do-	Ramesh Chandra Bang	07.12.1995	-	00.15	07.12.1995	182	0	Adopted
-do-	CM	Narayan Rane	Bhaskar Jadhav and others	17.02.1999	-	00.30	17.02.1999	-	-	Adopted by voice vote
Arunlal Gujarathi	CM	Vilasrao Deshmukh	Satish Chaturvedi & others	23.10.1999	-	00.15	23.10.1999	-	-	Adopted by voice vote
-do-	CM	-do-	Rohidas Patil	13.06.2002	-	00.15	13.06.2002	143	133	Adopted
-do-	CM	Sushil Kumar Shinde	-do-	22.01.2003	-	00.10	22.01.2003	-	-	Adopted by voice vote

Table 5

Governors of Bombay State/Maharashtra State

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Raja Maharaj Singh	07.01.1948 - 29.05.1952
2.	Shri G.S. Bajpai	30.05.1952 - 01.02.1953 22.02.1953 - 05.12.1954
3.	Shri M.M. Pakvasa (Acting)	05.12.1954 - 02.03.1955
4.	Dr. Harekrushna Mahtab	02.03.1955 - 14.10.1956
5.	Shri M.C. Chagla (Acting)	14.10.1956 - 10.12.1956
6.	Shri Sri Prakasa	10.12.1956 - 16.04.1962
7.	Shri P. Subbarayan	17.04.1962 - 06.10.1962
8.	Shri H.K. Chainani (Acting)	06.10.1962 - 27.11.1962
9.	Smt. Vijayalakshmi Pandit	28.11.1962 - 08.10.1964
10.	Shri M.M. Pakvasa (Acting)	08.10.1964 - 13.11.1964
11.	Dr. P.V. Cherian	14.11.1964 - 08.11.1969
12.	Shri S.P. Kotwal (Acting)	09.11.1969 - 25.02.1970
13.	Shri Ali Yawar Jung	26.02.1970 - 11.12.1976
14.	Justice R.M. Kantawala (Acting)	12.12.1976 - 29.04.1977
15.	Shri Sadiq Ali	30.04.1977 - 02.11.1980
16.	Air Chief Marshal (Retd.) O.P. Mehra	03.11.1980 - 05.03.1982
17.	Air Chief Marshal (Retd.) I.H. Latif	06.03.1982 - 16.04.1985
18.	Justice K.M. Reddi (Acting)	17.04.1985 - 30.05.1985
19.	Shri K. Prabhakar Rao	30.05.1985 - 02.04.1986
20.	Dr. Shanker Dayal Sharma	03.04.1986 - 02.09.1987
21.	Justice S.K. Desai (Acting)	03.09.1987 - 05.11.1987
22.	Justice C. Mookerjee (Acting)	06.11.1987 - 20.02.1988
23.	Shri K. Brahma nanda Reddy	20.02.1988 - 18.01.1990
24.	Shri C. Mookerjee (Temp.)	19.01.1990 - 14.02.1990
25.	Shri C. Subramaniam	15.02.1990 - 07.01.1993
26.	Dr. Sarup Singh (Gujarat Governor) (Add. Charge)	08.01.1993 - 11.01.1993
27.	Dr. P.C. Alexander	12.01.1993 - 13.07.2002
28.	Justice C.K. Thakkar (Acting)	13.07.2002 - 10.10.2002
29.	Shri Mohammed Fazal	10.10.2002 - till date

Table 6

Chief Ministers of Bombay State/Maharashtra State

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Bal Gangadhar Kher	03.04.1946 - 16.04.1952
2.	Shri Morarji Desai	17.04.1952 - 31.10.1956
3.	Shri Y.B. Chavan	01.11.1956 - 11.04.1957 12.04.1957 - 30.04.1960 01.05.1960 - 20.11.1962
4.	Shri M.S. Kannamwar	21.11.1962 - 25.11.1963
5.	Shri P.K. Sawant	25.11.1963 - 04.12.1963
6.	Shri V.P. Naik	05.12.1963 - 20.02.1975
7.	Shri S.B. Chavan	21.02.1975 - 16.04.1977
8.	Shri Vasanttrao Patil	17.04.1977 - 06.03.1978 07.03.1978 - 17.07.1978
9.	Shri Sharad Pawar	18.07.1978 - 17.02.1980
	President's Rule	17.02.1980 - 09.06.1980
10.	Shri A.R. Antulay	09.06.1980 - 19.01.1982
11.	Shri B.A. Bhonsle	20.01.1982 - 01.02.1983
12.	Shri Vasanttrao Patil	02.02.1983 - 10.03.1985 10.03.1985 - 02.06.1985
13.	Shri S.B. Patil (Nilangekar)	03.06.1985 - 13.03.1986
14.	Shri S.B. Chavan	14.03.1986 - 24.06.1988
15.	Shri Sharad Pawar	25.06.1988 - 03.03.1990 04.03.1990 - 25.06.1991
16.	Shri S.R. Naik	25.06.1991 - 05.03.1993
17.	Shri Sharad Pawar	06.03.1993 - 13.03.1995
18.	Shri Manohar Joshi	14.03.1995 - 31.01.1999
19.	Shri Narayan Rane	01.02.1999 - 17.10.1999
20.	Shri Vilasrao Deshmukh	18.10.1999 - 17.01.2003
21.	Shri Sushil Kumar Shinde	18.01.2003 - till date

Motion of No-confidence

A Motion of No-confidence was taken up by the Bombay Legislative Assembly in October 1956. Earlier, notices of three motions were disposed of by the Speaker for want of requisite support for the leave to be granted. One other notice of Motion of No-confidence by Shri S.M. Joshi and Shri D.A. Deshmukh was received in September 1956 but the same was also disallowed. On 9 October 1956, the Speaker announced in the Legislative Assembly of having received a notice from Shri Naushir C. Bharucha and eleven others for leave to move a motion under Rule 76 of the Bombay Legislative Assembly Rules.

Shri Bharucha, who was permitted by the Speaker, then moved the motion that the House had no confidence in the Government as it had failed to institute a judicial inquiry into the police firings during the agitation for the formation of the Samyukta Maharashtra and Maha Gujarat, in which nearly 125 citizens were killed. The motion further stated that the Government had continued to deprive certain citizens of their civil liberties by unnecessarily detaining them under the Preventive Detention Act, 1950. The motion was then proposed.

The Chief Minister Shri Morarji Desai pointed out that a Motion of No-confidence fell through earlier because it did not get the necessary permission and the other motions also had similarly fallen through. The present motion, he said, was practically brought in on the same ground.

In reply, Shri Bharucha, while quoting Rule 40 (2), said that the words "same question" in the said rule required to be thoroughly appreciated. The moving of a No-confidence Motion was not a question as it was a procedure for raising certain issues. He further said that when we say that a particular censure motion was moved, the mere fact of the censure motion being moved was not a question by itself. The question was what was raised in the censure motion. In the present motion, two very specific matters had been mentioned. The first was the failure to initiate an inquiry and the second was the continued wrongful detention of certain people. Therefore, it could not be said that the motions were substantially the same, Shri Bharucha added.

In his ruling, the Speaker Shri D.K. Kunte said that it would not be proper to say that Rule 40 would prejudice a No-confidence Motion. He further held that the present motion was substantially different from the earlier ones and the issue of judicial enquiry into police firings was a new issue not covered in the earlier motions. After giving his ruling, the Speaker, as per Rule 76, which required him to find out the number of members favouring the motion, asked those members favouring grant of leave to rise in their seats. As 44 members rose in their seats, which was more than the number required under the rule, leave was granted.

On 15 October 1956, Shri Bharucha moved his motion. However, before that, the Speaker Shri Kunte asked members to be very careful in offering their remarks while referring to the latter part of the motion, since the detention of certain persons was a question before the High Court. Even if one member was to commit contempt of court, the Speaker observed, it would be not merely contempt of court by the member but by the whole House.

Initiating the debate, Shri Bharucha said that this was the first time in the Legislative Assembly that a No-confidence Motion had to be moved against the Government. Members felt deeply at the grievous loss of life when the Government mishandled the situation arising out of the States' reorganization. Citing the reasons for bringing the motion, he said that when the Government did not want to institute a judicial enquiry, there was no other forum for the public to ventilate their grievance except the Legislative Assembly and it was necessary that the public at large should know what their representatives were doing. Referring to the loss of 125 lives in the police firing, Shri Bharucha observed that an enquiry was essential because apart from legal responsibility, a moral responsibility and sacred duty devolved upon the Government to justify why the police had massacred 125 citizens and wounded many more.

Replying to the debate, the Chief Minister Shri Morarji Desai said that the Government could not remain passive against violence. Referring to the demands for the resignation of his Ministry for the firings and also for not holding any inquiry, Shri Desai said that all the firings in Bombay city and also in Ahmedabad and in other areas in Gujarat during the States' reorganization troubles were made only after mobs had collected on the streets and had committed violence. He further said that the Government, in all such cases, acted in a legal manner and the position of the Government differed from that of violent crowds and mobs as its job was meant to control them. It was for this reason that the police force was maintained for which grants were sanctioned by the House itself. Quoting Section 100 of the Indian Penal Code, 1860, Shri Desai said police acted in self-defence.

In all, 19 members participated in the two-day debate spanning 8 hours and 35 minutes. The motion was defeated with 33 members favouring it and 234 members voting against it.

In the elections held in 1957, the Congress Party was returned to power, securing 233 seats in the 396-member House. The PSP won 36 seats. The remaining seats, except four seats for which elections were to be held later, were won by others.

A new Ministry led by Shri Y.B. Chavan was sworn in by the Governor Shri Sri Prakasa on 12 April 1957.

First Legislative Assembly of the State of Maharashtra (1960-1962)

Following the bifurcation of the bilingual Bombay State, the State of Maharashtra came into being on 1 May 1960. In the First Legislative Assembly of the Maharashtra State, one Motion of No-confidence was taken up.

In December 1961, a notice for moving a Motion of No-confidence was given by Shri R.D. Bhandare, (Samyukta Maharashtra Samiti) [Rep.P] and other MLAs against the Chavan Ministry. The grounds for bringing the motion were the failure of the Council of Ministers to create suitable conditions and atmosphere to enable the holding of a free and impartial inquiry into the failure of the Panshet and Khadakwasla dams, inasmuch as it deliberately and in a calculated manner interfered with the smooth working of the late Shri R.S. Bavadekar's one-man Commission appointed to inquire into the failure of these dams; it had failed to provide reliable and impartial staff to the Bavadekar Commission; it had also failed to take prompt measures to remove difficulties pointed out by Shri Bavadekar which resulted in his resignation; it had purposefully kept the public in the dark about the resignation for several days; and it had failed to institute an immediate inquiry into the grievances made by Shri Bavadekar.

The leave of the House was granted on 4 December 1961 and the motion was taken up for discussion on the same day. The Leader of the Opposition, Shri R.D. Bhandare, accused the Government of letting down Shri Bavadekar in order to shield certain Government officials. He said the Government had failed to provide impartial staff to the Bavadekar Commission.

In his reply, the Chief Minister Shri Y. B. Chavan said that in a democracy, when a particular method of inquiry had been accepted by all, one had to wait till that was over and one should be prepared to accept its findings and the verdict. The collapse of the Panshet dam, he said, was a great disaster, but the death of Shri Bavadekar was a greater disaster. It was unfortunate that a man appointed to remove certain suspicions should himself die in a suspicious manner. Shri Chavan further said that Shri Bavadekar gave his letter of resignation in which he had expressed certain suspicions on 13 October 1961. He was asked to enquire into them. How could anybody be held guilty, Shri Chavan asked, unless a *prima facie* case was established against him? Shri Bavadekar had never made any charge against his staff, he added.

16 members participated in the one-day debate lasting six hours. The motion was declared lost by 142 votes to 47 with 33 abstentions. The 26-member PSP group and seven members of the Republican Party abstained from voting, while four members of the Jan Sangh staged a walk-out in protest against the Speaker's ruling restricting the scope of the speeches during the discussion.

During the same Session, another notice of Motion of No-confidence was received from Shri K.N. Dhulup; the same was, however, disallowed by the Speaker.

Second Legislative Assembly (1962-1967)

In the elections to the Maharashtra Legislative Assembly held in 1962, the Congress Party won 215 seats in the 264-member House and the remaining seats were shared by others. Shri Y.B. Chavan once again became the Chief Minister. Shri Chavan resigned as Chief Minister on 19 November 1962. Shri M.S. Kannamwar, who was elected Leader of the Congress Legislature Party, was sworn in as the next Chief Minister on 21 November 1962. The Second Legislative Assembly took up two Motions of No-confidence, one against the Ministry of Shri Kannamwar and the other one against his successor Shri V.P. Naik.

First Motion of No-confidence

Within a year of assuming the office of Chief Minister, Shri Kannamwar faced a Motion of No-confidence. The notice for the motion expressing want of confidence in the Council of Ministers given by Shri P.D. Rahangdale and other members was received during the Second Session of the Legislative Assembly in September 1963. The leave of the House was granted on 2 September 1963 as 38 members stood in support of the motion and it was taken up for debate on 9 September 1963.

Initiating the debate, Shri Rahangdale said that he was distressed and hesitant to bring the motion at this juncture when the nation and the State were passing through turbulent times. However, he was compelled to bring it as not doing so would amount to a betrayal of the people. Despite such a serious situation affecting the nation and the State, wasteful expenditure was being incurred. He alleged that corruption was rampant in the administration. Everybody, he felt, should get food, clothing and education and till this was achieved, the confidence of the people could not be gained.

Replying to the four-day debate, the Chief Minister Shri Kannamwar said that the motion was a result of the sense of frustration now prevailing among the Opposition parties. The Government, he declared, was doing everything for the people and would continue to do so. Denying the Opposition's allegation that his was a one-party rule, the Chief Minister pointed out that in several fields the Government was seeking as well as taking the active co-operation of various political parties. The primary need of the State was rapid industrialization and it was necessary, therefore, that a proper atmosphere be created, Shri Kannamwar added.

The debate on the motion was held for four days, *i.e.* 9, 10, 11 and 12 September 1963 spanning eighteen hours and six minutes in which 39 members took part. The motion was lost as 36 members voted in favour and 187 voted against it.

There was a change of leadership in the State following the demise of Chief Minister Shri M.S. Kannamwar on 25 November 1963. Shri V.P. Naik, who was

elected on 1 December 1963 as the Leader of the Congress Legislature Party, was sworn in as the Chief Minister on 5 December 1963. During his tenure which lasted till February 1975, Shri Naik faced eight Motions of No-confidence, including one which was withdrawn.

Second Motion of No-confidence

On 21 July 1964, a member Shri K.N. Dhulup [SMS (P&W)] sought the leave of the House to move a Motion of No-confidence against the eight-month-old V.P. Naik Ministry for its abject failure to tackle the food situation in the State and also to hold the price-line at a reasonable level. The motion was tabled jointly by nine members of the Opposition. As 36 members rose in support of the motion, leave was granted on the same day. The Speaker Shri T.S. Bharade fixed 27 and 28 July 1964 for discussion and disposal of the motion.

Initiating the debate on 27 July 1964, Shri Dhulup accused the Government of shielding traders, and criticized the Government's failure in addressing the State's food shortage and its ineffective efforts to procure supplies from the Centre and the surplus States.

The Chief Minister, Shri V.P. Naik, while replying to the two-day long debate, rebutted the charges levelled against his Government by the Opposition. He also enumerated the measures taken by the Government on various fronts and in particular on the food situation. He attributed the dock workers' strike and inadequate storage facilities and other factors for the on-going food crisis. The Government had undertaken major and minor irrigation projects which would be completed by the end of the Third Five-Year Plan. The Government proposed to give short-term and long-term loans to the farmers. He also assured that a State Trading Corporation would be set up. The Chief Minister welcomed the suggestions made by the members and sought their cooperation in overcoming the food crisis.

The motion, debated for two days on 27 and 28 July 1964, lasted 11 hours and 32 minutes in which 27 members participated. The motion was lost by 32 votes to 182.

Subsequently, four more notices of Motions of No-confidence were received during the period 1965-1969; however, all of them were disallowed by the Speaker.

Third Legislative Assembly (1967-1972)

In the elections to the Third Legislative Assembly held in 1967, the ruling Congress Party secured an absolute majority by winning 202 seats in the House of 270. Shri V.P. Naik was re-elected leader of the Congress Legislature Party and was sworn in again as Chief Minister on 6 March 1967.

In the Third Legislative Assembly, five Motions of No-confidence were moved against the V.P. Naik Ministry and debated.

First Motion of No-confidence

The notice for moving a Motion of No-confidence was given by Shri K.N. Dhulup and two others against the V.P. Naik Ministry in the matter of the Maharashtra-Mysore border issue on 21 November 1967. The Deputy Speaker who was in the Chair announced that considering the feelings of all members, the motion would be taken up on the same day by suspending the concerned rule. Shri Dhulup initiated the debate on the motion and said that the Government had committed contempt of the Legislative Assembly in the matter of the Maharashtra-Mysore border issue. The border issue had been pending since long, as the Government had given approval to the unprincipled arbitration of the Mahajan Commission which had subsequently tarnished the image of Maharashtra. The Government had failed to adopt necessary measures in this regard. He further said that he had given the said Motion of No-confidence as he felt that the Government was accountable for the plight of the people of Maharashtra. The debate on the motion continued on 22 and 23 November 1967 as well.

Replying to the debate on 23 November 1967, the Chief Minister, Shri V.P. Naik stated that it was necessary to set up an appropriate machinery to solve the border problem. Accordingly, the Union Government had appointed the Mahajan Commission. The Union Government would take a decision after considering the report of the Commission which would be tabled in the Parliament also. Hence, it could be said that no contempt of the House had been made by the Government in this regard. This Commission could not be called as unprincipled since it was clearly mentioned at the time of appointing it that the Commission should make recommendations on four specific issues. It would be more appropriate to obtain justice by putting this matter before the Parliament.

In all, 29 members participated in the three-day debate. The motion was declared lost with 46 members voting in favour and 144 members voting against it.

Second Motion of No-confidence

The notice for moving the second Motion of No-confidence was given by Shri K.N. Dhulup and four others on 3 April 1968. On the same day, the Deputy Speaker, Shri K.T. Girme, who was in the Chair, admitted the motion as 43 members stood in support as against 35 members required as per rule. The Deputy Speaker fixed 9 and 10 April 1968 for deliberating the motion. However, it was taken up only on 11 and 12 April 1968.

Initiating the debate on 11 April 1968, Shri Dhulup raised two issues - one relating to FEDCO and the other on the lathi-charge on the students of the Government medical college, Nagpur. He criticized the Government stand on the issue of lathi charge on the students who had gone to meet the University authorities with genuine

demands. He pointed out that though Ministers, including the Health Minister, had visited Nagpur, they did not bother to meet the agitating medical students. He also demanded a magisterial inquiry into the entire incident. As regards FEDCO in which there were allegations of financial irregularities and misappropriation of funds by its Directors, Shri Dhulup criticized the Government's approach to such misuse of power. Though some Directors of FEDCO were convicted for committing fraud on the common man, the Government had released them on parole on medical grounds without bothering to verify the claims of ill-health.

Participating in the debate, the Chief Minister Shri V.P. Naik said the genuine demands of the students would be looked into. He also assured the House that there would not be any victimization of the students. Referring to the FEDCO issue, Shri Naik justified the Government's action in releasing the Directors on parole on medical grounds. He, however, assured the House that the issue would be reviewed if medical certificates were proved to be wrong.

In all, 29 members participated in the two-day debate lasting eight hours and thirty minutes. The motion was declared lost with 52 members voting in favour and 177 members voting against it.

Third Motion of No-confidence

The motion was tabled by the Leader of the Opposition Shri K.N. Dhulup and five other Opposition members on 30 April 1970; the leave of the House was granted on the same day. The Speaker Shri T.S. Bharade fixed 6 and 7 May 1970 for discussing the motion.

In the course of the debate, the Opposition, while criticizing the Government for the law and order situation, accused it of not taking any action to control the breakdown of law and order in the State.

Intervening in the debate, the Chief Minister, Shri V.P. Naik said that the motion was meant to tarnish the name of the Government and some Ministers. He refuted the charge that there was breakdown of law and order.

The motion was debated for two days on 6 and 7 May 1970 and lasted eight hours. In all, 5 members participated in the debate. In the voting held thereafter, while 154 members voted against, 42 members voted in favour of the motion. The motion was declared lost.

Fourth Motion of No-confidence

In August 1970, a notice of Motion of No-confidence against the Council of Ministers headed by Shri V.P. Naik was received from the Leader of the Opposition Shri K.N. Dhulup and others. 53 members stood in support of the motion. As the motion was in conformity with Rule 93, the Speaker Shri T.S. Bharade admitted it on 4 August 1970 and fixed 10 and 11 August for discussion.

Initiating the debate, Shri Dhulup said that the Government had failed to solve the problems of the people arising out of the communal riots in Maharashtra and also the Maharashtra-Mysore border issue. Hence, the Government had no alternative but to resign.

Participating in the discussion, some members of the Opposition pointed out that apart from failing to solve the communal riots and the border issue, the Government had also failed in providing land to the landless people in the State.

Replying to the debate, the Chief Minister said that the Government had left no stone unturned in pursuing the matter of solving the border issue with the Prime Minister and the Parliament. As regards communal riots, he said that an enquiry into the riots was in progress. He further said that it was the responsibility of all parties to redress the problems pertaining to the maintenance of law and order situation. The Government had adopted appropriate measures for allotting land to the landless people and to the agricultural labourers.

In all, 10 members participated in the debate which lasted eight hours and twenty-four minutes. In the voting held thereafter, the motion was rejected by 177 votes to 48 votes.

Fifth Motion of No-confidence

Shri Naik faced yet another Motion of No-confidence in October 1971. The motion was moved by the Leader of the Opposition Shri K.N. Dhulup. The leave of the House was granted on 11 October 1971. It was taken up for debate the same day.

Initiating the debate, Shri Dhulup accused the Government of undue delay in bringing in legislation to lower the land ceiling. Other Opposition members pointed out the failure of the Government in this regard and also in not extending adequate relief to the victims of drought.

Participating in the debate, the Revenue Minister, Shri H.G. Vartak, said that the State Government had received the final recommendations from the Centre regarding the ceiling on land holdings in the last week of September. He assured the House that the Government would not delay the decision in this regard.

Taking part in the debate, the Chief Minister Shri V.P. Naik declared that the Government had taken all measures humanly possible to combat the unprecedented famine conditions in the State. He said that the Opposition members brought in the No-confidence Motion out of shock as the Government was implementing the *garibi hatao* programme with all sincerity. He assured the House that his Government would implement the national policy on land ceiling.

After a five-hour debate in which 34 members participated, the House rejected the motion by 133 to 40 votes.

Fourth Legislative Assembly (1972-1978)

Elections were held to the Legislative Assembly in March 1972 in which the

Congress Party won 222 of the 270 seats. Shri V.P. Naik, who was once again elected leader of the Congress Legislature Party, was sworn in as the Chief Minister by the Governor Shri Ali Yavar Jung on 14 March 1972.

In the Fourth Legislative Assembly, four Motions of No-confidence were admitted. However, one motion was later withdrawn by the mover.

First Motion of No-confidence

A notice for a Motion of No-confidence against the Council of Ministers headed by Shri Naik was received from Shri D.B. Patil (PWP) and five others in November 1972 for which leave of the House was granted on 20 November 1972.

Initiating the debate on 21 November 1972, Shri D.B. Patil criticized the Government for the inadequate relief works to meet the worst famine in the State and for insufficient wages, and non-availability of foodgrains at fair price shops. The State Government had not taken timely steps for forestalling the famine by digging tanks and wells and constructing minor bunds. He alleged that, often, there was a time-lag of two to three weeks between the completion of one relief work and the commencement of another. The daily wage of Rs.2.50 paid to a worker was not sufficient to give his family even one square meal a day, he pointed out.

On 22 November 1972, when Shri V.P. Naik rose to reply to the debate, the Opposition attempted to prevent the Chief Minister from replying as they insisted that he should first refer to the two main assurances regarding State transport fares and fees in Government-run hospitals, which he had given to the members at a meeting in Bombay on 27 October 1972. At this, Shri Naik said that he would refer to the issues in a sequence during the course of his speech. The Opposition members were not satisfied with this and insisted that the two issues be given priority. Thereafter, the House witnessed pandemonium and the Speaker adjourned the House till 23 November 1972. When the House met on the next day, the Chief Minister could not give his reply as noisy scenes continued. The Speaker then allowed the Chief Minister to place his speech on the Table of the House. He also directed the mover of the motion, Shri D.B. Patil to reply to the debate. As Shri Patil said that he had nothing to say, the Speaker put the motion to the vote of the House which was negatived by voice vote. In the eight hours and two minutes long debate spread over three days, 27 members participated.

Second Motion of No-confidence

The Chief Minister Shri V.P. Naik faced yet another Motion of No-confidence in March 1973. The notice for the motion was given jointly by Shri D.B. Patil (PWP) and four others on 5 March 1973. Leave of the House was granted on 27 March 1973 and it was fixed for discussion on 31 March 1973.

Initiating the debate, Shri D.B. Patil pointed out various failures of the Government. He said that the main reasons for giving the motion were the apathetic

and inactive stand adopted by the Government to solve the Maharashtra-Mysore border issue, the failure the Government to arrest the exorbitant price rise of essential commodities, increasing hardships of the drought-affected people in the State and the helplessness shown by the Government towards their demands, and negligence shown by the Government in making regular supply of foodgrains to the people.

In his reply, the Chief Minister Shri V.P. Naik rebutted the allegations levelled against his Government by the Opposition and highlighted its achievements. He said that all appropriate measures had been taken to overcome the famine conditions prevailing in the State. The grains stock being procured from the Centre as succour had been distributed in an appropriate manner all over the State. Speaking on the Maharashtra-Mysore border issue, he said that it was the policy of the Government to solve this issue from a humanitarian point of view and the Government was making all endeavours in that regard.

In all, six members participated in the debate lasting two hours and five minutes. The motion was rejected by voice vote.

Third Motion of No-confidence

Another notice of No-Confidence Motion was received in the Third Legislative Assembly against Shri V.P. Naik's Ministry in September 1973. Leave of the House was granted on 7 September 1973. However, the motion was not taken up by the House for debate as the mover withdrew his motion.

Subsequently, there was a change of Government in the State following the resignation of the Ministry headed by Shri V.P. Naik in February 1975. A new Ministry led by Shri S.B. Chavan was sworn in by the Governor on 21 February 1975. Shri Chavan resigned from the Chief Ministership following the election of Shri Vasant Rao B. Patil as the leader of the Congress Legislature Party in April 1977. The new Ministry led by Shri Patil was sworn in by the Governor on 17 April 1977.

Fourth Motion of No-confidence

The notice for a motion expressing want of confidence in the Council of Ministers headed by Shri Vasant Rao Patil was given by the Leader of the Opposition Shri G.A. Deshmukh (PWP) and fourteen other members. The leave of the House was granted on 4 August 1977. The Speaker Shri D.A. Desai announced in the House that the motion would be taken up for debate on 9 and 10 August 1977.

Initiating the debate on 9 August 1977, Shri Deshmukh criticized the Government for rampant corruption, the deteriorating law and order situation and the squandering of public money. Referring to the large size of the Cabinet, he said efficiency was not taken into consideration while forming the new Cabinet. Shri Deshmukh also cited some specific instances of favouritism and nepotism.

In his reply, the Chief Minister Shri Vasantao Patil explained the various problems he had to tackle immediately after taking over and said all of them had been amicably settled and possible hardships to the people had been averted. Shri Patil emphatically denied the Opposition's allegation of reversal of decisions taken by the earlier Cabinet. He also refuted the Opposition's allegation that his Ministry was squandering public money with an eye on the forthcoming elections. The charges of corruption, nepotism and wastage of public money were far from the truth. Shri Patil also listed various measures initiated by his Government for improving the lot of the common man.

Thirty-five members spoke in the two-day long debate spanning eleven hours and eight minutes. In the voting held thereafter, the motion was declared lost.

Fifth Legislative Assembly (1978-1980)

In the elections held to the 289-member Legislative Assembly in February 1978, no party could get an absolute majority to form the Government on its own. The Janata Party emerged as the single largest party with 99 seats followed by the Indian National Congress with 69 seats and the Congress(I) with 62 seats. The remaining seats were won by others.

For the first time, a coalition Government consisting of the Congress and Congress(I), which together secured 131 seats, was formed in the State.

Shri Vasantao Patil and Shri N.K. Tirpude, respectively of the Congress and Congress(I), were sworn in on 7 March 1978 as Chief Minister and Deputy Chief Minister.

The coalition Government led by Shri Vasantao Patil, however, did not last long as it faced a crisis following the resignation of four Ministers on 12 July 1978 and the withdrawal of support by another 38 MLAs. Shri Vasantao Patil tendered the resignation of his Council of Ministers on 17 July 1978.

The following day, a six-member non-Congress(I) coalition Ministry of the Progressive Democratic Front headed by Shri Sharad Pawar was sworn in.

Motion of No-confidence

A notice of Motion of No-confidence against the Progressive Democratic Front ((PDF) Ministry was given by the Opposition. Leave of the House was granted on 10 August 1979. After grant of leave of the House, the Speaker said that as the last day of working of the House was 11 August 1979, and as per the rules, such motion had to be taken up for discussion not earlier than three days and not later than seven days from the day on which leave was granted, there was no sufficient period available for taking up the motion for discussion in the current Session. He, therefore, kept the matter before the House to take a final decision to decide the day of discussion.

Members of the ruling party insisted on taking up the motion for discussion on the same day and the Minister for Parliamentary Affairs moved the motion to suspend

the concerned rule and to discuss the motion on the same day. The Leader of the Opposition and several other Opposition members raised objections to the suspension of the rule so as to take up the discussion on the motion on the same day as they thought the time for discussion would be very short. The ruling party insisted on suspending the rule. Several members from the Opposition and the ruling parties expressed their opinion on this point but no unanimous decision could be arrived at. At the end, the members of the Opposition party walked out of the House, protesting against the attitude of the ruling front.

After passing the motion seeking suspension of the rule, the Speaker asked for moving the Motion of No-confidence but the Opposition members had already walked out of the House and nobody was there in the House to move the motion. Therefore, the Speaker announced that the motion had lapsed.

Meanwhile, on the Union Cabinet's recommendation, President Dr. Neelam Sanjiva Reddy issued a Proclamation on 17 February 1980 dissolving 9 State Legislative Assemblies, including that of Maharashtra.

Sixth Legislative Assembly (1980-1985)

Mid-term elections to the Legislative Assembly were held in May 1980. In the 289-member House, the Congress(I) won 186 seats while the Congress (Urs) bagged 47 seats. The remaining seats were won by others. Shri A.R. Antulay of the Congress(I) was sworn in as the Chief Minister by the Governor Shri Sadiq Ali on 9 June 1980. The Sixth Legislative Assembly took up one Motion of Confidence in the Council of Ministers headed by Shri Antulay. One Motion of No-confidence fell through as the mover was absent.

Motion of No-confidence

A notice for moving a Motion of No-confidence against the Council of Ministers headed by Shri A.R. Antulay was received from Shri Nihal Ahmed, on 30 November 1981. The leave of the House was granted on 1 December 1981. The motion, however, fell through as the mover of the notice was absent.

Motion of Confidence

On 18 December 1981, Shri D.S. Desai moved a one-line motion expressing Confidence in the Ministry led by Shri A.R. Antulay. Shri Desai said that respect and admiration for Shri Antulay had grown both inside and outside the House as he had done the maximum good to the people within the framework of democracy. Another member Shri Subramaniam appreciated the administrative acumen of the Chief Minister saying that many people could not keep pace with Shri Antulay's speed and momentum in administration.

Two members participated in the debate lasting two hours. The motion was adopted unanimously by the House on the same day, even as the entire Opposition

walked out of the House in protest against the suspension of a procedure rule by the Speaker regarding the consideration of privilege motions.

Shortly after a month of winning the confidence vote, Shri A.R. Antulay tendered his resignation to the State Governor, Shri O.P. Mehra, on 12 January 1982. He was succeeded by Shri Baba Saheb Anantrao Bhonsle who was sworn in as the Chief Minister on 20 January 1982. Shri Bhonsle resigned from the office of Chief Minister on 1 February 1983 and was succeeded by Shri Vasant Rao Patil.

Seventh Legislative Assembly (1985-1990)

Elections were held to the Legislative Assembly in March 1985. The Congress(I) secured an absolute majority by winning 162 seats out of the 288 elective seats. The Congress(S) emerged as the main Opposition Party with 54 seats. The remaining seats were won by others. Shri Vasant Rao Patil was sworn in on 10 March 1985 as Chief Minister by the Governor, Air Chief Marshal (Retd.) I.H. Latif.

Following the resignation of Shri Vasant Rao Patil, Shri Shivajirao Patil Nilangekar was sworn in as the Chief Minister on 3 June 1985 by Governor Shri Kona Prabhakar Rao. Shri Nilangekar tendered his resignation on 7 March 1986. He was succeeded as Chief Minister by Shri S.B. Chavan on 14 March 1986. Following his inclusion in the Union Cabinet, Shri Chavan resigned as the Chief Minister on 24 June 1988 and Shri Sharad Pawar succeeded him to the office on 25 June 1988.

The Seventh Legislative Assembly took up one Motion of No-confidence.

Motion of No-confidence

On 28 July 1989, notice of a motion expressing want of confidence in the Council of Ministers headed by Shri Sharad Pawar was received from Smt. Mrinal Gore (Janata Dal) and from 48 other members of the Opposition. Leave of the House was granted on 4 August 1989. The Speaker fixed 10 August 1989 for the debate on the motion.

Initiating the debate, Smt. Mrinal Gore charged the Government with corruption and of using de-reservation of plots in Bombay for raising funds for the election. The Opposition also criticized the Government for various omissions and commissions.

Replying to the debate, the Chief Minister Shri Sharad Pawar described the Opposition's allegations as false and baseless. He gave details of all the 285 plots de-reserved on a merit basis and said his Government, in which the people of Maharashtra had expressed the fullest confidence, did not wish to hide anything from them. Of the plots in question, 60 were cases concerning land belonging to the Government, the Bombay Municipal Corporation, airport and other official agencies. He denied the Opposition charge of using de-reservation for raising election funds.

In the eight hours long debate, 31 members participated. Thereafter, the motion was defeated by 118 to 48 votes.

Eighth Legislative Assembly (1990-1995)

In the elections held to the Legislative Assembly in February 1990, the Congress(I) was once again returned to power, although with a reduced majority, winning 142 seats in the 289-member House. The Shiv Sena bagged 51 seats, and the remaining seats were won by others. A Congress(I) Ministry headed by Shri Sharad Pawar was sworn in by the Governor on 4 March 1990.

The Chief Minister, Shri Sharad Pawar, resigned on 25 June 1991 following his induction into the Union Cabinet as the Defence Minister. In his place, Shri Sudhakar Naik, who was earlier elected Leader of the Congress(I) Legislature Party, was sworn in as the new Chief Minister on the same day. Shri Naik resigned from the Chief Ministership on 23 February 1993. However, he was asked by the Governor to continue in office till alternative arrangements were made. Shri Sharad Pawar was elected leader of the Congress(I) Legislature Party and was sworn in as the new Chief Minister on 6 March 1993.

One Motion of No-confidence was debated in the Eighth Legislative Assembly.

Motion of No-confidence

Shri Sharad Pawar faced his second Motion of No-confidence on 28 November 1994. The notice for the motion was received from Shri Gopinath Munde and 18 members of the Opposition on 25 November 1994. The leave of the House was granted on 28 November 1994. It was taken up for debate on the same day.

Initiating the debate, the Leader of the Opposition Shri Gopinath Munde (BJP) said that it was a serious administrative lapse that led to the tragedy on 23 November 1994 in which 113 tribals were killed in the stampede and *lathi* charge when they were going in a procession to the Legislative Assembly to make a demand for reservation for *Gowaris*. Criticizing the Government's handling of the episode, Shri Munde called for the Cabinet's resignation on moral grounds.

In his reply, the Chief Minister Shri Sharad Pawar said that extending reservations to *Gowari*, *Gond Gowari* and *Mana* and their sub-castes *Halba*, *Koshti*, *Machchimar Koli*, and *Torke Koli* would result in reservations in the State exceeding the ceiling limit of 50 per cent laid down by Supreme Court. However, he assured the House that the State would adopt the method followed by Tamil Nadu so as to overcome the ceiling.

The debate lasted seven hours and forty-nine minutes in which 38 members took part. In the voting held thereafter, 152 members voted against the motion while 80 favoured it. The motion was accordingly declared lost.

Ninth Legislative Assembly (1995-1999)

In the elections held to the Ninth Legislative Assembly in February 1995, the Congress(I) emerged as the single largest party with 80 seats in the 289-member House. The BJP Shiv-Sena combine secured 138 seats (Shiv Sena's 73 seats against the BJP's 65). The remaining seats were won by other parties and Independents. On 14 March 1995, Shri Manohar Joshi of the Shiv Sena and Shri Gopinath Munde of the BJP were sworn in as the Chief Minister and Deputy Chief Minister, respectively, by the Governor. The Governor directed the alliance to prove its majority in the Legislative Assembly within 15 days of the commencement of the Session.

The Ninth Legislative Assembly discussed three Motions of Confidence.

First Motion of Confidence

As per the Governor's directive, a Special Session was held on 25 March 1995. The Shiv Sena Whip in the Legislative Assembly, Shri Gajanan Kirtikar moved a one-line motion expressing confidence in the Council of Ministers. After Shri Kirtikar moved the motion, some members from the Opposition demanded that they be allowed to speak on it. However, the Deputy Chief Minister Shri Gopinath Munde who rose on a point of order said that the Governor wanted the ruling alliance to obtain the confidence of the House within 15 days. It was a tradition that when a minority Government faced a Confidence Motion, no discussion on the motion is allowed. As such, it would be in order for the Speaker to put the motion to vote and not allow any objections.

The Speaker upheld the point of order. Thereafter, he instantly put the motion to vote and announced that the House had adopted the motion by voice vote. The entire process was over within one hour.

Second Motion of Confidence

A notice of Motion of Confidence in the Manohar Joshi Ministry was received on 6 December 1995. The motion was moved in the Legislative Assembly on 7 December 1995 by an independent MLA, Shri Ramesh Chandra Bang, and three others. The motion was adopted without any discussion and declared carried with a margin of 182-0. The Congress-led Opposition which protested against the suspension of three Janata Dal MLAs by the Speaker boycotted the proceedings.

The Chief Minister Shri Manohar Joshi resigned from office on 30 January 1999. Shri Joshi was asked by the Governor to continue in office till alternative arrangements were made. Shri Narayan Rane was sworn in by the Governor Dr. P.C. Alexander on 1 February 1999. Within three weeks, Shri Rane proved his majority on the floor of the House. This Motion of Confidence was necessitated as at the time of swearing in of Shri Rane and his Council of Ministers, the Governor, Dr. P.C. Alexander, following a petition from the Congress-led Opposition, had

laid a condition that the Chief Minister should seek a vote of confidence in the Legislative Assembly.

Third Motion of Confidence

As directed by the Governor, the motion expressing confidence in the Council of Ministers headed by Shri Narayan Rane was moved in the Legislative Assembly on 17 February 1999 by Shri Bhaskar Jadhav (Shiv Sena) and Shri Mohan Raichura (BJP) and others.

The motion was carried by voice vote and the entire process was over within thirty minutes.

Tenth Legislative Assembly (1999-till date)

In the elections to the Tenth Legislative Assembly held in October 1999, no single party could get a majority on its own. While the Congress(I) emerged as the single largest party by securing 75 seats in the 288-member House, the Shiv Sena-BJP combine got 125 seats. The newly formed Nationalist Congress Party (NCP) secured 58 seats and the remaining seats were won by other parties and Independents.

The Congress(I) and the NCP reached a post-poll understanding to form the Government. They also enjoyed the support of other parties like the RPI, Samajwadi Party, Peasants and Workers Party, Janata Dal (S) and the Left parties. Thus, they enjoyed the support of 151 members in a House of 289.

The leader of the Congress(I) Legislature Party, Shri Vilasrao Deshmukh was sworn in as the Chief Minister on 18 October 1999. The Governor asked Shri Deshmukh to prove his majority within fifteen days of the commencement of the Assembly Session.

The Tenth Legislative Assembly took up three Motions of Confidence.

First Motion of Confidence

In accordance with the Governor's directive, a Special Session of the Legislative Assembly was held on 23 October 1999 to enable the Democratic Front Ministry led by Shri Vilasrao Deshmukh to prove its majority.

However, before the motion could be taken up for voting, the Opposition Shiv Sena-BJP members led by Shri Narayan Rane staged a walk-out after their adjournment motion regarding the attack on the Shiv Sena member from Pune was rejected by the Speaker. After the walk-out by the Opposition, Shri Satish Chaturvedi, a Congress(I) member, among others, moved a one-line motion expressing confidence in the Council of Ministers headed by Shri Deshmukh. The motion was passed by voice vote. The proceedings were concluded in less than fifteen minutes.

The Democratic Front Government which had the support of 151 members in the House faced a crisis with the resignation of the PWP from the coalition on 30 May 2002. Subsequently, seven MLAs belonging to the PWP and a CPI(M) MLA

submitted a letter to the Governor announcing their withdrawal of support to the coalition Government. Further, the subsequent shifting of loyalty by 3 NCP legislators reduced the Government to a minority of 141 in the House of 288.

Following these developments, on 4 June 2002, the Governor Dr. P.C. Alexander directed the Democratic Front Government to prove its majority within ten days.

Second Motion of Confidence

As per the directive of the Governor, the Legislative Assembly met on 13 June 2002 to take up the Confidence Motion in the Council of Ministers led by Shri Deshmukh. However, three hours before the House met, the Speaker Shri Arunlal Gujarathi disqualified 5 MLAs of the NCP, one of the Janata Dal and one nominated Anglo-Indian member under the Anti-defection Law. As the House assembled to take up the motion, the Speaker formally announced their disqualification and rejected the Opposition's bid to discuss the issue, stating that it was not on the agenda of the House. Thereafter, the Motion of Confidence in the Council of Ministers was moved by the Minister of Legislative Affairs, Shri Rohidas Patil.

Soon after the motion was moved, the Opposition demanded a debate on the motion. The Treasury benches, however, objected and stated that in the past too, such motions had been taken up for voting without any debate and in support of their contention cited past precedents.

In the voting held thereafter, the motion was carried by a margin of 10 votes with 143 members favouring the motion and 133 voting against it. The entire process was over within 15 minutes.

Shri Vilasrao Deshmukh, who was the Chief Minister for over three years, resigned on 17 January 2003. In his place, Shri Sushil Kumar Shinde was unanimously elected Leader of the Congress Legislature Party and was sworn in as Chief Minister on 18 January 2003 by the Governor Shri Mohammed Fazal. Shri Shinde was asked by the Governor to prove his strength on the floor of the House within 15 days.

Third Motion of Confidence

A Special Session of the Legislative Assembly was convened on 22 January 2003 to enable Shri Shinde to seek the vote of confidence. The motion, moved by Shri Rohidas Patil, was adopted by voice vote, without any debate. The entire process took 10 minutes.

Motions of Confidence and No-confidence in the Bombay State (1952-1960) and Maharashtra State Legislative Assemblies (1960- till date) - An Analysis

In all, 14 Motions of No-confidence were moved against different Councils of Ministers and seven Motions of Confidence were moved to enable the incumbent

Chief Ministers to prove their majority. Of the 14 Motions of No-confidence, one was moved in the erstwhile Bombay State Legislative Assembly on 15 October 1956, which was negatived.

After the formation of the State of Maharashtra on 1 May 1960, thirteen Motions of No-confidence against and seven Motions of Confidence in different Councils of Ministers were admitted in the Legislative Assembly. While all the thirteen Motions of No-confidence were negatived, all the seven Motions of Confidence were adopted.

At least one motion or the other was taken up by each Legislative Assembly. The highest number of 5 No-confidence Motions were considered by the Third Legislative Assembly of the Maharashtra State, followed by the Fourth Legislative Assembly which took up three Motions of No-confidence. Three Motions of Confidence each were debated by the Ninth and the Tenth Legislative Assemblies. Table 1 gives the number of No-confidence Motions and Confidence Motions taken up in each Legislative Assembly along with its duration.

Table 2 gives the number of No-confidence and Confidence Motions debated during the tenures of different Speakers. Shri T.S. Bharade, who was Speaker for a decade during the period 1962-1972, presided over the highest number of 7 Motions of No-confidence, while Shri D.S. Nalawade, who was Speaker during 1995-1999 and Shri Arunlal Gujarathi, Speaker of the present Legislative Assembly, presided over three Confidence Motions each.

Table 3 gives an account of the No-confidence Motions and Confidence Motions debated during the different Councils of Ministers. Shri V.P. Naik, who was Chief Minister for nearly twelve years, faced the highest number of 9 Motions of No-confidence (including one motion, which was later withdrawn by the mover) followed by Shri Sharad Pawar, who was Chief Minister three times at different points of time, faced three motions (including one motion for which leave was granted but not deliberated by the House). Of the 8 motions considered by the House, six Motions of No-confidence were moved by Shri K.N. Dhulup followed by Shri D.B. Patil, in whose name three motions were listed.

As regards Motions of Confidence, Chief Minister Shri Manohar Joshi sought the confidence of the House twice within a span of nine months in 1995. Chief Minister Shri Vilasrao Deshmukh also sought the confidence of the House on two occasions - once in October 1999 and later in June 2002. Three other Motions of Confidence in the Council of Ministers headed by Shri A.R. Antulay, Shri Narayan Rane and Shri Sushil Kumar Shinde were adopted.

Table 4 gives statistical information about the participation of members in the debates on various Motions of Confidence and No-confidence. It also depicts the time taken and the result of the division.

Participation by Members

Of the 21 motions taken up by the House, the figures pertaining to number of participants is available only for 17. The total number of members who participated in these 17 motions is 365. The highest participation of members among both types of motions was in the four-day-long debate on the No-confidence Motion against Shri M.S. Kannamwar in September 1963 in which 39 members participated. 38 members took part in the one-day debate on the Motion of No-confidence on 28 November 1994 against the Sharad Pawar Ministry. The lowest participation was in the debate on the No-confidence Motion of September 1973 in which 3 members participated. On the other hand, 2 members participated in the debate on the Motion of Confidence of December 1981. While six other Motions of Confidence were carried without any debate.

Time taken

In all, 37 days were spent on the debate on the 24 motions. The debate on the 14 Motions of No-confidence lasted 30 days while the 7 Motions of Confidence were debated and disposed of on the same day. Another three Motions of No-confidence though admitted did not reach the voting stage as one was withdrawn and two fell through. The Motion of No-confidence moved by Shri P.D. Rahangdale and others against the Kannamwar Ministry in September 1963 was debated for 4 days followed by two motions - one moved by Shri K.N. Dhulup in November 1967 and another by Shri D.B. Patil in November 1972 - both against the V.P. Naik Ministry, which were debated for 3 days each.

Three Motions of No-confidence, though debated, were not taken up by the House for voting. Time taken is not available in respect of the Motion of No-confidence of November 1967. The total time spent on all the motions comes to 121 hours and 30 minutes, of which 117 hours and 05 minutes were spent on the Motions of No-confidence while 4 hours and 25 minutes were spent on the Motions of Confidence.

The longest duration of 18 hours and 6 minutes was spent on the Motion of No-confidence of September 1963 which was debated for four days followed by the one in July 1964 against the V.P. Naik Ministry which was debated for 11 hours and 32 minutes. Two hours and five minutes were spent on the debate on the Motion of No-confidence of March 1973 against the V.P. Naik Ministry.

As regards Motions of Confidence, the motion of December 1981 was debated for two hours while the motion of January 2003 was debated for 10 minutes.

Division

In all, twenty-one motions were taken up for voting by the Bombay and Maharashtra State Legislative Assemblies together.

The Motion of No-confidence of 15 October 1956 against the Ministry of Shri Morarji Desai (in the erstwhile Bombay State) was lost with the widest margin of 201 votes, followed by the Motion of No-confidence of September 1963 against the Kannamwar Ministry which was negated by a margin of 151 votes.

Of the seven Motions of Confidence, the Motion of Confidence of 7 December 1995 in the Ministry of Shri Manohar Joshi was adopted by a margin of 182 to 0 votes. The narrowest margin recorded was in June 2002 when the Chief Minister Shri Vilasrao Deshmukh won the vote of confidence by a margin of ten votes.

Manipur Legislative Assembly

Following the enactment of the Manipur State Constitution Act, 1947 by the then Maharaja, His Highness Maharaj Kumar Bodh Chandra Singh, the election to the Manipur State Assembly was held in July 1948 on the basis of adult franchise. In all, 52 members were elected for a period of three years. It was a unicameral Legislature. The State Assembly was the law-making authority but in actual practice, the framing of laws was subject to the approval of the Maharaja. On 15 October 1949, Manipur was merged with India resulting in the dissolution of the State Legislative Assembly. Later, Manipur became a Part C State. The Union Territories (Laws) Act, 1950 came into force on 16 April 1950 and the Chief Commissioner became the Administrator of the State. A Council of Advisors with five members, three from the valley and two from the hill areas, was constituted on 6 May 1953 to assist the Administrator and it continued to function till the election to the Territorial Council held in 1957. The same year, under the Union Territories Act, 1956, election of 30 members of the Territorial Council was held.

Subsequently, under the Government of the Union Territories Act, 1963, Manipur had a Legislative Assembly consisting of 30 elected members and two members nominated by the Central Government. There was a Council of Ministers to aid and advise the Administrator. The Assembly had the power to make laws with respect to all subjects enumerated in the State List and the Concurrent List in the Seventh Schedule of the Constitution insofar as any such matters were applicable in relation to the Union territories. On 21 January 1972, Manipur became a State by virtue of the provisions of the North Eastern Areas (Reorganisation) Act, 1971. Elections to the 60-member Legislative Assembly of the full-fledged State of Manipur was held in February 1972.

Motion of No-confidence

As per Rule 311 of the Rules of Procedure and Conduct of Business in the Manipur Legislative Assembly, a motion expressing want of confidence in the Council of Ministers may be made subject to certain restrictions, namely:- (i) leave to make the motion shall be asked for after Questions and before the List of Business for

the day is entered upon; and (ii) the member asking for leave shall, before the commencement of the sitting for that day, give to the Secretary a written notice of the motion which he proposes to move. If the Speaker is of the opinion that the motion is in order, he reads the motion to the House and requests those members who are in favour of leave being granted to rise in their places, and if not less than ten members rise accordingly, the Speaker declares that leave is granted and that the motion will be taken up on such day, not being more than ten days from the date on which the leave is asked for or as he may appoint.

The Speaker may, after considering the state of business in the House, allot a day or days or part of a day for discussion of the motion. The Speaker, at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith puts every question necessary to determine the decision of the House on the motion. The Speaker may, if he thinks fit, prescribe a time limit for speeches.

Motion of Confidence

A Motion of Confidence in the Legislative Assembly is taken up under Rule 127 which states that save insofar as is otherwise provided in the Constitution or in these rules, no discussion of a matter of general public interest shall take place except on a motion made with the consent of the Speaker.

Motions in different Legislative Assemblies

In all, 14 Motions of No-confidence (3 in the Union territory and 11 in the State Legislative Assembly) and eight Motions of Confidence have been admitted in the State Assembly till date. Tables 1 to 4 provide statistical details in respect of these motions. A graphical presentation of the Motions of Confidence and No-confidence is given in Graphs I, II and III. Tables 5 and 6 enumerate the Governors and Chief Ministers, respectively, of the State. (All records of the State Legislature were destroyed in a fire on 18 June 2001; as such, detailed information in respect of Tables 3 and 4 and in respect of various motions are not available).

Union Territory Legislative Assembly (1963-1969)

No motion of either kind was moved in the First Legislative Assembly (1963-1967) of the Union territory.

Second Legislative Assembly (1967-1969)

Elections to the 30-member Assembly were held on 15, 20, 24 and 28 February 1967. The Congress secured 16 seats, CPI 1, SSP 4 and Independents 9 seats. Later, when four Independent members joined the Congress party, the party's strength rose to 20. On 20 March 1967, Shri M. Koireng Singh was sworn in as the Chief Minister. On 19 September 1967, as a result of change of party affiliation by some members of the Congress Party, the ruling party was reduced to a minority in the

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1963-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Manipur Union Territory Legislative Assembly			
First Legislative Assembly	23.07.1963 - 20.03.1967	-	-
Second Legislative Assembly	03.04.1967 - 16.10.1969	3	-
Total		3	-
Manipur State Legislative Assembly			
First Legislative Assembly	23.03.1972 - 28.03.1973	1	-
Second Legislative Assembly	04.03.1974 - 14.11.1979	1	-
Third Legislative Assembly	14.01.1980 - 04.01.1985	5	-
Fourth Legislative Assembly	04.01.1985 - 17.02.1990	-	-
Fifth Legislative Assembly	23.02.1990 - 24.02.1995	1	4
Sixth Legislative Assembly	25.02.1995 - 01.03.2000	2	2
Seventh Legislative Assembly	02.03.2000 - 01.06.2001	1	1
Eighth Legislative Assembly	12.03.2002 - till date	-	1
Total		11	8

Table 2

**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1963-2003)**

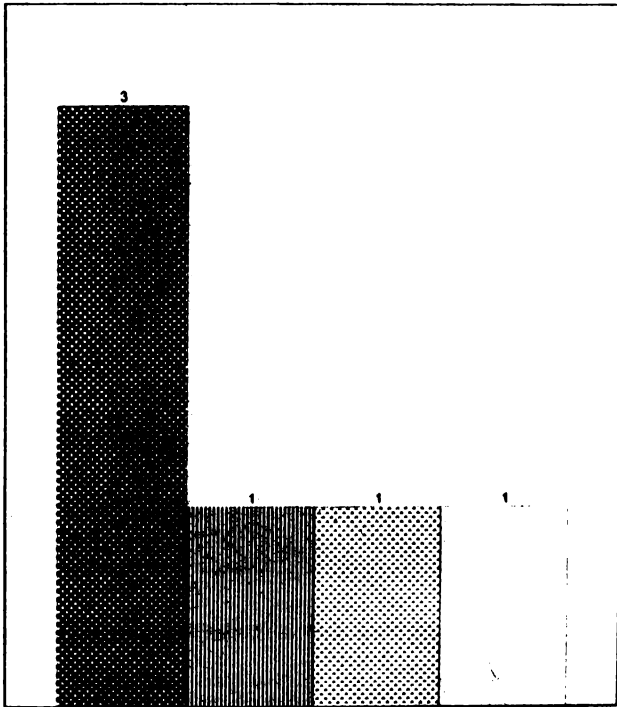
<i>Sl.No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Manipur Union Territory Legislative Assembly				
1.	Shri Kh. Ibetombi Singh	23.07.1963 - 20.03.1967	-	-
2.	Shri S. Tombi Singh	21.03.1967 - 24.10.1967	1	-
3.	Shri Sibbo Lorho	05.03.1968 - 29.03.1972	2	-
Total			3	-
Manipur State Legislative Assembly				
4.	Dr. L. Chandramani Singh	30.03.1972 - 08.03.1974	1	-
5.	Shri R.K. Dorendra Singh	26.03.1974 - 05.12.1974	-	-
6.	Md. Alimuddin	16.12.1974 - 04.09.1975	-	-
7.	Dr. L. Chandramani Singh	18.09.1975 - 21.10.1978	-	-
8.	Shri R.K. Ranbir Singh	12.01.1979 - 18.02.1980	1*	-
9.	Shri Y. Yaima Singh	18.02.1980 - 23.01.1985	5	-
10.	Shri W. Angou Singh	24.01.1985 - 02.11.1988	-	-
11.	Shri Th. Devendra Singh	20.12.1988 - 02.03.1990	-	-
12.	Dr. H. Borobabu Singh	02.03.1990 - 09.01.1995	1	3**
13.	Shri E. Biramani Singh	09.01.1995 - 27.02.1995	-	-
14.	Shri W. Nipamacha Singh	22.03.1995 - 06.12.1997	2	1
15.	Shri K. Babudhon Singh	29.12.1997 - 08.03.2000	-	2***
16.	Dr. S. Dhananjoy Singh	11.03.2000 - 28.02.2002	1	1
17.	Shri T.N. Haokip	12.03.2002 - till date	-	1
Total			11	8

* Deputy Speaker Shri O. Joy Singh presided over the motion on 04.01.1979 as the office of the Speaker was vacant.

** Shri W. Angou Singh presided over the Motion of Confidence on 9 January 1995 as Dr. H. Borobabu Singh was removed from the office of the Speaker by a resolution passed by the House the following day.

*** As Deputy Speaker, presided over the Motion of Confidence on 15 December 1997.

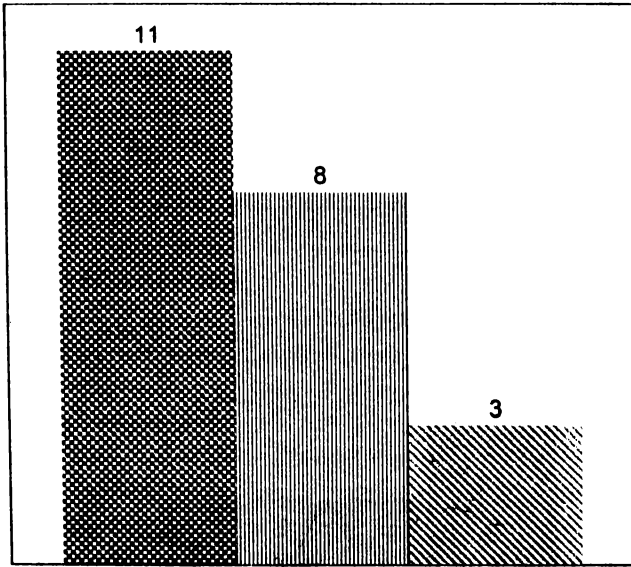
Graph I
NCMs in Manipur (UT) Legislative Assembly.
(1963 - 1972)



▣ Motions admitted and discussed ▣ Adopted
▣ Negated ▣ Inconclusive discussion*

*Consequent upon the resignation of the Deputy Speaker and the Speaker on 23 and 24 October, 1967, respectively, the Assembly failed to nominate a candidate for Speakership. The Assembly was prorogued on 24 October 1967.
No Motion of Confidence was taken up in the Manipur (UT) Legislative Assembly.

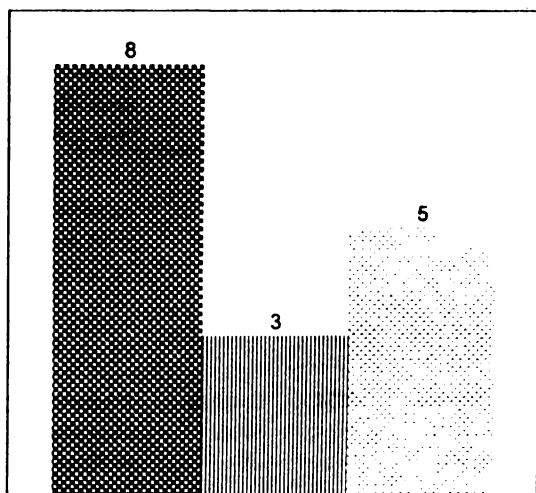
Graph II
NCMs in Manipur Legislative Assembly
(1972-2003)



 **Motions admitted and discussed**  **Chief Minister resigned***
 **Negated**

* In March 1973, the discussion remained inconclusive as the Chief Minister resigned midway through the discussion. In February 1981 and February 2001 before the discussion was taken up, the concerned Chief Ministers resigned.

Graph III
CMs in Manipur Legislative Assembly
(1972-2003)



 **Motions admitted and discussed**  **Negated**  **Adopted**

Table 3

**NCMs against/CMs in the Council of Ministers
(1963-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Manipur Union Territory Legislative Assembly					
Longjam Thambou Singh (Second Legislative Assembly)	United Front	NCM	M. Koireng Singh	(16.10.1967) 23.10.1967 24.10.1967	Inconclusive discussion. The Assembly prorogued on 24.10.1967
M. Koireng Singh (Second Legislative Assembly)	Congress 16/30 (53.3%)	NCM	L. Achaw Singh (10)	(23.09.1968) 26.09.1968 03.00	Negated Ayes - 10 Noes - 21
-do-		NCM	Y. Yaima Singh (11)	(23.09.1969) 24.09.1969	Adopted Ayes - 19 Noes - 11
Manipur State Legislative Assembly					
Mohammed Alimuddin (First Legislative Assembly)	United Front 33/60 (55%)	NCM	M. Koireng Singh (19)	(22.03.1973) 22.03.1973 23.03.1973 26.03.1973 09.15	Discussion remained inconclusive; Chief Minister resigned.
Yangmaso Shaiza (Second Legislative Assembly)	Janata Party	NCM	Rishang Keishing (12)	04.01.1979 05.01.1979 06.00	Negated Ayes - 12 Noes - 38
Rishang Keishing (Third Legislative Assembly)	Congress (I) (Coalition) 39/60 (65%)	NCM	Th. Chaoba Singh (2)	(23.02.1981) 27.02.1981	Not discussed; Chief Minister resigned

Council of Ministers	Party/seats won/ Total; (%)	NCMs/CMs	Mover/ No. of members participated	Dates of (grant of leave)/ discussion; Time Taken	Result
-do-	Congress(I) 35/60 (58.3%)	NCM	O. Joy Singh	04.03.1982 05.03.1982 07.00	Negatived by voice vote
		NCM	Manihar Singh	31.08.1982 05.00	Negatived by voice vote.
-do-		NCM	M.Kumar Singh	31.03.1983 04.00	Negatived Ayes - 13 Noes - 40
do-		NCM	Yangmaso Shaiza	03.10.1983 03.00	Negatived by voice vote
R.K. Ranbir Singh (Fifth Legislative Assembly)	United Legislature Front 33/60 (55%)	NCM	R.K. Dorendra Singh (12)	13.03.1991 04.15	Negatived Ayes - 13 Noes - 34
-do-		CM	R.K.Ranbir Singh	09.12.1991 02.15	Adopted by voice vote
Rishang Keishing (Fifth Legislative Assembly)	Congress (I) 21 /60 (35%)	CM	Rishang Keishing	23.12.1994	Speaker declared the motion as lost
-do-		CM	-do-	9.01.1995 03.35	Adopted Ayes - 36 Noes - Nil
-do-		CM	-do-	25.01.1995 04.15	Adopted by voice vote
Rishang Keishing (Sixth Legislative Assembly)	Congress(I)	NCM	R.K. Ranbir Singh (10)	23.11.1995 03.40	Negatived Ayes - 16 Noes - 34

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave) discussion; Time Taken</i>	<i>Result</i>
-do-		NCM	Gangumei Kamei and others	28.07.1997 03.20	Negated by voice vote
-do-		CM	Devendro Singh	15.12.1997 02.00	Negated Ayes - 16 Noes - 38
W. Nipamacha Singh (Sixth Legislative Assembly)	United Front 38/60 (63.3%)	CM	L. Chandramani Singh	12.01.1998 05.00.	Adopted Ayes - 40 Noes - Nil
W. Nipamacha Singh (Seventh Legislative Assembly)	United Front 31/60 (51.6%)	NCM	K. Ranjith and others	(01.12.2000) 14.02.2001	Not discussed; Chief Minister resigned before the motion could be discussed.
Radhabinod Kojiam (Seventh Legislative Assembly)	People's Front -	CM	O. Joy Singh	21.05.2001 04.00	Negated Ayes - 17 Noes - 39
Okram Ibobi Singh (Eighth Legislative Assembly)	Secular Progressive Front	CM	Okram Ibobi Singh (6)	12.03.2002 01.35	Adopted by voice vote

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1963-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Manipur Union Territory Legislative Assembly										
S. Tombi Singh	NCM	Longjam Thambou	M. Koireng Singh	23.10.1967 24.10.1967	-	-	-	-	-	Inconclusive discussion.
Sibo Lorho	NCM	M. Koireng Singh	L. Achaw Singh	26.09.1968	10	03.00	26.09.1968	10	21	The Assembly prorogued on 24.10.1967
-do-	NCM	-do-	Y.Yaima Singh	24.09.1969	11	-	24.09.1969	19	11	Negatived Adopted
Manipur State Legislative Assembly										
L.Chand- ramani Singh	NCM	Mohammed Alimuddin	M. Koireng Singh	22.03.1973 23.03.1973 26.03.1973	19	09.15	-	-	-	Discussion remained in conclusive; Chief Minister resigned

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
O. Joy Singh	NCM	Yangmaso Shaiza	Rishang Keishing	04.01.1979 05.01.1979	12	06.00	05.01.1979	12	38	Negated
Y. Yaima Singh	NCM	Rishang Keishing	Th. Chaoba Singh	27.02.1981	-	-	-	-	-	Not discussed; Chief Minister resigned on 27.12.1981
-do-	NCM	-do-	O Joy. Singh	04.03.1982 05.03.1982	-	07.00	05.03.1982	-	-	Negated by voice vote
-do-	NCM	-do-	Manihar Singh	31.08.1982	-	05.00	31.08.1982	-	-	Negated by voice vote
-do-	NCM	-do-	M. Kumar Singh	31.03.1983	-	04.00	31.03.1983	13	40	Negated
-do-	NCM	-do-	Yangmaso Shaiza	03.10.1983	-	03.30	03.10.1983	-	-	Negated by voice vote
H. Borobabu Singh	NCM	R.K. Ranbir Singh	R.K. Dorendra Singh	13.03.1991	12	04.15	13.03.1991	13	34	Negated by voice vote
-do-	CM	-do-	R.K. Ranbir Singh	09.12.1991	-	02.15	09.12.1991	-	-	Adopted by voice vote

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	CM	Rishang Keishing	Rishang Keishing	23.12.1994	-	-	-	-	-	Not discussed The Speaker declared the motion as lost.
W. Angou Singh	CM	-do-	-do-	09.01.1995	-	03.35	09.01.1995	36	Nil	Adopted
E. Biramani Singh	CM	-do-	-do-	25.01.1995	-	04.15	25.01.1995	-	-	Adopted
W. Nipamacha Singh	NCM	-do-	R.K. Ranbir Singh	23.11.1995	10	03.40	23.11.1995	16	34	Adopted by voice vote Negative
-do-	NCM	-do-	Gangumei Karnei and others	28.07.1997	-	03.20	28.07.1997	-	-	Negative by voice vote
K. Babudhon Singh	CM	-do-	Devendro Singh	15.12.1997	-	02.00	15.12.1997	16	38	Negative
-do-	CM	W. Nipamacha Singh	L. Chand- ramani Singh	12.01.1998	-	05.00	12.01.1998	40	Nil	Adopted

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipants	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
S. Dhananjay Singh	NCM	-do-	K. Ranjith and others	14.02.2001	-	-	14.02.2001	-	-	Not discussed; Chief Minister resigned
-do-	CM	Radha- binod Kojjam	O. Joy Singh	21.05.2001	-	04.00	21.05.2001	17	39	Negated
T.N. Haokip	CM	Okram Ibobi Singh	Okram Ibobi Singh	12.03.2002	6	01.35	12.03.2002	-	-	Adopted by voice vote

Table 5

Governors of Manipur

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri B.K. Nehru	21.01.1972 - 20.09.1973
2.	Shri L.P. Singh	21.09.1973 - 11.08.1981
3.	Shri S.M.H Burney	12.08.1981 - 11.06.1984
4.	Gen. (Retd.) K.V. Krishna Rao	12.06.1984 - 07.07.1989
5.	Shri Chintamani Panigrahi	10.07.1989 - 19.03.1993
6.	Shri K.V. Raghunatha Reddy	20.03.1993 - 30.08.1993
7.	Lt. Gen. (Retd.) V.K. Nayar	30.08.1993 - 22.12.1994
8.	Shri O.N. Srivastava	23.12.1994 - 08.11.1996 09.11.1996 - 01.12.1999
9.	Shri Ved Prakash Marwah	02.12.1999 - till date

Table 6**Chief Ministers of Manipur**

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri M. Koireng Singh	01.07.1963 - 12.01.1967 20.03.1967 - 04.10.1967
2.	Shri L. Thambou Singh President's Rule	13.10.1967 - 25.10.1967 25.10.1967 - 17.02.1968
3.	Shri M. Koireng Singh President's Rule	19.02.1968 - 24.09.1969 16.10.1969 - 20.03.1972
4.	Md. Alimuddin President's Rule	20.03.1972 - 28.03.1973 28.03.1973 - 04.03.1974
5.	Md. Alimuddin	04.03.1974 - 08.07.1974
6.	Shri Yangmaso Shaiza	10.07.1974 - 05.12.1974
7.	Shri R.K. Dorendra Singh President's Rule	06.12.1974 - 14.05.1977 16.05.1977 - 26.06.1977
8.	Shri Yangmaso Shaiza President's Rule	29.06.1977 - 14.11.1979 14.11.1979 - 13.01.1980
9.	Shri R.K. Dorendra Singh	14.01.1980 - 17.11.1980
10.	Shri Rishang Keishing President's Rule	27.11.1980 - 27.02.1981 28.02.1981-19.06.1981
11.	Shri Rishang Keishing	19.06.1981 - 04.01.1985 04.01.1985 - 04.03.1988
12.	Shri R.K. Jaichandra Singh	05.03.1988 - 17.02.1990
13.	Shri R.K. Ranbir Singh President's Rule	23.02.1990 - 07.01.1992 07.01.1992 - 08.04.1992
14.	Shri R.K. Dorendra Singh President's Rule	08.04.1992 - 31.12.1993 31.12.1993 - 13.12.1994
15.	Shri Rishang Keishing	13.12.1994 - 25.02.1995 25.02.1995 - 5.12.1997
16.	Shri W. Nipamacha Singh	16.12.1997 - 01.03.2000 02.03.2000 - 14.02.2001

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
17.	Shri Radhabinod Koijam	15.02.2001 - 02.06.2001
	President's Rule	02.06.2001 - 06.03.2002
18.	Shri Okram Ibobi Singh	07.03.2002 -till date

House. Following this, the Congress Ministry headed by Shri Koireng Singh resigned on 4 October 1967. The members who changed their political affiliation along with other members then in Opposition, formed the United Legislature Front and claimed a strength of 17 members, including the Speaker, Shri S. Tombi Singh and the Deputy Speaker, Shri Kh. Chaoba, who had joined the Opposition Front following their expulsion from the Congress Legislature Party for alleged anti-party activities. A five-member United Front Ministry headed by Shri Longjam Thambou Singh was sworn in on 13 October 1967.

In the Second Legislative Assembly, three Motions of No-confidence were discussed. One Motion of No-Confidence was moved against the Cabinet of Shri Longjam Thambou Singh and two Motions of No-confidence were brought against the Ministry of Shri M. Koireng Singh.

First Motion of No-confidence

Leave was granted on 16 October 1967 to Shri M. Koireng Singh (Congress) to move a Motion of No-confidence against the United Front Government of Shri Longjam Thambou Singh. The Speaker Shri S. Tombi Singh fixed 23 October 1967 as the date for discussion of the motion. As soon as the House met on that day, the Speaker announced that Shri Kh. Chaoba had resigned from the Office of the Deputy Speaker and Shri Paokhohang from the Panel of Presiding Officers. Thereafter, the Motion of No-confidence was discussed. At the end of the day's discussion, the Speaker informed the House that all the members on the panel of Presiding Officers had resigned one by one and adjourned the House to meet on 24 October 1967 to consider the motion further. On 24 October 1967, as soon as the Assembly met, the Secretary of the Legislative Assembly announced the resignation of Shri S. Tombi Singh from the Office of the Speaker. He then asked for the appointment of a Presiding Officer under the relevant rule of the Rules of Procedure and Conduct of Business of the Manipur Legislative Assembly. After some discussion, the Secretary announced that as the House could not appoint a Presiding Officer, he was referring the matter to the Administrator. After recess, when the House assembled, the Secretary further announced that the Administrator had prorogued the Legislative Assembly. On 25 October 1967, the President of India issued an order under Section 51 of the Government of Union Territories Act suspending the provisions of that Act relating to the Council of Ministers and the Legislative Assembly for a period of six months.

Subsequently, Shri M. Koireng Singh assumed the office of Chief Minister on 19 February 1968.

Second Motion of No-confidence

A Motion of No-confidence against the Congress Ministry of Shri M. Koireng

Singh was moved by Shri L. Achaw Singh (Socialist) on 26 September 1968. Leave of the House to move the motion was granted on 23 September 1968. The motion was debated on 26 September 1968 for three hours in which 10 members participated. It was negatived with 10 members voting in favour and 21 members voting against it.

Third Motion of No-confidence

A notice of a Motion of No-confidence against the Cabinet of Shri M. Koireng Singh was given by Sarvashri Y. Yaima Singh and M. Ibohal Singh (United Front) on 23 September 1969. The Speaker, admitting the motion, fixed 24 September 1969 for discussion. In all, 11 members participated in the discussion held on 24 September 1969. The motion was adopted with 19 members voting in favour and 11 members voting against it. The Chief Minister, Shri M. Koireng Singh resigned on 25 September 1969. As no party was in a position to form a stable Government, the State was brought under President's Rule on 16 October 1969.

State Legislative Assembly (1972-2003)

First Legislative Assembly (1972-1973)

Manipur, which became a full fledged State on 21 January 1972, had been under President's rule since 16 October 1969. In the election to the 60-member Assembly of the new State, held in March 1972, the Congress secured 17 seats, Manipur People's Party 15, Congress (O) 1, CPI 5, Socialists 3, and Independents 19 seats. The Manipur People's Party led by Shri Mohammed Alimuddin formed a coalition known as the United Legislature Party with the help of some small parties and Independents. On 20 March 1972, a five-member United Front Ministry headed by Shri Mohammed Alimuddin assumed office.

In the First Legislative Assembly, one Motion of No-Confidence was discussed inconclusively as the Chief Minister, Shri Mohammed Alimuddin resigned during the discussion on the motion.

Motion of No-confidence

On 15 March 1973, nine members, including two Ministers of the ruling United Legislature Party, withdrew their support to Shri Mohammed Alimuddin's Ministry. The nine members who formed themselves into the Progressive Independent Group joined hands with the Congress and the CPI to emerge as the single largest group with a strength of 33 in the 60-member Legislative Assembly.

On 22 March 1973, the Speaker Dr. L. Chandramani Singh admitted a notice of a Motion of No-confidence against the Council of Ministers of Shri Mohammed Alimuddin signed by 31 members. Leave was granted to the motion on the same day. The motion was discussed on 22, 23 and 26 March 1973 for 9 hours and 15 minutes in which 19 members participated.

On 26 March 1973, the Assembly had just resumed the discussion on the Motion of No-confidence after the lunch recess when the Speaker Dr. L. Chandramani Singh abruptly adjourned the House pointing out that he had noted the absence of the Chief Minister, other Ministers and members of the ruling party in the House. He said he had information that the Chief Minister was meeting the Governor and requested the members to wait for further information upto 3.30 p.m. When the Assembly met again, the Speaker announced that he was adjourning the House *sine die* since the Chief Minister Shri Mohammed Alimuddin had tendered the resignation of his Council of Ministers.

Second Legislative Assembly (1974-1979)

In the mid-term elections held to the State Assembly on 19, 23 and 25 February 1974, the alliance of the Manipur People's Party (MPP) and Manipur Hills Union (MHU) secured an absolute majority. The MPP got 20 seats, MHU 12, Congress 12, CPI 6, Socialists 2, Kuki National Assembly (KNA) 2 and Independents 5 seats. The result of one seat was withheld and the matter was referred to the Election Commission for a decision. On 2 March 1974, the strength of the MPP-MHU alliance rose to 35, when two Independents formally joined the MPP and the third joined the MHU. On 2 March 1974, the MPP unanimously elected the former Chief Minister, Shri Mohammed Alimuddin as Leader of the Legislature Party. The Legislature Party of the Manipur Hills Union elected Shri Yangmaso Shaiza as its leader on the same day. On 3 March 1974, the Socialist Party and the KNA, each of which had 2 representatives in the Assembly, decided to support the coalition Ministry of Shri Alimuddin. On 4 March 1974, a two-member coalition Ministry of the United Legislature Party headed by Shri Mohammed Alimuddin was formed.

Following the defeat of his Government by 31 votes to one in the Assembly over the Manipur Appropriation Bill, 1974, Shri Alimuddin resigned from the Chief Ministership on 8 July 1974. An eight-member Progressive Democratic Front Ministry led by Shri Yangmaso Shaiza was sworn in on 10 July 1974. The Front was a coalition of the Congress, CPI, Manipur Hills Union, and the newly formed Manipur Democratic Party. The five-month-old Ministry headed by Shri Yangmaso Shaiza resigned on 5 December 1974. Subsequently, a two member Ministry headed by the Congress led Democratic Legislature Party leader Shri R.K. Dorendra Singh was sworn in on 6 December 1974. Following the resignation of the 22-month-old Congress Ministry led by Shri R.K. Dorendra Singh on 13 May 1977 which was reduced to a minority, President's Rule was proclaimed in the State on 16 May 1977 for a brief spell. On 29 June 1977, a two-member Janata Ministry headed by Shri Yangmaso Shaiza was sworn in by the Governor, Shri L.P. Singh.

One Motion of No-confidence was debated and negatived in the Second Legislative Assembly.

Motion of No-confidence

A Motion of No-confidence was moved against the Janata Ministry of Shri Yangmaso Shaiza on 4 January 1979 by Shri Rishang Keishing. The motion was discussed for two days on 4 and 5 January 1979 for 6 hours. In all, 12 members participated in the debate. The motion was negatived with 12 members voting in favour and 38 members voting against it.

Third Legislative Assembly (1980-1985)

In the elections to the Legislative Assembly held on 3 and 6 January 1980, no party emerged with a working majority. Independents dominated the House with a tally of 19 seats. The Congress(I) won 13 seats and the Janata Party 10 seats followed by Congress(U) with 6 seats, CPI 5, CPI(M) 1, Manipur People's Party 3 and KNA 2 seats. Election in one constituency was countermanded due to the death of a candidate. On 14 January 1980, Shri R.K. Dorendra Singh was sworn in as the Chief Minister, heading a four-party coalition Ministry. On 27 November 1980, Shri Rishang Keishing, the newly elected leader of the Congress(I) Legislature Party, was sworn in as the Chief Minister, succeeding Shri Dorendra Singh whose resignation from the post was accepted by the Governor on 17 November 1980.

In the Third Legislative Assembly, five Motions of No-confidence against the Cabinet of Shri Rishang Keishing were admitted. Of the five motions, four were negatived, and discussion was not held on one motion as the Council of Ministers resigned.

First Motion of No-confidence

Two notices of No-confidence Motion were received by the Speaker, Shri Y. Yaima Singh on 23 February 1981. The first motion was brought by Shri Th. Chaoba Singh, Shri Ph. Parijat and Shri Ngulkhohao on the grounds of failure to maintain law and order. The other motion was brought by 12 members. The Speaker said he could not admit the second motion as the notice of the motion was submitted after 13 minutes of the commencement of the days' sitting. Leave was granted to the first motion and the Speaker fixed 27 February 1981 for discussion. On 27 February 1981, when the House assembled, the Speaker informed that he had received a message from the Governor informing that the Council of Ministers of Shri Rishang Keishing had tendered its resignation and the same had been accepted. The Speaker, after reading the message, adjourned the House *sine die*.

On 28 February 1981, the State was brought under President's Rule with immediate effect and the Legislative Assembly kept under suspended animation.

Subsequently, an eight-member Congress(I) Ministry headed by Shri Rishang Keishing was sworn in on 19 June 1981.

Second Motion of No-confidence

The second Motion of No-confidence against the Congress Ministry of Shri Rishang Keishing was brought by Shri O. Joy Singh (MPF) on 4 March 1982. The debate on the motion held on 4 and 5 March 1982 lasted 7 hours. The motion was negated by voice vote.

Third Motion of No-confidence

Ch. Manihar Singh (MPF) moved the third Motion of No-confidence against the Cabinet of Shri Rishang Keishing on 31 August 1982. The motion, discussed for 5 hours, was negated by voice vote.

Fourth Motion of No-confidence

On 31 March 1983, Shri M. Kumar Singh moved the fourth Motion of No-confidence against the Ministry headed by Shri Rishang Keishing. The motion, debated for 4 hours, was negated with 13 members voting in favour and 40 members voting against it.

Fifth Motion of No-confidence

The fifth Motion of No-confidence in the Third Legislative Assembly against the Keishing Ministry was moved by Shri Yangmaso Shaiza on 3 October 1983. At the end of the 3 hours and 30 minutes long debate, the motion was negated by voice vote.

No motion of either type was moved in the Fourth Legislative Assembly.

Fifth Legislative Assembly (1990-1995)

Elections were held for the 60-member Legislative Assembly on 12 and 20 February 1990. The United Legislature Front (ULF) comprising the Manipur People's Party, Janata Dal, CPI, CPI(M), Kuki National Assembly, National People's Party and Congress(S) won an absolute majority and staked its claim to form the Government. Elections to two seats were countermanded. The Congress(I) won 26 seats, Janata Dal 10, Manipur People's Party 10, Congress (S) 6, CPI 3, Kuki National Assembly 2 and National People's Party 1 seat. A ULF Ministry headed by Shri R.K. Ranbir Singh of the Manipur People's Party was sworn in by the Governor Shri Chintamani Panigrahi on 23 February 1990.

During the tenure of the Fifth Legislative Assembly, one Motion of No-confidence and four Motions of Confidence were discussed. Of the four Motions of Confidence, one was moved by the Chief Minister Shri R.K. Ranbir Singh and three motions were moved by the Chief Minister Shri Rishang Keishing.

Motion of No-confidence

On 28 August 1990, Speaker Dr. H. Borobabu Singh announced the

disqualification with effect from 24 July 1990 of seven Congress(I) MLAs. The members were disqualified under the Anti-defection Law as they had left the Congress(I) and formed a new party, the Manipur Congress.

On 13 March 1991, Shri R.K. Dorendra Singh, Congress (I), moved a Motion of No-confidence against the United Legislature Front Government of Shri Ranbir Singh. In all, 12 members participated in the discussion. The motion, debated for 4 hours and 15 minutes, was rejected with 13 members voting in favour and 34 members voting against it.

First Motion of Confidence

On 27 November 1991, the Supreme Court quashed the order of the Speaker of the Manipur Legislative Assembly disqualifying seven Congress(I) members on the grounds of alleged defection

On 9 December 1991, the Chief Minister Shri R.K. Ranbir Singh moved a Motion of Confidence in the special one-day Session of the Assembly. The motion, discussed for 2 hours and 15 minutes, was adopted by voice vote with all the 29 members present in the House voting for it. The Congress and its allies boycotted the Session in protest against the non-allocation of seats to the seven party MLAs, whose disqualification had been quashed by the Supreme Court. The Speaker did not permit the seven Congress members to vote saying that he was yet to get the judgment copy of the Supreme Court.

Following the withdrawal of support by five legislators, including two Ministers, the six-party United Legislature Front Ministry headed by Shri Ranbir Singh was reduced to a minority on 6 January 1992. The State was brought under President's Rule on 7 January 1992 and the State Assembly kept in suspended animation. On 8 April 1992, Shri R.K. Dorendra Singh was sworn in as the Chief Minister heading a Congress(I) led coalition Ministry. In the wake of continued Naga-Kuki clashes resulting in many deaths, President's Rule was imposed in the State on 31 December 1993. Later, a Congress Ministry headed by Shri Rishang Keishing was sworn in on 13 December 1994 by the Governor Lt. Gen. (Retd.) V.K. Nayar.

On 15 December 1994, the Governor summoned the Assembly to meet on 23 December to enable the new Chief Minister to seek a vote of confidence. On 22 December 1994, four petitions were filed in the Guwahati High Court challenging the Speaker's notice issued to 23 MLAs on 31 December 1993 to show cause why they should not be disqualified under the Anti-defection Law. The High Court then issued a stay order. The Speaker, however, went ahead with the hearing on the disqualification cases. He later said that the stay order of the High Court had reached him after he had issued the disqualification orders. On 23 December 1994, the State Governor Lt. Gen. (Retd.) V.K. Nayar resigned from the office.

Second Motion of Confidence

The Assembly met on 23 December 1994. Congress(I) members boycotted the Session called for the day terming it unconstitutional. The Speaker then took up the items of business on the Agenda which included a Confidence Motion in the Council of Ministers of Shri Rishang Keishing. The Speaker announced that since no Treasury Bench member was present in the House, the Ministry had lost the vote of confidence. The Assembly Session, attended by 22 members, also passed a resolution ratifying the Speaker's decision to disqualify 23 MLAs from their membership. The House later adjourned *sine die*.]

Meanwhile, the Governor of Nagaland, Shri O.N. Srivastava was asked to look after the additional charge of the Governor of Manipur. Later, he prorogued the State Legislative Assembly with immediate effect. He also fixed 9 January 1995 as the fresh date for a trial of strength for the Keishing Government.

Third Motion of Confidence

On 9 January 1995, the Governor Shri O.N. Srivastava addressed the House even as the Opposition members remained absent. Shortly after the Governor had left and the Motion of Thanks to his Address was passed, the Speaker, Dr. Borobabu Singh announced that since he had appealed to the Supreme Court against the judgment of the Guwahati High Court, staying the expulsion of 23 MLAs who were earlier disqualified by the Speaker under the Anti-defection Law on 23 December 1994, the matter was *sub judice* and could not be discussed till its disposal by the Supreme Court.

Dr. Borobabu Singh then adjourned the House *sine die* and left with the Opposition members who had entered after the Governor's departure. The Chief Minister did not agree with the decision of the Speaker. The moment the Speaker and the Opposition walked out of the House, Shri Keishing said the Speaker's decision was unacceptable and that the business of the House should continue. He proposed that Shri W. Angou Singh preside over the sitting. This proposal was immediately approved by the House. Thereafter, the vote of confidence in the Ministry was passed unanimously. It was then proposed that the proceedings of the House of 23 December 1994 be suspended. This was unanimously adopted. Four MLAs then proposed a resolution for the removal of the Speaker Dr. Borobabu Singh. This was also passed unanimously. A request for extension of the Session to elect a Speaker was granted. When the House reconvened at 2 p.m., Shri E. Biramani Singh was unanimously elected as the Speaker.

Fourth Motion of Confidence

The Chief Minister Shri Rishang Keishing moved a Motion of Confidence in

the Council of Ministers on 25 January 1995. The motion, discussed for 4 hours and 15 minutes, was adopted by voice vote.

Sixth Legislative Assembly (1995-2000)

In the elections to the Legislative Assembly held on 16 and 19 February 1995, the Congress(I) won 21 seats, MPP 18, Janata Dal 7, CPI 2, Samata Party 2, NPP 2, Federal Party of Manipur 2, BJP 1, Congress(S) 1, and Independents and others 3. Election in one constituency was countermanded. A three-member Congress(I) Ministry headed by Shri Rishang Keishing was sworn in on 25 February 1995.

In the Sixth Legislative Assembly, two No-confidence Motions and two Confidence Motions were debated. Whereas both the Motions of No-confidence were negatived, one Motion of Confidence was adopted and the other was negatived, resulting in the fall of the Government.

First Motion of No-confidence

A Motion of No-confidence against the Congress Ministry of Shri Rishang Keishing was brought by Shri R.K. Ranbir Singh on 23 November 1995. Ten members took part in the debate. The motion, discussed for 3 hours and 40 minutes, was negatived with 16 members voting in favour and 34 members voting against it.

Second Motion of No-confidence

The second Motion of No-confidence against Shri Rishang Keishing's Government was moved by Shri R.K. Ranbir Singh on 28 July 1997. At the end of the 3 hours and 20 minutes long debate, the motion was rejected by voice vote.

On 7 December 1997, 23 MLAs of the ruling Congress(I) led by the Speaker Shri W. Nipamacha Singh formed a new party called the Manipur State Congress Party (MSCP).

First Motion of Confidence

The Chief Minister Shri Rishang Keishing moved a Motion of Confidence on 15 December 1997 in a Special Session of the Assembly. The motion, discussed for two hours, was negatived with 16 members voting in favour and 38 members voting against it. Subsequently, Shri Keishing submitted the resignation of his Cabinet to the Governor, who invited Shri W. Nipamacha Singh to form the new Government. On 16 December 1997, Shri Nipamacha Singh was sworn in as the new Chief Minister.

Second Motion of Confidence

Dr. L. Chandramani Singh moved a motion seeking a vote of confidence in the Council of Ministers of Shri Nipamacha Singh on 12 January 1998. After 5 hours of

discussion, the motion was adopted with 40 members voting in favour and none against it.

Seventh Legislative Assembly (2000- 2001)

Elections to the State Legislative Assembly were held on 12 and 22 February 2000. The MSCP secured 23 seats, Congress(I) 11, BJP 6, Federal Party of Manipur 6, NCP(O) 3, MPP(K) 3 seats, Manipur People's Party 1, NCP 1, JD(S) 1, Samata Party 1, NCP(D) 1, RJD(H) 1, JD(Z) 1 and Independent 1 seat.

On 2 March 2000, Shri W. Nipamacha Singh of the United Legislature Front (ULF) was sworn in as the Chief Minister.

In the Seventh Legislative Assembly, one Motion of No-confidence and one Motion of Confidence were debated and both were negatived.

Motion of No-confidence

A No-confidence Motion against the eight-month-old Government of Shri W. Nipamacha Singh was admitted on 1 December 2000, the first day of the Winter Session, by the Speaker, Dr. S. Dhananjay Singh. After admitting the No-confidence Motion, the Speaker abruptly adjourned the House, following unruly scenes inside the Assembly Hall in the post-lunch Session.

On 11 February 2001, the ULF led by Shri Nipamacha Singh was reduced to a minority following a split in the coalition. Eight of the thirty-one members of the coalition withdrew their support to the Government.

On 12 February 2001, the Speaker re-summoned the State Assembly to discuss the Motion of No-confidence against the Council of Ministers which had been admitted on 1 December 2000.

Accordingly, a one-day Session of the State Legislative Assembly was convened on 14 February 2001. The Chief Minister Shri Nipamacha Singh, however, resigned before the motion could be discussed. Subsequently, the House was adjourned *sine die* the same day.

On 15 February 2001, Shri Radhabinod Kojiam of the Samata Party was sworn in as the Chief Minister. On 9 May 2001, a new party, the Progressive Manipur State Congress was formed following a split in the Manipur State Congress Party (MSCP) with eighteen of its members breaking away from it. On 13 May 2001, the Progressive Manipur State Congress along with its eighteen MLAs merged with the Bharatiya Janata Party. On 14 May 2001, the Chief Minister Shri Radhabinod Kojiam dropped six Ministers from the Council of Ministers for anti-party activities. On the same day, the Nationalist Congress Party and the Federal Party of Manipur withdrew support to the Kojiam Ministry.

Motion of Confidence

On 21 May 2001, Shri O. Joy Singh moved a one-line motion seeking a vote of

confidence in the People's Front Ministry of Shri Radhabinod Kojiam. The motion was discussed for 4 hours and was defeated with 39 members opposing the motion and 17 supporting it in the 60-member Assembly. Soon after, the Chief Minister Shri Kojiam submitted the resignation of his Council of Ministers. On 2 June 2001, President's Rule was imposed in the State.

Eighth Legislative Assembly (2002-till date)

Elections to the 60-member State Assembly were held on 14 and 21 February 2002. The Congress(I) secured 20 seats, Federal Party of Manipur 13, Manipur State Congress Party 7, CPI 5, BJP 4, Samata Party 3, Nationalist Congress Party 3, Democratic People's Party 2, Manipur People's Party 2, and Manipur National Conference (MNC) 1 seat. A Secular Progressive Front was formed by the Congress(I), MSCP, CPI and NCP which was supported from outside by the MNC. On 7 March 2002, the Congress led Secular Progressive Front Ministry headed by Shri Okram Ibobi Singh was sworn in by the Governor Shri Ved Prakash Marwah.

One Motion of Confidence has been debated in the Eighth Legislative Assembly.

Motion of Confidence

A Motion of Confidence was moved by the Chief Minister Shri Okram Ibobi Singh on 12 March 2002. The motion was debated for 1 hour and 35 minutes in which 6 members took part. The motion was adopted by voice vote.

Motions of Confidence and No-confidence in the Manipur Union Territory and State Legislative Assembly - An Analysis

Union Territory Legislative Assembly

In all, three Motions of No-confidence against different Councils of Ministers were debated in the Legislative Assembly, all of them in the Second Legislative Assembly. In the First Legislative Assembly, no such motion was discussed. Speaker Shri Sibho Lorho presided over two Motions of No-confidence while Speaker Shri Tombi Singh resigned even as the Motion of No-confidence was being debated in the Assembly.

Chief Minister Shri Longjam Thambou Singh faced one Motion of No-confidence. The debate on the motion remained inconclusive as the Deputy Speaker and then the Speaker resigned during the discussion on the motion. As the Assembly could not nominate a candidate for Speakership, the House was prorogued. Thereafter, President's Rule was imposed in the State.

Chief Minister Shri M. Koireng Singh faced two Motions of No-confidence. While one Motion of No-confidence was negative, the other was adopted leading to the fall of his Government. In all, 21 members participated in the debate on the two Motions of No-confidence (figures for one motion are not available). The

Motion of No-confidence of September 1968 was discussed for 3 hours (figures for the other two motions are not available). Of the three Motions of No-confidence, the debate on one Motion of No-confidence remained inconclusive and two were decided by division.

Legislative Assembly of the State of Manipur

Table 1 gives details of Motions admitted/discussed in each Assembly along with its duration. In all, 11 Motions of No-confidence and eight Motions of Confidence have been admitted and discussed in the State Legislative Assembly till date. Out of the 11 Motions of No-confidence, the highest number of five Motions of No-confidence were debated in the Third Legislative Assembly followed by two in the Sixth Legislative Assembly and one each in the First, Second, Fifth and Seventh Legislative Assemblies. As regards Motions of Confidence, the highest number of four Motions of Confidence were discussed in the Fifth Legislative Assembly, two in the Sixth and one each in the Seventh and the Eighth Legislative Assemblies. In the Fourth Legislative Assembly, no motion of either type was discussed.

Table 2 gives the number of No-confidence and Confidence Motions discussed during the tenures of different Speakers.

Speaker Shri Y. Yaima Singh presided over the debates on the highest number of five No-confidence Motions. Speaker Shri W. Nipamacha Singh chaired the debate on two Motions of No-confidence. Dr. L. Chandramani Singh, Dr. Borobabu Singh, Dr. S. Dhananjoy Singh and Deputy Speaker Shri O. Joy Singh presided over the debate on one Motion of No-confidence each. Three Motions of Confidence were moved during the tenure of Speaker Dr. H. Borobabu Singh. One Motion of No-confidence moved on 9 January 1995 by the Chief Minister Shri Rishang Keishing was presided over by Shri W. Angou Singh as Chairman. Dr. H. Borobabu Singh, who was the Speaker of the Assembly at that time, was removed from the Speakership by a resolution passed by the ruling party members on 9 January 1995 after he left the House. Thereafter, Shri W. Angou Singh chaired the debate on the Motion of Confidence and Shri E. Biramani Singh was later elected as the Speaker. Shri K. Babudhon Singh presided over the debate on two Motions of Confidence. Sarvashri W. Nipamacha Singh, T.N. Haokip and Dr. S. Dhananjoy Singh chaired the debate on one Motion of Confidence each. Dr. H. Borobabu Singh, Dr. S. Dhananjoy Singh and Shri W. Nipamacha Singh presided over both No-confidence and Confidence Motions.

Table 3 gives an account of the No-confidence Motions and Confidence Motions debated during different Councils of Ministers. Of the 11 Motions of No-confidence, Shri Rishang Keishing faced seven Motions. Sarvashri Mohammed Alimuddin, Yangmaso Shaiza, R.K. Ranbir Singh and W. Nipamacha Singh faced one Motion of No-confidence each (though Shri Nipamacha Singh resigned before

the discussion on the motion). Chief Minister Shri Rishang Keishing also moved the highest number of four Motions of Confidence whereas Sarvashri R.K. Ranbir Singh, W. Nipamacha Singh, Radhabinod Koijam and Okram Ibobi Singh moved one Motion of Confidence each. Chief Ministers Sarvashri Rishang Keishing, R.K. Ranbir Singh and W. Nipamacha Singh had to face motions of both types - No-confidence as well as Confidence.

Table 4 gives statistical information pertaining to the participation of members in the debate on various motions. It also depicts the time taken and the result of the division.

Participation by Members

In all, 59 members of the Legislative Assembly participated in the debate on 5 motions - 53 in 4 Motions of No-confidence and 6 in one Motion of Confidence (figures for 7 Motions of No-confidence and 7 Motions of Confidence are not available). The highest number of 19 members took part in the No-confidence Motion moved by Dr. L. Chandramani Singh against the Council of Ministers of Shri Mohammed Alimuddin in March 1973. On the other hand, the No-confidence Motion moved by Shri R.K. Ranbir Singh in November 1995 against the Ministry of Shri Rishang Keishing entailed the lowest partaking by 10 members.

Time taken

The total time spent on debating the nine Motions of No-confidence comes to 46 hours while the time taken on the seven Motions of Confidence was 22 hours and 40 minutes. Two Motions of No-confidence of February 1981 and February 2001 were not discussed as the concerned Chief Minister resigned before the motion was taken up for discussion. One Motion of Confidence of December 1994 was not discussed. A total number of 14 days and 8 days were spent on debating the 11 Motions of No-confidence and eight Motions of Confidence, respectively. Individually, the No-confidence Motion moved by Shri M. Koireng Singh in March 1973 was discussed for three days and the two motions moved by Shri Rishang Keishing in January 1979 and Shri O. Joy Singh in March 1982 were debated for two days each, whereas the other eight Motions of No-confidence were debated for a day each. All the eight Motions of Confidence were debated for one day each.

In respect of the time taken, the No-confidence Motion moved by Shri M. Koireng Singh against Shri Mohammed Alimuddin's Ministry on 22 March 1973 was debated for the longest duration of 9 hours and 15 minutes while the shortest duration of 3 hours and 20 minutes was taken by the No-confidence Motion moved against Shri Rishang Keishing by Shri R.K. Ranbir Singh on 28 July 1997.

As regards Motions of Confidence, Shri W. Nipamacha Singh's motion moved on 12 January 1998 was debated for 5 hours whereas Shri Okram Ibobi Singh's motion moved on 12 March 2003 took 1 hour and 35 minutes.

Division

Of the 11 Motions of No-confidence, four motions were negated by division and four by voice vote. Three were not put to vote as the Chief Ministers resigned before the motion could be discussed in February 1981 and February 2001 and the debate remained inconclusive on one occasion as the Chief Minister resigned while the motion was being discussed on 26 March 1973.

The No-confidence Motion moved by Shri M. Kumar Singh on 31 March 1983 against the Ministry of Shri Rishang Keishing was negated with widest margin of 27 votes whereas the No-confidence Motion moved by Shri R.K. Ranbir Singh against the Cabinet of Shri Rishang Keishing on 23 November 1995 was negated with the lowest margin of 18 votes.

In respect of Motions of Confidence, five were adopted and three were negated. Of the five adopted motions, three were decided by voice vote and two by division. Of the three negated motions, two were decided by division and the one moved in December 1994 was declared lost by the Speaker due to the absence of Treasury Bench members in the House.

The Motion of Confidence moved by Dr. L. Chandramani Singh seeking a vote of confidence in the Council of Ministers of Shri W. Nipamacha Singh in January 1998 was adopted with the widest margin of 40 votes whereas Shri Rishang Keishing's Motion of Confidence in December 1997 and Shri Radhabinod Kojiam's motion in May 2001 were negated by a margin of 22 votes.

Meghalaya Legislative Assembly

After colonial annexation, Meghalaya consisted of the Garo Hills sub-division along with the Khasi States which had semi-independent status in a treaty relationship with the British Crown. In 1864, the district headquarters of the Khasi and Jaintia Hills were shifted to Shillong; subsequently, in 1874, Shillong also became the headquarters of the new province of Assam. In 1905, Meghalaya became a part of the new province of Assam and Eastern Bengal, when Lord Curzon partitioned Bengal. Later, King George V reversed the partition of Bengal and the area now called Meghalaya became a part of the revived province of Assam.

Being the provincial headquarters, Shillong, the present capital of Meghalaya, has seen the gradual evolution of parliamentary democracy. The Council of the Chief Commissioner, set up under the Indian Councils Acts of 1861 and 1909, met in Shillong and so did the first independent Council for Assam set up in 1912. The Council, set up under the Government of India Act, 1916 met in Shillong for the first time on 6 April 1916 and again under the Government of India Act, 1919 as the new Assam Legislative Council. On 3 January 1921, following the Montague-Chelmsford Report and the subsequent Government of India Act of 1919, the Governor-General-in-Council declared the areas now in Meghalaya, but excluding the Khasi States, as backward tracts under the Act. In the wake of the Government of India Act, 1935, the areas now in Meghalaya, excluding the Khasi States, became partially excluded areas. However, these areas were represented in the Assam Legislative Council since 1920 and later also in the pre-Independence Assam Legislative Assembly.

Prior to 2 April 1970, Meghalaya was a part of the composite State of Assam. The Constitution (Twenty-second Amendment) Act, 1969 which added article 244A enabled the Parliament to enact a law to give effect to the scheme for the reorganization of the Legislative Assembly by forming within the State of Assam an autonomous State. In pursuance of article 244A, the Parliament passed the Assam Reorganisation (Meghalaya) Bill, 1969, which sought to establish an autonomous State called Meghalaya within the State of Assam. As envisaged in the reorganization scheme, Meghalaya comprised the areas which then formed part of the United Khasi-Jaintia Hills District and the Garo Hills District. The Act also provided for separate options

to the Mikir Hills Autonomous District and the North Cachar Hills Autonomous District to become part of Meghalaya.

The Autonomous State was inaugurated on 2 April 1970. In 1971, the Parliament passed the North-Eastern Areas (Reorganisation) Act, 1971 which conferred full Statehood on the Autonomous State of Meghalaya. It became a full-fledged State on 21 January 1972, with a full-fledged Legislature. The Legislature of Meghalaya is unicameral. At present, the total membership of the Legislative Assembly is 60.

Motion of No-confidence

Rule 133 of the Rules of Procedure and Conduct of Business of the Meghalaya Legislative Assembly deals with the Motion of No-confidence in the Council of Ministers.

A motion expressing want of confidence in the whole Ministry or a motion censuring a Minister or a group of Ministers or a motion disapproving the action or actions of a Minister may be made with the consent of the Speaker. However, no motion expressing want of confidence shall be made against an individual Minister or a group of Ministers. Further, no motion expressing want of confidence in the Ministry shall be allowed to be made, if a similar motion has been made in the same Session. The Speaker shall not give his consent to make a motion unless certain conditions are fulfilled. Accordingly, a member desiring to move the motion has, before the commencement of the sitting of the day, to give a written notice to the Secretary of his intention to move the motion together with a copy of the motion; similarly, leave to make the motion has to be asked for after the Questions and before the List of Business of the day is entered upon.

If the Speaker is of the opinion that the motion is in order, he shall read the motion to the Assembly and shall request those members who are in favour of leave being granted to rise in their places and, if not less than 10 members of the House rise accordingly, the Speaker shall intimate that leave is granted and that the motion will be taken on such day not being more than ten days and not less than twenty-four hours from the time at which leave is asked, as he may appoint. If less than ten members rise, the Speaker shall inform the member that he has not the leave of the Assembly.

The Speaker shall, at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith put every question necessary to determine the decision of the House on the motion. The Speaker may, if he thinks fit, prescribe a time limit for speeches.

Motion of Confidence

A Motion of Confidence in the Council of Ministers is also taken up under Rule 133 which deals with the Motion of No-confidence.

Motions in the Meghalaya Legislative Assembly

In the thirty-two year long history of the Meghalaya Legislative Assembly, though 25 motions were admitted, only 21 motions have been taken up. Of these, 10 were Confidence Motions and the remaining 11 were No-confidence Motions. Three Motions of No-confidence and one Motion of Confidence were withdrawn. Out of the ten Motions of Confidence, two were negatived resulting in the fall of the Government. Of the eleven Motions of No-confidence, two were adopted, bringing down the Government of the day.

For statistical details in respect of these motions, see Tables 1 to 4. A graphical presentation of the motions is available in Graphs I and II. Tables 5 and 6 list out, respectively, the Governors and Chief Ministers of the State of Meghalaya.

First Legislative Assembly (1972-1978)

After the formation of the State of Meghalaya, elections were held for the first time to the State Legislative Assembly in 1972. In the 60-member House, elections were held for 57 seats as three members were returned unopposed. The All Party Hill Leaders Conference (APHLC) won 32 seats, including the three unopposed returns. While the Congress Party secured 9 seats, the Hill State People's Democratic Party (HSPDP) got 9 seats and Independents won from 10 seats. A six-member APHLC Ministry led by Capt. Williamson Sangma was sworn in by the Governor on 18 March 1972.

Three Motions of No-confidence were taken up by the First Legislative Assembly.

First Motion of No-confidence

The first Motion of No-confidence against the Council of Ministers headed by Capt. Williamson Sangma was taken up by the House in December 1973. Shri Upstar Kharbuli, an Independent member, gave the notice for moving the motion charging the Government of many acts of omission and commission. The leave of the House was granted on 11 December 1973. The Speaker Prof. R.S. Lyngdoh fixed 12 and 13 December 1973 for debating the motion.

Initiating the debate, Shri Kharbuli said that many acts of omission and commission were committed by the Government during the previous two years. The Government had passed various legislations by virtue of its majority and by steamrolling the Opposition. This had brought about great discontent and resentment among the Opposition and the general public against the repressive measures of the Government. The Agricultural Income-tax Act which sought to impose heavy taxes upon the poor cultivators of the State without considering their difficulties was an example of such an approach by the Government. He also criticised the policy adopted by the Government in the land tenure system of the Khasis, which was against the democratic rights which they had been enjoying since time immemorial.

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1972-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	March 1972 - 7 March 1978	3	-
Second Legislative Assembly	14.03.1978 - 28.02.1983	1	1
Third Legislative Assembly	28.02.1983 - 08 02.1988	4#	-
Fourth Legislative Assembly	22.02.1988 - 18.02.1993@	2*	4
Fifth Legislative Assembly	02.03.1993 - 25.02.1998	1	1
Sixth Legislative Assembly	08.03.1998 - 04.03.2003	3\$	4**
Seventh Legislative Assembly	04.03.2003 - till date	-	1
Total		14	11

One motion was withdrawn by the mover on 17.12.1985.

@ Assembly was under suspended animation from 11.10.1991 to 05.02.1992.

* One motion was not taken up by the House on 26.3.1990 as the Chief Minister resigned.

\$ One motion was withdrawn by the mover on 25.6.1998.

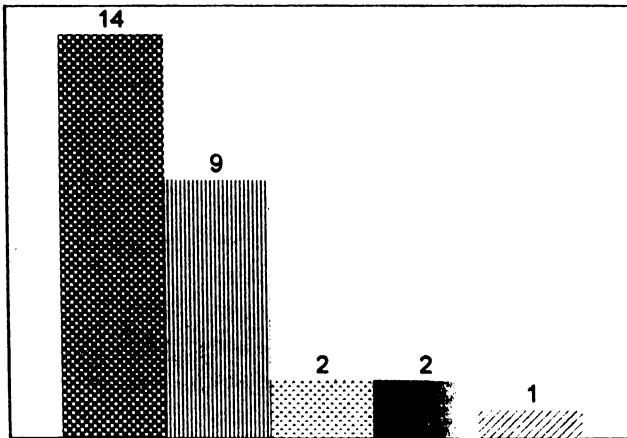
** One Motion of Confidence was deemed to have been withdrawn by the mover on 10.3.1998 and Chief Minister resigned

Table 2

**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1972-2003)**

<i>Sl. No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1	Prof. R. S. Lyngdoh	14.03.1970 - 25.03.1972	-	-
		25.03.1972 - 20.03.1978	3	-
2	Shri W. Syiemiong	20.03.1978 - 09.03.1983	1	1
3	Shri. E.K. Mawlong	09.03.1983 - 24.02.1988	4	-
4	Shri P.G. Marbaniang	24.02.1988 - 09.12.1989	1	-
5	Shri. P.R. Kyndiah	20.12.1989 - 04.03.1993	1	4
6	Dr. R.C. Laloo	04.03.1993 - 15.06.1993	-	1
7	Shri J. D. Rymbai	12.10.1993 - 17.04.1997	1	-
8	Shri M. Rava	22.07.1997 - 09.03.1998	-	-
9	Shri E.K. Mawlong	10.03.1998 - 07.03.2000	1	3
10	Shri M.M. Danggo (Acting Speaker)	08.03.2000 - 30.06.2000	-	-
11	Shri Elstone D. Marak	30.06.2000 - 04.03.2003	2	1
12.	Shri M.M. Danggo	12.03.2003 - till date	-	1
Total			14	11

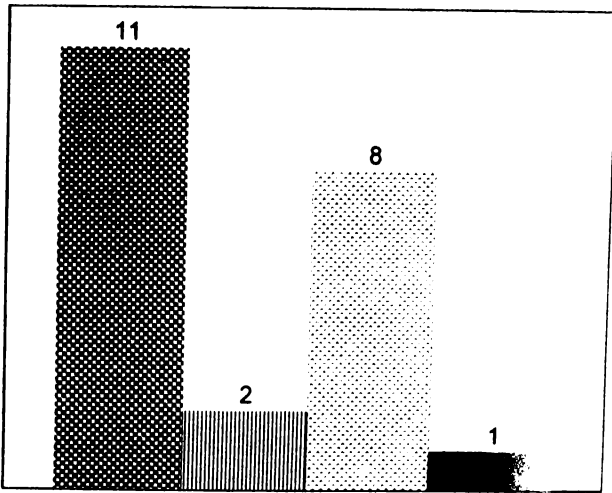
Graph I
 NCMs in Meghalaya Legislative Assembly
 (1972-2003)



- ☒ Motions admitted and discussed ■ Motion withdrawn
 ||| Negated // Chief Minister resigned*
 ● Adopted

* The Chief Minister resigned before the discussion was taken up in March 1990

Graph II
CMs in Meghalaya Legislative Assembly
(1972-2003)



Motions admitted and discussed **Adopted**
Negated **Chief Minister resigned**

*The Chief Minister announced his intention to resign in March 1998

Table 3

**NCMs against/CMs in the Council of Ministers
(1972-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
W.A. Sangma (First Legislative Assembly)	APHLC 32/60 (53%)	NCM	U. Kharbuli (18)	(11.12.1973) 12.12.1973 13.12.1973 10.10	Negatived by voice vote
-do-	APHLC 32/60 (53%)	NCM	M.N. Majaw (7)	(02.04.1975) 04.04.1975 01.00	Negatived (walk-out by the Opposition)
-do-	Congress 41/60 (68%)	NCM	B.B. Lyngdoh (17)	(17.12.1976) 18.12.1976 02.15	Negatived by voice vote
D.D. Pugh (Second Legislative Assembly)	APHLC, PDIC 32/60 (53%)	CM	M.N. Majaw	04.05.1979 00.15	Negatived Ayes - 29 Noes - 30
B.B. Lyngdoh	UMPDF 33/60 (55%)	NCM	E.K. Mawlong (18)	(16.06.1980) 19.06.1980 04.00	Negatived Ayes - 23 Noes - 34
B.B. Lyngdoh (Third Legislative Assembly)	MUPP 34/60 (56.6%)	NCM	D.D. Lapang (13)	(25.03.1983) 31.03.1983 01.30	Adopted Ayes - 31 Noes - 27
W.A. Sangma	MDF 36/60 (60%)	NCM	B.G. Momin (14)	(04.07.1985) 05.07.1985 03.00	Negatived by voice vote
-do-	MDF 36/60 (60%)	NCM	S.D. Khongwir	(13.12.1985) 17.12.1985	Withdrawn

<i>Council of Ministers</i>	<i>Party/seats won Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
-do-	MDF 36/60 (60%)	NCM	Korbar Singh (32)	(15.04.1987) 16.04.1987 17.04.1987 10.00	Negated by voice vote
P.A. Sangma (Fourth Legislative Assembly)	UMPF 36/60 (60%)	NCM	Korbar Singh (23)	(25.02.1988) 29.02.1988 02.30	Negated Ayes - 24 Noes - 34
-do-	UMPF 25/60 (41%)	NCM	H.S. Lyngdoh	(23.03.1990) 26.03.1990	Chief Minister resigned before the motion was taken up.
B.B. Lyngdoh	MUPP 32/60 (53%)	CM	E.K. Mawlong	18.04.1990 00.30	Adopted Ayes - 31 Noes - 28
-do-	MUPP 32/60 (53%)	CM	-do-	07.08.1991 03.50	Adopted Ayes - 30 Noes - 27
-do-	26/60 (43%)	CM	-do-	08.10.1991	Negated* Ayes - 26 Noes - 27
D.D. Lapang	UMPF 44/60 (69.4%)	CM	J.D. Pohrmen	19.02.1992 00.15	Adopted by voice vote
S.C. Marak (Fifth Legislative Assembly)	38/60 (63%)	CM	-do-	16.03.1993 00.30	Adopted by voice vote
-do-	UMPF 38/60 (63%)	NCM	A.H. Scott Lyngdoh (9)	(04.04.1996) 04.04.1996 03.20	Negated by voice vote

* Speaker exercised casting vote against the Confidence Motion.

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
S.C. Marak (Sixth Legislative Assembly)	MPF 25/60 (41.6%)	CM	J.D. Rymbai	10.03.1998	Deemed to have been withdrawn by the mover; Chief Minister resigned
B.B. Lyngdoh	UPF 31/60 (51.6%)	CM	H.B. Dan (2)	23.03.1998 01.20	Adopted by voice vote
-do-	UPF 31/60 (51.6%)	NCM	C.B. Marak	(17.06.1998)	Withdrawn by the mover on 25.06.1998
-do-	MPF 36/60 (60%)	CM	B.B. Lyngdoh (10)	03.08.1998 04.00	Adopted by voice vote
E.K. Mawlong	MPF 36/60 (60%)	NCM	F.W. Momin (19)	(15.12.2000) 19.12.2000 05.30	Negatived by voice vote
-do-	MPF 17/60 (28%)	NCM	R.G. Lyngdoh	07.12.2001 00.15	Adopted Ayes - 42 Noes - 17
F.A. Khonglam	PFM 42/60 (70%)	CM	Mukul Sangma (25)	10.12.2001 02.00	Adopted by voice vote.
D.D. Lapang (Seventh Legislative Assembly)	MDA 42/60 (70%)	CM	D.D. Lapang	19.03.2003 15 Seconds	Adopted by voice vote

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1972-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parli- cipa- nts	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
R.S. Lyngdoh	NCM	W.A. Sangma	U. Kharbuli	12.12.1973 13.12.1973	18	10.10	13.12.1973	-	-	Negated by voice vote
-do-	NCM	-do-	M.N. Majaw	04.04.1975	7	01.00	04.04.1975	-	-	Negated (walk out by the Opposition)
-do-	NCM	-do-	B.B. Lyngdoh	18.12.1976	17	02.15	18.12.1976	-	-	Negated by voice vote
W. Syiemtiang	CM	D.D. Pugh	M.N. Majaw	04.05.1979	-	00.15	04.05.1979	29	30	Negated
-do-	NCM	B.B. Lyngdoh	E.K. Mawlong	19.06.1980	18	04.00	19.06.1980	23	34	Negated

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipants	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
E.K. Mawlong	NCM	-do-	D.D. Lapang'	31.03.1983	13	01.30	31.03.1983	31	27	Adopted
-do-	NCM	W.A. Sangma	B.G. Momin	05.07.1985	14	03.00	05.07.1985	-	-	Negated by voice vote
-do-	NCM	-do-	S.D. Khongwir	17.12.1985	-	-	-	-	-	Withdrawn
-do-	NCM	-do-	Korbar Singh	16.04.1987 17.04.1987	32	10.80	17.04.1987	-	-	Negated by voice vote
P.G. Marbaniang	NCM	P.A. Sangma	-do-	29.02.1988	23	02.30	29.02.1988	24	34	Negated
P.R. Kyndiah	NCM	-do-	H.S. Lyngdoh	26.03.1990	-	-	-	-	-	Chief Minister resigned before the motion was taken up.
-do-	CM	B.B. Lyngdoh	E.K. Mawlong	18.04.1990	-	00.30	18.04.1990	31	28	Adopted

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
-do-	CM	-do-	-do-	07.08.1991	-	03.50	07.08.1991	30	27	Adopted
-do-	CM	-do-	-do-	08.10.1991	-		08.10.1991	26	27	Negated*
-do-	CM	D.D. Lapang	J.D. Pohrmen	19.02.1992	-	00.15	19.02.1992	-	-	Adopted by voice vote
R.C. Laloo	CM	S.C. Marak	-do-	16.03.1993	-	00.30	16.03.1993	-	-	Adopted by voice vote
J.D. Rymbai	NCM	-do-	A.H. Scott Lyngdoh	04.04.1996	9	03.20	04.04.1996	-	-	Negated by voice vote
E.K. Mawlong	CM	-do-	J.D. Rymbai	10.03.1998	-	-	10.03.1998	-	-	Deemed to have been withdrawn by mover and Chief Minister resigned
-do-	CM	B.B. Lyngdoh	H.B. Dan	23.03.1998	2	01.20	23.03.1998	-	-	Adopted by voice vote

* Speaker exercised casting vote against the Confidence Motion.

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
-do-	NCM	-do-	S.C. Marak	25.06.1998	-	-	-	-	-	Withdrawn by the mover on 25.06.1998
-do-	CM	-do-	B.B. Lyngdoh	03.08.1998	10	04.00	03.08.1998	-	-	Adopted by voice vote
E.D. Marak	NCM	E.K. Mawlong	F.W. Momin	19.12.2000	19	05.30	19.12.2000	-	-	Negated by voice vote
-do-	NCM	-do-	R.G. Lyngdoh	07.12.2001		00.15	07.12.2001	42	17	Adopted
-do-	CM	F.A. Khonglam	Mukul Sangma	10.12.2001	25	02.00	10.12.2001	-	-	Adopted by voice vote
M.M. Danggo	CM	D.D. Lapang	D.D. Lapang	19.03.2003	-	15	19.03.2003	-	-	Adopted by voice vote

Table 5**Governors of Meghalaya**

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1	Shri B.K. Nehru	02.04.1970 - 18.03.1972
2	Shri L.P. Singh	18.03.1972 - 11.08.1981
3	Shri Prakash Mehrotra	11.08.1981 - 29.03.1984
4	Shri T.S. Misra (Chief Justice)	29.03.1984 - 16.04.1984
5	Shri B.N. Singh	16.04.1984 - 11.05.1989
6	Shri H. Joshi	11.05.1989 - 27.07.1989
7	Shri A.A. Rahim	27.07.1989 - 09.05.1990
8	Shri Madhukar Dighe	09.05.1990 - 19.06.1995
9	Shri M.M. Jacob	19.06.1995 - 19.06.2000
		19.06.2000 - till date

Table 6

Chief Ministers of Meghalaya

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1	Capt. W.A. Sangma	02.04.1970 - 21.01.1972 21.01.1972 - 18.03.1972 18.03.1972 - 22.11.1976 22.11.1976 - 09.03.1978
2	Shri D.D. Pugh	10.03.1978 - 21.02.1979 21.02.1979 - 06.05.1979
3	Shri B.B. Lyngdoh	07.05.1979 - 07.05.1981
4	Capt. W.A. Sangma	07.05.1981 - 01.03.1983
5	Shri B.B. Lyngdoh	02.03.1983 - 31.03.1983
6	Capt. W.A. Sangma	02.04.1983 - 05.02.1988
7	Shri P.A. Sangma	06.02.1988 - 26.03.1990
8	Shri B.B. Lyngdoh	26.03.1990 - 10.10.1991
	President's Rule	11.10.1991 - 05.02.1992
9	D.D. Lapang	05.02.1992 - 19.02.1993
10	Shri S.C. Marak	19.02.1993 - 24.02.1998 24.02.1998 - 10.03.1998
11	Shri B.B. Lyngdoh	10.03.1998 - 18.08.1998 18.08.1998 - 14.10.1998 14.10.1998 - 07.08.2000
12	Shri E.K. Mawlong	08.03.2000 - 08.12.2001
13.	Dr. F.A. Khonglam	08.12.2001 - 04.03.2003
14	Shri D.D. Lapang	04.03.2003 - till date

Further, he criticised the Government for its failure in providing jobs for the educated and uneducated people and its negligence in checking the rise in prices of essential commodities, which had gone beyond the reach of the common people.

Participating in the debate, the Chief Minister Capt. Williamson Sangma said that in a democratic system, the Opposition should try to bring to the fore various difficulties and shortcomings of the administration and also examine the policies of the Government so as to ascertain as to what extent such policies would really help the people. They must also point out alternative plans and policies. The Chief Minister said that Shri Kharbuli had not convinced him and the House as to what exactly the acts of omission and commission of his Government were. Capt. Sangma also replied to the various points raised by the members. The mover of the motion, thereafter, replied to the debate.

In the two-day-long debate, 18 members participated. The debate lasted 10 hours and 10 minutes. In the voting held thereafter, the motion was negated by voice vote.

Second Motion of No-confidence

The APHLC Ministry led by Capt. Williamson Sangma faced its second Motion of No-confidence on 4 April 1975. Prof. M.N. Majaw, an Independent member, gave the notice of the motion and the leave of the House was granted on 2 April 1975. The reason for tabling the motion was various omissions and commissions committed by the Government. The motion also stated that the Government had been reduced to a minority.

The motion was taken up for debate on 4 April 1975. Initiating the debate, Prof. Majaw said that the aspiration for a full-fledged State having been fulfilled, the APHLC, the general platform in which many shared their hopes and aspirations earlier, should have been wound up. The Government, he said, did not govern the State with the popular will of the people as it was a minority Government because it enjoyed the support of only 5.1 per cent people of the State. He criticised the Government's utilisation and non-utilisation of funds. The Report of the Comptroller and Auditor General of India and the First Report of the Public Accounts Committee had referred to improper utilization of funds passed by the House. Prof. Majaw also criticized the Government for not taking up the translation of laws passed by the Legislature into the local tribal languages as these laws affected the very life of the people.

Replying to the debate on the motion, the Chief Minister Capt. Williamson Sangma described the charges brought against his Ministry by some HSPDP members in the Opposition as a figment of their imagination. He said that the achievements of his Government during the last three years were there for everyone to see. Referring to the allegation that appointments were being made by bringing in outsiders, Capt.

Sangma said that his Government had tried, to the extent possible, to have tribal officers man various Departments. He, however, felt that the tribals of Meghalaya should not confine themselves to Meghalaya but should find a place anywhere and everywhere. He also observed that if the tribal boys and girls could find suitable places elsewhere in the country to work in various fields and Departments of other States, one should not prevent them by taking an insular attitude. He added that with the cooperation and support of the people, the Government should be able to do much better in future.

In the one-day debate lasting one hour, seven members participated.

After the debate, the Speaker announced that though the mover of the motion was absent, as he had walked out of the House along with a few other members, and there was nobody to his left side in the Opposition benches, he was still putting the motion for the voting of the House. The motion was declared negatived.

On 16 November 1976, the All Party Hill Leaders' Conference, which had been ruling Meghalaya since it attained Statehood in 1970, decided to merge with the Congress Party increasing the latter's strength to 41 in the 60-member House. However, four members of the Government resigned in protest against the merger two days later and announced their intention to keep the party alive. The Chief Minister, Captain Williamson Sangma, formed an eight-member Congress Ministry on 22 November 1976; three more Ministers of State were sworn in on 24 January 1977.

Third Motion of No-confidence

The Chief Minister Capt. Williamson Sangma who had faced two Motions of No-confidence as the leader of the APHLC Ministry earlier, faced the third Motion of No-confidence in December 1976 as the head of the Congress Ministry. The notice for the motion was given by Shri B.B. Lyngdoh (APHLC) charging the ruling Congress Party with assuming power through the back door and for having encouraged defection of members. The motion was admitted by the Speaker Prof. R.S. Lyngdoh on 17 December 1976 and it was taken up by the House on 18 December 1976.

Initiating the debate, Shri B.B. Lyngdoh accused the Government of having assumed power through the back door and said that it had no right to govern without the consent of the governed. Shri Lyngdoh said that it was as a mark of protest against the merger that he had resigned from the Government and called upon the Congress Ministry to resign and seek the verdict of the people.

Participating in the debate, the Chief Minister Capt. Williamson Sangma denied that the APHLC's merger with the Congress Party was out of fear and through bribery. He pointed out that those who were accusing him presently should have raised the issue at the Mendipathar Conference where the matter was discussed; instead they decided not to attend the Conference. He further said that at that time

they were convinced that if they wanted to be more effective in the service of the people, it was necessary to join the Indian National Congress which had helped during the struggle for a separate hill State. He asserted the House that the people were with him. Shri B.B. Lyngdoh replied to the debate.

In the debate spanning 2 hours and 15 minutes, 17 members participated. The Speaker Shri Lyngdoh then put the motion to vote which was negated by voice vote.

Second Legislative Assembly (1978-1983)

In the elections held to the Second Legislative Assembly in February 1978, the ruling Indian National Congress secured 20 seats, the All Party Hill Leaders' Conference got 16 seats, the Hill State People's Democratic Party secured 14 seats, the Public Demands Implementation Committee (PDIC) 2 seats and Independents won 8 seats in the 60-member House.

A coalition Ministry headed by Shri D.D. Pugh was sworn in on 10 March 1978 by the Governor Shri L.P. Singh.

The Second Legislative Assembly debated one Motion of Confidence and No-confidence each.

The coalition Government fell within a period of little over a year owing to differences among the leaders of the constituent parties. The Chief Minister Shri Pugh tendered the resignation of the coalition Ministry to the Governor Shri L.P. Singh on 21 February 1979. The President of the APHLC, meanwhile, handed over a letter informing the Governor that he had the majority support of 31 legislators in the 60-member House.

On the same day a new Ministry, consisting of the representatives of the APHLC and the PDIC, headed by Shri D.D. Pugh, was sworn in by the Governor. However, this Ministry also did not last long as within two-and-a-half months, it was defeated on the floor of the House when a Government motion seeking vote of confidence of the House fell through on 4 May 1979.

Motion of Confidence

The Motion of Confidence, taken up by the House on 4 May 1979, was moved by Prof. M.N. Majaw. The voting was held by way of division. The process took 15 minutes. The motion was defeated by a margin of one vote as 29 members voted in favour and 30 voted against the motion. Thereafter, the APHLC Ministry led by Shri Pugh tendered its resignation to the Governor on the same day.

Later, the leader of the United Meghalaya Parliamentary Democratic Forum (UMPDF), Shri B.B. Lyngdoh, called on the Governor and staked his claim to form the next Government stating that he had the support of 33 members. Shri Lyngdoh's two-tier UMPDF Ministry was sworn in on 7 May 1979. The other constituents of the

Ministry were the HSPDP, the APHLC, the Meghalaya United Legislature Front and the PDIC.

Motion of No-confidence

The Chief Minister Shri B.B. Lyngdoh faced a Motion of No-confidence against his Council of Ministers on 19 June 1980 during the re-assembled Budget Session. The notice for moving the motion was given by an Independent member, Shri E.K. Mawlong and it was admitted on 16 June 1980. The grounds for moving the motion were the failure of the UMPDF Government to maintain the law and order in the State and the use of repressive force against the peaceful movement launched by the people in general and students in particular. The motion was taken up by the House on 19 June 1980.

Initiating the debate, Shri Mawlong said that he was compelled to bring the Motion of No-confidence because of the Lyngdoh Ministry's failure to maintain law and order in the State, which was the result of the incapability and inability of the Chief Minister to deal with various problems from time to time. Atrocities were being committed by the CRPF and police personnel. Therefore, the present Ministry had no moral right to continue and hoped that a majority of the members would support his motion.

Participating in the debate, the Chief Minister Shri B.B. Lyngdoh said that the mover had confined mainly to one function of the Government, *i.e.* maintenance of public order, which was the basic duty and obligation of any Government. Referring to the Government's tackling of the law and order situation during the period October to December 1979, he said that his Government swiftly took steps to bring the situation under control. He observed there was no necessity for the police to come to clashes with anyone if there were no incidents of law-breaking. He felt that the incidents during the last two or three months affected children's education. He appealed to the House not to disturb the education of children who were the hope of the State.

In his reply to the debate, the mover of the motion, Shri Mawlong said that as he was not satisfied with the reply given by the Chief Minister, he was not withdrawing the motion.

In the debate lasting 4 hours, 18 members participated. The Speaker Shri Syiemiong then put the motion to the vote of the House. At that time, Shri Mawlong claimed division as per Rule 292, which was endorsed by another member Prof. M.N. Majaw. In the voting by division held thereafter, 23 members voted in favour, while 34 voted against the motion. The motion was accordingly negatived.

The Chief Minister Shri B.B. Lyngdoh vacated his office after two years, on 7 May 1981, for Captain Williamson Sangma in pursuance of an agreement reached among the partners of the ruling United Meghalaya Parliamentary Democratic Forum at the time of forming the Government to the effect that after two years, he would

vacate the office to enable Capt. Sangma to take over as the new Chief Minister. Capt. Sangma remained as Chief Minister till the elections to the Third Legislative Assembly were held.

Third Legislative Assembly(1983-1988)

In the elections held to the Third Legislative Assembly in February 1983, the Congress(I) emerged as the largest party winning 25 seats as against 15 seats each won by the APHLC and the HSPDP. Two seats were secured by the PDIC, and three by Independents. A coalition comprising APHLC, HSPDP and PDIC which together had 34 members formed the Government.

Shri B.B. Lyngdoh and Shri Hopingstone Lyngdoh were sworn in as the Chief Minister and the Deputy Chief Minister, respectively, by the Governor Shri Prakash Mehrotra on 2 March 1983.

The Third Legislative Assembly discussed three Motions of No-confidence of which the first one was adopted resulting in the fall of the Government in March 1983 while two other motions were negatived. Another motion, though admitted, was subsequently withdrawn by the mover.

First Motion of No-confidence

The 29-day-old Ministry of Shri B.B. Lyngdoh faced its first Motion of No-confidence during the Budget Session on 31 March 1983, leave for which was granted on 25 March 1983. The grounds on which the motion was moved were the failure of the ruling coalition to deliver the goods to the people and contending that the ruling MUPP had been reduced to a minority.

Initiating the discussion, Shri D.D. Lapang said that generally, a motion would be moved when the Government had failed to perform its duties, when several Departments could not deliver the goods to the people. In this case, however, there was misunderstanding and mistrust prevailing within the members of the ruling party which would not be in the welfare of the State. Moreover, with the withdrawal of some members, the ruling front had been reduced to a minority and hence they should relinquish office. He further requested the Leader of the House to step down to allow some other members to form the Government and run the affairs of the State with mutual understanding and trust.

Taking part in the debate, the Chief Minister Shri B.B. Lyngdoh described the bringing of the motion as very strange and unique on all accounts as there was nothing yet for them to prove as a failure or misdeed on the part of the Government. As regards the withdrawal of some members from the ruling front, he said that the five members who had left the front did not charge the Government of any failure in running the affairs of the State but only ventilated their personal grievances. He said that the formation of the coalition had generated a new hope in the hearts of the people and the present action would cause them disappointment and sorrow. He

said personal grievances should not affect the discharge of constitutional responsibilities.

Replying to the debate, Shri Lapang said that he was convinced that the motion was brought at the right time and hence he was not going to withdraw it. In the one-day debate spanning 1 hour and 30 minutes, 13 members took part.

In the voting by way of division, 31 members voted in favour, while 27 voted against the motion. The motion was declared adopted resulting in the fall of the MUPP Ministry led by Shri Lyngdoh.

A new 14-member Ministry led by the Congress(I) and headed by Capt. Williamson Sangma was sworn in on 2 April 1983 by the State Governor Shri Prakash Mehrotra. The Ministry was expanded on 20 April 1983, raising its strength from 14 to 18.

Meanwhile, all the three non-Congress(I) partners of the Meghalaya Democratic Front (MDF) Ministry joined the Congress(I) in January 1985. Eight other members, elected on tickets of various regional parties, joined the Sangma Ministry as well as the Congress(I) subsequently. As a result, the Congress(I)'s strength increased from 25 to 38.

Second Motion of No-confidence

The notice for moving the motion of No-confidence against the MDF Ministry headed by Capt. Williamson Sangma was given by Shri B.G. Momin of the MUPP. The grounds on which the motion was sought to be moved were inefficiency, non-performance and corruption of the Government. The leave of the House was granted on 4 July 1985 and it was taken up by the House on 5 July 1985.

Initiating the debate on the motion, Shri B.G. Momin said that the motion was tabled to bring to the fore the inefficiency, non-performance and corruption of the Government. He said that the expenditure on law and order was quite unproductive and reflected on the performance of the Government. In accepting tenders, while the Government said they would not accept any tender that offered below the schedule of rates, they had violated their own principles by awarding contract work to the one who quoted below the estimated rate. He said that though preferential treatment should be given to the local tribal contractors in the settlement of works, not a single local contractor could be found.

In response to the points made by the Leader of the Opposition and others, the Chief Minister, while referring to the performance of his Government, said that though the Plan allocation for the State for the Sixth Plan was Rs. 225 crore, it was due to the performance of his Government that it was increased up to Rs. 263 crore. The Chief Minister welcomed bringing out of specific lapses, omissions and commissions of the Government by the Opposition and assured the House that the Government would do something about it.

Replying to the debate, Shri B.G. Momin said he was not satisfied with the replies given by the Government.

In all, 14 members took part in the debate spanning 3 hours.

The Speaker Shri Mawlong then put the motion to vote, and announced that in his opinion the 'noes' had it. He then put the motion to vote again and declared that the motion was lost.

Third Motion of No-confidence

The MDF Ministry led by Capt. Williamson Sangma faced another Motion of No-confidence in December 1985. The notice for moving the motion was listed in the name of Shri S.D. Khongwir and two others of the MUPP. The leave of the House was granted on 13 December 1985 and listed for debate on 17 December 1985.

However, before moving the motion, Shri S.D. Khongwir referred to the Speaker's ruling on the previous day in which he had ruled that a Censure Motion could be taken up by the House immediately after the disposal of the Motion of No-confidence. Accordingly, Shri Khongwir wanted to know from the Speaker whether they could move the Censure Motion immediately after the disposal of the Motion of No-confidence to which the Speaker replied in the affirmative. Thereafter, Shri Khongwir stated that he would not move the Motion of No-confidence. The Speaker then announced that as the motion was not moved, it would be taken as withdrawn.

Fourth Motion of No-confidence

Another Motion of No-confidence against the Williamson Sangma Ministry was admitted on 15 April 1987. The reason for moving the motion was the failure and functioning of the MDF Ministry and was jointly tabled by four members - Shri Korbar Singh [Hill People's Union- (HPU)], Shri Syiemiong, Shri B.M. Lanong and B.B. Lyngdoh.

The motion was taken up for discussion on 16 April 1987. Shri Korbar Singh, while moving the motion, said that the motion was being moved with a sense of hope for the future. He accused the Government of being indecisive in every sphere - be it education, border issue or security. As regards industries, he said unless the State was industrialized and new industries set up, it would remain a backward State. Shri Singh also referred to issues like transport and price rise.

The Chief Minister, Capt. Williamson Sangma explained as to how a coalition Government headed by him was formed after the fall of the earlier coalition Government led by Shri B.B. Lyngdoh within a month after the 1983 election. He said, out of the 60 members in the Legislative Assembly, 38 were supporting him and as such there was complete unity on his side and complete understanding about the plans and programmes, approach and ideology. Refuting the allegation that the Government was sleeping over the matter of inclusion of certain categories in the list

of Scheduled Tribes, Capt. Sangma said that he had been taking up the matter with the Union Government whenever he visited Delhi. Listing out the achievements of his Government from the years 1983-84 to 1986-87, he said, 1190 villages were provided with drinking water and 386 villages were electrified.

The motion was debated for two days on 16 and 17 April 1987 lasting 10 hours in which 32 members participated.

Meanwhile, the Minister of Parliamentary Affairs, Shri G. Myllemngep, raising a point of order, said that though under Rule 284 subject to the provision of sub-rule 3 of 283, the mover of the original motion shall in all cases conclude the debate, the mover was absent in the present case.

The Speaker observed that since the mover was not present in the House, he was resorting to Rule 157 and accordingly the motion could be moved by any other member.

At this, a member, Shri W. Syiemiong, requested for division, which was acceded to by the Speaker. Thereafter, the motion was put before the House for voting which was declared lost. However, a member, Shri H. Hadem wanted to know whether there was any rule under which one could press for division again. At this, the Speaker Shri Mawlong once again put the motion before the House, which was then declared lost by voice vote.

Fourth Legislative Assembly (1988-1993)

Elections to the 60-member Legislative Assembly were held in February 1988. The Congress(I) won 22 seats while the Hill People's Union (HPU) got 20, and the PDIC and APHLC won 2 seats each. The HSPDP won 5 seats and Independents 9 seats.

An eleven-member Congress(I)-led UMPF Ministry headed by Shri P.A. Sangma, who was earlier unanimously elected Leader of the Congress (I) Legislature Party, assumed office on 6 February 1988 with the support of the 7-member HPU (BB) and some Independents. The coalition had 36 members in the 60-member House. During his tenure, Shri P.A. Sangma faced two Motions of No-confidence within a gap of four months; however, the latter one was not taken up by the House as Shri Sangma tendered his resignation before that. In all, four Motions of Confidence and two Motions of No-confidence were taken up by the Fourth Legislative Assembly.

First Motion of No-confidence

Within a month of assuming the Office, Shri Sangma faced a Motion of No-confidence against his UMPF Ministry. The motion was listed in the name of four members, including Shri Korbar Singh of the HPU who moved the motion. The ground for moving the motion was the installation of a Government without giving cognizance to the basic principle of establishing the majority. The motion was admitted on 25 February 1988.

Initiating the debate on 29 February 1988, Shri Korbar Singh said that the present Government was installed in a very discreet manner in spite of the fact that General Secretaries of three parties, the HPU, the HSPDP, and the PDIC had met the Governor claiming they had the majority of 26 members while the Congress(I) had only 22.

Participating in the debate, the Chief Minister Shri P.A. Sangma said that as per the ruling given by the Speaker and as per article 163 of the Constitution of India and Rule 279 of the Rules of Procedure and Conduct of Business, the action of the Governor could not be discussed in the House. He claimed that his Government was not a minority Government at any point of time. Later, he appealed to the Opposition to withdraw the motion.

23 members took part in the debate which lasted 2 hours and 30 minutes. The motion was, thereafter, put to vote and declared lost by 24 to 34 votes.

The coalition Ministry of Shri Sangma faced a crisis following the resignation of six Ministers on 18 March 1990. As a result, the strength of the UMPF was reduced to 25. The MUPP claimed the support of 32 members.

Second Motion of No-confidence

Notice for the second Motion of No-confidence against the P.A. Sangma Ministry was given in March 1990. The motion which was listed in the name of Shri H.S. Lyngdoh (HSPDP) was admitted on 23 March 1990 and fixed for debate on 26 March 1990. The reason cited for moving the motion was that the Government had been reduced to a minority.

However, when the House assembled on 26 March 1990 to take up the motion, the Speaker announced in the House of having received an intimation from the Special Secretary to the Governor about the resignation of the Chief Minister Shri P.A. Sangma earlier in the morning of the same day. The Speaker stated that the Government having resigned, the Motion of No-confidence had no relevance and adjourned the House for the next day.

Following the resignation of the Sangma Ministry, a seven-member coalition Ministry of the Meghalaya United Parliamentary Party led by Shri B.B. Lyngdoh, claiming the support of 32 members, was sworn in by the Governor Shri A.A. Rahim on 26 March 1990. Shri Lyngdoh was asked to prove his majority within a month.

First Motion of Confidence

As per the directive of the Governor, a Special Session was convened on 18 April 1990 to enable the newly formed MUPP Ministry to seek the vote of confidence of the House.

On 18 April 1990, the Speaker Shri P.R. Kyndiah announced in the House that he had received a letter from Shri E.K. Mawlong, Minister-in-charge of Parliamentary

Affairs who intended to move the motion expressing confidence of the House in the Ministry. The Speaker then announced that this kind of motion was not according to the rules relating to No-confidence Motions. As per precedent, it was only to know whether the Chief Minister Shri B.B. Lyngdoh had the confidence of the House. The Speaker requested all those members who were in favour of the motion to stand up. While 31 members rose in support of the motion, 28 members opposed the motion. The motion was then declared carried. The entire process took 30 minutes.

Second Motion of Confidence

A second Motion of Confidence in the Council of Ministers headed by Shri B.B. Lyngdoh was moved by the Minister-in-charge, Parliamentary Affairs, Shri E. K. Mawlong on 7 August 1991.

After the motion was moved, the Speaker Shri P.R. Kyndiah observed that a similar situation had arisen earlier also and no discussion had taken place then. He then put the motion straightaway to voting by way of head count. Shri Kyndiah then declared that as 30 members were in favour and 27 voted against the motion, the motion was declared adopted. The time spent in respect of the motion was three hours and fifty minutes.

Thereafter, the Speaker Shri Kyndiah announced that following a complaint received from an Opposition Congress member Shri S.H. Shylla, he was passing an interim order suspending the voting rights of five Independent members who were alleged to have joined registered political parties.

The Speaker, in his ruling said, of the five Independent members, Shri Donkumar Roy, Minister for Health, Ms. Miriam Shira, Minister for Transport and Shri Simon Siangshai, PWD Minister, had joined the Hill State People's Democratic Party, while Shri Monindra Agitok, Minister for Agriculture and Shri Chamberlain Marak, an M.L.A., had joined another ruling coalition partner, the Hill People's Union, in violation of the provisions of the Anti-defection Law. However, all the five had stated on the floor of the House that they had not joined any party and remained Independent members.

Following the Speaker's order, there were disorderly scenes in the House. After the restoration of order in the House, several ruling coalition members, including the Minister of Parliamentary Affairs Shri E.K. Mawlong pleaded with the Speaker to reconsider his ruling.

The Speaker then ruled that he had kept the interim ruling in abeyance and adjourned the House *sine die*.

Following the disqualification of the five members of the ruling coalition by the Speaker, the 19-month-old Meghalaya United Parliamentary Party Ministry led by Shri B.B. Lyngdoh was asked by the Governor to seek the confidence of the House.

Third Motion of Confidence

As per the Governor's directive, a Special Session was convened on 8 October 1991 to enable the Lyngdoh Ministry to prove its majority. The Motion of Confidence was moved by Shri E. K. Mawlong, Minister of Parliamentary Affairs.

In the voting by division held thereafter, there was a tie as 26 members each voted in favour of and against the motion. The Speaker Shri P.R. Kyndiah then cast his vote against the Government resulting in the fall of the Government. The five members who were disqualified were present in the House and voted on the motion; however, their votes were not counted by the Speaker. Soon after the vote, the Speaker adjourned the House *sine die*.

Thereupon, the members of the ruling MUPP defied the Speaker's directive and continued the proceedings with Shri Robert Kharshiing in the Chair. Later, they passed a Motion of No-confidence against the Speaker Shri Kyndiah. The newly elected Chairman then read out the result of the Division taken by the House as 30 for the motion and 26 against it.

Following the developments, the Leader of the Congress Legislature Party Shri J.D. Pohmen called on the Governor to stake his claim to form the next Government.

Meanwhile, on 9 October 1991, a five-judge Constitution Bench of the Supreme Court asked the Governor to include the votes of the four disqualified Ministers before taking any decision on the continuance or otherwise of the Lyngdoh Ministry.

The Apex Court, while delivering the judgment on a batch of petitions filed by disqualified legislators from Gujarat, Madhya Pradesh, Manipur, Meghalaya and Nagaland on 12 November 1991, set aside the decision of the Speaker of the Meghalaya Legislative Assembly Shri P.R. Kyndiah disqualifying the five Independent members of the Assembly.

Following the crisis marked by shifting of party loyalties by members, President's Rule was imposed in the State on 11 October 1991 and the State Legislative Assembly was kept under suspended animation.

On 23 January 1992, three MLAs belonging to the Meghalaya United Parliamentary Party joined the Congress(I)-led United Meghalaya Parliamentary Forum raising its strength to 44 in the 60-member House with one seat vacant.

The President's Rule in the State which was imposed on 11 October 1991 was revoked on 5 February 1992 with the swearing in of the 20-member United Meghalaya Parliamentary Forum Ministry led by Shri D.D. Lapang. Shri Lapang was asked to prove his majority on the floor of the House.

Fourth Motion of Confidence

Within a fortnight of taking over the reigns of the Government, Shri Lapang sought the Confidence of the House.

The House met on 19 February 1992, when Shri J.D. Pohrmen, Deputy Chief Minister and in-charge Parliamentary Affairs, moved a motion expressing confidence in the Ministry headed by Shri Lapang. There was no debate on the motion and it was declared adopted by voice-vote. The entire process was over within fifteen minutes.

Fifth Legislative Assembly (1993-1998)

In the elections held to the Fifth Legislative Assembly on 15 January 1993, though no party got an absolute majority, the Congress(I) emerged as the single largest party with 24 seats; the HPU got 11 seats while the remaining seats were won by Independents and other parties.

A UMPF Ministry led by Shri Salsang C. Marak was sworn in on 19 February 1993. The coalition had 38 members in the House.

The Fifth Legislative Assembly deliberated one Motion of Confidence and No-confidence each.

Motion of Confidence

A motion expressing the confidence of the House in the Ministry headed by Shri S.C. Marak was moved by the Parliamentary Affairs Minister Shri J.D. Pohrmen on 16 March 1993.

The Speaker Shri R.C. Laloo observed that as per the past precedent, the House might straightaway proceed to a vote without any debate. Accordingly, he proposed that the decision on the motion be made right away and put the motion before the House. The motion was adopted by voice vote. The process was completed in half an hour.

On 15 June 1993, the Speaker Shri R.C. Laloo resigned following his inclusion in the Cabinet. Shri J.D. Rymbai was elected Speaker in his place on 12 October 1993.

Motion of No-confidence

A Motion of No-confidence against the Ministry led by Shri S.C. Marak given by 15 Opposition and Independent members was taken up by the House on 4 April 1996. The ground for moving the motion was the disturbances in and around Shillong on 1 April 1996. The Speaker asked Shri A.H. Scott Lyngdoh to move the motion. The leave of the House was granted on 4 April 1996.

Initiating the discussion, Shri Scott Lyngdoh said whenever there had been disturbances in and around Shillong, it was the Opposition members who had always taken the initiative to cooperate with the Government in order to ease the situation and bring back normalcy. He expressed his dissatisfaction over the handling of the law and order situation. Another point he made was regarding the issue of corruption. The Opposition members who participated in the debate highlighted the issues of deteriorating law and order, insecurity among the people and corruption.

Participating in the debate, the Chief Minister Shri Marak said he would not go into the details of the achievements of his Government but would like to respond to the points raised by the Opposition members. He said he did not want any violence, trouble or any communal flare-up. As a responsible Government, it had to act to control any situation. He said he was very happy to see that he had been able to provide peace during the previous three years and there was no major communal problem. The main concern of his Government was to maintain law and order and to provide stability to the political system so that the State could develop. If there were commissions and omissions, he urged the members to bring them to the notice of the Government for immediate action.

In all, 9 members took part in the debate which lasted 3 hours and 20 minutes. In the voting held thereafter, the motion was defeated by voice vote.

Sixth Legislative Assembly (1998-2003)

In the elections held to the Sixth Legislative Assembly in February 1998, no party could get an absolute majority in the House. The Congress(I) emerged as the single largest party with 25 seats while the United Democratic Party (UDP) got 20 seats, Hill State People's Democratic Party got 3 seats and the remaining seats were won by other parties and Independents. The Governor, Shri M.M. Jacob, invited the leader of the Congress(I) to form the Government and asked him to prove the majority on the floor of the House. On 27 February 1998, the Congress(I)-led Government by Shri S.C. Marak was sworn in.

The Sixth Legislative Assembly took up three Motions of Confidence and two Motions of No-confidence. Besides, one Motion of Confidence and No-confidence each was withdrawn.

First Motion of Confidence

The House met on 10 March 1998 for taking up the election of the Speaker and vote of confidence in the Council of Ministers headed by Shri S.C. Marak. Shri E.K. Mawlong of the United Parliamentary Forum was elected the Speaker of the Legislative Assembly.

The Speaker announced that the Motion of Confidence in the Council of Ministers headed by Shri S.C. Marak was on the business before the House. However, the Parliamentary Affairs Minister Shri J.D. Rymbai said that the Motion of Confidence should be taken up after half-an-hour. At this, the Leader of the Opposition, Shri B.B. Lyngdoh insisted that the business be completed.

While agreeing with the view of the Parliamentary Affairs Minister that the motion was an important one, the Speaker ruled that as had been usually done, there was no need to discuss the motion. However, the Speaker allowed the Parliamentary Affairs Minister, Shri Rymbai to say a few words on the motion. Shri Rymbai, however,

said that he would not move the Confidence Motion as they did not get half-an-hour's time. The Speaker then observed that as the motion had not been moved, it was deemed to have been automatically withdrawn.

At this point, the Chief Minister Shri S.C. Marak said they had decided not to move the motion as they did not have the requisite majority and that he would go to the Governor to tender his resignation.

Following this development, the leader of the United Democratic Party, Shri B.B. Lyngdoh, was sworn in as the Chief Minister the same day. He was asked by the Governor to prove his majority on the floor of the House.

The UDP which had earlier formed a United Parliamentary Forum with other regional parties and an Independent, enjoyed the support of 30 MLAs, excluding the Speaker, Shri E.K. Mawlong, while the Opposition Congress(I)-led UMPF had a strength of 29.

Second Motion of Confidence

As directed by the Governor, the Legislative Assembly took up the Motion of Confidence on 23 March 1998. The Speaker Shri Mawlong asked the Minister in-charge Parliamentary Affairs Shri H.B. Dan to move the motion.

Opposing the motion, Shri D.D. Lapang observed that the Government would never be stable, effective and efficient or able to deal with corruption and to meet the aspirations of the people.

Two members took part in the debate which lasted 1 hour and 20 minutes. In the voting held thereafter, the motion was declared adopted by voice vote.

First Motion of No-confidence

A notice of Motion of No-confidence was given by a Congress(I) member Shri C.B. Marak against the UPF Ministry of Shri B.B. Lyngdoh. The leave of the House was granted on 17 June 1998 and it was fixed for discussion on 25 June 1998.

However, on 25 June 1998, the Congress(I) nominee, Shri E.D. Marak was defeated in the elections to the office of Deputy Speaker held just before the Motion of No-confidence was to be taken up by the House. Shri R.L. Tariang of the ruling coalition was elected to the office of Deputy Speaker by a margin of 30 votes to 28.

Later, Shri C.B. Marak Congress(I), the member in whose name the Motion of No-confidence was listed, sought the leave of the House for its withdrawal which was granted.

On 27 July 1998, the Chief Minister Shri B.B. Lyngdoh tendered his resignation to the Governor Shri M.M. Jacob and urged the Governor to invite him to form a new coalition Ministry with the Congress(I). Accordingly, on the same day, the Governor administered the oath of office and secrecy to the MPF coalition Ministry comprising the UDP and the Congress(I) which had 36 members in the 60-member House. Shri B.B. Lyngdoh was asked to prove his strength on the floor of the House.

Third Motion of Confidence

On 3 August 1998, the House met to take up the Motion of Confidence. The Speaker Shri Mawlong read out a letter from the Secretary of the United Parliamentary Forum (UPF), Shri T.H. Rangad, dated 2 August 1998 addressed to the Governor (copy of which was sent to the Speaker) urging him to review the summoning of the House and to postpone the same to a later date as the summons were received by the members only on 1 August 1998 and as a result the members who were out of station would not be able to attend the Session. The Speaker also read out a letter written to him by Shri Rangad expressing his inability to attend the Special Session due to unavoidable circumstances. However, the Speaker announced in the House as to how arrangements were made for convening the Special Session after receiving the letter from the Governor.

At this, a member, Shri Clifford R. Marak, raising a point of order, said that there was no gazette information without which a Session could not be convened. The Speaker informed the House that he had taken all precautionary steps to inform all the members and then requested the Chief Minister to read out the motion.

Participating in the debate, Shri Hopingstone Lyngdoh, an HSPDP member, wondered as to why Shri Lyngdoh was again sworn in as the Chief Minister and wanted to know who all constituted the present Government as the Chief Minister himself said that he had left the UPF and formed a new coalition Government. He also said that he did not receive any communication regarding the convening of the Special Session.

A few other members also concurred with Shri Hopingstone Lyngdoh's observation. Thereafter, the entire Opposition walked out to protest against the Governor's invitation to Shri Lyngdoh to form the new coalition Ministry.

The members of the ruling coalition, including the Deputy Chief Minister Shri D.D. Lapang, said that forming the new Ministry was for the betterment of the State. Considering the prevailing social and economic conditions in the State, Shri Lapang said that Shri Lyngdoh had no alternative but to resign and form a new coalition Ministry under the banner of Meghalaya Parliamentary Forum (MPF). He also defended the action of the Governor in swearing in Shri Lyngdoh saying that it was in accordance with the Constitution.

In all, 10 members took part in the debate lasting 4 hours. In the voting held thereafter, the motion was declared adopted by voice vote.

Meanwhile, on 12 July 1999, eleven MLAs belonging to the Congress(I) joined the Nationalist Congress Party (NCP).

On 12 October 1999, the ruling United Democratic Party severed its alliance with the Congress(I) and decided to ally with the NCP. The Chief Minister, Shri Lyngdoh constituted a 29-member Ministry on 13 October 1999. After severing its alliance with the Congress, the UDP, which had twenty MLAs in the House, aligned

with NCP's twelve members, BJP's three and Peoples' Democratic Front's one member, taking the strength of the ruling combine to 36 in the House of 60.

Following the resignation of the Chief Minister Shri B.B. Lyngdoh on 7 March 2000, Shri E.K. Mawlong of the UDP was administered the oath of office and secrecy as Chief Minister by the Governor on 8 March 2000.

Second Motion of No-confidence

Shri Mawlong faced a Motion of No-confidence against his Ministry in December 2000, notice for which was given by a Congress(I) member Shri F.W. Momin. The leave of the House was granted on 15 December 2000. The reason for moving the Motion of No-confidence was the failure of the Government on all fronts, particularly relating to law and order, Public Works Department and the boundary problem with Assam.

Initiating the debate on 19 December 2000, Shri Momin listed out the failures of the Ministry. He was critical of the ban on two youth organizations instead of inviting these organizations for talks. A similar ban had been imposed in Assam on ULFA and on the NSCN in Nagaland but that did not help in any way. He also criticised the Government for the bad road conditions due to lack of maintenance, saying that there was not a single good road in the State.

Participating in the debate, the Chief Minister said that the Government had made every possible effort to bring Meghalaya into the track of progress and prosperity and hoped that these efforts would bear fruit. He listed out the priorities before his Government such as the law and order situation and the boundary issue between Meghalaya and Assam. Regarding law and order, Shri Mawlong said that all efforts were being made in that direction such as organising a meeting of all the Chief Ministers of the North-eastern States, and giving a call to the youth to come to the negotiating table. Efforts were being made to improve the civic amenities and hoped that within a few months there would be improvement in sanitation, water supply and the living conditions of the people. As regards unemployment, he apprised the House of the steps taken to enable the unemployed youth to get jobs. The Government was also encouraging local entrepreneurs to come up with schemes so that they could employ local youth.

Replying to the debate, Shri Momin said that he was not convinced nor satisfied with the reply of the Chief Minister.

In all, 19 members participated in the debate lasting 5 hours 30 minutes. In the voting held thereafter, the motion was negatived by voice vote.

Third Motion of No-confidence

On 7 December 2001, when the House met on the first day of the Winter Session of the Legislative Assembly, the Speaker Shri E.D. Marak informed the House that he

had received a notice from a member, Shri R.G. Lyngdoh, intending to move a Motion of No-confidence against the Mawlong Ministry. He said that the motion was in order and requested members favouring the motion to rise. As all the members of the Opposition rose in their seats, the Speaker granted leave of the House and fixed 10 December 2001 for taking up the motion.

However, Shri R.G. Lyngdoh urged the Speaker to suspend sub-rule (3) of Rule 133 by taking up the motion then itself in view of its urgency and importance.

Acceding to the request, the Speaker put the question for the vote of the House which was carried. The Speaker then asked Shri Lyngdoh to move the motion.

However, the Chief Minister Shri Mawlong urged the Speaker to give him the minimum mandatory 24-hour notice before the No-confidence Motion was taken up for debate and demanded that the Speaker stick to the listed business which included a no-trust move against the Speaker as well. At this, the Speaker ruled that since a majority of the members had sanctioned the moving of the No-confidence Motion, the normal business could be suspended under Rule 316. The Speaker, at the same time, admitted the no-trust move against himself and fixed it for debate on 10 December 2001.

Shri R.G. Lyngdoh, while moving the Motion of No-confidence against the Ministry, observed that since partners who earlier supported the Ministry had resigned, the Government had been reduced to a minority and demanded the resignation of the Chief Minister. He also said that the Opposition People's Forum of Meghalaya (PFM) had a majority of 42 members.

At this stage, there was pandemonium in the House as some members rushed to the well of the House. The debate lasted fifteen minutes.

The Speaker, Shri Marak then put the motion to the vote of the House, which was adopted with 42 members standing in its favour while 17 members opposed the motion. The proceedings took fifteen minutes to complete.

Following the fall of the Government, Dr. F.A. Khonglam of the Peoples Forum of Meghalaya, accompanied by the Leader of the Opposition in the House, Shri D.D. Lapang of the Congress(I), a constituent of the PFM, met the Governor to stake their claim to form a new Government.

The Ministry comprising the Congress(I), the NCP and other parties led by Dr. F.A. Khonglam was administered the oath of office and secrecy by the Governor on 8 December 2001. The Governor directed the Chief Minister to prove his strength on the floor of the House.

On 10 December 2001, the House took up two motions - the Motion of Confidence in the Council of Ministers headed by Dr. Khonglam and the No-trust Motion against the Speaker, Shri E.D. Marak, which was admitted by the Speaker on 7 December 2001. The proceedings of the day were conducted by Shri A.T. Mondal.

Fourth Motion of Confidence

On 10 December 2001, the House took up the Motion of Confidence in the Council of Ministers headed by Dr. F.A. Khonglam. The Chairman, Shri A.T. Mondal asked Dr. Mukul Sangma to move the motion.

Moving the motion, Dr. Mukul Sangma said that the Khonglam Ministry was formed in response to the aspirations and wishes of the people, keeping in mind the interest of the people and the State as a whole. He assured the House that the Council of Ministers stood committed to work with dedication and sincerity and lead the State and the people to progress and prosperity.

Participating in the debate, the Chief Minister Dr. Khonglam said that their main agenda was to launch a crusade against corruption and ensure accountability of the administration. He further said that they would all be united and work together for the development of the State so that peace and prosperity could be achieved. In the two hours-long debate, 25 members took part. The motion was then adopted by voice vote.

Later, the Motion of No-confidence moved by the Opposition against the Speaker Shri E.D. Marak was defeated by voice vote.

Seventh Legislative Assembly (2003-till date)

In the elections to the Seventh Assembly held in February 2003, the Congress(I) emerged as the single largest party by securing 22 seats in the 60-member House. While the Nationalist Congress Party won 14 seats, the United Democratic Party got 9 seats, MDP 4, HSPDP 2, Khun U Hynniewtrep National Awakening Movement (KHNAM) 2, BJP 2 and Independents 5 seats. Shri D.D. Lapang of the Congress(I) and a Deputy Chief Minister in the outgoing Government led by Shri Dr. F.A. Khonglam, staked his claim to form the Government and submitted a list of 38 members, including those from the 9-member United Democratic Party and 4-member Meghalaya Democratic Party and three Independents to the Governor Shri M.M. Jacob. Meanwhile, the KHNAM and the HSPDP, which won two seats each, also extended their support to the newly formed Congress-led alliance, the Meghalaya Democratic Alliance (MDA), taking its strength to 42. Shri D.D. Lapang of the Congress(I) was elected Leader of the MDA on 4 March 2003.

The MDA-coalition Ministry led by Shri Lapang was administered the oath of office and secrecy by the Governor on 7 March 2003.

Motion of Confidence

The Budget Session commenced on 19 March 2003 with the address by the Governor to the House. On the same day, the Motion of Confidence in the Council of Ministers headed by Shri D.D. Lapang was taken up by the House. The motion was adopted by voice vote without any debate. The entire process was completed in 15 seconds.

Motions of Confidence and No-confidence in the Meghalaya Legislative Assembly - An Analysis

In all, 25 Motions of Confidence and No-confidence were admitted in the Meghalaya Legislative Assembly. Of these, 14 were Motions of No-confidence admitted against different Councils of Ministers, including three which were subsequently withdrawn. The House also debated ten Motions of Confidence while another Motion of Confidence of 10 March 1998 was withdrawn by the member.

Out of the 11 Motions of No-confidence which were debated, two motions were adopted - one on 31 March 1983 against the Council of Ministers headed by Shri B.B. Lyngdoh and the other against the Ministry led by Shri E.K. Mawlong on 7 December 2001 - thereby bringing down the Governments. The remaining 9 motions were negated by the House.

Of the 10 Motions of Confidence taken up by the House, two motions were negated resulting in the fall of the Governments of the day in May 1979 and October 1991. The remaining 8 motions were adopted by the House.

Assembly-wise, the highest number of 5 motions of both types together were debated in the Fourth and the Sixth Legislative Assemblies followed by the First and the Third Legislative Assemblies which deliberated three Motions of No-confidence each. A minimum of one motion was taken up during the duration of each Legislative Assembly.

As regards Motions of Confidence, the highest number of four were taken up by the Fourth Legislative Assembly followed by the Sixth Legislative Assembly which debated 3 motions. One motion each was debated by the Second, Fifth and the Seventh Legislative Assemblies. Table 1 gives the number of No-confidence Motions and Confidence Motions admitted/discussed in each Legislative Assembly along with their duration.

Table 2 gives the number of Motions of No-confidence and Confidence admitted and discussed during the tenures of different Speakers. Shri E.K. Mawlong presided over the highest number of five motions - three Motions of No-confidence and two Motions of Confidence.

Speaker Prof. R.S. Lyngdoh also presided over the debate on three Motions of No-confidence followed by Shri E.D. Marak who presided over the debate on two Motions of No-confidence. Speakers Shri W. Syiemiong, Shri P.G. Marbaniang and Shri J.D. Rymbai presided over the debate on one motion each.

As regards Motions of Confidence, Shri P.R. Kyndiah presided over the debate on four Motions of Confidence followed by Shri E.K. Mawlong who presided over the debate on two motions. Shri Syiemiong and Shri E.D. Marak also presided over motions of both types. The proceedings of the Motion of Confidence of 10 December 2001 were presided over by Shri A.T. Mondal.

In the voting held in respect of the Motion of Confidence of 8 October 1991 (Fourth Legislative Assembly), the Speaker Shri P.R. Kyndiah cast his vote against the Government when there was a tie, resulting in the fall of the Government.

Table 3 gives an account of the No-confidence Motions and Confidence Motions debated during the different Councils of Ministers. Capt. Williamson Sangma faced the highest number of six Motions of No-confidence and all were negatived while another Motion of No-confidence against his Ministry was withdrawn. Chief Ministers Shri B.B. Lyngdoh and Shri E.K. Mawlong faced two Motions of No-confidence each. One Motion of No-confidence against the Ministry led by Shri B.B. Lyngdoh was adopted on 31 March 1983. Similarly, on 7 December 2001, the Motion of No-confidence moved against the Mawlong Ministry was adopted resulting in the fall of his Government. Two Motions of No-confidence were moved against Shri P.A. Sangma of which one was negatived while Shri Sangma resigned on 26 March 1990, before the second motion was taken up.

As regards Motions of Confidence, 5 out of the total of 10 motions were moved in respect of the B.B. Lyngdoh Ministry. Two motions were moved for seeking the vote of confidence of the House in the Ministry of Shri D.D. Lapang. The motion of 8 October 1991 was negatived bringing down Shri Lyngdoh's Government. The Motion of Confidence of May 1979 brought down the Government of Shri D.D. Pugh, when it was negatived by voice vote.

Table 4 gives statistical information about the participation of members in the debates on various Motions of No-confidence. It also mentions the time taken and the result of the division.

Participation by Members

Of the 11 Motions of No-confidence that were taken up by the House, the number of participants is available in respect of 10 motions. 170 members took part in the debate on these ten Motions of No-confidence. The highest number of 32 members took part in the two-day debate on the Motion of No-confidence of April 1987 against the Williamson Sangma Ministry followed by 23 members who participated in the debate on the Motion of No-confidence of February 1988 against the P.A Sangma Ministry. The lowest participation was of seven members in the debate on the Motion of No-confidence against the Williamson Sangma Ministry in April 1975.

As regards Motions of Confidence, of the 10 motions, three motions were debated in which 37 members participated. The highest number of 25 members participated in the debate on the Motion of Confidence of 10 December 2001, while two members took part in the debate on the motion of 23 March 1998.

Time taken

The particulars relating to time taken is available for 20 motions - 11 Motions of No-confidence and 9 Motions of Confidence. The time taken in the 11 Motions of No-

confidence was 43 hours and 30 minutes while 12 hours, 25 minutes and 15 seconds were spent on the 9 Motions of Confidence. The very first Motion of No-confidence taken up by the House in December 1973 was debated for the longest duration of 10 hours and 10 minutes while 15 minutes was spent on the motion of December 2001.

As regards the Motions of Confidence, the longest duration of 4 hours was spent on the motion of August 1998 while the Motion of Confidence of March 2003 took 15 seconds.

Of the 21 motions of both categories put together, the fate of 19 were decided on the same day while two Motions of No-confidence of December 1973 and April 1987 were debated for two days each. 16 days were spent on the No-confidence Motions while 11 days were spent on the Confidence Motions.

Division

Of the 21 motions that were taken up by the House, the fate of 4 Motions of Confidence and No-confidence each was decided by way of division. The remaining 12 motions were decided by voice vote while the fate of another Motion of No-confidence of April 1975 was decided even as the Opposition walked out.

Of the nine Motions of Confidence, the fate of the Motion of Confidence of 8 October 1991 was decided by the casting vote of the Speaker Shri P.R. Kyndiah. The Motions of Confidence of April 1990 and August 1991 were decided by a margin of 3 votes while the Motion of Confidence of 5 May 1979 was decided by the lowest margin of 30 to 29. The Motion of No-confidence of 7 December 2001 against the Ministry of Shri E.K. Mawlong was decided by the highest margin of 42 to 17 votes while the Motion of No-confidence of March 1983 recorded the lowest margin of 4 votes.

Mizoram Legislative Assembly

Mizoram, earlier known as the Mizo Hills District, was excluded from the Government of India Reforms Act 1919 and the Act of 1935. As a result, the Mizo people remained under the personal rule of the British superintendents and the hereditary Mizo Chiefs. After India's Independence, the district had representation in the Assam Legislative Assembly and was allotted three seats in 1952. The Government of the Union Territory (Amendment) Act, 1971 made provision for the creation of a Legislature in 1972 and the first elections to the Mizoram Legislative Assembly were held on 18 April 1972.

Following the enactment of the Constitution (Fifty-third) Amendment Act, 1986, Mizoram attained full-fledged Statehood on 20 February 1987, and a Mizo National Front Ministry headed by Shri Laldenga was sworn in by the Governor. Elections to the Legislative Assembly of the full-fledged State of Mizoram were held in March 1987.

The Mizoram State Legislature is unicameral. Earlier, the membership of the House was 33, out of which 3 were nominated. But after attaining Statehood, the membership of the Legislative Assembly was increased to 40.

Motion of No-confidence

According to Rule 141 of the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly, a motion expressing want of confidence in the whole Ministry or a motion censuring a Minister or a group of Ministers or a motion disapproving the action or actions of a Minister may be made with the consent of the Speaker. No motion expressing want of confidence is made against an individual Minister or a group of Ministers, provided further that no motion expressing want of confidence in the Ministry is allowed to be made if a similar motion has been made in the same Session. The consent of the Speaker is subject to certain conditions, namely: (i) the member desiring to move the motion has, before the commencement of the sitting of the day, to give a written notice to the Secretary of his intention to move the motion together with a copy of the motion; and (ii) leave to move the motion has

to be asked for after the Questions and before the List of Business of the day is entered upon.

If the Speaker is of the opinion that the motion is in order, he reads the motion to the Assembly and requests those members who are in favour of leave being granted to rise in their seats and if not less than ten members of the House rise accordingly, the Speaker intimates that leave is granted and that the motion is taken on such day, not being more than ten days and not less than twenty-four hours from the time at which leave is asked, as he may appoint.

The Speaker, at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith puts every question necessary to determine the decision of the House on the motion. The Speaker may also prescribe a time limit for speeches.

Motion of Confidence

There is no specific rule for a Motion of Confidence in the Rules of Procedure and Conduct of Business in the Mizoram Legislative Assembly.

Motions in different Legislative Assemblies

The Legislative Assembly of Mizoram is yet to discuss a Motion of Confidence. In all, four Motions of No-confidence have been admitted, discussed and negatived in the Legislative Assembly. In the Second and Fourth Union territory Legislative Assemblies and in the First, Fourth and Fifth (till date) Legislative Assemblies of the State, no Motion of No-confidence was discussed.

Tables 1 to 4 provide statistical details in respect of the motions moved till date. A graphical presentation of the motions is available in the Graphs I and II. Tables 5 and 6 enumerate the Governors and Chief Ministers, respectively, of the State.

First Union territory Legislative Assembly (1972-1977)

The newly created Union territory went to the polls on 18 April 1972 to elect its first Legislative Assembly. The Mizo Union, which contested the elections on the issue of full statehood for Mizoram, won 21 of the 30 elective seats in the Assembly. The Congress secured six seats and Independents three seats. Shri Ch. Chhunga, who was unanimously elected as the Leader of the Mizo Union Legislature Party, was sworn in as the Chief Minister on 3 May 1972.

One Motion of No-confidence was discussed in the First Union territory Legislative Assembly.

Motion of No-Confidence

A Motion of No-confidence was moved against the Mizo Union Government of Shri Ch. Chhunga by Sarvashri J. Thanghuama (Congress) and Zalawma on the

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1972-2003)**

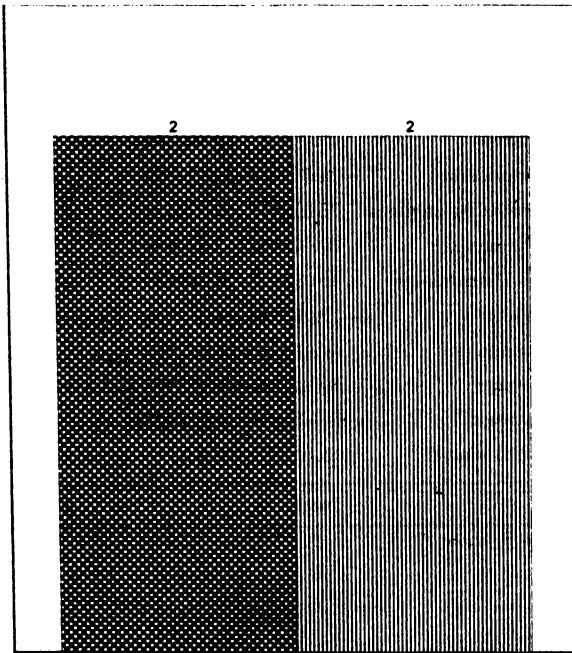
<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Mizoram Union Territory Legislative Assembly			
First Legislative Assembly	10.05.1972 - 11.05.1977	1	-
Second Legislative Assembly	21.06.1978 - 11.11.1978	-	-
Third Legislative Assembly	25.05.1979 - 04.05.1984	1	-
Fourth Legislative Assembly	09.05.1984 - 20.02.1987	-	-
Mizoram State Legislative Assembly			
First Legislative Assembly	10.03.1987 - 07.09.1988	-	-
Second Legislative Assembly	30.01.1989 - 07.12.1993	1	-
Third Legislative Assembly	10.12.1993 - 02.12.1998	1	-
Fourth Legislative Assembly	08.12.1998 - 06.12.2003	-	-
Fifth Legislative Assembly	15.12.2003 - till date	-	-
Total		4	-

Table 2

**NCMs/CMs admitted/ discussed during the tenures of different Speakers
(1972-2003)**

<i>Sl.No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Dr. H. Thansanga	10.05.1972 - 07.11.1975	1	-
2.	Shri Vaivenga	07.11.1975 - 20.06.1978	-	-
3.	Shri Thangridema	21.06.1978 - 24.05.1979	-	-
4.	Dr. Kenneth Chawngliana	25.05.1979 - 09.05.1984	1	-
5.	Dr. H. Thansanga	09.05.1984 - 10.03.1987	-	-
6.	Shri John Thanghuama	10.03.1987 - 29.01.1989	-	-
7.	Shri Hiphei	30.01.1989 - 14.07.1990	1	-
8.	Shri Rokanlova	17.07.1990 - 06.12.1993	-	-
9.	Shri Vaivenga	10.12.1993 - 04.12.1998	1	-
10.	Shri R. Lalawia	04.12.1998 - 15.12.2003	-	-
11.	Shri Lal Chamliana	16.12.2003 - till date	-	-
Total			4	-

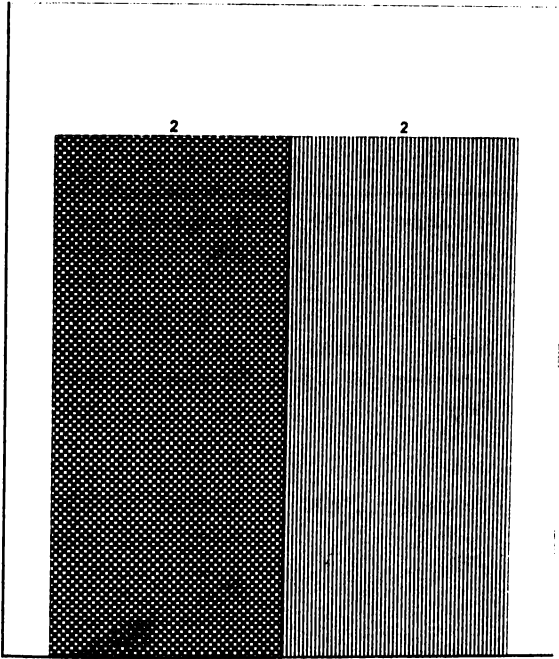
Graph I
NCMs in Mizoram (UT) Legislative Assembly
(1972 - 1987)



 **Motions admitted and discussed**  **Negated**

No Motion of Confidence was taken up in the Mizoram (UT) Legislative Assembly.

Graph II
NCMs in Mizoram Legislative Assembly
(1987 - 2003)



 **Motions admitted and discussed**  **Negative**

No Motion of Confidence was taken up in the Mizoram Legislative Assembly.

Table 3

**NCMs against/ CMs in the Council of Ministers
(1972-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion/ Time Taken</i>	<i>Result</i>
Ch. Chhunga (First Legislative Assembly)	Mizo Union 21/30 (70%)	NCM	Thanghuama (18)	(03.10.1973) 08.10.1973 09.10.1973 08.40	Negated Ayes-6 Noes-26
T. Sailo (Third Legislative Assembly)	Peoples' Conference Party 18/30 (60%)	NCM	Lal Thanhawla (20)	(28.09.1981) 29.09.1981 09.02	Negated Ayes-7 Noes-18
Lal Thanhawala (Second Legislative Assembly)	Congress(I) 22/39 (59%)	NCM	Laldenga (30)	03.10.1989 10.50	Negated Ayes-14 Noes-22 Abstention-1
Lal Thanhawala (Third Legislative Assembly)	Congress (I) Mizo Janata Dal 24/40 (60%)	NCM	Zoramthanga (30)	(29.07.1998) 30.07.1998 10.30	Negated Ayes-12 Noes-24

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1972-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Thansanga	NCM	Ch.	Than- ghuama	08.10.1973 09.10.1973	18	08.40	09.10.1973	6	26	Negated
Kenneth Chawngliana	NCM	T.Sailo	Lal Thanhawla	29.09.1981	20	09.02	29.09.1981	7	18	Negated
Hiphei	NCM	Lal Thanhawla	Laldenga	03.10.1989	30	10.50	03.10.1989	14	22	Negated
Vaivenga	NCM	-do-	Zoram- thanga	30.07.1998	30	10.30	30.07.1998	12	24	Negated

Table 5

Governors of Mizoram

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
Chief Commissioner		
1.	Shri S.J. Das	21.01.1972-23.04.1972
Lieutenant Governors		
2.	Shri S.P. Mukherjee	24.04.1972-12.06.1974
3.	Shri S.K. Chhibber	13.06.1974-26.09.1977
4.	Shri N.P. Mathur	27.09.1977-15.04.1980
5.	Shri K.A.A. Raja	15.04.1980-16.04.1981
6.	Shri S.N. Kohli	16.04.1981-09.08.1983
7.	Shri H.S. Dubey	10.08.1983-10.12.1986
8.	Shri Hiteswar Saikia	11.12.1986-19.02.1987
Governors		
9.	Shri Hiteswar Saikia	20.02.1987-03.04.1989
10.	Capt. W.A. Sangma	21.07.1989-07.02.1990
11.	Shri Swaraj Kaushal	08.02.1990-09.02.1993
12.	Shri P.R. Kyndiah	10.02.1993-13.01.1998
13.	Dr. A.P. Mukherjee	29.01.1998-02.05.1998
14.	Shri A. Padmanabhan	02.05.1998-22.11.2000
15.	Shri Ved Prakash Marwah	22.11.2000-18.05.2001
16.	Shri A.R. Kohli	18.05.2001-till date

Table 6

Chief Ministers of Mizoram

<i>Sl No.</i>	<i>Name</i>	<i>Period</i>
1.	Ch. Chhunga	03.05.1972-10.05.1977
	President's Rule	11.05.1977-01.06.1978
2.	Brig. Thenphunga Sailo	02.06.1978-10.11.1978
	President's Rule	11.11.1978-08.05.1979
	Brig. Thenphunga Sailo	08.05.1979-04.05.1984
3.	Shri Lalthanhawla	05.05.1984-20.08.1986
4.	Shri Laldenga	21.08.1986-19.02.1987
		20.02.1987-07.09.1988
	President's Rule	08.09.1988-23.01.1989
5.	Shri Lal Thanhawla	24.01.1989-07.12.1993
		08.12.1993-03.12.1998
6.	Shri Zoramthanga	04.12.1998-till date

grounds of maladministration. Leave to move the motion was granted on 3 October 1973. The motion was discussed for two days on 8 and 9 October 1973 in which 18 members took part.

Moving the motion, Shri J. Thanghuama, Leader of Opposition, alleged that corruption had become more rampant in Mizoram than earlier. He felt that members did not care for the responsibilities which had been entrusted to them and wondered as to why they continued to do things which they despised when Mizoram was under the Assam Government. He pointed out the shortcomings in the various Departments of the Government and said that the Motion of No-confidence had been moved with a view to encouraging the Government to work harder for the development of Mizoram.

Speaking on the motion, Shri Zalawma said that it had become imperative to move a Motion of No-confidence as the Opposition wanted to highlight the inability of the Ministry in running various Departments. He questioned as to why other non-Mizos were placed as Department Heads instead of Mizos who knew every corner of the land and were ready to serve to the best of their ability.

Replying to the debate, the Chief Minister Shri Ch. Chhunga said that he was not surprised at the move of the Opposition members to table the No-confidence Motion. The Ministry had just begun to work and the Opposition members must understand the difficulties being faced in the process of development, owing to the geography of Mizoram and also due to the lack of experienced people. Referring to the rehabilitation of Mizo National Front returnees, he said efforts were being made to promote peace and security and the scheme for their rehabilitation was being considered. At the end of the debate lasting eight hours and forty minutes, the motion was defeated with 6 members voting in favour and 26 members voting against.

No Motion of No-confidence was moved during the Second Union territory Legislative Assembly.

Third Union territory Legislative Assembly (1979-1984)

In the elections held on 24 and 27 April 1979 to elect 30 members to the Union territory Legislative Assembly, the People's Conference Party came to power with an absolute majority, winning 18 seats. The Mizoram Congress(I) won 5 seats, Janata 2, People's Conference (B) 4 seats and Independent one seat. A five-member Ministry headed by Brig. Thenphunga Sailo was sworn in by the Lt. Governor Shri N.P. Mathur, on 8 May 1979.

One Motion of No-confidence was debated during the tenure of the Third Union territory Legislative Assembly.

Motion of No-confidence

On 29 September 1981, a Motion of No-confidence was moved by Shri Lal Thanhawla of the Congress(I) against the People's Conference Government headed

by Brig. Thenphunga Sailo. The grounds for bringing the motion were the failure to fulfil the promises made by the People's Conference Party in its election manifesto. Leave to move the motion was granted on 28 September 1981. In all, 20 members participated in the day-long debate lasting nine hours and two minutes.

Moving the motion, Shri Lal Thanhawla, Leader of the Opposition, drew the attention of the members to the absence of the Chief Minister in the House and charged that this amounted to contempt of the House. He alleged that even after two years of the establishment of the People's Conference Ministry, they had failed to give Village Councils to Thlawhbawks as promised in their election manifesto. Instead, all the existing Village Councils had been dissolved. Referring to prohibition, he said that liquor was much more freely available now than before and alleged that those who were enforcers of law and order were themselves violating the rules. The Chief Minister was more interested in prolonging the rule of his Ministry rather than in solving the problems of the people.

Opposing the motion, Shri Joe Ngurdawla (People's Conference) said that the Government had adopted negotiations as the way to deal with the problem of insurgency. Shri K. Biachchungnunga (People's Conference) said the Government was following the party manifesto but it was going to take time to implement and realize the promises made. It was too early to expect self-sufficiency in food grains during a short span of two years and four months. Explaining the absence of the Chief Minister in the House, Shri Lalhingthanga, Minister, said the Chief Minister was away in Delhi attending a Conference on irrigation. Refuting the accusation of dictatorship, he said the very fact that the Opposition had moved a Motion of No-confidence and discussion was being held on it proved that the Ministry was very much democratic.

The motion was negated with 7 members voting in favour and 18 members voting against it.

During the Fourth Union territory Legislative Assembly and in the First State Legislative Assembly of Mizoram, no Motion of No-confidence was moved.

Second State Legislative Assembly (1989-1993)

In the elections to the 40-member State Legislative Assembly held in January 1989, the Congress(I) won an absolute majority and wrested power from Shri Laldenga's Mizo National Front (MNF), securing 23 seats. Its ally MNF (D) got two seats. The MNF won 14 seats whereas the People's Conference managed one seat. A nine-member Ministry, headed by Shri Lal Thanhawla, was sworn in by the Governor Shri Hiteswar Saikia on 24 January 1989.

One Motion of No-confidence was debated during the Second Legislative Assembly.

Motion of No-confidence

A Motion of No-confidence was brought against the Congress(I) Government of Shri Lal Thanhawla by Shri Laldenga (MNF) on 3 October 1989. The ground for bringing the motion before the House was the anti-secular policy of the Government.

Moving the motion on 3 October 1989, Shri Laldenga said they had no confidence in a Ministry that was born out of communal feeling which deceitfully instigated the people. The Ministry, he alleged, advocated a particular religion and even condemned other parties for not doing the same. He further said that the demand made by the Hmar Peoples Convention (HPC) for a District Council was clearly the result of the creation of the Chakma District Council by the Congress(I) Ministry. Charging the Ministry with failure in its dealings with the HPC, he said police force had been sent to counter the rebels without necessary arms and other equipment needed for such operations...

In his reply, the Chief Minister Shri Lal Thanhawla appreciated the constructive criticism made by the Opposition members and said the members had high hopes and expectations from the Ministry which was beyond their capacity to fulfil within a short period of eight months. The Government was taking measures to make the system of distribution of compensation and *ex gratia* payment to the MNF returnees satisfactorily. Referring to the HPC issue, he said the Government did not agree with their demand as there was no discrimination amongst the Mizos in terms of sub-tribes. Prior to the formation of the Congress(I) Ministry, the HPC was clearly informed that an Autonomous District Council would never be provided to them. Subsequently, a *bandh* was organized and the HPC created trouble and difficulties in different areas. The police forces had countered the HPC rebels vigorously. Though there were reports against the police, all these were found baseless when enquired into. He said a new land use policy had been introduced in place of the traditional jhuming system to modernize the agricultural policy as well as to preserve the valuable forest resources. He appealed to the members to render all cooperation for the success of the programme.

The debate lasted ten hours and fifty minutes in which thirty members participated. The motion was negatived with 14 members voting in favour and 22 members voting against it; one member abstained.

Third State Legislative Assembly (1993-1998)

Elections to the 40-member State Legislative Assembly were held on 20 November 1993. The Congress(I) won 16 seats while its ally, Mizo Janata Dal, bagged 8, the Mizo National Front 14 and Independents 2 seats. Shri Lal Thanhawla of the Congress(I) was sworn in as the Chief Minister heading a coalition with the MJD on 8 December 1993.

In the Seventh Legislative Assembly, one Motion of No-confidence was debated.

Motion of No-confidence

A Motion of No-confidence was moved by Shri Zoramthanga (MNF) against the coalition Government headed by Shri Lal Thanhawla on the grounds of misuse of power and public money. Leave to move the motion was granted on 29 July 1998. The motion was discussed on 30 July 1998 for ten hours and thirty minutes in which thirty members took part.

Moving the No-confidence Motion on 30 July 1998, Shri Zoramthanga pointed out the case of the Greater Lunglei water supply scheme and alleged that it was a case of wide controversy. As there had been so much controversy, an Enquiry Commission was constituted on 1 October 1996. Many of the reports and findings of the Committee had been presented in the House. However, as there had not been proper discussion on these reports due to some reason or the other, the public was not well-informed of the scheme and related matters. He also referred to other issues like the reducing number of voters in the electoral rolls, non-implementation of selection test for MBBS admission and technical education and failure to develop infrastructure in the State.

Replying to the debate, the Chief Minister Shri Lal Thanhawla appreciated the constructive criticism offered by the members. The Government was taking austerity measures by reducing expenditure on vehicles. New Districts had been created and new sub-divisions were also to be created soon. Referring to the Greater Lunglei water supply scheme, he said there was nothing to hide for there was no misappropriation of funds. An Enquiry Commission had been constituted. He said various developmental schemes had not been taken up for want of infrastructure. But the State was going to have an Airport and National Highways. The goal was to upgrade all roads in the State as per international standards. The Government was also taking steps to facilitate the development of the people in the remote areas.

At the end of the debate, the House divided with 12 members voting in favour and 24 members voting against it. The motion was negatived accordingly.

No Motion of No-confidence was moved in the Fourth and the Fifth (till date) Legislative Assemblies.

Motions of No-confidence in the Mizoram Union territory and State Legislative Assembly - An Analysis

In all, four Motions of No-confidence were debated in the Mizoram State and Union territory Legislative Assemblies. Table 1 gives details of motions admitted/discussed in each Legislative Assembly along with its duration. The First and the Third Union territory Legislative Assemblies and the Second and the Third State Legislative Assemblies discussed one Motion of No-confidence each. In the Second and the Fourth Union territory Legislative Assemblies and in the First, Fourth and

Fifth (till date) State Legislative Assemblies, no Motion of No-confidence was discussed. No Motion of Confidence has been moved so far in the Mizoram Legislative Assembly.

Table 2 illustrates the number of Motions of Confidence and No-confidence admitted and discussed during the tenures of different Speakers of the Assembly which shows that Speakers Dr. Kenneth Chawngliana, Dr. Thansanga, Shri Hiphei and Shri Vaivenga presided over the debates on one Motion of No-confidence each.

Table 3 gives an account of the No-confidence Motions debated during the tenures of different Councils of Ministers. Of the four Motions of No-confidence, Shri Lal Thanhawla faced two Motions of No-confidence, whereas Brig. T. Sailo and Shri Ch. Chhunga faced one Motion of No-confidence each.

Table 4 gives statistical information pertaining to the participation of members in the debates on various Motions of No-confidence. It also depicts the time taken and the result of the division.

Participation by Members

A statistical analysis of Table 4 shows that, in all, 98 members participated in the debate on the four Motions of No-confidence. Thirty-six members took part in the debate on the Motions of No-confidence moved by Shri Laldenga in October 1989 and Shri Zoramthanga in July 1998. The motion moved by Shri Thanghuama in October 1973 entailed the lowest participation of 18 members.

Time taken

The four Motions of No-confidence were discussed for five days. The total time spent on debating the four Motions of No-confidence works out to 39 hours and 2 minutes. The No-confidence Motion moved by Shri Laldenga in October 1989 was discussed for the longest duration of 10 hours and 50 minutes while the motion moved by Shri Thanghuama in October 1973 was debated for the shortest duration of 8 hours and 40 minutes.

Division

All the four Motions of No-confidence were negatived by division. The motion moved by Shri Thanghuama in October 1973 was defeated with the widest margin of 20 votes while the motion moved by Shri Laldenga in October 1989 was defeated with the narrowest margin of 8 votes.

Nagaland Legislative Assembly

The present State of Nagaland was, till 1957, part of the State of Assam. It was made a centrally administered area in 1957, and was administered by the Governor of Assam. This area was known as the Naga Hills Tuensang Area. In 1961, this Area was renamed as Nagaland and was given the status of a State in the Indian Union. The State of Nagaland was formally inaugurated on 1 December 1963.

However, pending the formation of the State of Nagaland, the President promulgated the Nagaland (Transitional Provisions) Regulations, 1961 as an interim arrangement providing for an Interim Body. The Interim Body consisted of 45 members to be elected by various tribes according to the customs, traditions and usage of the respective tribes. This Interim Body was dissolved on 30 November 1963.

The State of Nagaland Act, 1962 provided for the formation of the Naga Hills Tuensang Area into a separate State and amended the Sixth Schedule to the Constitution so as to omit all references therein to the said area. The Act also made the necessary supplemental and incidental provisions relating to the representation in Parliament and in the State Legislature, the apportionment of assets and liabilities between the Central Government and the State Government and other matters. The Act also sought to repeal the Nagaland (Transitional Provisions) Regulations, 1961 from the date of the formation of the State.

As per section 11 of the Government of Nagaland Act, 1962, the total number of seats in the Legislative Assembly was fixed at sixty. However, in accordance with article 371 (A) of the Constitution, in the first ten years from the date of formation of the State, the total number of seats in the Legislative Assembly of Nagaland was initially fixed at 46 of which 6 seats were reserved for Tuensang District to be filled by persons chosen by members of the Tuensang Regional Council from amongst themselves. With effect from 6 March 1969, the seats allotted to Tuensang District were raised from 6 to 12 and the strength of the Legislative Assembly increased from 46 to 52. In the 1974 election, the people of Tuensang exercised for the first time their voting right to elect 20 members from Tuensang District and the strength of the Assembly was raised to its full strength of 60 members. There is no nominated member

in the Nagaland Legislative Assembly and all the 60 members are elected on the basis of adult franchise.

The State went to the polls for the first time in January 1964 and the First Legislative Assembly was formally constituted on 11 February 1964.

Nagaland has a unicameral Legislature which is governed by its own Rules of Procedure and Conduct of Business.

Motion of No-confidence

Rule 139 of the Rules of Procedure and Conduct of Business in the Nagaland Legislative Assembly deals with the procedure for moving a Motion of No-confidence against the Council of Ministers.

Notice of a Motion of No-confidence shall be given to the Secretary of the Assembly before the commencement of a sitting and leave to move the motion, with the consent of the Speaker, shall be asked for immediately after the question time but before the other business for the day is entered upon. The Speaker reads out the motion to the Assembly and requests those members who are in favour of it to rise in their seats. If not less than 10 members rise in favour, the Speaker shall intimate that leave has been granted. The Speaker, thereafter, may appoint a day for discussing the motion, which shall not be earlier than 24 hours and later than 10 days from the time of asking for leave for moving the motion. If less than ten members rise, the Speaker shall inform the member that he has not the leave of the House. The Speaker may prescribe time limit for speeches to be made on the motion and shall, at the appointed time for conclusion of the debate, forthwith put every question necessary to determine the decision on the motion.

Motion of Confidence

There are no specific rules in the Rules of Procedure and Conduct of Business in the Nagaland Legislative Assembly governing a Motion of Confidence in the Council of Ministers. A Motion of Confidence is, however, dealt with under Rules 136 to 138 relating to motions for discussing matters of general public interest.

Motions in the Nagaland Legislative Assembly

Since the constitution of the First Nagaland Legislative Assembly in February 1964, six Motions of No-confidence and one Motion of Confidence have been moved and discussed. Of the 6 Motions of No-confidence moved, one motion was adopted in August 1966 resulting in the fall of the Government of Shri P. Shilu Ao. The remaining 5 motions moved at various points of time were defeated. The lone Motion of Confidence moved in December 1990 was carried.

For statistical details in respect of these seven motions, see Tables 1 to 4. A graphical presentation of the motions is available in Graphs I and II. Tables 5 and 6, respectively, give details of the Governors and Chief Ministers of Nagaland.

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1964-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	11.02.1964 - 16.02.1969	1	-
Second Legislative Assembly	16.02.1969 - 24.02.1974	2	-
Third Legislative Assembly	26.02.1974 - 20.05.1975 [ⓐ]	-	-
Fourth Legislative Assembly	25.11.1977 - 16.11.1982	1	-
Fifth Legislative Assembly	17.11.1982 - 21.11.1987	1	-
Sixth Legislative Assembly	21.11.1987 - 07.08.1988	-	-
Seventh Legislative Assembly	25.01.1989 - 21.03.1992	-	1
Eighth Legislative Assembly	22.02.1993 - 04.03.1998	1	-
Ninth Legislative Assembly	04.03.1998 - 06.03.2003	-	-
Tenth Legislative Assembly	06.03.2003 - till date	-	-
Total		6	1

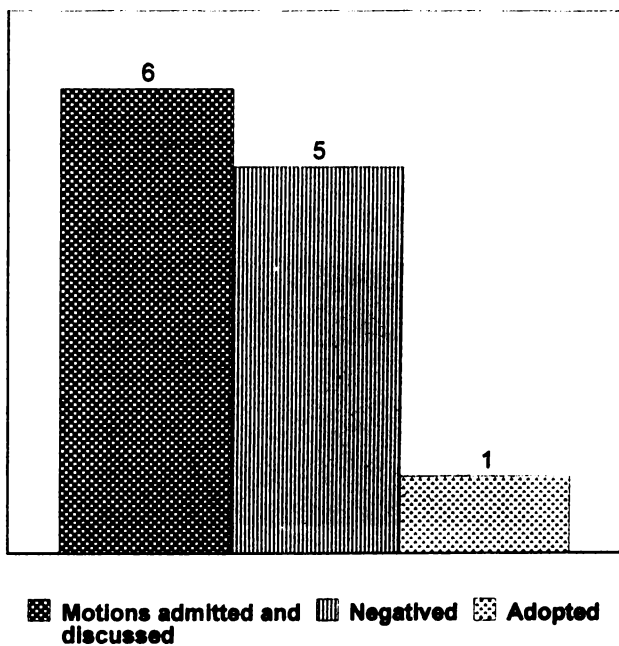
[ⓐ] Assembly was kept under suspended animation from 22.03.1975; subsequently, the Assembly was dissolved on 20.05.1975.

Table 2

**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1964-2003)**

<i>Sl. No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri T.N. Angami	11.02.1964 -13.08.1966	1	-
2.	Shri Shikhu	04.10.1966 -06.03.1969 07.03.1969 -06.03.1974	2	-
3.	Shri Kreditsu	07.03.1974 - 28.11.1977	-	-
4.	Shri K. Vitsonei	29.11.1977 - 28.11.1982	1	-
5.	Shri C. Chongshen	29.11.1982 - 12.10.1984	-	-
6.	Shri E.T. Ezung	25.02.1985 - 29.10.1986	1	-
7.	Shri Chenlom	12.03.1987 - 06.12.1987	-	-
8.	Shri C. Chongshen	07.12.1987 - 25.01.1989	-	-
9.	Shri T.N. Ngullie	14.02.1989 - 20.06.1990	-	-
10.	Shri S.C. Jamir (Speaker <i>Protem</i>)	21.06.1990 - 19.07.1990	-	-
11.	Shri Thenucho	19.07.1990 - 09.03.1993	-	1
12.	Shri I. Vikheshe (Speaker <i>Protem</i>)	09.03.1993 - 18.03.1993	-	-
14.	Shri Neiba Ndang	18.03.1993 - 23.03.1998	1	-
15.	Shri Z. Lohe	23.03.1998 - 14.03.2003	-	-
16.	Shri Kiyaniilie	14.03.2003 - till date		
Total			6	1

Graph I
NCMs in Nagaland Legislative Assembly
(1964 - 2003)



Graph II
CMs in Nagaland Legislative Assembly
(1964 - 2003)

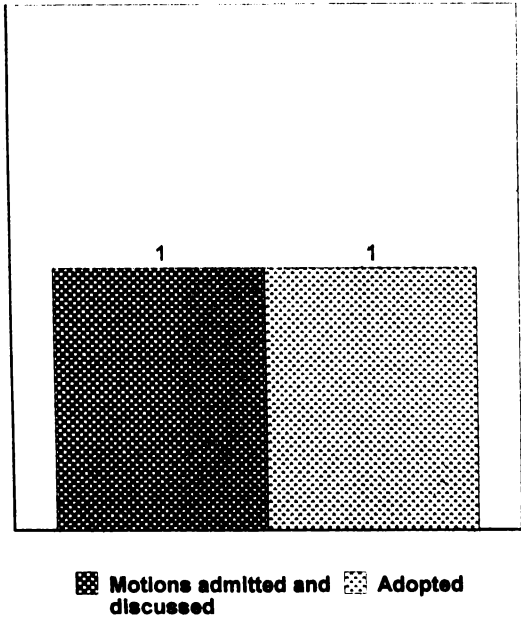


Table 3

**NCMs against/CMs in the Council of Ministers
(1964-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
P.Shilu Ao (First Legislative Assembly)	Nagaland Nationalist Organisation 33/46 (51.07%)	NCM	G.C. Paira (23)	11.08.1966 04.22	Adopted Ayes-32 Noes-06
Hokishe Sema (Second Legislative Assembly)	Nagaland Nationalist Organisation 22/40 (55%)	NCM	Tajeñ Ao (15)	(27.11.1972) 28.11.1972 07.15	Negated by voice vote
-do-	-do-	NCM	-do- (16)	(06.09.1973) 08.09.1973 09.40	Negated by voice vote
J.B. Jasokie (Fourth Legislative Assembly)	United Democratic Front 35/60 (58%)	NCM	S.C. Jamir (22)	(15.09.1981) 17.09.1981 04.45	Negated by voice vote
S.C. Jamir (Fifth Legislative Assembly)	Congress(I) 24/60 (40%)	NCM	Vamuzo (7)	25.06.1985 06.40	Negated by voice vote
Vamuzo (Seventh Legislative Assembly)	Congress(I) and Nagaland People's Council (Joint Legislature Party) 45/60 (75%)	CM	T.A. Ngullie	18.12.1990	Adopted by voice vote

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
S.C. Jamir (Eighth Legislative Assembly)	Congress(I) 35/60 (58%)	NCM	Vamuzo (10)	07.07.1995 08.25	Negated by voice vote

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1964-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
T.N. Angami	NCM	P.Shilu Ao	G.C. Paia	11.08.1966	23	04.22	11.08.1966	-	-	Adopted Ayes - 32 Noes - 06
Shukhu	NCM	Hokishe Sema	Tajen Ao	28.11.1972	15	07.15	28.11.1972	-	-	Negtaived by voice vote
-do-	NCM	-do-	-do-	08.09.1973	16	09.40	08.09.1973	-	-	Negatived by voice vote
K. Vitsonoi	NCM	J.B. Jasokie	S.C. Jamir	17.09.1981	22	04.45	17.09.1981	-	-	Negatived by voice vote
E.T. Ezung	NCM	S.C. Jamir	Vamuzo	25.06.1985	7	06.40	25.06.1985	-	-	Negatived by voice vote
Thenucho	CM	Vamuzo	T.A. Ngullie	18.12.1990	-	-	18.12.1990	-	-	Adopted by voice vote
Neiba Ndang	NCM	S.C. Jamir	Vamuzo	07.07.1995	10	08.25	07.07.1995	-	-	Negatived by voice vote

Table 5

Governors of Nagaland

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Vishnu Sahay	07.08.1962 - 16.04.1968
2.	Shri B.K. Nehru	17.04.1968 - 07.12.1970
3.	Justice P.K. Goswami (Acting)	08.12.1970 - 04.01.1971
4.	Shri B.K. Nehru	05.01.1971 - 18.09.1973
4.	Shri L.P. Singh	19.09.1973 - 19.08.1981
5.	Shri S.M.H. Burney	10.08.1981 - 12.06.1984
6.	Gen.(Retd.) K.V. Krishna Rao	13.06.1984 - 19.07.1989
7.	Dr. Gopal Singh	20.07.1989 - 03.05.1990
8.	Shri Chintamani Panigrahi	04.05.1990 - 08.05.1990
9.	Dr. M.M. Thomas	09.05.1990 - 12.04.1992
10.	Shri Loknath Mishra	13.04.1992 - 01.10.1993
11.	Lt. Gen. (Retd.)V.K. Nayar	02.10.1993 - 04.08.1994
12.	Shri O.M. Shrivastava	05.08.1994 - 11.11.1996
13.	Shri O.P. Sharma	12.11.1996 - 27.01.2002
14.	Shri Shyamal Datta	28.01.2002 - till date

Table 6

Chief Ministers of Nagaland

<i>Sl No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Shilu Ao	01.12.1963 - 13.08.1966
2.	Shri T.N. Angami	14.08.1966 - 22.02.1969
3.	Shri Hokishe Sema	22.02.1969 - 26.02.1974
4.	Shri Vizol	26.02.1974 - 10.03.1975
5.	Shri J.B. Jasokie	10.03.1975 - 22.03.1975
	President's Rule	22.03.1975 - 25.11.1977
6.	Shri Vizol	25.11.1977 - 17.04.1980
7.	Shri S.C. Jamir	18.04.1980 - 04.06.1980
8.	Shri J.B. Jasokie	05.06.1980 - 18.11.1982
9.	Shri S.C. Jamir	18.11.1982 - 29.10.1986
10.	Shri Hokishe Sema	29.10.1986 - 07.08.1988
	President's Rule	08.08.1988 - 25.01.1989
11.	Shri S.C. Jamir	25.01.1989 - 15.05.1990
12.	Shri K.L. Chishi	15.05.1990 - 19.06.1990
13.	Shri Vamuzo	19.06.1990 - 02.04.1992
	President's Rule	02.04.1992 - 22.02.1993
14.	Shri S.C. Jamir	22.02.1993 - 05.03.1998
		05.03.1998 - 06.03.2003
15.	Shri Neiphiu Rio	06.03.2003 - till date

First Legislative Assembly (1964-1969)

Elections were held to the Legislative Assembly for the first time in January 1964. The Nagaland Nationalist Organisation (NNO) led by Shri P. Shilu Ao won 33 of the 46 seats, while the Democratic Party secured 11, the remaining two seats were won by Independents. An NNO Ministry led by Shri Shilu Ao was sworn in by the Governor Shri Vishnu Sahay on 25 January 1964. Shri T.N. Angami was elected the Speaker of the Assembly.

The First Legislative Assembly took up one Motion of No-confidence.

Motion of No-confidence

The very first Motion of No-confidence taken up by the Assembly in August 1966 was carried resulting in the fall of the two and a half year old Shilu Ao Ministry. Incidentally, the Motion of No-confidence had been tabled against the Chief Minister by the members belonging to the ruling party itself. It read: "This Assembly expresses its want of confidence in Shri P. Shilu Ao, the present Chief Minister of Nagaland".

The motion was admitted in the House by the Speaker, Shri T.N. Angami on the first day of the week-long Seventh Session which commenced on 8 August 1966. The motion was signed by 23 of the 46 members, i.e. half of the total legislators of the House. When the leave of the House was sought for moving the motion, 24 members, constituting more than half of the total membership of the House, rose in support of the motion.

The Speaker announced grant of leave of the House to the motion. He said that as the matter was serious, the motion could not be kept pending and would have to be taken up soon. At this, the Chief Minister Shri Shilu Ao requested that three days time should be given. Shri Imchalemba Ao (Nationalist) concurred with the Chief Minister, while some other members urged the Speaker that the motion should not be kept pending.

The Speaker, acceding to the request of the Chief Minister, fixed 11 August 1966 for taking up the motion.

However, one member Shri Imchalemba Ao (Nationalist) raised a point of order saying that the motion was constitutionally impertinent and not in order as it did not fulfil the provisions of Section 139 (1) of the Rules of Procedure. He felt that the motion should not have been admitted. The motion could not be discussed because it was against the Chief Minister and not against the Cabinet as a whole.

Shri Suzumar Imsong (Nationalist) said as there was no charge listed in the motion it was not legal.

Another member of the same party, Shri K. Khieya said that when a substantial number of members wanted to move the Motion of No-confidence against the Chief Minister, that meant the House had no confidence in the Chief Minister. Nobody could question the Speaker's power; he had every right to exercise his own power.

The Chief Minister, Shri Shilu Ao wanted some time to answer the charges levelled against him. He said all the Ministers had resigned and he was alone to study the motion and also charges were levelled only now.

The Speaker observed that nobody raised an objection when the leave of the House was granted. He further said if he had to go back from the order he had already given, he would have to seek the leave of the House again as the ruling of the Speaker alone would not do at this stage. Even to keep the motion pending for a day or even a minute he would have to take the leave of the House and thus allowed the discussion on the motion.

Participating in the debate, a member, Shri P. Demo (Nationalist) described the Chief Minister's attitude towards his Cabinet colleagues, members, officials and public as dictatorial in nature. He also levelled charges of corruption. The members who spoke subsequently echoed similar views.

Replying to the debate, the Chief Minister described the allegations and complaints brought against him as vague and said some of them were false and baseless. He also denied that there was partiality with regard to appointments, postings and transfers saying that there was a Selection Board to deal with this. He said he did not work contrary to any decision of the august House nor did he deviate from any decision of the Cabinet. After thanking the Chair, he left the Chamber.

In the four hours and twenty-two minutes long debate, 23 members took part, comprising half of the total membership of the House. 32 members voted in favour of the motion and 6 members voted against it, resulting in the fall of the 30-month-old Government of Shri Shilu Ao.

Shri Ao submitted the resignation of his Ministry to the Governor Shri Vishnu Sahay. The Naga Nationalist Legislature Party thereafter elected the Speaker of the Assembly Shri T.N. Angami as its leader in place of Shri Ao.

Second Legislative Assembly (1969-1974)

In the elections held to the 40 seats of the 52-member Assembly (12 were to be nominated) in February 1969, the Nagaland Nationalist Organization (NNO) won 22 seats and the United Front of Nagaland (UFN) secured 10 seats while Independents won from 8 Assembly Seats.

Subsequently, all the 12 nominated members from Tuensang and seven of the eight successful Independents joined the Nagaland Nationalist Organisation on 17 February to raise its strength to 41. Shri Hokishe Sema who was elected the leader of the NNO Legislature Party was sworn in as the Chief Minister by the Governor Shri B.K. Nehru.

Two Motions of No-confidence were moved in the Second Legislative Assembly by Shri Tajen Ao (UFN) against the Ministry led by Shri Hokishe Sema. One motion was moved in November 1972 and another one just after nine months in September 1973; both the motions were defeated.

First Motion of No-confidence

The Twelfth Session of the Second Legislative Assembly began its deliberations on 24 November 1972. On 27 November, the Deputy Speaker Shri T.A. Ngullie, who was in the Chair, announced that he had received and admitted the notice of a Motion of No-confidence from Shri Tajen Ao (UFN) and eight other members against the Council of Ministers headed by Shri Hokishe Sema.

The Chair asked Shri Tajen Ao to move the motion which read: "This House expresses its want of confidence in the Council of Ministers for its failure to maintain peace in the State and withdrawal of agreement of the stoppage of operations and malicious arrest and prosecutions of Opposition members of the Assembly."

Twenty-one members stood in support of the motion, against the minimum requirement of ten in the 52-member Assembly. Accordingly, leave of the House was granted to deliberate the motion on 28 November 1972.

Initiating the debate, Shri Tajen Ao said that the ruling NNO, in both elections to the Assembly held in 1964 and 1969, had made pledges and promises to the people that if returned to power, it would bring peace and prosperity to the people of the State and work towards the settlement of the Naga problem. However, the Government had failed to fulfil its promises and pledges and as a result, many untoward incidents were taking place and the administration had become very inefficient and corrupt. He criticized the manner in which five MLAs were arrested and put in jail just because they had joined the Opposition Party, following differences they had with the NNO members with regard to the approach to various problems facing the State.

Participating in the debate, the Chief Minister Shri Hokishe Sema said that the supreme task of the Government and each and every member was to end the uncertainties and the hostilities prevailing in Nagaland by creating understanding and also good will among the people. Towards that end, he said, an agreement for cessation of hostilities was signed between the underground elements and the Peace Mission on 25 May 1964. He said that his Government was making genuine, sincere and painstaking efforts to transform the temporary and uneasy peace into a permanent one.

As regards the arrest of five MLAs, Shri Sema reiterated that when allegations against them were not corroborated, the Government had taken immediate action, which was a normal process of law. The Government had taken all possible steps on a top priority basis to find out the correct position in the case of the five MLAs so that they were not kept in custody even an hour longer than was absolutely necessary under the law. The Chief Minister added that there was absolutely no malicious intention whatsoever on the part of the Government in arresting the five members of the Legislative Assembly. On the contrary, the speedy action the Government took

in the case proved the respect the Government had towards the members. As such, he appealed to the Opposition to withdraw the motion.

Replying to the debate, Shri Tajen Ao said that it would be very difficult to withdraw the motion.

In all, 15 members took part in the seven hours and fifteen minutes long debate. The motion was negated by voice vote.

Second Motion of No-confidence

The Chief Minister Shri Hokishe Sema was confronted with the Second No-confidence Motion in less than a year in September 1973. Like the previous one, this motion too was tabled by Shri Tajen Ao of the UDF.

The Fifteenth Session of the Second Assembly commenced its proceedings on 4 September 1973. On 6 September, the Deputy Speaker, who was in the Chair, made an announcement regarding tabling of a Motion of No-confidence in the Council of Ministers. The motion, signed by 15 members, listed the failure of the Government to check the high prices and rise in prices of essential commodities which had put the people of the State to great hardship. It also cited the Government's failure to maintain peace in Nagaland and its failure to check corruption in the administration as grounds for moving the No-confidence Motion.

The Chair asked those members to rise in their seats who were in support of the motion. As more than ten members stood in support of the motion, the Chair declared the grant of leave of the House to move the motion. The motion was taken up for discussion on 8 September.

Moving the motion, Shri Tajen Ao said that though a similar Motion of No-confidence was moved a year earlier drawing the attention of the Government to its various failures and lapses, the Government had not taken any steps to improve the situation and it had rather miserably failed in discharging its responsibilities. On the issue of corruption, Shri Ao observed that when corruption was taking place at high levels, it was impossible to produce an efficient administration. He further said that prices of essential commodities had gone up so much that common people could not afford to buy them. Though the Agriculture Department was spending lakhs of rupees annually for development of agriculture, they had not taken any step for the improvement of rice cultivation in the Jhumland nor had they taken any step to look after the method of jhumming to help the cultivators.

Taking part in the debate, the Chief Minister Shri Hokishe Sema replied to the three points forming part of the Motion of No-confidence. As regards high prices, Shri Sema said that rising prices was not a phenomenon seen in Nagaland only as it was an all-India problem; in fact, it was a global problem due to various economic trends in the world. India had to face ten million Bangladeshi refugees, a war with Pakistan and two years of drought. He said the Government was trying to distribute

whatever foodgrains that were being produced. The shortage of foodgrains had resulted in the price rise of not only foodgrains but other items as well.

With regard to the allegations of corruption, Shri Sema observed that the Government had been giving due attention to all the recommendations and remarks of the Assembly Committees, including those contained in the 18th Report of the Public Accounts Committee. On the issue of law and order and in particular the Opposition leaders' allegations against the security forces and officers in the Administration, the Chief Minister said that these charges were totally wrong. As such, Shri Sema requested the Opposition to withdraw the motion.

Shri Tajen Ao, in his reply, said that as the Opposition was not satisfied with the reply of the Chief Minister, they were not going to withdraw the motion.

In all, 16 members took part in the nine hours and forty minutes long debate. The motion was negatived by voice vote.

The Third Legislative Assembly did not take up any Motion of Confidence or No-confidence.

Fourth Legislative Assembly (1977-1982)

In the 60-member House, the United Democratic Front, backed by the Janata Party, gained an absolute majority securing 35 seats as against 15 by the Congress Party. Nine seats were secured by Independents and one by the National Convention of Nagaland.

A United Democratic Front Ministry led by Shri Vizol Angami was sworn in on 25 November 1977 by the Governor Shri L.P. Singh.

Meanwhile, Governor L.P. Singh dropped the Deputy Chief Minister Shri S.C. Jamir on 5 October 1979 on the advice of the Chief Minister Shri Vizol. On 29 March 1980, four Ministers of State tendered their resignations from the Council of Ministers and the Party. Subsequently, the United Democratic Front Ministry headed by Shri Vizol was reduced to a minority.

Shri Vizol tendered the resignation of his 28-month-old Ministry on 17 April 1980 and in his place Shri S.C. Jamir was sworn in by the Governor. Consequent upon the resignation on 5 June 1980 of the Chief Minister Shri Jamir who belonged to the Congress(I), a new 16-member Nagaland National Democratic Party (NNDP) Ministry led by Shri J.B. Jasokie was sworn in on the same day. One Motion of No-confidence was moved against the Ministry of Shri Jasokie which was defeated.

Motion of No-confidence

In the Fourth Legislative Assembly, during the Thirteenth Session, one Motion of No-confidence was moved. The notice of motion was given by Shri S.C. Jamir (Congress-I) and others and admitted by the Speaker Shri K. Vitsoni. The leave for moving motion was granted on 15 September 1981 as more than ten members rose

in support. The motion levelled various charges of corruption and inefficiency against the Government and was taken up for discussion on 17 September.

Moving the motion, the Leader of the Opposition, Shri Jamir said that the motion was being moved with a view to bringing to the notice of the august House and also to the people, as to how the NNDP Government was running the affairs of the State. During the previous one year, the people had experienced nothing but disillusionment, frustration and disgrace because of the policies, programmes and performance of the Government which were anti-people. The law and order situation in the State though apparently peaceful might explode at any time in any part of the State.

Replying to the debate, the Chief Minister Shri Jasokie said most of the allegations made by the Opposition were, in fact, old allegations and none of them could be substantiated. The Government had replied to them time and again, which were already there in the proceedings of the House. Refuting the Opposition charges, the Chief Minister said that the law and order situation in the State was peaceful. He said one of the ideals of the Government was to attain social justice and ever since his Government came to power, there had been no partisan approach, nepotism, or victimization. In the end, he said that if, the allegations levelled against his Government were based on facts, they would surely be reviewed and requested the Opposition to withdraw the motion.

After a four hour and forty-five minutes long debate, in which 22 members participated, the motion was negated by voice vote.

Fifth Legislative Assembly (1982-1987)

In the elections held to the 60-member Assembly in November 1982, no party could get an absolute majority, with the ruling Nagaland National Democratic Party and the Congress(I) securing 24 seats each and Independents winning 12 seats.

With the joining of eight Independents in the Congress(I), the strength of the party rose from 24 to 32 in the 60-member House. A Congress(I) Ministry headed by Shri S.C. Jamir was sworn in by the Governor on 18 November 1982.

Motion of No-confidence

In the Fifth Legislative Assembly, one Motion of No-confidence was taken up on 25 June 1985 and it was negated on the same day.

The Motion of No-confidence against the Congress(I) Government was tabled by the Leader of the Opposition, Shri Vamuzo and ten others. The Opposition's move followed the Speaker's decision on 22 June 1985 disallowing an adjournment motion tabled by the Leader of the Opposition Shri Vamuzo and 18 other members to discuss the Merapani incident involving a border clash between the police personnel belonging to Assam and Nagaland. The Speaker advised the members to bring the

matter in some other form of motion, if they so wished. Accordingly, the Motion of No-confidence was moved on 25 June 1985 against the Council of Ministers.

Initiating the debate, Shri Vamuzo said that it was because of the negligence on the part of the Government that the Merapani incident where a clash between policemen of Nagaland and Assam had occurred. Shri Vamuzo alleged that though the Chief Minister got the report that the Assam Police had been preparing to create provocation against Nagas in the border areas, he had kept silent. Four days ahead of the incident, the NNDP, in its General Session, had brought to the notice of the Government that precautionary measures should be taken and a decision to maintain *status quo* be taken. However, the Government remained a silent spectator until the last moment. Due to the negligence on the part of the Government of Nagaland, clashes had broken out between the Assam Police backed by CRPF and the Nagaland Police, causing several casualties in terms of human life. This incident also had broken the traditional fraternity and the friendly relationship between the Assamese and the Nagas. Both the Governments were being run by the Congress(I) and hence both the Governments should resign, he added.

Participating in the debate, the Chief Minister Shri S.C. Jamir said that by moving the Motion of No-confidence, the Opposition had tried to fire upon the Government but they had in fact strengthened the hands of the Chief Minister and that of the Government. Though many opportunities were available to the Opposition to raise various issues, including the Assam-Nagaland border issue, they had chosen to bring the No-confidence Motion to ventilate their grievances. He further observed that on certain issues one could differ and quarrel but one could not afford to have a divisive approach with regard to the issues involving the interests of the people and the State. The incident at Merapani was one such issue where all those settled in the border were mostly foreign nationals and not Indians. The Government of Nagaland had been telling the Government of India to consider that disputed area as a buffer zone since those residents would not be loyal to either of the two State Governments and to the country, and it would be detrimental to the national security. Vamuzo replied to the debate.

Seven members took part in the six hours and forty minutes long debate. The motion, thereafter, was negatived by voice vote.

The Sixth Legislative Assembly did not take up any Motion of No-confidence or Confidence.

Seventh Legislative Assembly (1989-1992)

The only Motion of Confidence, which was admitted and deliberated in the Nagaland Legislative Assembly, was taken up in the Seventh Legislative Assembly. However, preceding the motion, swift and significant political developments had taken place in the State in a span of two years.

Elections to the Seventh Legislative Assembly were held on 21 January 1989. The Congress(I) won 36 seats and the Nagaland People's Council won the rest of the 24 seats in the 60-member House.

A Congress(I) Ministry headed by Shri S.C. Jamir was sworn in by the Governor, Gen. (Retd.) K.V. Krishna Rao on 25 January 1989.

Following a split in the ruling Congress(I) in May 1990, the Government headed by Shri Jamir was reduced to a minority and the Governor, Shri M.M. Thomas dismissed the sixteen-month-old-Ministry. A fourteen-member new Ministry led by Shri K.L.Chishi of the United Legislature Front (ULF), comprising the Nagaland People's Council (NPC) and the newly formed Congress (Regional) Party, was sworn in by the Governor on 15 May 1990.

However, just after a month of assuming the office, the ULF Ministry led by Shri Chishi lost the majority support in the Legislature following the withdrawal of support by 15 members who formed a new Joint Legislature Party comprising the Congress(I) and the Nagaland People's Council. Shri Vamuzo of the NPC, who was not a member of the Assembly then, formed a coalition Ministry comprising the Congress(I) and Nagaland People's Council on 19 June 1990. He subsequently got elected from the Chizami Assembly constituency.

Motion of Confidence

One Motion of Confidence was taken up in the Seventh Legislative Assembly in its Ninth Session which was a one-day Session held on 18 December 1990. The Speaker Shri Thenucho announced in the House that he had received a motion from Shri T.A. Ngullie of the NPC expressing confidence of the House in the Council of Ministers headed by Shri Vamuzo. The motion moved by Shri Ngullie was seconded by Shri C. Chongahen of the same party.

The Speaker observed that as it was a Confidence Motion, there was no need for any discussion and therefore put the motion to vote, which was adopted by voice vote.

Eighth Legislative Assembly (1993-1998)

Nagaland went to the polls for the eighth time in February 1993. The Congress(I) secured an absolute majority by winning 35 seats in the 60-member House while the NPC got 17 seats and the remaining seats were won by Independents. A Congress Ministry headed by Shri S.C. Jamir was sworn in on 22 February 1993.

One Motion of No-confidence was moved in the Eighth Legislative Assembly.

Motion of No-confidence

The Motion of No-confidence was moved by Shri Vamuzo of the NPC against the Congress(I) Ministry headed by Shri Jamir. This was the second motion of Shri

Vamuzo who moved a similar motion, ten years earlier, incidentally against the Ministry led by Shri Jamir.

On 7 July 1995, in the Sixth Session of the Assembly, the Speaker Shri Neiba Ndong announced in the House of having received a Motion of No-confidence from Shri Vamuzo (NPC) and ten others. The reason cited for moving the motion were the Government's extreme anti-people step by declaring the entire State of Nagaland as disturbed area by invoking the provision of the Armed Forces (Special Powers) Act, 1958 thereby endangering the lives and properties of the innocent people of Nagaland. As eleven members rose in support of the motion, leave of the House was granted.

The motion was taken up for debate on 8 July 1995 after the completion of listed business. Initiating the debate, Shri Vamuzo said by invoking the Armed Forces (Special Powers) Act, innocent people were being tortured and accused the Government of neutralizing and paralysing the Nagaland Police; as a result, the underground elements had easy access to police camps and decamped with the arms of the police personnel. He also observed that the Chief Minister had failed in controlling the anti-social elements, extortions, killings and unlawful activities in the State.

Participating in the debate, the Chief Minister said the debate on the No-confidence Motion would give an opportunity to the Opposition to highlight the issues, and at the same time give adequate knowledge to the ruling party on these issues and an opportunity to correct itself. He denied that the Army was given power of ruling the State and said that even earlier, the Army was deployed from time to time during the President's Rule and also when there was a popular Government in the State to aid civil authority. Giving reasons as to why the Disturbed Area Act had to be extended, he said that all wanted to live in peace and tranquility. He urged the need for-burying the differences among the parties for this common cause and said unity was an issue which needed no debate. He appealed to all to recognize that faction or group interests should be sacrificed for the common cause of the good of the Naga people and finally requested the withdrawal of the motion.

In reply, Shri Vamuzo said he was not convinced with the explanation given by the Chief Minister and owing to the differences on policy matters, he was not going to withdraw his motion.

In the eight hours and twenty-five minutes long debate, ten members participated. The Speaker then put the motion to vote which was negatived.

The Ninth Legislative Assembly did not take up any Motion of No-confidence or Confidence Motion, while the Tenth Legislative Assembly, the present one, is yet to take up motions of either type.

Motions of Confidence and No-confidence in the Nagaland Legislative Assembly - An Analysis

In the Nagaland Legislative Assembly, six Motions of No-confidence and one Motion of Confidence have been admitted and discussed so far.

While the highest number of two Motions of No-confidence were admitted and discussed in the Second Legislative Assembly, the First, Fourth, Fifth and Eighth Legislative Assemblies witnessed one Motion of No-confidence each. The lone Motion of Confidence was taken up in the Seventh Legislative Assembly. The Third, Sixth, Ninth and Tenth (till date) Legislative Assemblies did not take up any motion. Table 1 gives the number of No-confidence and Confidence Motions admitted/discussed in each Legislative Assembly.

Table 2 gives the number of No-confidence and Confidence Motions admitted/discussed during the tenures of different Speakers. Speaker Shri Shikhu presided over the deliberations on two Motions of No-confidence while the tenure of Shri T.N. Angami, Shri Vitsoni, Shri E.T. Ezung and Shri Neiba Nding witnessed one Motion of No-confidence each; Speaker Shri Thenucho presided over the lone Motion of Confidence.

Table 3 gives an account of the No-confidence and Confidence Motions debated during the different Councils of Ministers. The very first Motion of No-confidence against the Shilu Ao Ministry was adopted. Two Motions of No-confidence against the Hokishe Sema Ministry in 1972 and 1973 were moved by Shri Tajen Ao. Shri S.C. Jamir also faced two Motions of No-confidence. Both the motions against Shri Jamir were moved by Shri Vamuzo. Shri Vamuzo himself moved and won the confidence vote in December 1990.

Table 4 gives statistical information about the participation of members in the debates on various Motions of No-confidence and Confidence. It also depicts the time taken and the result of the division.

Participation by Members

Of the seven motions, six motions were debated while no debate took place in respect of the lone Motion of Confidence moved and adopted in 1990. In all, ninety-three members participated in the debate on the six Motions of No-confidence. The highest number of 23 members took part in the first Motion of No-confidence against the Shilu Ao Ministry in 1966. The lowest number of 7 members took part in the No-confidence Motion moved in June 1985 against the Congress(I) Ministry headed by Shri S.C. Jamir.

Time taken

The total time spent in respect of all the six Motions of No-confidence (the time taken in respect of the lone Motion of Confidence in December 1990 is not

available) is 41 hours and 7 minutes. The longest duration of nine hours and forty minutes was spent on the debate on the Motion of No-confidence of 8 September 1973 in which 16 members participated. The shortest duration of four hours and twenty-two minutes was spent on the debate on the motion of 11 August 1966 in which 23 members took part. All the seven motions were discussed and disposed of on the same day.

Division

One Motion of No-confidence against the Shilu Ao Ministry in August 1966 was carried after division resulting in the fall of the Government. The remaining five Motions of No-confidence were negatived and the lone Motion of Confidence was carried, all by voice vote.

Orissa Legislative Assembly

Orissa became a separate Province on 1 April 1936 by the Government of India (Constitution of Orissa) Order, 1936. It comprised certain portions of the Bihar and Orissa Province, Madras Presidency and the Central Provinces.

Under the Government of India Act, 1935, the strength of the Legislative Assembly of the Orissa Province was fixed at 60, including four nominated members. Elections to the Legislative Assembly were held in January 1937 under limited franchise.

On 1 January 1948, the administration of 24 princely States was transferred to the Provincial Government of Orissa under the provision of the Extra-Provincial Jurisdiction Act, 1947. Subsequently, the Administration of Orissa State Order, 1948 providing therein for the constitution of the Orissa State Assembly, Executive Council and Advisory Committees in order to associate popular opinion with the administration of the States was issued. Accordingly, an Executive Council with three members was constituted. The Orissa State Assembly consisting of 36 members which included five *ex-officio* members, viz. the Prime Minister of Orissa, three members of the Executive Council and the Chief Administrative and Special Commissioner of Orissa State was constituted *vide* the Home Department notification of 6 February 1948. Later, the administration of the Mayurbhanj State was transferred to the Provincial Government with effect from 1 January 1949.

Thereafter, the administration of all the States was transferred to the Provincial Government of Orissa and further, barring the two States of Sareikala and Kharsuan, all the States were merged in the Orissa Province with effect from 1 August 1949 by virtue of the State's Merger (Governors' Province) Order, 1949. The total number of seats in the Orissa Legislative Assembly was revised to 91 to represent the people of the merged States or group of States.

Subsequent to the Delimitation of Parliamentary and Assembly Constituencies in 1951, the Assembly had a total strength of 140 members. It was later increased

to 147 with effect from the Sixth Legislative Assembly. The Legislature of Orissa is unicameral.

Motion of No-confidence

Rule 117 of the Rules of Procedure and Conduct of Business of the Orissa Legislative Assembly relates to the moving of a Motion of No-confidence. The rule provides that a motion expressing want of confidence is made subject to certain restrictions: (a) leave to make the motion must be asked for after Questions and before the List of Business for the day is entered upon; and (b) the member asking for leave must before the commencement of the sitting of the day give to the Secretary a written notice of the motion which he proposes to move.

If the Speaker is of the opinion that the motion is in order, he shall read the motion to the Assembly and request those members who are in favour of leave being granted to rise in their places, and if not less than fourteen members rise accordingly, the Speaker shall intimate that leave is granted and that the motion will be taken up on such day, not being more than ten days from the date on which the leave is asked for as he may appoint. If less than fourteen members rise, the Speaker shall inform the member that he has not the leave of the Assembly.

The Speaker may, if he thinks fit, prescribe a time limit for speeches when the No-confidence Motion is discussed.

Motion of Confidence

There is no rule in the Rules of Procedure and Conduct of Business of the Orissa Legislative Assembly providing for a Motion of Confidence. Incidentally, the Legislative Assembly has so far not taken up any Motion of Confidence.

Motions in the Orissa Legislative Assembly

13 Motions of No-confidence were admitted, discussed and disposed of by the Legislative Assembly so far. All the thirteen Motions were negatived after debate. The First, Third, Fourth, Seventh, Eighth, Eleventh and Twelfth Assemblies debated Motions of No-confidence while the Second, Fifth, Sixth, Ninth and Tenth Legislative Assemblies did not take up any such motion. No Motion of Confidence has been taken up by the Assembly so far.

For statistical details in respect of these thirteen Motions, see Tables 1 to 4. Tables 5 and 6, respectively, list the name of Governors and Chief Ministers of the State of Orissa. A graphical presentation of the motions is available in Graph I.

First Legislative Assembly (1952-1957)

The elections to the First Legislative Assembly were held in 1952. Though no party could get an absolute majority on its own in the 140-member House, the Congress Party emerged as the single largest party with 67 seats while the Ganatantra

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	20.02.1952 - 04.03.1957	2	-
Second Legislative Assembly	01.04.1957 - 25.02.1961	-	-
Third Legislative Assembly	21.06.1961 - 01.03.1967	3	-
Fourth Legislative Assembly	01.03.1967 - 23.01.1971	3	-
Fifth Legislative Assembly	23.03.1971 - 03.03.1973	-	-
Sixth Legislative Assembly	06.03.1974 - 30.04.1977	-	-
Seventh Legislative Assembly	26.06.1977 - 17.02.1980	1	-
Eighth Legislative Assembly	09.06.1980 - 09.03.1985	1	-
Ninth Legislative Assembly	09.03.1985 - 03.03.1990	-	-
Tenth Legislative Assembly	03.03.1990 - 15.03.1995	-	-
Eleventh Legislative Assembly	15.03.1995 - 29.02.2000	2	-
Twelfth Legislative Assembly	29.02.2000 - 06.02.2004	1	-
Total		13	-

Table 2

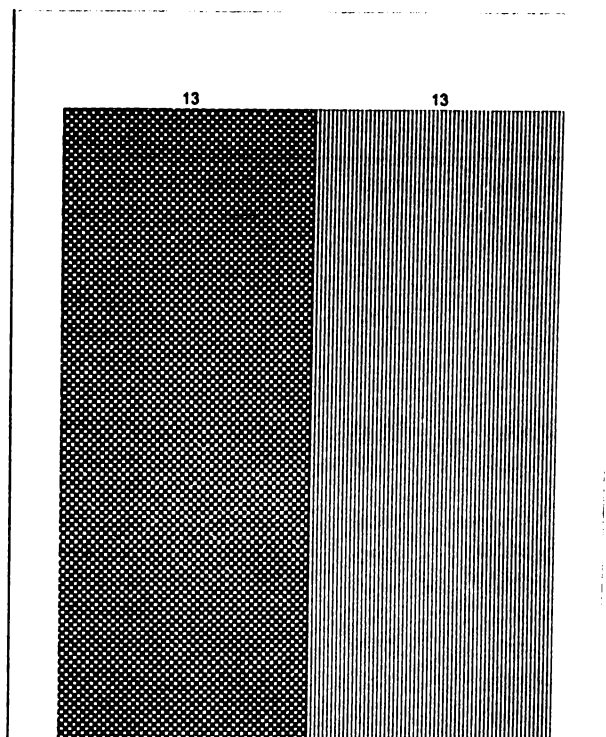
**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1952 - 2003)**

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri Nanda Kishore Das	06.03.1952 - 27.05.1957	2	-
2.	Pandit Nilakantha Das	27.05.1957 - 01.07.1961	-	-
3.	Shri Lingaraj Panigrahi*	01.07.1961 - 8.03.1967	3	-
4.	Shri Nandakishore Misra	08.03.1967 - 12.04.1971	3	-
		12.04.1971 - 21.03.1974	-	-
5.	Shri Braja Mohan Mohanty	21.03.1974 - 01.07.1977	-	-
6.	Shri Satyapriya Mohanty	01.07.1977 - 12.06.1980	1	-
7.	Shri Somnath Rath	12.06.1980 - 11.02.1984*	1	-
8.	Shri Prasanna Kumar Dash	22.02.1984 - 14.02.1985	-	-
		14.02.1985 - 09.03.1990	-	-
9.	Shri Yudhisthir Das	09.03.1990 - 22.03.1995	-	-
10.	Shri Kishor Chandra Patel	22.03.1995 - 14.01.1996*	-	-
11.	Shri Chintamani Dyan Samantara	16.02.1996 - 10.03.2000	2	-
12.	Shri Sarat Kumar Kar	10.03.2000 - till date	1	-
Total			13	-

● Motion of No-confidence of 17 April 1964 was presided over by Shri Gadadhar Dutta.

* Resigned from the Office of Speaker.

Graph
NCMs in Orissa Legislative Assembly
(1952 - 2003)



 **Motions admitted and discussed**  **Negative**

No Motion of Confidence was taken up in the Orissa Legislative Assembly.

Table 3

**NCMs against/CMs in the Council of Ministers
(1952-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Naba-krushna Choudhury (First Legislative Assembly)	Congress 67/140 (47.8%)	NCM	Sradhakar Supkar (47)	(15.04.1953) 15.04.1953 16.04.1953 17.04.1953 18.04.1953 20.04.1953 21.04.1953 22.04.1953	Negatived Ayes - 52 Noes - 68
-do-	-do-	NCM	-do- (25)	(07.10.1955) 10.10.1955 11.10.1955	Negatived Ayes - 45 Noes - 76
Biju Patnaik (Third Legislative Assembly)	Congress 82/140 (58.5%)	NCM	R.N. Singh Deo (21)	(06.12.1961) 06.12.1961 07.12.1961 08.12.1961	Negatived Ayes - 49 Noes - 79
-do-	-do-	NCM	Harihar Patel (18)	(16.09.1963) 16.09.1963 17.09.1963 18.09.1963	Negatived * by voice vote
Biren Mitra (Third Legislative Assembly)	-do-	NCM	R.N. Singh Deo (9)	(17.04.1964) 17.04.1964	Negatived Ayes - 48 Noes - 77
R.N. Singh Deo (Fourth Legislative Assembly)	Coalition Government of Swatantra Party (49) & Jana Congress (26); 75/140 (53.5%)	NCM	Sadasiva Tripathy & others (19)	(25.06.1968) 27.06.1968 05.00	Negatived Ayes - 56 Noes - 74

<i>Council of Ministers</i>	<i>Party/seats won/ Total (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
-do-		NCM	Narayan Sahu & others (9)	(03.12.1968) 12.12.1968	Negated Ayes - 47 Noes -70
-do-		NCM	Gangadhar Paikray & others (13)	(11.09.1970) 14.09.1970 15.09.1970	Negated Ayes - 53 Noes - 73
Nilamani Routray (Seventh Legislative Assembly)	Janata Party* 110/147 (75%)	NCM	Prahalad Mallick (17)	(12.09.1979) 12.09.1979 13.09.1979	Negated Ayes - 44 Noes - 84
J.B. Patnaik (Eighth Legislative Assembly)	Congress-I 117/147 (79.6%)	NCM	Sarat Deb (20)	(07.04.1983) 08.04.1983	Negated by voice vote
J.B. Patnaik (Eleventh Legislative Assembly)	Congress-I 80/147 (54.4%)	NCM	Ashok Kumar Das (39)	(11.09.1997) 11.09.1997 12.09.1997	Negated Ayes - 53 Noes - 81
-do-		NCM	-do- (24)	(03.08.1998) 03.08.1998	Negated by voice vote
Naveen Patnaik (Twelfth Legislative Assembly)	Coalition Government comprising BJD (69) & BJP (38) 107/147 (72.8%)	NCM	Umesh Swain (36)	(20.12.2001) 20.12.2001 21.12.2001 16.01	Negated by voice vote

* However, the party split in September 1979 and a new party was formed - Janata Party(O) - under the leadership of Shri Prahalad Mallick with 28 members. The ruling Janata Party led by Shri Nilamani Routray had 82 members.

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
 (1952-2003)

Speaker	NCM/ CMs	Cabinet	Member	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Nandakishore Das	NCM	Naba- krushna Choudhury	Sradhakar Supkar	15.04.1953 16.04.1953 17.04.1953 18.04.1953 20.04.1953 21.04.1953 22.04.1953	47	-	22.04.1953	52	68	Negated
-do-	NCM	-do-	-do-	10.10.1955 11.10.1955	25	-	11.10.1955	45	76	Negated
Lingaraj Panigrahi	NCM	Biju Patnaik	R.N. Singh Deo	06.12.1961 07.12.1961 08.12.1961	21	-	08.12.1961	49	79	Negated
-do-	NCM	-do-	Harihar Patel	16.09.1963 17.09.1963 18.09.1963	18	-	18.09.1963	-	-	Negated by voice vote
-do-	NCM	Biren Mitra	R.N. Singh Deo	17.04.1964	9	-	17.04.1964	48	77	Negated

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Nandakishore Misra	NCM	Shri R.N. Singh Deo	Sadasiva Tripathy & others	27.06.1968	19	05.00	27.06.1968	56	74	Negated
-do-	NCM	-do-	Narayan Sahu & others	12.12.1968	9	-	12.12.1968	47	70	Negated
-do-	NCM	-do-	Gangadhar Paikray & others	14.09.1970 15.09.1970	13	-	15.09.1970	53	73	Negated
Satyapriya Mohanty	NCM	Nilamani Routray	Prahalad Mallick	12.09.1979 13.09.1979	17	-	13.09.1979	44	84	Negated
Somnath Rath	NCM	J.B. Patnaik	Sarat Deb	08.04.1983	20	-	08.04.1983	-	-	Negated by voice vote
Chintamani Dyan Samantara	NCM	-do-	Ashok Kumar Das	11.09.1997 12.09.1997	39	-	12.09.1997	53	81	Negated

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	NCM	-do-	-do-	03.08.1998	24	-	03.08.1998	-	-	Negativated by voice vote
Sarat Kumar Kar	NCM	Naveen Patnaik	Umesh Swain	20.12.2001 21.12.2001	36	16.01	21.12.2001	-	-	Negativated by voice vote

Table 5

Governors of Orissa

<i>Sl No.</i>	<i>Name</i>	<i>Period</i>
1.	Dr. Kailash Nath Katju	15.08.1947 - 20.06.1948
2.	Shri M. Asaf Ali	21.06.1948 - 05.05.1951
3.	Shri V.P. Menon (Acting)	06.05.1951 - 17.07.1951
4.	Shri M. Asaf Ali	18.07.1951 - 06.06.1952
5.	Saiyid Fazl Ali	07.06.1952 - 09.02.1954
6.	Shri P.S. Kumaraswamyraja	10.02.1954 - 11.09.1956
7.	Shri Bhimsen Sachar	12.09.1956 - 31.07.1957
8.	Shri Yeshwant Narayan Sukthankar	31.07.1957 - 15.09.1962
9.	Dr. A.N. Khosla	16.09.1962 - 05.08.1966
10.	Justice Khalil Ahmed (Acting)	05.08.1966 - 11.09.1966
11.	Dr. A.N. Khosla	12.09.1966 - 30.01.1968
12.	Dr. Shaukatullah Shah Ansari	31.01.1968 - 20.09.1971
13.	Sardar Jogendra Singh (Acting)	20.09.1971 - 30.06.1972
14.	Justice Shri Gatikrisna Misra (Acting)	01.07.1972 - 08.11.1972
15.	Shri B.D. Jatti	08.11.1972 - 20.08.1974
16.	Justice Shri Gatikrisna Misra (Acting)	21.08.1974 - 25.10.1974
17.	Shri Akbar Ali Khan	25.10.1974 - 17.04.1976
18.	Justice Shri Shiva Narayan Sankar (Acting)	17.04.1976 - 07.02.1977
19.	Shri Harcharan Singh Brar	07.02.1977 - 22.09.1977
20.	Shri Bhagwat Dayal Sharma	23.09.1977 - 30.04.1980
21.	Shri C.M. Poonacha	30.04.1980 - 30.09.1980
22.	Justice Shri S.K. Ray (Acting)	01.10.1980 - 03.11.1980
23.	Shri C.M. Poonacha	04.11.1980 - 24.06.1982
24.	Justice Shri R.N. Mishra (Acting)	25.06.1982 - 31.08.1982
25.	Shri C.M. Poonacha	01.09.1982 - 17.08.1983
26.	Shri Bishambhar Nath Pande	17.08.1983 - 20.11.1988
27.	Prof. S. Nurul Hasan	20.11.1988 - 06.02.1990
28.	Shri Yagya Dutt Sharma	07.02.1990 - 01.02.1993
29.	Prof. S. Nurul Hasan	01.02.1993 - 31.05.1993

<i>Sl No.</i>	<i>Name</i>	<i>Period</i>
30.	Shri B. Satyanarayan Reddy	01.06.1993 - 17.06.1995
31.	Shri Gopala Ramanujam	18.06.1995 - 30.01.1997
32.	Shri K.V. Raghunatha Reddy	31.01.1997 - 12.02.1997
33.	Shri Gopala Ramanujam	13.02.1997 - 13.12.1997
34.	Shri K.V. Raghunatha Reddy	13.12.1997 - 27.04.1998
35.	Dr. C. Rangarajan	27.04.1998 - 14.11.1999
36.	Shri M.M. Rajendran	15.11.1999 - till date

Table 6

Chief Ministers of Orissa

<i>Sl No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Nabakrushna Choudhury	12.05.1950 - 19.10.1956
2.	Dr. Harekrushna Mahtab	19.10.1956 - 25.02.1961
	President's Rule	25.02.1961 - 23.06.1961
3.	Shri Biju Patnaik	23.06.1961 - 02.10.1963
4.	Shri Biren Mitra	02.10.1963 - 21.02.1965
5.	Shri Sadasiva Tripathy	21.02.1965 - 08.03.1967
6.	Shri Rajendra Narayan Singh Deo	08.03.1967 - 11.01.1971
	President's Rule	11.01.1971 - 03.04.1971
7.	Shri Biswanath Das	03.04.1971 - 14.06.1972
8.	Smt. Nandini Satpathy	14.06.1972 - 03.03.1973
	President's Rule	03.03.1973 - 06.03.1974
9.	Smt. Nandini Satpathy	06.03.1974 - 16.12.1976
	President's Rule	16.12.1976 - 29.12.1976
10.	Shri Binayak Acharya	29.12.1976 - 30.04.1977
	President's Rule	30.04.1977 - 26.06.1977
11.	Shri Nilamani Routray	26.06.1977 - 17.02.1980
	President's Rule	17.02.1980 - 09.06.1980
12.	Shri Janaki Ballav Patnaik	09.06.1980 - 07.12.1989
13.	Shri Hemananda Biswal	07.12.1989 - 04.03.1990
14.	Shri Biju Patnaik	05.03.1990 - 15.03.1995
15.	Shri Janaki Ballav Patnaik	15.03.1995 - 17.02.1999
16.	Dr. Giridhar Gamang	17.02.1999 - 06.12.1999
17.	Shri Hemananda Biswal	06.12.1999 - 05.03.2000
18.	Shri Naveen Patnaik	05.03.2000 - till date

Parishad secured 31 seats; the remaining seats were won by Independents and others. Shri Nabakrushna Choudhury, who had been the Chief Minister from 12 May 1950 and who was re-elected Leader of the Congress Legislature Party, was once again sworn in as the Chief Minister on 20 February 1952. However, Shri Choudhury resigned on 19 October 1956 and in his place Dr. Harekrushna Mahtab became the Chief Minister on the same day.

Two Motions of No-confidence - both against the Ministry of Shri Choudhury - were taken up by the House during the First Legislative Assembly.

First Motion of No-confidence

The notice of the first Motion of No-confidence against the Ministry headed by Shri Nabakrushna Choudhury was given by Shri Sradhakhar Supkar of the Ganatantra Parishad. The leave of the House was granted on 15 April 1953 and the motion was taken up for debate on the same day. The grounds for moving the motion were inefficiency and failure to curb corruption and nepotism which had prevented the Government from providing good governance.

Initiating the debate, the Leader of the Opposition, Shri Sradhakhar Supkar said the ruling party, before coming to power, had made many promises which it had failed to fulfil. Barring the building of the Hirakud dam and the integration of the Godjat areas into the State, the Government had failed on all fronts. He also accused the Government of corruption and nepotism.

The Chief Minister, Shri Nabakrushna Choudhury, while welcoming the motion, said that it was a historical one because of the range of issues debated by the House. He said that the Opposition itself was not in a position to take over the reigns of power and had admittedly brought this motion to criticise the shortcomings of the Government. Even then, they were speaking in different voices. The Chief Minister, however, emphasized that on the vital issues of land reforms, the ruling party's views were no different from that of the Opposition.

In the seven-day long debate, 47 members participated. Thereafter, the motion was negatived with 52 members voting in favour while 68 voted against it.

Second Motion of No-confidence

The notice for the second Motion of No-confidence against the Choudhury Government was given by the Leader of the Opposition, Shri Sradhakhar Supkar. The grounds for moving the motion were gross negligence and utter irresponsibility on the part of the Government in taking necessary steps for preventing the calamitous flood and protecting lakhs of people from its fury. As more than 14 members rose in support of the motion, leave of the House was granted on 7 October 1955.

Initiating the debate on 10 October 1955, Shri Supkar elaborated the havoc brought about by the floods and listed the failures of the Government in providing

adequate relief and rescue measures for the victims. Shri Supkar was supported by several members of the Opposition.

Taking part in the debate, the Minister in charge of Flood Relief, Shri Radhanath Jha said that the State was caught unawares by the most serious floods as the entire State had been facing an unprecedented drought till then.

Participating in the debate on 11 October 1955, the Chief Minister Shri Nabakrushna Choudhury said that if a natural calamity came about, it would be necessary to fight it rather than indulge in blame games about the steps that could have been taken or could not be taken. He appealed to all people not to give way to panic.

In all, 25 members took part in the two-day long debate. The motion was negatived by 76 votes to 45.

The Second Legislative Assembly did not take up any Motion of Confidence or No-confidence.

Third Legislative Assembly (1961-1967)

In the elections to the Third Legislative Assembly, held in June 1961, of the 140 seats, the Congress Party got 82 seats and the Ganatantra Parishad secured 37 seats. The remaining 21 seats were won by other parties and Independents.

Shri Biju Patnaik who was elected Leader of the Congress Legislature Party was sworn in as the Chief Minister on 23 June 1961.

Three Motions of No-confidence were taken up by the House in the Third Legislative Assembly and all the three were negatived.

First Motion of No-confidence

The first Motion of No-confidence was taken up by the House on 6 December 1961. The notice for the motion expressing want of confidence in the Council of Ministers headed by Shri Biju Patnaik was given by the Leader of the Opposition, Shri R.N. Singh Deo of the Ganatantra Parishad and was jointly tabled by the Ganatantra Parishad, Communist groups and some Independent members. The Speaker Shri Lingaraj Panigrahi said that the motion should be taken up immediately. When the Deputy Chief Minister Shri Biren Mitra wanted to know the time allotted for discussion, the Speaker said that the whole day would be given.

At this, the Leader of the Opposition Shri Singh Deo said that in the past, in the case of a Motion of No-confidence of a general nature, seven days were given for discussion, while for a specific motion less time was given; he urged the Speaker to fix the debate on the motion within ten days. However, the Speaker observed that he did not propose to keep the motion pending and further said that he would consider giving more time if the mover so wanted. Thereupon, Shri R.N. Singh Deo said that the general practice was that the date of discussion was fixed after the grant of leave

by the House. The Chief Minister Shri Biju Patnaik then observed that such a motion should be brought only when the Leader of the Opposition had sufficient numerical strength to form an alternative Government; there should be discussion and the motion should be put to vote.

The mover of the motion, however, said that a No-confidence Motion was brought not only when the Opposition was prepared to form an alternative Government but also for exposure of various omissions and commissions of the Government of the day. He further said, in all the Legislative Assemblies of India, including in Orissa, such motions were brought even when there was no possibility of a change of Government; sufficient time was given to debate the issues involved, so that all sections of the House could express their views.

The Speaker ruled that motions of such type should not be kept pending and should be immediately discussed. The Speaker further observed that the mover could not ask for time when the notice of a vote of censure was given.

Moving the Motion of No-confidence, Shri Singh Deo said that the Government, by getting various legislations passed, was disregarding the opinions and criticism of the Opposition. The ruling Congress Party which had an overwhelming majority in the House had become irresponsible and arrogant. He also accused the Government of appointing a defeated Congress candidate as a public prosecutor of a district and criticised the Government for inviting only members of the Congress Party to various meetings and Conferences where decisions on Government policy were taken.

Replying to the debate, the Chief Minister Shri Biju Patnaik said that initially he objected to the motion on the principle that the ordinary business of the House should not be disturbed unless it came from the leader of a responsible party which could immediately take over the reigns of the Government if the motion succeeded. The motion brought by the Opposition was not only frivolous but was most unfortunate, uncalled for, entirely mischievous and not in the best traditions of any democratic Assembly. Instead of criticizing the policies and programmes of the Government, the Opposition had only indulged in personal attacks against the members of the Cabinet. The Opposition did not level any specific charges, he added.

In the three-day long debate, 21 members took part. Thereafter, the motion was rejected by 79 votes to 49 votes.

Second Motion of No-confidence

The notice for the second Motion of No-confidence against the Ministry of Shri Biju Patnaik was given by Shri Harihar Patel of the Ganatantra Parishad which was supported by all the non-Communist Opposition members. As more than 14 members favoured the motion, the same was admitted on 16 September 1963. The Speaker

also announced having received similar notices from Shri Nityananda Mahapatra, Shri Prasanna Kumar Dash and others.

Initiating the debate the same day, Shri Harihar Patel said it was a matter of regret that a No-confidence Motion had to be moved in the Council of Ministers. It would have been most appropriate if the Chief Minister had himself resigned. He levelled several charges like corruption, receiving money from business houses, selling licenses, etc. against the Ministers. He said such allegations had been levelled in the Press and by persons of repute and great standing. He also wanted the members to realize the seriousness of the situation and rise above party lines while considering the motion.

Replying to the three-day debate, the Chief Minister Shri Biju Patnaik, while referring to the Leader of the Opposition's observation that democracy must be saved, and that the Congress Party must make efforts in this direction, said that the greatest danger to democracy was not the Congress Party but from the total absence of Opposition. He further said that it was the Congress Party which brought democracy in the country and after Independence gave this nation a Constitution based on democratic principles. Shri Patnaik also replied to the various charges levelled against his Government and finally requested the Opposition to withdraw the motion.

The members of the PSP Group and Swatantra Party walked out of the House saying that the Chief Minister did not reply to their charges.

In all, 18 members participated in the three-day long debate. The motion was, thereafter, negatived by voice vote.

Third Motion of No-confidence

On 17 April 1964, the last day of the Session, Shri Gadadhar Dutta, who was in the Chair, announced in the House of having received a notice of Motion of No-confidence against the Council of Ministers from the Leader of the Opposition Shri R.N. Singh Deo. The Chair observed that the notice for the motion was received at the eleventh hour when the House was about to adjourn. He further pointed out that already the House was on an extension to dispose of certain important business and wanted to know the mind of the Government about the Bills which were pending before the House. The Chair also announced the receipt of similar notices from some other members. At this, Shri R.N. Singh Deo pointed out that all that had to be seen was whether the motion was in order or not and if the motion was in order, the leave of the House should be sought.

The Chief Minister Shri Biren Mitra said that the Motion of No-confidence was brought in a very half-hearted and light-hearted manner and it was a subtle device to achieve the purpose of discussing the communal disturbances that had taken place in some parts of the State. The matter had already been discussed threadbare in the House. Such discussion would serve no purpose as instead of

bringing about communal amity and harmony, it would further embitter both the communities. Moreover, there was the Grama Panchayat Bill which, the Government wanted to be passed in the present Session. Shri Mitra pointed out that if the Opposition were sincere, they should have tabled the motion at least 10 days earlier. Finally, Shri Mitra urged the Chairman to allot time in such manner that by one o'clock, both the Motion of No-confidence and the Grama Panchayat Bill could be disposed of and suggested that half an hour be allotted for discussion on the Motion of No-confidence and the remaining time be allotted for the Grama Panchayat Bill.

However, the Leader of the Opposition objected to allotting only half an hour for discussion on the Motion of No-confidence saying that it was an impossible condition. Regarding the point that the motion should have been brought earlier, he said that there was no restriction in the rules that one had to bring such motion so many days in advance or not to bring it because the Business Advisory Committee had not provided time for it. At this stage, a Minister, Shri Nilamani Routray suggested that an immediate vote could be taken for trial of strength. However, the Leader of the Opposition objected saying it was not a question of trial of strength but a matter for discussion in the House.

The Chairman subsequently allotted half an hour for discussion on the same day. The Leader of the Opposition Shri R.N. Singh Deo moved the motion and another member, Shri Prasanna Kumar Dash, also moved a similar motion.

Initiating the debate, Shri Singh Deo said that the Opposition had been seeking an opportunity for discussing the communal disturbance that had taken place in different parts of the State and also the failures at various levels. Such discussion would have brought out the deficiencies in the administration and its failures, so that it could help them in understanding the causes of those disturbances and also for taking preventive steps in the future. The Government was avoiding debate on the communal disturbances out of a fear complex that their own culpability, irresponsibility, inactivity and negligence might come to light. He also warned the Government that if it continued to persist with wrong policies, it would not only be bad for the present but would be bad for the future as well and there would be a lot of other difficulties which the country would have to face.

Replying to the debate, the Chief Minister Shri Biren Mitra rebutted the charges and defended his Government. Regarding the accusation that his Government had no moral right to continue in office, he said that it was a matter for the Congress Party and the Congress High Command to discuss and decide. The Government was in power because of the popular support it had in the country and the people had given a mandate to the Congress Party to rule for five years. Referring to the Leader of the Opposition's point as to why the military was called to quell the communal disturbances, the Chief Minister said that had the military not reached

Rourkela, things would have been much worse. As regards the relief measures, he said that all that was humanly possible was done.

In all, 9 members took part in the debate. Later, the House divided, 48 members voted in favour of the motion while 77 voted against it. Accordingly, the motion was declared lost.

Fourth Legislative Assembly (1967-1971)

In the elections to the Fourth Legislative Assembly, the Congress Party won 30 seats in the 140-member House. The Swatantra Party emerged as the single largest Party with 49 seats while the Jana Congress secured 26 seats and the PSP 21 seats; the remaining seats were won by other parties/groups and Independents.

As no single party obtained an absolute majority on its own in the Assembly, a coalition Government comprising the Swatantra Party and Jana Congress was formed with Shri R.N. Singh Deo of the Swatantra Party as its leader on 8 March 1967.

The Fourth Legislative Assembly took up three Motions of No-confidence, all of which were negatived.

First Motion of No-confidence

The 16-month-old coalition Government faced the first Motion of No-confidence in June 1968. The Speaker Shri Nanda Kishore Misra announced in the House on 25 June 1968 of having received three notices of No-confidence Motion against the Swatantra-Jana Congress coalition Ministry - the first one by Shri Rabindra Mohan Das and 18 others, the second one by Shri Sadasiva Tripathy and Shri Binayak Acharya and the third one by Shri Gangadhar Paikray, Shri Narayan Sahu and Shri Banamali Das. When the Speaker sought to ascertain the support for each of the three motions, the entire Opposition comprising the Congress, PSP, CPI, SSP and some Independents rose in support of all the three motions. The Speaker Shri Misra then admitted all the three motions.

Initiating the debate on 27 June 1968, the Leader of the Opposition Shri Sadasiva Tripathy said that the Swatantra-Jana Congress coalition Government headed by Shri Singh Deo had belied all expectations of the people. Even members of the Treasury Benches had lost confidence in the Ministry. He contended that if the decision to discuss the No-confidence Motion was taken by a secret ballot, many from the Treasury Benches would have voted along with the Opposition. He criticised the Government which itself had a large Council of Ministers for retrenching employees in the name of economy. He also accused the Government of working against the tenets of socialism, decentralization and prohibition. Further, he said that there was rampant corruption in the administration.

Replying to the debate, the Chief Minister Shri Singh Deo said that these motions were brought by different parties for different reasons. He described the

allegations as oft-repeated ones and said that the Government had replied to the charges several times. He said he would thank the Opposition if they had brought the motion to warn the Government against its omissions and commissions, if any, and appealed for cooperation from all sections of the House. He also appealed to the members not to indulge in activities which might weaken or demoralize the administration at a time when the State was faced with a serious situation arising out of drought and financial stringency.

In the five hour long debate, 19 members participated. In the voting by division held thereafter, the motion was negated by 74 votes to 56 votes.

Second Motion of No-confidence

The second Motion of No-confidence was moved against the coalition Ministry in December 1968. The motion was listed in the names of Shri Narayan Sahu and Shri Suresh Pradhan, both of the SSP.

As all members in the Opposition except one member stood in support of the motion, leave of the House was granted on 3 December 1968. It was fixed for debate on 12 December 1968. A member, Shri Braj Mohan Mohanty wanted to know as to why the date of the debate was fixed so late. At this, Shri Prasanna Kumar Dash stated that such motion should be taken up immediately. The Speaker, Shri Misra, however, said that the date of debate was fixed in consultation with the Chief Minister and the Leader of the Opposition in conformity with the parliamentary procedure.

Initiating the debate on 12 December 1968, Shri Narayan Sahu said that the Government had promised a clean and efficient administration; it had also assured that measures would be taken to prevent corruption and favouritism and to probe the corruption charges against some Ministers. However, the Government had deviated from these promises. Giving certain instances, he pointed out corruption in various branches of the administration.

Participating in the debate, the Chief Minister Shri R.N. Singh Deo charged the Opposition with raising the same old issues which did not have any substance and they had nothing new to point out. The Chief Minister also rebutted all the charges and accusations levelled against his Government and listed out its achievements.

In all, nine members participated in the one-day debate. The motion was, thereafter, negated with 70 members voting against it while 47 members voted in its favour.

Third Motion of No-confidence

A motion expressing want of confidence in the coalition Ministry led by Shri R.N. Singh Deo was tabled by the leader of the CPI group in the Assembly, Shri Gangadhar Paikray, and three others. Leave of the House was granted on 11 September 1970 and the motion was taken up for debate on 14 September 1970.

Initiating the debate, Shri Paikray referred to widespread police repression as also to the failure of the Government to implement land reforms. The members of the Opposition also levelled various charges against the Government.

Replying to the debate, the Chief Minister Shri R.N. Singh Deo listed out different developmental projects which had either been started or had been completed by the coalition Ministry. As regards the implementation of land reforms, he said it was not possible to implement the programme expeditiously because of a number of pending cases in the Supreme Court.

In the two-day debate, 13 members took part. The motion was thereafter negated by a margin of 20 votes with 73 voting against it and 53 voting in its favour.

The Fifth and the Sixth Legislative Assemblies did not take up any Motion of Confidence or No-confidence.

Seventh Legislative Assembly (1977-1980)

In the elections held to the Seventh Legislative Assembly, the Janata Party won 110 seats while the ruling Congress Party got 26 seats. The remaining seats were won by Independents and others. Shri Nilamani Routray who was elected Leader of the Janata Legislature Party was sworn in as the Chief Minister by the Governor Shri H.S. Brar on 26 June 1977.

A little after two years of assuming power in the State, the ruling Janata Party split in September 1979 as 28 members led by Shri Prahalad Mallick left the party and formed a new party called the Janata Party (O). The Janata Party (O) was recognized as the Opposition Party and its leader, Shri Mallick was recognized as the Leader of the Opposition. The Seventh Legislative Assembly took up one Motion of No-confidence, which was negated.

Motion of No-confidence

On 12 September 1979, the Speaker Shri Satyapriya Mohanty informed the House of having received two notices of No-confidence Motions against the Council of Ministers headed by Shri Nilamani Routray - one from the Leader of the Opposition Shri Prahalad Mallick and another from the Leader of the Congress (I) Legislature Party, Shri Brundaban Nayak. The leave of the House was granted to both the motions on the same day after which the Leader of the Opposition moved his motion. The grounds for moving the motion were defection from the ruling party; failure of the Government to fulfil the election agenda/manifesto; and failure of the Government to tackle the drought situation.

Initiating the debate, Shri Mallick said that some members had disowned the party from which they were elected. Several members in the Government, in spite of quitting the Janata Party, wanted to retain their identity. He further said although

people voted for the Janata Party not only in the State but also in the entire country, they had gone against the mandate of the people by changing their party affiliation. In this context, he appealed to the members who had quit the Janata Party to visit their constituencies and know the peoples' sentiments. He also referred to the severe drought conditions prevailing in the State.

Participating in the debate, the Chief Minister Shri Nilamani Routray strongly denied that he was contemplating to get the House dissolved for fresh elections simultaneously with the Lok Sabha poll. The House would run its full term of five years, he assured. He further said the motion was politically motivated and rejected the allegations made against his Government by the Opposition. The law and order situation was the best in Orissa, he added.

In the two-day long debate, 17 members participated. Thereafter, the motion was negated with 44 members voting in favour and 84 against it.

Eighth Legislative Assembly (1980-1985)

In the elections to the Eighth Assembly held in May 1980, the Congress(I) secured 117 seats in the 147-member House, while the remaining seats were shared by other parties and Independents. Shri J.B. Patnaik was elected leader of the Congress(I) Legislature Party. The Cabinet headed by Shri Patnaik was administered the oath of office and secrecy by the Governor Shri C.M. Poonacha on 9 June 1980. The Eighth Assembly took up one Motion of No-confidence which was negated.

Motion of No-confidence

The notice for the Motion of No-confidence against the Council of Ministers headed by Shri J.B. Patnaik was given by Shri Sarat Deb of the Lok Dal and the same was admitted on 7 April 1983. The leave of the House was granted the same day and it was fixed for debate on 8 April 1983.

Initiating the debate, Shri Sarat Deb observed that though the present Government had come to power with a massive mandate, it had utterly failed in delivering the goods to the people and also failed in providing an effective administration. He accused the Government of rampant corruption, inefficiency and favouritism. Therefore, the Government had not only lost the confidence of the House but of the people as well.

Participating in the debate, the Chief Minister Shri J.B. Patnaik said that after three years of efforts, the Opposition had managed to get this No-confidence Motion against the Government and said he was happy that the motion was being discussed. There was nothing new in the criticisms and the accusations of the Opposition. Corruption, he said, was the easiest alibi for criticizing any Government. He dismissed all the accusations and urged the mover to withdraw his motion.

Twenty members participated in the debate. Thereafter, the motion was negated by voice vote.

The Ninth and the Tenth Legislative Assemblies did not take up any Motion of Confidence or No-confidence.

Eleventh Legislative Assembly (1995-2000)

In the March 1995 elections to the Eleventh Legislative Assembly, the Congress(I) won 80 seats and the Janata Dal 46 seats; the remaining seats were shared by other parties and Independents.

Shri J.B. Patnaik was elected the Leader of the Congress(I) Legislature Party and was sworn in as the Chief Minister on 15 March 1995 for the third time.

The Eleventh Legislative Assembly debated two Motions of No-confidence and both were negated.

First Motion of No-confidence

The Chief Minister Shri J.B. Patnaik faced two Motions of No-confidence. The first Motion of No-confidence was taken up by the Assembly on 11 September 1997. The notice for the motion was given by the Leader of the Opposition Shri Ashok Kumar Das (Janata Dal) and the leave of the House was granted the same day.

The grounds for moving the motion were widespread corruption in the Below Poverty Line (BPL) and Above Poverty Line (APL) Lists; corruption in the Dhamara Port tender; and the scam in *Mung Dal*. The motion was taken up for debate on 11 September 1997 itself.

Initiating the debate, Shri Ashok Kumar Das said if one took into account the performance of the Government over the last two to two and a half years, then one could say that this Government should not stay any longer. Hence, the present motion was brought before the House. He also spoke at length on the corruption in various Departments of the Government.

Participating in the debate, the Chief Minister Shri J.B. Patnaik said that the Leader of the Opposition had created a new tradition by speaking after speeches by all the Congress MLAs. He said he would congratulate the Opposition for having brought such a motion after over two years. If the Opposition brought the motion to keep unity among them, then he would welcome it as he did not want a divided Opposition since a strong Opposition was required for democracy. The Chief Minister also strongly refuted the allegations made against his Government.

The debate was held for two days on 11 and 12 September 1997 in which 39 members participated. Thereafter, the motion was negated with 53 members voting in its favour while 81 members voted against it.

Second Motion of No-confidence

The second Motion of No-confidence against the Council of Ministers

headed by Shri J.B. Patnaik was moved in the Assembly on 3 August 1998. The notice of the motion was given by Shri Ashok Kumar Das (Janata Dal). The BJP and the Biju Janata Dal (BJD) which also gave two notices for Motion of No-confidence against the Patnaik Ministry walked out of the House in protest against the way the Appropriation Bill, 1998 was passed. The motion was admitted on 3 August 1998 and it was taken up for debate on the same day.

Shri Ashok Kumar Das and various Opposition members accused the Government of rampant corruption. They also referred to the failure of the Government in the agricultural and industrial sectors.

Replying to the debate, the Chief Minister Shri J.B. Patnaik refuted the allegations levelled against his Government. He also denied the charge that the Congress was trying to divide the Opposition.

In all, twenty-four members participated in the debate. The motion was thereafter negatived by voice vote.

Twelfth Legislative Assembly (2000-2004)

Elections were held to the Twelfth Legislative Assembly in February 2000 in which no single party secured an absolute majority. While the ruling Congress(I) secured 29 seats in the 147-member House, the Biju Janata Dal got 69 seats and the BJP got 38 seats; the remaining seats were won by other parties and Independents. Shri Naveen Patnaik was elected as the leader of the BJD-Legislature Party on 27 February 2000 and was sworn in as the Chief Minister on 5 March 2000.

Shri Patnaik faced one Motion of No-confidence in December 2001.

Motion of No-confidence

On 19 December 2001, a notice of Motion of No-confidence was received from Shri Umesh Swain of the Congress(I). The grounds for moving the motion were the alleged failure of the coalition Government on all fronts. The motion was admitted on 20 December 2001 and it was taken up for debate on the same day.

Initiating the debate, Shri Swain said that the people had voted in favour of the BJD-BJP coalition less than two years ago. However, within the short span of these two years, the Government had proved to be a failure on all fronts. He also cited reasons such as the failure of the administration, rampant corruption, and failure to rehabilitate the people affected by cyclone and drought as reasons for tabling the No-confidence Motion.

Replying to the debate, the Chief Minister Shri Naveen Patnaik said that his Government had inherited the legacy of a cyclone-devastated State and an empty treasury. After his Government came to power, the flood-relief work had been successful and more effective. Substantial strides were made in the implementation of the election promises. He also said that the crime rate had fallen and detection of

cases had improved. Initiatives had been taken to empower women and the tribals. He added that he would like to make Orissa a progressive State and hoped that the motion would be rejected by the House.

The debate was held for two days spanning sixteen hours and one minute in which 36 members participated. The motion was defeated by voice vote after all the members of the Opposition staged a walk out.

Motions of No-confidence in the Orissa Legislative Assembly - An Analysis

The Orissa Legislative Assembly has taken up 13 Motions of No-confidence from 1952 till date. All the 13 Motions of No-confidence were negated after debate. No Motion of Confidence has been deliberated by the House so far. Assembly-wise, three motions each were taken up by the Third and the Fourth Legislative Assemblies, followed by the First and the Eleventh which took up two each while the Seventh, Eighth and Twelfth Assemblies debated one motion each. The Second, Fifth, Sixth, Ninth and Tenth Legislative Assemblies did not take up any Motion of No-confidence. Table 1 gives details of the motions debated in each Assembly.

Table 2 gives the number of motions admitted/discussed during the tenures of different Speakers of the Legislative Assembly. Shri Lingaraj Panigrahi and Shri Nandakishore Misra, Speakers during the Third and the Fourth Legislative Assemblies, respectively, presided over three motions each followed by Shri Nanda Kishore Das and Shri Chintamani Dyan Samantara who presided over two motions each. Shri Satyapriya Mohanty, Shri Somnath Rath and Shri Sarat Kumar Kar presided over one motion each.

Table 3 gives an account of the No-confidence Motions debated during the different Councils of Ministers. Shri R.N. Singh Deo who was Chief Minister during 1967-71 and Shri J.B. Patnaik who was Chief Minister at three different points of time faced three No-confidence Motions each. They were followed by Shri Nabakrushna Choudhury and Shri Biju Patnaik who faced two Motions of No-confidence each. Shri Sradhakar Supkar, Shri R.N. Singh Deo and Shri Ashok Kumar Das moved two Motions of No-confidence each against various Ministries.

Table 4 gives statistical information about the participation of members in the debates on various Motions of No-confidence. It also depicts the time taken and the result of the division.

Participation by Members

In all, 297 members took part in the debate on the 13 motions. The highest participation is in respect of the seven-day debate on the Motion of No-confidence against Shri Nabakrushna Choudhury in April 1953 in which 47 members participated, followed by the Motion of No-confidence against Shri J.B. Patnaik in September 1997 in which 39 members participated in the two-day-long debate. The

lowest participation has been of 9 members each in the one-day debate on the Motions of No-confidence against Shri Biren Mitra in April 1964 and Shri R.N. Singh Deo in December 1968.

Time taken

Of the 13 Motions of No-confidence which were taken up by the House, time taken is available only in respect of two motions. While the debate on the Motion of No-confidence of 27 June 1968 lasted five hours, the Motion of No-confidence of December 2001 was debated for sixteen hours and one minute spread over two days.

In all, 28 days were spent in debating the 13 Motions of No-confidence. The very first Motion of No-confidence against the Nabakrushna Choudhury Ministry in April 1953 was debated for the highest number of 7 days, which is the longest such motion debated in the country in terms of the number of days. This was followed by the motions of December 1961 and September 1963 which were debated for 3 days each.

Division

Of the 13 Motions of No-confidence that were taken up by the House, the fate of 9 motions was decided by division while that of the remaining four was decided by voice vote. The Motion of No-confidence of September 1979 against the Ministry of Shri Nilamani Routray was decided by the widest margin of 40 votes while the Motion of No-confidence against Shri Nabakrushna Choudhury's Ministry in April 1953 was decided by the narrowest margin of 16 votes.

Punjab Legislative Assembly

The Punjab Vidhan Sabha has had a long and chequered history. It was under the Indian Council Act, 1861 that for the first time, efforts were made to establish some representative institution in the form of an Executive Council. However, it was only under the Government of India Act, 1919 that a Legislative Council was set up in Punjab. The first meeting of the Council was held on 22 January 1921 in the Punjab Legislative Council Chamber, Lahore. Thereafter, under the Government of India Act, 1935, the Punjab Legislative Assembly was constituted with a membership of 175. It was summoned for the first time on 1 April 1937.

With the partition of India in 1947, the East Punjab Legislative Assembly came into existence. It consisted of the 72 members of the undivided Punjab Legislative Assembly representing the constituencies falling in East Punjab (India). Under the plan of merger of small States with the neighbouring larger States, all the States in East Punjab joined together on 15 July 1948 to form the Patiala and East Punjab States Union (PEPSU). The ruler of the larger State, *i.e.* Patiala, was appointed as Rajpramukh to function as a Constitutional Head of the integrated State. It was called a Part 'B' State and given a status almost similar to that of the former provinces which became Part 'A' States.

On 31 October 1956, the PEPSU Legislative Assembly was merged with the Punjab State. The members of the erstwhile PEPSU Legislative Assembly became members of the reorganised Punjab State on 1 November 1956. On 6 November 1956, all the members took oath again to serve the new integrated House. On 1 November 1966, the Punjab State was reorganised when out of it the Haryana State was carved out and some of the areas were transferred to Himachal Pradesh.

The Punjab State Legislature in independent India became bicameral for the first time in April 1952.

On reorganisation of the States, the strength of the Legislative Council of the new State of Punjab was raised from the earlier 40 seats to 46 seats. On 21 March 1957, the Punjab Vidhan Sabha passed a resolution to the effect that in view of the increase in the area and population, in the number of graduates, teachers and local

bodies in the State and in the number of members of the Punjab Vidhan Sabha as a result of the reorganisation of the State, the strength of the Punjab Legislative Council be increased to 51. Accordingly, under the Legislative Councils Act, 1957, the number of seats in the Punjab Legislative Council was raised to 51. With the further reorganisation of the Punjab State in 1966, the number of members of the Punjab Legislative Assembly was reduced from 154 to 104. Consequently, the number of members of the Council was also reduced to 40. On 1 January 1970, the Legislative Council was abolished. However, the Punjab Legislative Assembly again passed a Resolution on 29 March 1976 for the creation of a Legislative Council but no action in this direction has been taken so far.

At present, the Legislative Assembly has a strength of 117 members directly elected by the people of the State on the basis of adult franchise.

Motion of No-confidence

According to Rule 58 of the Rules of Procedure and Conduct of Business in the Punjab Legislative Assembly, a motion expressing want of confidence in the Council of Ministers may be made subject to certain restrictions, namely: (a) leave to make the motion must be asked for after Questions and before the List of Business for the day is entered upon; and (b) the member asking for leave must, before the commencement of the sitting for that day, give to the Secretary a written notice of the motion which he proposes to move.

If in the opinion of the Speaker, the motion is in order, he reads it to the House and asks those in favour of leave being granted to rise in their places and if not less than one-fifth of the then existing strength of the members of the House do so, he intimates that leave is granted. In the event of the leave being granted, discussion takes place on the day or days appointed by him but such day/days must be within a period of ten days from the day on which leave is asked. The Speaker may prescribe a time limit for speeches.

Motion of Confidence

A Motion of Confidence is also admitted under Rule 58 of the Rules of Procedure and Conduct of Business which deals with the moving of Motion of No-confidence.

Motions in different Legislative Assemblies

In all, six Motions of No-confidence and one Motion of Confidence have been admitted and discussed in the various Legislative Assemblies till date. The First, Second, Fourth, Seventh, Tenth, Eleventh and Twelfth (till date) Legislative Assemblies did not discuss any Motion of Confidence or No-confidence. In the Ninth Legislative Assembly, two notices of No-confidence Motion were given on 15 December 1986. However, one motion was not moved and the other was not granted leave of the House. As such, the Ninth Legislative Assembly also did not witness discussion on

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)**

<i>Assembly</i>	<i>Period*</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	03.05.1952 - 31.03.1957	-	-
Second Legislative Assembly	24.04.1957 - 01.03.1962	2	-
Third Legislative Assembly*	13.03.1962 - 28.02.1967	-	-
Fourth Legislative Assembly	20.03.1967 - 23.08.1968	-	-
Fifth Legislative Assembly**	13.03.1969 - 13.06.1971	1	-
Sixth Legislative Assembly***	21.03.1972 - 30.04.1977	2	-
Seventh Legislative Assembly	30.06.1977 - 17.02.1980	-	-
Eighth Legislative Assembly****	23.06.1980 - 26.06.1985	1	1
Ninth Legislative Assembly\$	14.10.1985 - 06.03.1988	-	-
Tenth Legislative Assembly	16.03.1992 - 11.02.1997	-	-
Eleventh Legislative Assembly	03.03.1997 - 26.02.2002	-	-
Twelfth Legislative Assembly	21.03.2002 - till date	-	-
Total		6	1

⊙ Dates of First sitting and the dates of dissolution of the Legislative Assemblies.

* The Assembly remained under suspended animation from 05.07.1966-01.11.1966

** President's Rule on 14.06.1971.

*** The term of the Assembly which was extended to six years by a constitutional amendment, was subsequently reduced to five years.

**** The Assembly was placed under suspended animation on 06.10.1983. Thereafter, its term expired on 26.06.1985 and it stood automatically dissolved.

\$ The Assembly was placed under suspended animation on 11 May 1987 and later on it was dissolved on 06.03.1988.

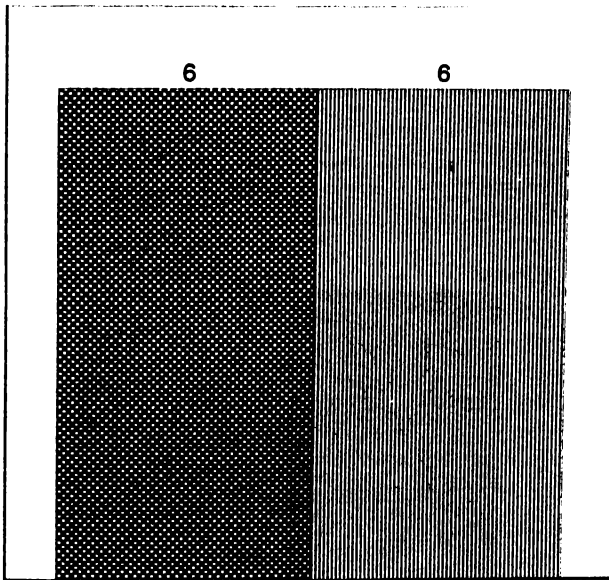
Table 2

**NCMs / CMs admitted/discussed during the tenures of different Speakers
(1952-2003)**

<i>Sl.No</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Dr. Satya Pal	05.05.1952- 18.04.1954	-	-
2.	Dr. Gurdial Singh Dhillon	18.04.1954- 13.03.1962	-	-
3.	Shri Prabodh Chandra	14.03.1962- 18.03.1964	1	-
4.	Shri Harbans Lal*	25.03.1964- 19.03.1967	1	-
5.	Lt. Col. Joginder Singh Mann	21.03.1967- 13.03.1969	-	-
6.	Shri Darbara Singh	14.03.1969- 03.09.1973	2	-
7.	Dr. Kewal Krishan	25.09.1973- 30.03.1977	1	-
8.	Shri Ravi Inder Singh	01.07.1977- 27.06.1980	-	-
9.	Shri Brij Bhushan Mehra	01.07.1980- 13.10.1985	1	1
10.	Shri Ravi Inder Singh	15.10.1985- 27.05.1986	-	-
11.	Shri Surjit Singh Minhas	02.06.1986- 15.03.1992	-	-
12.	Shri Harcharan Singh Ajnala	17.03.1992- 09.06.1993	-	-
13.	Shri Harnam Das Johar	21.07.1993- 23.11.1996	-	-
14.	Shri Dilbagh Singh Daleke	23.12.1996- 02.03.1997	-	-
15.	Shri Charnjit Singh Atwal	04.03.1997- 30.03.2002	-	-
16.	Dr. Kewal Krishan	30.03.2002- till date	-	-
Total			6	1

* The motion was granted leave on 13 March 1964 by Speaker Shri Prabodh Chandra. Deputy Speaker Smt. Shanno Devi presided over the debate on the motion on 19 March 1964 as Shri Prabodh Chandra resigned from the office of the Speaker the same day. Shri Harbans Lal who was elected the Speaker on 25 March 1964 chaired the debate on 30 and 31 March 1964.

Graph I
NCMs in Punjab Legislative Assembly
(1952 - 2003)



 **Motions admitted and**  **Negated discussed**

Graph II
CMs in Punjab Legislative Assembly
(1952 - 2003)

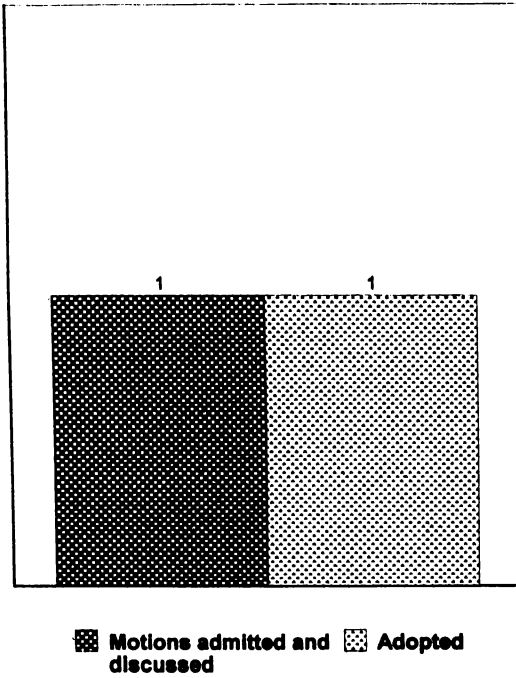


Table 3

**NCMs against/CMs in the Councils of Ministers
(1952 - 2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Pratap Singh Kairon (Third Legislative Assembly)	Congress 90/154 (58.44%)	NCM	Gurnam Singh (26)	(09.09.1963) 12.09.1963 17.09.1963 18.09.1963 19.09.1963 09.31	Negatived by voice vote
-do-		NCM	Ram Chandra (21)	(13.03.1964) 19.03.1964 30.03.1964 31.03.1964 09.00	Negatived Ayes-41 Noes-89
Gurnam Singh (Fifth Legislative Assembly)	Akali-Jan Sangh Coalition 51/104 (49.03%)	NCM	Rattan Singh (13)	(25.04.1969) 25.04.1969 04.33	Negatived by voice vote
Giani Zail Singh (Sixth Legislative Assembly)	Congress 66/104 (63.46%)	NCM	Surjit Singh Barnala (8)	12.12.1972 04.44	Negatived by voice vote
-do-		NCM	Parkash Singh Badal (8)	(05.08.1974) 05.08.1974 05.40	Negatived Ayes-26 Noes-60
Darbara Singh (Eighth Legislative Assembly)	Congress 63/117 (53.84%)	CM	Gurnaib Singh Brar (2)	(04.02.1981) 04.02.1981 01.07	Adopted* Ayes-61 Noes-0

*Walk-out by Opposition

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
-do-		NCM	Parkash Singh Badal (7)	(25.08.1981) 25.08.1981 03.25	Negatived Ayes-47 Noes-63

Table 4
Details of NCMs/CMs admitted/discussed in different Legislatures Assemblies
(1952 - 2003)

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs/Mts	Date of Voting	Ayes	Noes	Result
Prabodh Chandra	NCM	Pratap Singh Kairon	Gurnam Singh	12.09.1963	26	09.31	19.09.1963	-	-	Negatived by voice vote
				17.09.1963						
				18.09.1963						
Harbans Lal	NCM	-do-	Ram Chandra	19.09.1963						Negatived
				19.03.1964	21	09.00	31.03.1964	41	89	
				30.03.1964						
Derabara Singh -do-	NCM	Gurnam Singh Zail` Singh	Rattan Singh Surjit Singh Barnala	25.04.1969	13	04.33	25.04.1969	-	-	Negatived by voice vote
				12.12.1972	8	04.44	12.12.1972	-	-	
Kewal Krishan	NCM	-do-	Parkash Singh Badal	05.08.1974	8	05.40	05.08.1974	26	60	Negatived

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs/Mts	Date of Voting	Ayes	Noes	Result
Brij Bhushan Mehra	CM	Darabara Singh	Gurmail Singh Brar	04.02.1981	2	01.07	04.02.1981	61	Nil	Adopted ^o
-do-	NCM	-do-	Parkash Singh Bardal	25.08.1981	7	03.25	25.08.1981	47	63	Negated

^oWalk-out by Opposition

Table 5

Governors of Punjab

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Chandu Lal Trivedi	15.08.1947 - March 1953
2.	Shri C.P.N. Singh	March 1953 - 15.9.1958
3.	Shri Narhari Vishnu Gadgil	16.09.1958 - 01.10.1962
4.	Shri Pattom Thanu Pillai	02.10.1962 - 02.03.1964
5.	Shri Hafiz Muhammad Ibarahim	03.03.1964 - March 1966
6.	Shri Ujjal Singh	March 1966 - 27.06.1966
7.	Shri Dharma Vira	28.06.1966 - 16.10.1967
8.	Dr. D.C. Pavate	17.10.1967 - 21.03.1973
9.	Shri Mohinder Mohan Chaudhary	22.03.1973 - 24.09.1977
10.	Shri Jaisukhlal Hathi	25.09.1977 - 26.08.1981
11.	Shri Amin-u-Din-Ahmad Khan	27.08.1981 - 21.04.1982
12.	Dr. M. Channa Reddy	22.04.1982 - 06.02.1983
13.	Justice S.S. Sandhwalia	07.02.1983 - 20.02.1983
14.	Shri Anant Prashad Sharma	21.02.1983 - 10.10.1983
15.	Shri Bhairab Dutt Pandey	11.10.1983 - 03.07.1984
16.	Shri K.T. Satarawala	04.07.1984 - 14.03.1985
17.	Shri Arjun Singh	15.03.1985 - 14.11.1985
18.	Shri Hokishe Sema	15.11.1985 - 26.11.1985
19.	Dr. Shanker Dayal Sharma	27.11.1985 - 02.04.1986
20.	Shri Siddharth Shankar Ray	03.04.1986 - 08.12.1989
21.	Shri Nirmal Kumar Mukherjee	09.12.1989 - 14.06.1990
22.	Shri Virendra Verma	15.06.1990 - 17.12.1990
23.	Gen. (Retd.) Om Parkash Malhotra	18.12.1990 - 07.08.1991
24.	Lt. Gen. (Retd.) Surendra Nath	08.08.1991 - 09.07.1994
25.	Justice S.P. Kurdukar	10.07.1994 - 18.09.1994
26.	Lt. Gen. (Retd.) B.K.N. Chibber	18.09.1994 - 27.11.1999
27.	Lt. Gen. (Retd.) J.F.R. Jacob	27.11.1999 - till date

Table 6

Chief Minister of Punjab

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
1.	Dr. Gopi Chand Bhargava	15.08.1947 - 13.04.1949
2.	Shri Bhimsen Sachar	13.04.1949 - 18.10.1949
3.	Dr. Gopi Chand Bhargava	18.10.1949 - 20.06.1951
	President's Rule	20.06.1951 - 17.04.1952
4.	Shri Bhimsen Sachar	17.04.1952 - 23.01.1956
5.	Shri Pratap Singh Kairon	23.01.1956 - 21.06.1964
6.	Dr. Gopi Chand Bhargava	21.06.1964 - 06.07.1964
7.	Shri Ram Kishan	06.07.1964 - 05.07.1966
	President's Rule	05.07.1966 - 01.11.1966
8.	Giani Gurmukh Singh Mussafir	01.11.1966 - 08.03.1967
9.	Shri Gurnam Singh	08.03.1967 - 24.11.1967
10.	Shri Lachman Singh Gill	25.11.1967 - 23.08.1968
	President's Rule	23.08.1968 - 17.02.1969
11.	Shri Gurnam Singh	17.02.1969 - 26.03.1970
12.	Shri Parkash Singh Badal	27.03.1970 - 14.06.1971
	President's Rule	14.06.1971 - 16.03.1972
13.	Giani Zail Singh	17.03.1972 - 30.04.1977
	President's Rule	30.04.1977 - 20.06.1977
14.	Shri Parkash Singh Badal	20.06.1977 - 17.02.1980
	President's Rule	17.02.1980 - 06.06.1980
15.	Shri Darbara Singh	06.06.1980 - 06.10.1983
	President's Rule	06.10.1983 - 29.09.1985*
16.	Shri Surjit Singh Barnala	29.09.1985 - 11.05.1987
	President's Rule	11.05.1987 - 25.02.1992**
17.	Shri Beant Singh	25.02.1992 - 31.08.1995
18.	Shri Harcharan Singh Brar	31.08.1995 - 21.11.1996
19.	Ms. Rajinder Kaur Bhattal	21.11.1996 - 11.02.1997
20.	Shri Parkash Singh Badal	12.02.1997 - 27.02.2002
21.	Capt. Amarinder Singh	27.02.2002 - till date

* Term of Vidhan Sabha expired on 26.06.1985.

** Vidhan Sabha placed under suspended animation on 11.05.1987 and was dissolved on 06.03.1988.

any such motion. Tables 1 to 4 provide statistical details in respect of these Motions. Tables 5 and 6 list out the Governors and Chief Ministers, respectively, of the State. A graphical presentation of the Motions of Confidence and No-confidence is available in Graphs I and II.

In the First and Second Legislative Assembly, no Motion of Confidence or No-confidence was moved.

Third Legislative Assembly (1962-1967)

In the General Elections held between 16 and 27 February 1962, the Congress party secured 90 seats in the 154-member Legislative Assembly. The Jan Sangh got 8 seats, Communist Party of India 9, Shiromani Akali Dal 19, Swatantra Party 3, Socialist Party 4 and Independents and others 21 seats. Shri Pratap Singh Kairon was sworn in as the Chief Minister on 12 March 1962.

In the Third Legislative Assembly, two No-confidence Motions were moved against Shri Pratap Singh Kairon's Government.

Motion of No-confidence

In the wake of the Supreme Court judgment in the case of *Dr. Pratap Singh v. State of Punjab*, containing certain adverse comments on the conduct of the Chief Minister, Shri Pratap Singh Kairon, a No-confidence Motion was brought against the Congress Government for which leave was granted on 9 September 1963. The discussion on the motion held for four days on 12, 17, 18 and 19 September 1963 lasted 9 hours and 31 minutes in which 26 members participated.

During the course of the debate, Shri Gurnam Singh, Leader of the Opposition, said that the statement of the Home Minister Shri Mohan Lal on the strictures passed by the Supreme Court against the Chief Minister was tantamount to contempt of the Supreme Court. He charged the Home Minister with giving a contrary judgment of his own on the Supreme Court judgment. The Cabinet Ministers had a responsibility and must clear themselves of the charges. He demanded the appointment of a Supreme Court judge to inquire into the charges of corruption against the Punjab Ministers.

Participating in the debate, the Home Minister Shri Mohan Lal referred to the Supreme Court judgment and said that the operative part of the judgment would be implemented by the Government. With regard to the Court's strictures against the Chief Minister, he said that the Chief Minister was not a party to the suit and despite this fact the Court had given its finding against him. The proper court to discuss the conduct of the Chief Minister was the Legislature which consisted of the people's representatives. Since the Chief Minister was not a party to the suit, adverse inferences against him could not be deduced.

Shortly before the Chief Minister rose to take part in the debate, the Opposition group in the House walked out in protest. While staging the walk-out, Shri Gurnam

Singh, Leader of the Opposition, said that the Chief Minister had been found guilty in the Supreme Court judgment and had violated the Constitution by continuing in office.

Replying to the debate, the Chief Minister, Shri Pratap Singh Kairon, offered to refer the Opposition charges of corruption and maladministration for investigation to a judge either of the Supreme Court or the High Court, subject to the condition that the inquiry into the charges should be completed within one month. Clarifying the time limit for the completion of the investigation, the Chief Minister said that normally the proceedings in such cases dragged on from year to year and he would like to avoid delay.

Shri Kairon said the Opposition levelled charges against him now and then because he had successfully tackled their agitation, including the Hindi agitation and the Akali Morcha for a *Punjabi Suba*. Describing the Opposition charges against him as incorrect and baseless, he said he was prepared to file a case of defamation against those who levelled corruption charges against him. But he was not doing it as he knew that these charges were false. He said he had taken over the portfolio of Industries for the sake of rapid industrial development of the State. He would return this portfolio to the Home Minister Shri Mohan Lal after the State was put on the industrial map of India.

When Speaker Shri Prabodh Chandra put the motion to vote, the Opposition benches were empty as the Opposition groups had earlier walked out of the House. The motion was thus negated by voice vote.

Second Motion of No-confidence

On 13 March 1964, soon after the Question Hour, Speaker Shri Prabodh Chandra announced he had received a number of notices of No-confidence Motions against Shri Pratap Singh Kairon's Government. The notices were given by Comrade Ram Chandra (Prajantra), Shri Devi Lal and Shri Bachan Singh (Progressive Independents), Shri Gurcharan Singh (Akali), Dr. Baldev Prakash (Jan Sangh), Comrade Jangir Singh Joga and some other members of the Communist Party.

The Speaker Shri Prabodh Chandra put only Comrade Ram Chandra's motion to vote but all others were also declared admitted.

Some of the grounds for moving the motion were: (i) failure of the Government to control the rise in prices of the foodgrains and essential commodities; (ii) to give immediate relief to the peasantry which was hard hit by grave damage to their crops due to cold and frost and non-supply of water to these affected areas; (iii) to give *ad hoc* increment of 25 per cent and linking of DA with price index as demanded by the low-paid employees and industrial workers of the State.

The motion was presided over by the Deputy Speaker Smt. Shanno Devi on 19 March 1964 as the Speaker Shri Prabodh Chandra had resigned the same day. The discussion on the motion on 30 and 31 March 1964 was chaired by Shri Harbans Lal who was elected to the office of the Speaker on 25 March 1964.

Initiating the debate, Shri Ram Chandra criticised the Government for its anti-social acts and for its anti-socialist and anti-democratic working. He said that one man wielded power in Punjab and it was used, he alleged, in fabricating cases out of personal malice. Quotas, permits and licences were distributed to a select group while conniving officials were obliged with lucrative pay-scales. Shri Ram Chandra condemned the Government for the deteriorating law and order situation, for rising prices and the consequent hardship to the lower strata and for strengthening capitalists.

Taking part in the debate, Shri Yash Pal (Congress) pointed out that the sort of charges of smuggling, corruption and communalism that the critics flung against the Congress were levelled by them against each other in a bigger way. He saw no justification in raking up old cases when the Opposition had sponsored a No-confidence Motion six months ago. He spoke of the Opposition rivalries at the time of the Patti by-election, the defeat of the United Front and the continuing wrangles for the Rajya Sabha seat. The Congress rebels, now the Prajatantra Party, had raised high hopes of overthrowing the Government in the Budget Session but had now found their strength dwindled.

There were repeated interruptions when the Chief Minister started his reply, followed by procedural wrangles. 21 members participated in the discussion lasting 9 hours. The Speaker then put the motion to the vote of the House. The motion was negatived with 41 members voting in favour and 89 members voting against it.

There was no Motion of Confidence or No-confidence in the Fourth Legislative Assembly.

Fifth Legislative Assembly (1969-1971)

The elections to the 104-member Legislative Assembly were held on 9 February 1969. The Akali Dal won 43 seats, Congress 38, Jan Sangh 8, Communist Party of India 3, Samyukta Socialist Party 2, Communist Party of India (Marxist) 2, Praja Socialist Party 1, Swatantra 1, Janata Party 1, and Independents 4 seats. The Lambi constituency in Ferozepur district went to the polls on 2 March 1969. The Akali Dal Legislature Party, the largest group in the newly elected Legislative Assembly, elected on 13 February 1969 Shri Gurnam Singh as its Leader and authorised him to negotiate with non-Congress parties on the formation of a coalition Ministry in the State. On 17 February 1969, Shri Gurnam Singh was sworn in as the Chief Minister at the head of a five-member Akali-Jan Sangh coalition Government.

One Motion of No-confidence was debated in the Fifth Legislative Assembly. Besides, four notices of No-confidence Motion were received during the term of the Fifth Legislative Assembly. Of these, leave was refused for notices of two No-confidence Motions; one notice was withdrawn and another was deemed infructuous.

Motion of No-confidence

A Motion of No-confidence was moved by Captain Rattan Singh (Congress) against the Akali Jan Sangh coalition Government of Shri Gurnam Singh on the grounds of deterioration in the law and order situation in the State. Leave for the motion was granted on 25 April 1969. In all, 13 members took part in the debate lasting 4 hours and 33 minutes.

Moving the motion, Captain Rattan Singh, Deputy Leader of the Congress Party, said that neither law and justice nor public opinion had any relevance to the Government. Referring to the police firing on the prisoners in the Ferozpur Central Jail, he reiterated the Opposition demand for a judicial inquiry by a High Court judge. He charged the Government with assuming arbitrary powers and remarked that the proposed Teachers Pay Bill was ill-conceived. He alleged that excise remission to the tune of rupees four and a half crore had been granted to liquor contractors. He further said that the appointment of a person, against whom criminal cases were pending, in the staff of the Chief Minister conveyed a wrong message to the public that protection was being given to criminals. He demanded that the Chief Minister should clearly specify his party's stand whether it considered India as one nation and would make efforts to strengthen the State of Punjab. On the issue of misuse of majority, he said that in a democracy the majority should not be rigid and legitimate demands should be welcomed and accepted.

Replying to the debate, the Chief Minister Shri Gurnam Singh said that nothing substantial had been said against the Government. The issues raised in the No-confidence Motion had already been discussed by the House. Referring to the Ferozpur Jail firing, he said the incident had been inquired into at the Magisterial as well as Commissioner level. If required, another inquiry would be held into the incident. He further said that only individual cases had been cited regarding law and order situation. Regarding the issue of excise remission to liquor contractors, he said the matter had been discussed in the House. It was not known yet as to how much remission had been granted. The motion was negatived by voice vote.

Sixth Legislative Assembly (1972-1977)

In the elections to the Sixth Legislative Assembly, held on 11 March 1972, the Congress gained an absolute majority winning 66 seats in the 104-member House. The Akali Dal (Sant Group), which was the ruling party at the time of the dissolution, emerged as the second largest party with 24 members. The Communist Party of India

won 10 seats, Communist Party of India (Marxist) 1 and Independents 3 seats. On 17 March 1972, a Congress Ministry headed by Giani Zail Singh, the Leader of the Congress Legislature Party, was sworn in by the Governor Dr. D.C. Pavate.

In the Sixth Legislative Assembly, two Motions of No-confidence were discussed and both were negatived.

First Motion of No-confidence

The first Motion of No-confidence against the Congress Government of Giani Zail Singh was moved by Sarvashri Surjit Singh Barnala and Ajaib Singh Sandhu (Shiromani Akali Dal) on 12 December 1972 on the grounds of corruption and maladministration. (Earlier, two notices of No-confidence Motion tabled by Sarvashri Satya Pal Dang, Jangir Singh Joga, Shamsher Singh Josh and Darshan Singh Canadian (CPI) were not admitted for want of necessary numerical support as prescribed under the rules). As soon as the No-confidence Motion was admitted, the Chief Minister, Giani Zail Singh said that democracy demanded that the Government should not do any work after the admission of such a motion. In view of this, the motion should be taken up immediately. Moving the motion, Shri Ajaib Singh Sandhu accused the Government of converting the State to a police State during the two and half months of their rule. He said Section 144 had been imposed and about 1500 students had been put in the jails for taking out a rally against an incident in which a student was killed. Shri Sandhu said he did not want to discuss the Moga incident as the matter was *sub judice* but he regretted that even after 25 years of Independence, the Government had not been able to bring any change in the behaviour of the police. He further charged that since the present Government had taken over, sugar had become costly, electricity had disappeared and many other commodities like bricks and cement were sold in the black market. He also alleged that the Government was indulging in corruption and had collected money from transporters and cinema owners by declaring that cinemas and cold storages would soon be nationalised.

Replying to the debate, the Chief Minister Giani Zail Singh claimed that his Government had successfully provided a strong, efficient and non-partisan administration. The State had made progress in all spheres. He challenged the Opposition to level in public the charges of corruption and maladministration that had been made in the House.

The motion was discussed for 4 hours and 44 minutes in which 8 members took part. The motion, when put to vote, was negatived by voice vote.

Second No-confidence Motion

Two notices of No-confidence Motion were received by the Speaker Dr. Kewal Krishan against the Congress Government of Giani Zail Singh on 5 August 1974.

The first motion stood in the name of Shri Satya Pal Dang and seven other members. The second was in the name of Shri Parkash Singh Badal and three other members. The motion given notice of by Shri Satya Pal Dang and others was rejected by the House for want of requisite number of members supporting it for its admission. The motion of Shri Parkash Singh Badal which met the numerical requirement was admitted by the Speaker. The grounds for bringing the motion before the House were: failure to (i) arrest soaring rise prices and to ensure fair distribution of necessities of life; (ii) to secure clearance by the Central Government for the Thein dam; and (iii) to ensure adequate supply of agricultural inputs, diesel, coal, power and cement. The breakdown of law and order, administrative discipline and rampant corruption due to widespread political interference in the State administration also formed the grounds for moving the motion.

Moving the motion, Shri Parkash Singh Badal, Leader of the Opposition, said prices had been skyrocketing and the Government was taking shelter behind the plea that it was an international phenomenon. He stressed that never before had the law and order situation in the State deteriorated to such an extent. He referred to the Moga incident wherein it was alleged that one person had been murdered by the police, and the inspector and sub-inspector involved were suspended only after the public had raised its voice against the incident. Development was at a standstill as the Government had gone bankrupt. He further alleged that the Government could not get the Thein Dam sanctioned. It had failed to safeguard the interests of the people as regards the reversal of the Central policy in respect of Army recruitment from Punjab. He demanded that the Government should resign in the light of its dismal performance.

In his reply, the Chief Minister Giani Zail Singh said that there was no need to bring the No-confidence Motion at a time when the mini budget was going to be discussed. He described the Opposition allegation with regard to the law and order situation as baseless. Quoting statistics, he observed that the overall crime rate had decreased. The Government had ordered a judicial inquiry into the Moga incident. Refuting the allegation that no project had been set up in the State, the Chief Minister said that during the last two years 6,711 industries had been established. Further, letters of intent had been issued to 19 industries in 1972-73, 43 in 1973-74 and 24 in 1974-75. On the basis of the letters of intent, five big industries had been set up. Further, ten more projects to the amount of 64 crore rupees were being set up. In the agriculture sector, with the increase in the prices of cotton, farmers had benefited. Exports had increased from Rs. 23.72 crore in 1972-73 to Rs. 40 crore in 1973-74, thereby generating foreign exchange in return. Despite less rainfall, shortage of electricity and water and in the face of natural calamities, the Government had been able to increase production. The State had surpassed all the previous records in the matter of progress.

At the end of the debate lasting 5 hours and 40 minutes in which 8 members participated, the motion was negated with 26 members voting in favour and 60 members voting against it.

No Motion of Confidence or No-confidence was moved in the Seventh Legislative Assembly.

Eighth Legislative Assembly (1980-1985)

In the elections held on 31 May 1980 for the 117-seat Legislative Assembly, the Congress(I) secured an absolute majority with 63 seats, followed by the Akali Dal with 37 seats, CPI 9, CPI(M) 5, BJP 1 and others 2. On 10 June 1980, a seven-member Council of Ministers headed by Shri Darbara Singh was sworn in by the Governor Shri Jaisukhlal Hathi.

One Motion of No-confidence and Confidence each were discussed during the tenure of the Eighth Legislative Assembly. Besides, four more notices of Motions of No-confidence were received during the Eighth Legislative Assembly. Of these, leave was not granted for one Motion of No-confidence and two motions lapsed since the movers were not present in the House and one was deemed 'premature' and hence returned.

Motion of Confidence

A notice of Motion of No-confidence was given by Dr. Bhagat Singh (Akali Party) against the Congress Ministry of Shri Darbara Singh on the grounds of deterioration in law and order situation, failure to check rising prices of the articles of daily consumption and abnormal rise in passenger bus fare. Leave to move the motion was granted on 4 February 1981. The Speaker Shri Brij Bhushan Mehra allotted two hours for the discussion on the motion and asked Dr. Bhagat Singh to move the motion. However, Dr. Bhagat Singh did not actually move the motion despite the Speaker providing him ample opportunity to do so. Thereafter, Shri Parkash Singh Badal (Akali Party) along with members of his party present in the House staged a walk out in protest against the ruling of the Speaker refusing to allot some other day for debate on the motion. Later, Dr. Bhagat Singh, along with the members of his party present in the House, also staged a walk out. At this point of time, the Chief Minister enquired as to what was the position of the motion that had been moved by Dr. Singh. The Speaker replied that as the motion had not been moved, it should be deemed to have been disposed of. The Chief Minister, however, contended that since the mover had moved the motion and the Speaker had admitted it and asked the mover to initiate discussion on it which the mover failed to do, other members who wanted to discuss it should be allowed and voting should take place after that. Thereafter, Shri Gurnaub Singh Brar moved a Motion of Confidence reposing faith in the Council of Ministers headed by Shri Darbara Singh. Leave was granted

to the motion. Shri Gopal Krishan Chatrath [(Congress(I))] moved an amendment to the motion, inserting the words 'rejecting the motion of Dr. Bhagat Singh' which was accepted by the House. The Speaker then put the amended motion to the vote of the House. The motion was declared carried by voice vote. This was, however, challenged and division was demanded. Thereafter, the motion was declared carried with 61 members voting in favour of the motion and none against it.

Motion of No-confidence

On 25 August 1981, a Motion of No-confidence was tabled jointly by Shri Parkash Singh Badal (Akali Dal), Shri Raj Kumar (CPI) and Shri Sarwan Singh Cheema [CPI(M)] against the Congress Government of Shri Darbara Singh. The grounds for bringing the motion before the House were: (i) Government guilty of breach of faith; (ii) failure to protect vital interests of Punjab; (iii) failure to check price rise and develop adequate public distribution system; (iv) failure to protect interests of peasantry; (v) failure to protect interests of industrial and agricultural workers and employees; (vi) heaping burdens of crushing taxation; (vii) deterioration in law and order situation in the State; (viii) repression of Government employees, teachers, students and workers; (ix) a non-performing Government dependent helplessly on bureaucracy; (x) widespread corruption at all levels in the State; (xi) encouragement to extremists and communal elements to disrupt communal harmony; (xii) erosion of democracy and democratic rights of the people and institutions; (xiii) failure to protect the interests of industry and ensure regular supply of power and raw materials in the State; (xiv) failure to improve the economic condition of Harijans and the downtrodden; (xv) failure to check growing unemployment; and (xvi) failure to check dowry deaths and increasing atrocities on women.

Moving the motion Shri Parkash Singh Badal said the Government was devoting more time to meetings than to actual work. Besides failure on the governance front, the Chief Minister had failed to expand his Ministry and appoint members and Chairmen of various corporations. He also criticised the handling of the Ravi-Beas water dispute. He further accused the Chief Minister of pursuing a policy of divide and rule through playing the Sikhs and Hindus against each other. He declared that his party was secular and believed in the unity and integrity of the country and there was no question of its being a party to any separatist move.

Replying to the debate, the Chief Minister Shri Darbara Singh claimed that his Government had made progress during the last one year and said the Opposition would not be allowed to halt that progress. He said that during his regime, despite the high cost of inputs, farmers had got more money for their produce, whether it

was wheat, cane, paddy or cotton. On the industrial front, there had been all round progress; the State would carve out a prominent place in the industrial map of the country once the industrial complexes at Goindwal and Ranjitgarh were completed. He, however, admitted that there was a shortage of power because of the increasing demand from the farm sector. He also refuted Shri Badal's charge that the Congress(I) was fomenting communal discord in the State.

The debate on the motion lasted 3 hours and 25 minutes in which 7 members took part. The motion was defeated with 47 members voting in favour and 63 members voting against it.

In the Ninth Legislative Assembly, two notices of No-confidence Motion were received. One No-confidence Motion was not moved by the member who had given notice of the motion and one was not granted leave. In the Tenth, Eleventh and Twelfth (till date) Legislative Assemblies, no Motion of Confidence or No-confidence was debated.

Motions of Confidence and No-confidence in the Punjab Legislative Assembly - An Analysis

In all, six Motions of No-confidence and one Motion of Confidence were discussed in the Punjab Legislative Assembly. In the First, Second, Fourth, Seventh, Ninth, Tenth, Eleventh and Twelfth (till date) Legislative Assemblies, no such motion was discussed. Two Motions of No-confidence each were discussed in the Third and the Sixth Legislative Assemblies whereas one Motion of Confidence and No-confidence each were debated in the Eighth Legislative Assembly. The Fifth Legislative Assembly discussed one Motion of No-confidence.

Table 2 illustrates the number of Motions of Confidence and No-confidence admitted and discussed during the tenures of different Speakers of the Assembly. Speaker Shri Darbara Singh presided over the debates on two Motions of No-confidence. Speakers Sarvashri Prabodh Chandra, Harbans Lal and Kewal Krishan presided over the debate on one Motion of No-confidence each. Speaker Shri Brij Bhushan Mehra chaired the debate on both types of motions - Confidence as well as No-confidence.

Table 3 gives an account of the No-confidence Motions debated during the different Councils of Ministers. Shri Pratap Singh Kairon and Giani Zail Singh faced two Motions of No-confidence each. Sarvashri Gurnam Singh and Darbara Singh faced one Motion of No-confidence each. Shri Darbara Singh was the only Chief Minister who also sought the confidence of the House.

Table 4 gives statistical information pertaining to the participation of members in the debates on various Motions of No-confidence and Confidence. It also depicts the time taken and the result of the division.

Participation by Members

In all, 83 members of the Legislative Assembly took part in the debate on the six Motions of No-confidence. The highest number of 26 members participated in the motion moved by Shri Gurnam Singh on 12 September 1963 and 7 members in the motion moved by Shri Prakash Singh Badal on 25 August 1981.

Time taken

The six Motions of No-confidence were debated for 11 days. The first motion moved against Shri Pratap Singh Kairon in September 1963 was debated for the highest number of four days followed by another, also against Shri Kairon, in March 1964 which was debated for three days. The other four Motions of No-confidence were debated for one day each. The lone Motion of Confidence was also discussed for a single day. The total time spent on debating the six Motions of No-confidence comes to 36 hours and 53 minutes. The motion moved against the Cabinet of Shri Pratap Singh Kairon in September 1963 was debated for the longest duration of 9 hours and 31 minutes whereas the motion moved against Shri Darbara Singh in August 1981 was debated for the shortest time of 3 hours and 25 minutes.

Division

All the six Motions of No-confidence were negatived and the lone Motion of Confidence was adopted by the House. Of the six Motions of No-confidence, three motions were negatived by voice vote and three by division. The motion moved against the Council of Shri Pratap Singh Kairon in March 1964 was negatived by the widest margin of 48 votes while the motion against Shri Darbar Singh in August 1981 was negatived with the lowest margin of 16 votes. The lone Motion of Confidence was adopted by 61 votes.

Rajasthan Legislative Assembly

The evolution of representative institutions in Rajasthan is one of the important developments in the annals of the constitutional history of India. The erstwhile Rajputana region consisted of twenty-two small and big princely States. Though these princely States were declared to have been annexed to the Union of India on 15 August 1947, the process of merger and their unification became complete only in April 1959.

In the first phase of merger, the four princely States of Alwar, Bharatpur, Dholpur and Karauli formed the Matsya Union which was inaugurated on 17 March 1948. The Cabinet of this Union was formed under the leadership of Shri Shobha Ram. The Union of Rajasthan, consisting of Banswara, Bundi, Dungarpur, Jhalawar, Kishangarh, Pratapgarh, Shahapura, Tonk and Kota was inaugurated on 25 March 1948. Kota became the Capital of this Union. The Kota Naresh Maharao Bhim Singh was appointed as the Rajpramukh and Shri Gokul Lal Asawa was appointed as the Chief Minister. Three days later, the Maharana of Udaipur decided to join this Union which was accepted by the Government of India. Subsequently, the Maharana of Udaipur was appointed as the Rajpramukh and the Kota Naresh was appointed as Up-Rajpramukh of the Union and the Cabinet was formed under the leadership of Shri Manikya Lal Verma. This Union was inaugurated on 18 April 1948. The formation of the Union of Rajasthan paved the way for the merger of bigger States like Bikaner, Jaisalmer, Jaipur and Jodhpur with the Union and the formation of Greater Rajasthan which was formally inaugurated on 30 March 1949. The Maharaja of Jaipur was appointed as the Rajpramukh. Kota Naresh was appointed as the Up-Rajpramukh. A Cabinet was formed under the leadership of Shri Hira Lal Shastri. The Matsya Union was merged with Greater Rajasthan on 15 May 1949.

The process of the creation of a Legislature had started during the final phase of the formation of Rajasthan. In the meantime, Shri Hira Lal Shastri submitted his resignation from the Chief Ministership and an Interim Government was formed on 26 April 1951.

Though the Rajasthan Vidhan Sabha came into existence in March 1952, the

people of Rajasthan had experienced some kind of parliamentary democracy even under the princely rule. Maharaja Ganga Singh of Bikaner constituted a House of Representatives in the Bikaner State in November 1913 consisting of 35 members. Certain improvements were made in the set-up during the year 1937. The strength of the House was raised to 51, out of which 26 members were to be elected and 25 were to be nominated. Out of 26 members, 3 members were to be elected by the *Tajimi Sardars*, 10 by the State District Boards, 12 by the Municipalities and one by businessmen and industrialists. These changes were implemented in the year 1942.

The Bikaner Act No. 3 of 1947 had a provision with regard to the Legislature, consisting of a *Raj Sabha* and a *Dhara Sabha*. The elections to the *Raj Sabha* and the *Dhara Sabha* were scheduled to be held on 28 September 1948. But, on account of the decision taken by the Bikaner Praja Mandal on 8 August 1948 to boycott the elections, the enforcement of the Bikaner Act, 1947 and the constitution of the *Raj Sabha* and the *Dhara Sabha* thereunder was postponed.

In Jodhpur, Maharaja Umed Singh accepted the principle of people's participation in the administration in the 1940s and accorded his approval to the setting up of Central and District Advisory Boards.

In view of the various reforms initiated by Maharaja Ram Singh during the fifth decade of the nineteenth century in the political, social and educational fields, the Jaipur State was considered as a progressive one. But the impact of the political activities going on in other parts of the country on the people of that State was so profound that even the creation of a *Vidhan Samiti* in 1923, consisting of both official and non-official members, fell short of their expectations.

Maharaja Mansingh constituted a Central Advisory Board in 1939 with a view to eliciting public opinion through representatives on matters of public interest and importance. It consisted of 13 nominated members and 35 non-official members and was inaugurated on 18 March 1940.

A House of Representatives and a Vidhan Parishad were to be set up on 1 June 1944 as per the Jaipur Government Act, 1944. The House of Representatives was to consist of 120 elected members and five nominated, non-official members. Out of the 51 members of the Vidhan Parishad, 37 members were to be elected and 14 were to be nominated. They were to hold office for 3 years. The Prime Minister was to be appointed as the *ex-officio* Chairman of both the Houses and the senior-most Ministers of the Executive Council were to be appointed as the Deputy Chairmen of the House of Representatives and the Vidhan Parishad.

The Vidhan Parishad had the powers to ask questions, adopt Resolutions, to present Adjournment Motions, and to make laws. It was also given the powers to discuss the Budget and vote on it. But it was beyond its power to enact laws with regard to the Maharaja and the army of the State.

Under the pressure of the changing political situation, in Udaipur, a Reforms Committee headed by Shri Gopal Singh was constituted in May 1946. The Committee consisted of all official and non-official members, including five representatives of the *Praja Mandal*. The Committee, which submitted its report on 29 September 1946, recommended that a Constituent Assembly should be constituted to prepare a Constitution for Mewar. The Constituent Assembly was to consist of 50 members and each member was to be elected from a constituency consisting of fifteen thousand voters. The office of the Chairman was to be held by the Maharana himself and the Vice-Chairman was to be elected by the members. The Reforms Committee also recommended to the Maharana that a responsible Government may be set up in Mewar and the Maharana may entrust his powers to that Government. But the Maharana did not accept this recommendation.

However, the Maharana eventually agreed to the setting up of an Executive Council in October 1946, to which he appointed Shri Mohan Lal Sukhadia and Shri Hira Lal Kothari as the representatives of the *Praja Mandal* and Shri Raghbir Singh as the representative of the Regional Council. Besides, the Maharana declared his intention to enforce constitutional reforms expeditiously. On 3 March 1947, the Maharana announced certain reforms. Accordingly, a Vidhan Sabha consisting of 46 elected members and some non-official members was constituted. The Vidhan Sabha was given the powers to enact laws on all such matters which had not been kept out of its jurisdiction in particular. The Vidhan Sabha was empowered under certain restrictions to discuss and vote on the Budget. The responsibility to implement the decisions taken by the Vidhan Sabha was bestowed on the Ministers.

In Bundi, Maharaja Ishwari Singh set up the *Dhara Sabha* on 18 October 1947. It consisted of 23 members out of which 12 were elected members and 11 were nominated members. The members of the Tehsil Advisory Boards and the Town Council elected members to the *Dhara Sabha*, which had the power to ask questions to the Government and to adopt Resolutions on matters of public interest. The Sabha did not possess any constitutional and economic powers. Its status was not higher than that of an Advisory Committee.

In Banswara, the Maharaja formed a *Rajya Parishad* on 3 February 1939. All the 32 members of the Parishad were nominated and included seven employees and eight *Jagirdars*. The *Rajya Parishad* had the power to put questions, adopt Resolutions and enforce laws with the assent of the Maharaja. The *Dewan* of the State was the *ex-officio* Chairman of the *Parishad*. Thereafter, in pursuance of the wishes of the Maharaja, the State Constitution Act, 1946 was implemented in order to bring changes in the organization of the *Parishad*. According to the provisions of this Act, out of the 35 members of the Vidhan Sabha, 32 were to be elected members and 3 Ministers of the State Council were to be *ex-officio* members; the powers of the

Vidhan Sabha were to be the same as that of the earlier *Parishad*. The elections to the Vidhan Sabha were held in September 1947 in which the Praja Mandal of Banswara got the majority. The Session of the Vidhan Sabha was inaugurated on 18 March 1948. It was decided to summon the Budget Session on 30 March 1948 but Banswara State got merged into the Rajasthan Union before that date.

Ajmer State was known as Ajmer-Marwar Pradesh before the commencement of the Constitution of India. After the inclusion of Ajmer State in the First Schedule of the Constitution as a category 'C' State, a Legislative Assembly was set up in May 1952 with the election of 30 members from 6 double-member and 18 single-member constituencies. With the reorganisation of the States in 1956, the Ajmer State was merged with the State of Rajasthan and the members of its Legislative Assembly were duly treated as members of the first Rajasthan State Legislative Assembly for its remaining term.

The Rajasthan Legislative Assembly which is unicameral had a strength of 160 members in 1956. It was raised to 176 in 1957 and to 184 in 1967. This was further increased to the present strength of 200 in 1977.

Motion of No-confidence

A Motion of No-confidence as well as a Motion of Confidence is governed by the provisions contained in Rule 132 of the Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly.

Under Rule 132, a motion expressing want of confidence in the Council of Ministers may be made subject to certain restrictions namely: (i) leave to move the motion shall be asked for after Questions and before the List of Business for the day is entered upon; and (ii) the member asking for leave shall, before the commencement of the sitting for that day, give to the Secretary a written notice of the motion which he proposes to move.

If the Speaker is of the opinion that the motion is in order, he reads the motion to the House and requests those members who are in favour of leave being granted to rise in their places. If not less than one-fifth of the total number of members rise, the Speaker declares that the leave is granted. The motion is taken up on such day, not being more than ten clear days from the date on which the leave is asked for. The Speaker, at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith puts every question necessary to determine the decision of the House on the motion.

Motion of Confidence

As per Rule 132, a motion expressing confidence in the Council of Ministers may be made. Provided that if there is a notice of a motion expressing No-confidence in the Council of Ministers, then the motion expressing confidence in the Council of Ministers shall get precedence over the Motion of No-confidence.

Motions in different Legislative Assemblies

In all, twelve Motions of Confidence and No-confidence have been discussed in the Rajasthan Legislative Assembly till date. Tables 1 to 4 give statistical details in respect of these motions. A graphical presentation of the motions is available in Graphs I and II. Tables 5 and 6 list out the Governors and Chief Ministers, respectively, of the State.

The Fifth, Eleventh and Twelfth (till date) Legislative Assemblies did not discuss a Motion of Confidence or No-confidence. In the Fifth Legislative Assembly, a notice of Motion of No-confidence against the Congress Government of Shri Harideo Joshi by Sarvashri Guman Mal Lodha, Bhanu Kumar Shastri and Manohar Singh (Jan Sangh), Meetha Lal (Swatantra Party) and Professor Kedar Nath (Samajwadi Dal) was given on 28 August 1974. However, this was not admitted for lack of the requisite numerical strength as prescribed in the Rules.

First Legislative Assembly (1952-1957)

In the first General Elections to the State Legislative Assembly held between 25 October 1951 and 21 February 1952, the Congress secured a narrow majority with 81 seats out of the 160 seats. The Ram Rajya Parishad (RRP) won 24 seats, Jan Sangh 8, Krishikar Lok Party 7, Hindu Mahasabha 2, Socialists 1, Kisan Mazdoor Praja Party (KMPP) 1 and Independents 35. One independent joined the Congress after his election, raising the party's strength to 82. Polling had to be postponed in one constituency following the death of a candidate after nomination. The incumbent Chief Minister, Shri Jai Narayan Vyas, was defeated in both the constituencies which he contested. That being so, Shri Tikaram Paliwal was elected Leader of the Congress Legislature Party on 22 February 1952 and formed the new Ministry on 3 March 1952. While electing Shri Paliwal as Leader of the Congress Legislature Party, the party expressed the hope that Shri Vyas would soon be elected to the State Legislative Assembly and assume leadership. On 7 October 1952, Shri Jai Narayan Vyas was elected Leader of the Congress Legislature Party. On 8 October 1952, Shri Tikaram Paliwal tendered the resignation of his Cabinet to the Rajpramukh who asked Shri Paliwal to continue till a new Ministry was sworn in.

In the First Legislative Assembly, one Motion of No-confidence was discussed and negatived.

Motion of No-confidence

A notice of Motion of No-confidence against the Congress Government of Shri Tikaram Paliwal by Shri Indra Nath Modi (Independent) was received by the Speaker Shri Narottam Lal Joshi on 10 October 1952. The motion read as: "In the opinion of this House, the Ministry formed by the Congress Party has lost the confidence of the House".

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)**

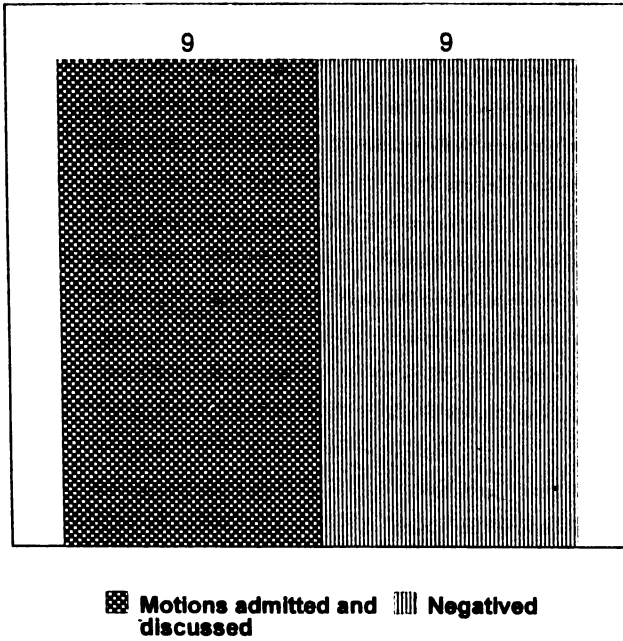
<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	23.02.1952 - 23.03.1957	1	-
Second Legislative Assembly	02.04.1957 - 01.03.1962	1	-
Third Legislative Assembly	03.03.1962 - 28.02.1967	3	-
Fourth Legislative Assembly	01.03.1967 - 15.03.1972	1	-
Fifth Legislative Assembly	15.03.1972 - 30.04.1977	-	-
Sixth Legislative Assembly	22.06.1977 - 17.02.1980	1	-
Seventh Legislative Assembly	06.06.1980 - 09.03.1985	1	-
Eighth Legislative Assembly	09.03.1985 - 01.03.1990	1	-
Ninth Legislative Assembly	02.03.1990 - 15.12.1992	-	2
Tenth Legislative Assembly	04.12.1993 - 30.11.1998	-	1
Eleventh Legislative Assembly	01.12.1998 - 05.12.2003	-	-
Twelfth Legislative Assembly	05.12.2003 - till date	-	-
Total		9	3

Table 2

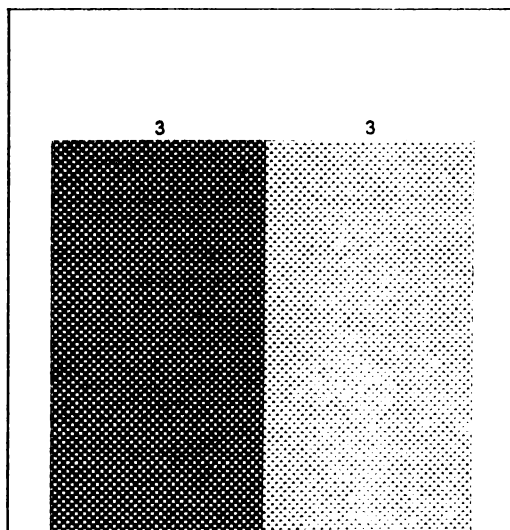
**NCMs / CMs admitted/discussed during the tenures of different Speakers
(1952-2003)**

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri Narottam Lal Joshi	31.03.1952 - 25.04.1957	1	-
2.	Shri Ram Niwas Mirdha	25.04.1957 - 03.05.1967	4	-
3.	Shri Niranjana Nath Acharya	03.05.1967 - 20.03.1972	1	-
4.	Shri Ram Kishore Vyas	20.03.1972 - 18.07.1977	-	-
5.	Maharawal Shri Laxman Singh	18.07.1977 - 20.06.1979	-	-
6.	Shri Gopal Singh Ahore	25.09.1979 - 07.07.1980	1	-
7.	Shri Poonam Chand Vishnoi	07.07.1980 - 20.03.1985	1	-
8.	Shri Heera Lal Deopura	20.03.1985 - 16.10.1985	1	-
9.	Shri Giriraj Prasad Tiwari	31.01.1986 - 11.03.1990	-	-
10.	Shri Hari Shankar Bhabhra	16.03.1990 - 21.12.1993	-	2
		30.12.1993 - 05.10.1994	-	1
11.	Shri Shanti Lal Chaplot	07.04.1995 - 18.03.1998	-	-
12.	Shri Samrath Lal Meena	24.07.1998 - 04.01.1999	-	-
13.	Shri Parsh Ram Maderna	06.01.1999 - 15.01.2004	-	-
14.	Smt. Sumitra Singh	16.01.2004 - till date	-	-
Total			9	3

Graph I
NCMs in Rajasthan Legislative Assembly
(1952 - 2003)



Graph II
CMs in Rajasthan Legislative Assembly
(1952 - 2003)



 **Motions admitted and discussed**  **Adopted**

Table 3

**NCMs against/CMs in the Council of Ministers
(1952-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Tikaram Paliwal (First Legislative Assembly)	Congress 82/160 (51.25%)	NCM	Indra Nath Modi (20)	(10.10.1952) 10.10.1952 17.10.1952 21.10.1952 05.40	Negativied by voice vote
Mohan Lal Sukhadia (Second Legislative Assembly)	Congress 119/176 (67.61%)	NCM	Raja Man Singh (29)	(14.02.1958) 19.02.1958 20.02.1958 10.01	Negativied Ayes - 23 Noes - 123
Mohan Lal Sukhadia (Third Legislative Assembly)	Congress 88/176 (50.58%)	NCM	Maharawal Laxman Singh (43)	(19.08.1963) 26.08.1963 27.08.1963 28.08.1963 14.13	Negativied by voice vote
-do-		NCM	-do- (46)	(22.10.1964) 28.10.1964 29.10.1964 30.10.1964 13.35	Negativied Ayes - 61 Noes - 99
-do-		NCM	-do- (55)	(26.09.1966) 26.09.1966 27.09.1966 28.09.1966 29.09.1966 17.36	Negativied by voice vote

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Barkatullah Khan (Fourth Legislative Assembly)	Congress 89/184; (48.37%)	NCM	Manohar Singh Mehta (42)	(15.11.1971) 16.11.1971 08.00 Hrs.	Negated by voice vote
Bhairon Singh Shekhawat (Sixth Legislative Assembly)	Janata Party 150/200 (75%)	NCM	Maharawal Laxman Singh (63)	(24.09.1979) 25.09.1979 26.09.1979 28.09.1979 15.26	Negated* Ayes - Nil Noes - 115 Abstentions - 2
Jagannath Pahadia (Seventh Legislative Assembly)	Congress 133/200 (66.5%)	NCM	Yadunath Singh (39)	(03.04.1981) 03.04.1981 04.35	Negated by voice vote
Harideo Joshi (Eighth Legislative Assembly)	Congress 113/200 (56.5%)	NCM	Bhairon Singh Shekhawat (47)	(29.07.1985) 29.07.1985 05.30	Negated by voice vote
Bhairon Singh Shekhawat (Ninth Legislative Assembly)	BJP 86/200 (43%)	CM	Bhairon Singh Shekhawat (15)	23.03.1990 02.42	Adopted by voice vote
		CM	Bhairon Singh Shekhawat, Om Prakash Gupta (47)	08.11.1990 08.43	Adopted Ayes - 116 Noes - 80
Bhairon Singh Shekhawat (Tenth Legislative Assembly)	BJP 95/200 (47.50%)	CM	-do- (43)	31.12.1993 04.48	Adopted* Ayes - 108 Noes - Nil

● Walk-out by Opposition

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipes- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Narottam Lal Joshi	NCM	Tikaram Paliwal	Indra Nath Modi	10.10.1952 17.10.1952 21.10.1952	20	05.40	21.10.1952	-	-	Negated by voice vote
Ram Niwas Mirdha	NCM	Mohan Lal Sukhadia	Raja Man Singh	19.02.1958 20.02.1958	29	10.01	20.02.1958	23	123	Negated
-do-	NCM	-do-	Maharawal Laxman Singh	26.08.1963 27.08.1963 28.08.1963	43	14.13	28.08.1963	-	-	Negated by voice vote
-do-	NCM	-do-	-do-	28.10.1964 29.10.1964 30.10.1964	46	13.35	30.10.1964	61	99	Negated
-do-	NCM	-do-	-do-	28.09.1966 27.09.1966 28.09.1966 29.09.1966	55	17.36	29.09.1966	-	-	Negated by voice vote

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parli- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Niranjan Nath Acharya	NCM	Barkatullah Khan	Manohar Singh Mehta	16.11.1971	42	08.00	16.11.1971	-	-	Negated by voice vote
Gopal Singh Ahore	NCM	Bhairon Singh Shekhawat	Maharawal Laxman Singh	25.09.1979 26.09.1979 28.09.1979	63	15.26	28.09.1979	Nil	115	Negated*
Poonam Chand Vishnoi	NCM	Jagannath Palhadia	Yadunath Singh	03.04.1981	39	04.35	03.04.1981	-	-	Negated by voice vote
Heera Lal Deopura	NCM	Harideo Joshi	Bhairon Singh Shekhawat	29.07.1985	47	05.30	29.07.1985	-	-	Negated by voice vote
Hari Shankar Bhabhra	CM	Bhairon Singh Shekhawat	-do-	23.03.1990	15	02.42	23.03.1990	-	-	Adopted by voice vote
-do-	CM	-do-	Bhairon Singh Shekhawat Om Prakash Gupta	08.11.1990	47	08.43	08.11.1990	116	80	Adopted

● Walk-out by Opposition

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	CM	-do-	-do-	31.12.1993	43	04.48	31.12.1993	108	Nil	Adopted*

* Walk-out by Opposition

Table 5

Governors of Rajasthan

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
Rajpramukh		
1.	Sawai Man Singh	30.03.1949-31.10.1956
Governors		
2.	Sardar Gurmukh Nihal Singh	01.11.1956 - 15.04.1962
3.	Dr. Sampooranand	16.04.1962 - 15.04.1967
4.	Sardar Hukam Singh	16.04.1967 - 19.11.1970
5.	Shri Jagat Narayan (Acting)	22.11.1970 - 23.12.1970
6.	Sardar Hukam Singh	24.12.1970 - 30.06.1972
7.	Sardar Joginder Singh	01.07.1972 - 14.02.1977
8.	Shri Ved Pal Tyagi (Acting)	15.02.1977 - 11.05.1977
9.	Shri Raghukul Tilak	12.05.1977 - 08.08.1981
10.	Shri K.D. Sharma (Acting)	08.08.1981 - 05.03.1982
11.	Air Chief Marshal (Retd.) O.P. Mehra	06.03.1982 - 04.01.1985
12.	Shri P.K. Banerjee (Acting)	05.01.1985 - 31.01.1985
13.	Air Chief Marshal (Retd.) O.P. Mehra	01.02.1985 - 03.11.1985
14.	Shri D.P. Gupta (Acting)	04.11.1985 - 19.11.1985
15.	Shri Vasantao Patil	20.11.1985 - 14.11.1987
16.	Shri J.S. Verma (Acting)	15.11.1987 - 19.02.1988
17.	Shri Sukhdev Prasad	20.02.1988 - 02.02.1989
18.	Shri J.S. Verma (Acting)	03.02.1989 - 19.02.1989
19.	Shri Sukhdev Prasad	20.02.1989 - 02.02.1990
20.	Shri Milap Chand Jain (Acting)	03.02.1990 - 13.02.1990
21.	Shri Debi Prasad Chattopadhyaya	14.02.1990 - 25.08.1991
22.	Dr. Sarup Singh (Additional Charge)	26.08.1991 - 04.02.1992
23.	Dr. M. Channa Reddy	05.02.1992 - 30.05.1993
24.	Shri Dhanik Lal Mandal (Additional Charge)	31.05.1993 - 29.06.1993

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
25.	Shri Bali Ram Bhagat	30.06.1993 - 30.04.1998
26.	Shri Darbara Singh*	01.05.1998 - 24.05.1998
27.	Shri N.L. Tibrewal (Acting)	25.05.1998 - 15.01.1999
28.	Shri Anshuman Singh	16.01.1999 - 13.05.2003
29.	Shri Nirmal Chandra Jain**	14.05.2003 - 22.09.2003
30.	Shri Kailashpati Mishra (Additional Charge)	22.09.2003 - 09.01.2004
31.	Shri Madan Lal Khurana	14.01.2004 - till date

* Expired on 24.05.1998

** Expired on 22.09.2003

Table 6

Chief Ministers of Rajasthan

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Heera Lal Shastri	07.04.1949 - 05.01.1951
2.	Shri C.S. Venkatachari	06.01.1951 - 25.04.1951
3.	Shri Jai Narayan Vyas	26.04.1951 - 03.03.1952
4.	Shri Tikaram Paliwal	03.03.1952 - 31.10.1952
5.	Shri Jai Narayan Vyas	01.11.1952 - 12.11.1954
6.	Shri Mohan Lal Sukhadia	13.11.1954 - 11.04.1957
		11.04.1957 - 11.03.1962
		12.03.1962 - 13.03.1967
	President's Rule	13.03.1967 - 26.04.1967
7.	Shri Mohan Lal Sukhadia	26.04.1967 - 08.07.1971
8.	Shri Barkatullah Khan	09.07.1971 - 15.03.1972
		16.03.1972 - 11.10.1973
9.	Shri Hari Deo Joshi	11.10.1973 - 29.04.1977
	President's Rule	30.04.1977 - 21.06.1977
10.	Shri Bhairon Singh Shekhawat	22.06.1977 - 16.02.1980
	President's Rule	17.02.1980 - 05.06.1980
11.	Shri Jagannath Pahadia	06.06.1980 - 13.07.1981
12.	Shri Shiv Charan Mathur	14.07.1981 - 23.02.1985
13.	Shri Heera Lal Deopura	23.02.1985 - 10.03.1985
14.	Shri Hari Deo Joshi	10.03.1985 - 20.01.1988
15.	Shri Shiv Charan Mathur	20.01.1988 - 04.12.1989
16.	Shri Hari Deo Joshi	04.12.1989 - 04.03.1990
17.	Shri Bhairon Singh Shekhawat	04.03.1990 - 15.12.1992
	President's Rule	15.12.1992 - 03.12.1993
18.	Shri Bhairon Singh Shekhawat	04.12.1993 - 01.12.1998
19.	Shri Ashok Gehlot	01.12.1998 - 07.12.2003
20.	Smt. Vasundhara Raje	08.12.2003 - till date

When Shri Indra Nath Modi asked for the leave of the House to move the motion, Shri Gulab Chand Kasliwal inquired as to against which Ministry the motion was directed. Shri Tikaram Paliwal said that his Ministry had submitted its resignation on the afternoon of 8 October 1952. The Rajpramukh had asked the present Ministry to carry on the administration till a new Ministry was formed. Shri Jai Narain Vyas argued that the motion was ambiguous. The present arrangement was a temporary one made by the Rajpramukh. He appealed to the Speaker to reject the motion.

Shri K.S. Hazela, Advocate General, submitted that so far as No-confidence Motions were concerned, they were supposed to be directed against the existing Government and that meant in the present case, against only a caretaker Government. The mover of the motion was well aware that the Ministry had already resigned. He further said that the motion was not essentially for the purpose of removing the present Ministry which had already resigned but was obviously intended to serve another purpose of indirectly suggesting to the Rajpramukh that the party in power had lost the confidence of the House and that immediate steps be taken for changing the Government not merely by changing its personnel but by forming it from a party other than the party of the present Government. The motion was infructuous and innocuous and not in conformity with the procedure and practice of the House and undoubtedly there was no precedent for it. It was not a proper legislative procedure to move a Motion of No-confidence in a non-existing Government, presumably with a view to prejudicing the issue of the formation of a new Government.

The Speaker, without going into the details, declared that the motion was in order. After the motion was admitted, Shri Tikaram Paliwal said that in view of the No-confidence Motion, he would not like to proceed further with official legislative work. The discussion on the motion was held on 10, 17 and 21 October 1952 for 5 hours and 40 minutes in which 20 members participated.

Moving the No-confidence Motion, Shri Indra Nath Modi charged the Government with not having paid due regard to the interests of the public. He said that the Government had throughout ignored constructive suggestions offered by the Opposition for improving the standard of administration. He alleged that the Government had not taken steps to increase production, effect economy in expenditure and improve educational and medical facilities. He placed on the Table of the House a statement by Thakur Vijay Singh, a member of his party, and alleged that pressure was brought to bear upon Shri Singh to sign a letter of resignation from his party and take the pledge of the Congress Party. The statement further alleged that Shri Singh was detained at a Congress member's house and an attempt was made to kidnap him.

Opposing the motion, Shri Jai Narayan Vyas (Congress) said that the Congress stood for certain principles and a certain programme. Refuting the allegations made by Thakur Vijay Singh, he said the member had seen him thrice and had wanted to sign the Congress pledge.

Replying to the debate, the Chief Minister Shri Tikaram Paliwal said that the dissidents from the Congress could find it difficult to vote against the Government since they had the Congress outlook ingrained in them.

Before the debate was resumed on 21 October 1952, Shri Indra Nath Modi protested against the behaviour of the Treasury Benches during the discussion on 17 October 1952 in prolonging the time limit fixed by the Speaker. On this, points of order were raised by the Congress members saying Shri Modi was not making any new point. The Speaker called upon Shri Paliwal to resume his reply. The Leader of the Opposition, Shri Jaswant Singh wanted to raise another point of order and the Speaker held that no point of order could be raised. Shri Jaswant Singh said that their privileges were not protected and called upon members of his party, the Samyukta Dal, to walk out of the House. Most of the Opposition members then left the House.

The motion was then rejected by voice vote.

Second Legislative Assembly (1957-1962)

The elections to the 176-member Assembly were held in March 1957. The Congress which secured 119 seats was voted back to power in the reorganised Rajasthan State. The Jan Sangh won 6 seats, RRP 17, Praja Socialist Party (PSP) and Communist Party of India (CPI) 1 each and others 32 seats. A six-member Cabinet headed by Shri Mohan Lal Sukhadia was sworn in by the Governor on 11 April 1957.

One Motion of No-confidence was discussed in the Second Legislative Assembly.

Motion of No-confidence

Two notices of Motion of No-confidence were received against the Congress Ministry of Shri Mohan Lal Sukhadia on 14 February 1958. The first motion stood in the name of Raja Man Singh (Independent) and the other in name of Shri Bhairon Singh Shekhawat (Jan Sangh). Both the motions were taken up together. The discussion was held on 19 and 20 February 1958 for 10 hours and 1 minute. 29 members participated in the debate.

Initiating the debate, Raja Man Singh charged the Government with inefficiency, corruption and favouritism. Referring to administrative inefficiency, he quoted the latest report of the Public Accounts Committee to show that nearly Rs. 1,11,499 had been wasted on surplus officers who were kept idle due to delay in their postings

during the years 1951 to 1956. He also alleged corruption in the Bharatpur Municipality and said the Government was reluctant to make an enquiry into the matter and to bring the culprits to book. Citing the case of the Education Department, he said there was a tendency amongst the Departments to withdraw funds at the end of the financial year which were not properly taken care of.

Shri Bhairon Singh Shekhawat, Leader of the Jan Sangh, alleged that the Government had no industrial or education policy. He further said that the technical Departments of the Government were headed by persons who were not technically qualified.

During the discussion, a judicial inquiry was demanded into the Panarva forest and Khinwara Thikhana affairs by the Opposition members.

Replying to the two-day debate, the Chief Minister Shri Mohan Lal Sukhadia informed the House that he would request the Chief Justice of Rajasthan to hold an inquiry into the Nathdwara temple affair to find out the truth. Listing out the achievements of the Government, Shri Sukhadia said Rajasthan had introduced a number of progressive land reforms. There would be a ceiling on agricultural holdings which would benefit the Scheduled Caste people the most. The abolition of the *jagirdari* system had been a great step in the direction of land reforms. Referring to the charge that the State had no industrial or education policy, he said that the State followed the all India policy. The Opposition had no policy or programmes, so they talked only of corruption. As regards the integration of Ajmer service personnel, he said those who had one year service to their credit had been given protection in their pay and posted in an equivalent post. Referring to the demand for increasing the pay of lower grade employees, he said he had every sympathy for them and would do whatever was possible, taking into consideration the financial position of the State.

The motion was negatived with 23 members voting in favour and 123 members against it.

Third Legislative Assembly (1962-1967)

In the third General Elections held in February 1962, the Congress secured 88 seats, Swatantra 36, Jan Sangh 15, Communist Party of India 5, PSP 2, Socialists 5, Ram Rajya Parishad 3, and Independents and others 22 seats in the 176-member House. The incumbent Chief Minister Shri Mohan Lal Sukhadia formed the new Ministry and was sworn in on 12 March 1962.

In the Third Legislative Assembly, three Motions of No-confidence were admitted and discussed against the Council of Ministers of Shri Mohan Lal Sukhadia and all were negatived.

Besides, two notices of No-confidence Motion, one by Shri Ram Kishan (Samajwadi Dal) and the other by Shri Murlidhar Vyas (Praja Samajwadi Dal), were given on 5 April 1962 against the Cabinet. Shri Ram Kishan's motion was not granted leave of the House due to lack of the requisite numerical strength. Shri Vyas's motion also could not be admitted as the subject was already listed in the day's business under a calling attention notice.

On 16 April 1965, a notice of No-confidence Motion given by Shri Satish Chandra Agarwal (Jan Sangh) against the Council of Ministers of Shri Mohan Lal Sukhadia was not admitted on technical grounds as it failed to meet the restriction laid down in Rule 132 of the Rules of Procedure and Conduct of Business of the Assembly, *viz.* the member asking for leave shall before the commencement of the sitting for that day give to the Secretary a written notice of the motion which he proposes to move.

First Motion of No-confidence

Six notices of No-confidence Motion against the Congress Ministry of Shri Mohan Lal Sukhadia were received by the Speaker Shri Ram Niwas Mirdha on 19 August 1963. Two notices were given by Sarvashri Murlidhar Vyas (Praja Samajwadi Dal) and Ramanand Aggarwal (CPI) on the grounds of non-development and failure to mobilise resources, implement land reforms, check price rise, and control corruption and nepotism. Four other notices of No-confidence Motion which were identical had been tabled by Maharawal Shri Laxman Singh (Swatantra) and Sarvashri Umrao Singh Dhabaria (Independent), Bhairon Singh Shekhawat (Jan Sangh) and Mukut Behari Lal (Samajwadi Dal). All the motions were admitted and taken up together for discussion. The discussion lasted 14 hours and 13 minutes spanning three days in which 43 members participated.

Initiating the debate, Maharawal Shri Laxman Singh said that the Government had failed to solve the basic problems of the people like food, clothing and shelter. The Government had not been able to hold the price line; the tax burden was also unbearable. He criticized the tax on farmers in the State as being the highest in the country, the ceiling on agricultural holdings as needless and the Third Plan as ambitious and in need of pruning. He also criticized the education policy of the Government. He further said justice was costly in the State. The court fees had been increased and the Government paid no heed to the demand for setting up of a High Court Bench. The Government had done nothing for the prosperity of the cultivators. Shri Singh also alleged that corruption was rampant in the State and there were irregularities in the allotment of land.

Shri Bhairon Singh Shekhawat criticised the Government for corruption in administration and rising food grain prices. He said that in 1955-56, Rajasthan stood fourth in India in respect of per capita income and eighth with regard to

taxation. Today, however, it was fourth in respect of taxation and eighth in the order of per capita income. He further said that the per capita income had increased by three rupees in recent years, while taxation had gone up by nine rupees. He also accused the Government of misusing public money for the benefit of the Congress Party. Shri Shekhawat said loans amounting to four crores and sixty rupees had been advanced to certain industrial concerns, joint stock companies, cooperative societies and banks but the dividend during the last ten years was a little over one per cent. He ascribed this to the fact that the industries gave no dividends to the Government but gave sizeable donations to the ruling party.

In his reply, the Chief Minister Shri Mohan Lal Sukhadia stated that Rajasthan which had a glorious past had, with time, lagged behind in socio-economic development. The State stood at the bottom in comparison to other States in terms of literacy, roads, power, irrigation and drinking water. Efforts had been made to accelerate the process and pace of development. He mentioned the various laws enacted, *viz.* those relating to the abolition of the Jagirdari system, ceiling laws and rent control to provide relief to the farmers. Referring to planning, he said the budget of the State had been increased from Rs.1680 lakh in 1950-51 to Rs. 87 crore and 67 lakh in 1963-64. Planning had been instrumental in bringing the waters of Ravi and Beas to the deserts of the State, mining of copper in the Khetri mines, connecting Udaipur to Himmatnagar through rail and digging of tubewells in Barmer and Jaisalmer.

Regarding the deployment of Army at the border, he said money was needed for arms, ammunition and recruitment and maintenance of Army personnel. As regards concessions granted to industries, he said it was necessary to remove the backwardness of the State. The relief given to industries resulted in direct advantage to the exchequer in terms of royalty, inter-State sales tax and excise duty and indirectly, besides providing employment, increase the buying capacity, sales tax generation and thereby money circulation. He assured the House that in order to avoid delay and distance and to evaluate the achievements of Panchayat Raj, Committees had been constituted and their recommendations would be considered.

In the voting held on 28 August 1963, all the six motions were put to vote separately and all were rejected by voice vote.

Second Motion of No-confidence

The grounds on which Maharawal Shri Laxman Singh (Swatantra) tabled a Motion of No-confidence against the Government of Shri Mohan Lal Sukhadia in October 1964 were corruption, nepotism and favouritism and failure to deliver goods to the people. Leave of the House to move the motion was granted on 22 October 1964. The debate was held for three days for 13 hours and 35 minutes in which 46 members participated.

Initiating the debate, Maharawal Shri Laxman Singh criticized the Government for alleged misuse of administration for party ends and said the Chief Minister's statement on the eve of the recent Hanumangarh bye election that the Congress nominee, Shri Kumbha Ram Arya would be named a Minister if he won, was against all parliamentary traditions and practices. It was a clear inducement to the people to vote for the nominee. He charged the Government with failure to control the rising prices of foodgrains and other essential commodities. He added that corruption was rampant in the administration.

Replying to the debate, the Chief Minister, Shri Mohan Lal Sukhadia said the main reason for inflation had been that the production of foodgrains had not increased in proportion to the increase in population. The State Government had decided to stock foodgrains so as to control price rise. He further said the State was not in a financial position to take up the project of desert development in its hands; therefore, he had recommended to the National Development Council that desert development work should be entrusted to the Central Government. He said that all efforts would be made to raise the resources for the Fourth Five Year Plan through land revenue and other means as well as Central assistance.

In the voting held on 30 October 1964, the House divided with 61 members voting in favour of the motion and 99 members voting against it. Accordingly, the motion was defeated.

Third Motion of No-confidence

The third Motion of No-confidence against the Ministry of Shri Mohan Lal Sukhadia was brought by Maharawal Shri Laxman Singh (Swatantra Party) on 26 September 1966 for its acts of omission and commission.

The discussion on the motion was held for four days on 26, 27, 28 and 29 September 1966 in which 55 members took part.

Initiating the debate, Maharawal Shri Laxman Singh ascribed the country's economic ills to over ambitious Plans, mounting foreign debt and dependence on foreign countries even for food. He criticized the expansion of the Cabinet by Shri Sukhadia four months earlier and remarked that the faith of the common man in his wisdom would go down as a result of the step. Referring to student indiscipline, he said the Government changed its decisions under pressure and questioned as to how the students could be allowed to decide the method by which they had to be educated. He condemned linguistic chauvinism and provincialism which he said the Congress had encouraged. He supported the agitation for restoring the bench of the High Court at Jaipur and said justice should be affordable. Government had brought forth so many amendments to laws that even advocates did not know about them.

In his reply, the Chief Minister Shri Mohan Lal Sukhadia quoted extensively from the reports of Shri Amir Raza and Dr. Dhool Singh to substantiate his claim that the land reforms carried out by the State Government had rejuvenated the entire State. Referring to the expenditure on administration, he said the State stood ninth with regard to per capita tax on the public and tenth in per capita expenditure. Rajasthan was not the only State with an overdraft problem; other States too had an overdraft problem but they had utilized their securities for development work. As Rajasthan did not have securities, this resulted in an overdraft situation.

At the end of the 17 hours and 36 minutes long debate, the motion was negatived by voice vote.

Fourth Legislative Assembly (1967-1972)

The elections to the Legislative Assembly were held on 15, 18 and 20 February 1967. The Congress won 89 seats, Swatantra 49, Jan Sangh 22, CPI 1, SSP 8 and Independents 15 seats. One Congress candidate had been elected from two constituencies. Since no single party secured an absolute majority, the Governor, Dr. Sampurnanand, on 3 March 1967, invited Shri Mohan Lal Sukhadia, the Leader of the Congress, the single largest party in the House, to form the Ministry. This decision was questioned by the non-Congress parties, in particular, by the Swatantra and Jan Sangh who had 49 and 22 seats, respectively; they also sent a petition to the President of India against the Governor's decision. In the meantime, there were several violent incidents in Jaipur resulting in police firing. On 12 March 1967, Shri Sukhadia wrote to the Governor that in view of the danger of breach of peace, he would surrender his right to form the Government. On 13 March 1967, President's Rule was proclaimed in the State in view of the deteriorating law and order situation. The State Assembly was, however, kept under suspended animation. On 25 April 1967, the Governor, Sardar Hukam Singh recommended to the President of India that the situation in the State was conducive to install a popular Ministry. On 26 April 1967, the Leader of the Congress Legislature Party, Shri Mohan Lal Sukhadia was sworn in as the Chief Minister following the revocation of President's Rule.

On 8 July 1971, Shri Barkatullah Khan was unanimously elected Leader of the Congress Legislature Party in place of Shri Sukhadia who submitted his resignation to the Governor. On 9 July 1971, Shri Barkatullah Khan was sworn in as the Chief Minister.

One Motion of No-confidence against the Council of Ministers of Shri Barkatullah Khan was discussed in the Fourth Legislative Assembly.

Motion of No-confidence

On 15 November 1971, a Motion of No-confidence was tabled by Shri Manohar Singh Mehta (Independent) against the Congress Ministry of Shri Barkatullah Khan

on the grounds of corruption charges and allegations against the members of the Council of Ministers. The motion was debated on 16 November 1971 for eight hours in which 42 members took part.

Moving the Motion of No-confidence, Shri Manohar Singh Mehta said Shri Barkatullah Khan had taken people in his Cabinet whose integrity was in doubt. He demanded an inquiry into the assets of the State Ministers. He charged the Power Minister, Shri Shiv Charan Mathur with getting fertile lands for his relations and political supporters and backing a suspended police officer. Shri Mathur intervened to deny the charges and sought protection from the Chair that such charges were not levelled without prior notice.

Participating in the discussion, Maharawal Shri Laxman Singh said that corruption was increasing, prices were soaring and the problem of unemployment was becoming more serious.

Supporting the No-confidence Motion, Shri Bhairon Singh Shekhawat, Leader of Jan Sangh, said that there was a big gap between promises and the performance of the Khan Ministry. He also charged that the Ministry had failed to get more financial allocation from the Union Government for the Rajasthan canal and also in establishing large scale or medium scale industries in the State. The financial position of the Government was in the doldrums and the Government was functioning with loans and overdrafts from the Centre and the Reserve Bank of India.

Replying to the debate, the Chief Minister Shri Barkatullah Khan said that the motion had been conceived and moved with an eye on the ensuing elections. The debate had exposed the political opportunism of the Opposition parties who had joined hands to oppose the Congress despite their different creeds and ideologies. He rejected the Opposition demand for an inquiry into the conduct of former Ministers of the Sukhadia Cabinet against whom charges were levelled in the House and said this would be a sort of political witch-hunt and would set up a bad precedent. The motion was negated by voice vote.

The Fifth Legislative Assembly did not take up any Motion of Confidence or No-confidence.

Sixth Legislative Assembly (1977-1980)

Elections to the Sixth Legislative Assembly were held on 10 and 13 June 1977. The Janata Party secured an absolute majority winning 150 seats in the 200-member House. The Congress got 41 seats, CPI and CPI(M) 1 each and Independents 6 seats. Polling in one constituency was countermanded. On 22 June 1977, Shri Bhairon Singh Shekhawat was sworn in as the Chief Minister leading a Janata Party Government.

In the Sixth Legislative Assembly, one Motion of No-confidence was debated and negated.

Motion of No-confidence

A Motion of No-confidence against the Janata Government of Shri Bhairon Singh Shekhawat was brought by Maharawal Shri Laxman Singh, and Sarvashri Navneet Kumar Paliwal (Janata) Parsh Ram Maderna, Mathura Das Mathur (Congress), Shyopat Singh [CPI(M)] and Noora (Bharatiya Samajwadi Dal) on 24 September 1979. The debate on the motion was held on 25, 26 and 28 September 1979 in which 63 members participated.

Earlier, notice of a Motion of No-confidence standing in the name of Sarvashri Gul Mohammad and Navneet Kumar Paliwal (Janata Party) was revoked by the movers of the motion.

Initiating the debate, Maharawal Shri Laxman Singh, (Janata-S) referred to the motivated criticism and attack on him when he was the Speaker of the House and alleged that the Chief Minister had used the Press to belittle his position. This was never done in the past. The Leader of the House should, in fact, assist the Speaker in maintaining the dignity of the august House and the Chair as well. He said, a state of anarchy was prevailing in Rajasthan and cited the murders of Shri Narayan Chaturvedi, an ex-MLA and Janata-S President of Jaipur District and an Assistant Collector of the Customs Department in Jaipur to prove that the law and order situation had deteriorated.

In his reply, the Chief Minister, Shri Bhairon Singh Shekhawat listed a number of achievements of his Government and said a stage had been set for faster industrial and economic growth. The State was self-sufficient in power, and industrial infrastructure was being created with the assistance of developmental agencies. He further said the Opposition appeared to have lost faith in the Panchayati Raj system, and that was why it had levelled charges of corruption against Sarpanches.

On conclusion of the 15 hours and 26 minutes long debate, the Opposition demanded a secret ballot which was rejected by the Chair. Thereupon, the Opposition parties staged a walk out. When put to vote, the motion was rejected with 115 members voting against the motion and 2 members remaining neutral and none in favour.

Seventh Legislative Assembly (1980-1985)

In the elections held on 28 and 31 May 1980 for the 200-seat Legislative Assembly, the Congress(I) won 133 seats followed by BJP 32, Janata (JP) 8, Janata(CS) 7, Congress(U) 6, and CPI and CPI(M) one seat each. 12 seats were won by Independents and others. On 6 June 1980, Shri Jagannath Pahadia was sworn in as the new Chief Minister by the State Governor Shri Raghukul Tilak.

One Motion of No-confidence was admitted and discussed in the Seventh Legislative Assembly.

Motion of No-confidence

Two notices of No-confidence Motion against the Congress(I) Government of Shri Jagannath Pahadia were received by the Speaker Shri Poonam Chand Vishnoi on 3 April 1981. The first motion stood in the name of Shri Yadunath Singh (Janata Party) and the other in the names of Sarvashri Lalit Kishore Chaturvedi (BJP), Raj Bahadur (Congress-S), Meghraj Tawad (CPI) and Trilok Singh (CPI-M). The motion was brought before the House on the grounds of failure of the Government to safeguard the interests of the State on the Naphtha Jhakri inter-State hydroelectric project.

As soon as the motions were admitted, Shri Heera Lal Deopura, the Minister for Parliamentary Affairs, and Chief Whip, Shri Khet Singh asked the Speaker to allow discussion on these motions immediately but the Opposition wanted more time. When the Speaker, after hearing the Opposition group leaders, gave the ruling that the debate should begin immediately, the Opposition started raising a spate of objections. The Speaker ordered that nothing should be recorded till the motion was formally put before the House.

Initiating the debate, Shri Yadunath Singh charged the Government with failure to show results during the previous nine months. He said the Government had lost its hold on the inter-State issues. Not a single word was mentioned in the Budget Address about the inter-State disputes which showed that the Chief Minister had failed to hold talks with other States. He alleged that the interests of the State were not being protected. He further charged the Government with inefficiency, deteriorating law and order situation and rising inflation. Crores of rupees were being expended on transfers whereas a famine like situation prevailed in the villages. He said the Government was misleading the members by quoting statistics.

When the Panchayat Raj Minister Shri Hanuman Prasad Prabhakar rose to give a reply on behalf of the Chief Minister, the Opposition members demanded that Shri Pahadia himself should do so. This led to a furore and the Chair's rulings were defied.

The Speaker then ordered Sarvashri Gulab Chand Kataria (BJP), Devi Singh Bhati (Janata Party), Virendra Pratap (Janata Party), Nandlal Meena (BJP) and Dau Dayal Joshi (BJP) out of the House. When they refused to go out, the sergeant was called in and they were lifted out of the House. Sushri Pushpa Jain (BJP) too was named as also Shrimati Ujla Arora (BJP). When the Watch and Ward personnel came to remove them, both the BJP legislators stuck to their seats. The Government Chief Whip, Shri Khet Singh then moved a resolution for the suspension of the two from the House till the end of the current session.

Replying to the debate, the Chief Minister Shri Jagannath Pahadia said the Naphtha Jhakri Project had been cleared by the Planning Commission but the Union

Finance Ministry and the Central Government had yet to approve it. He assured the House that the State Government would not fail in its duty to fight for its due share in this project as a partner and would not accept the position of a purchaser. He said that legal opinion was being obtained on the matter. He had met the Prime Minister and the Union Energy Minister a number of times and also made a number of representations.

In all, 39 members participated in the 4 hours and 35 minutes long debate. The motion was rejected by voice vote.

Eighth Legislative Assembly (1985-1990)

Elections were held for the 200-member Legislative Assembly on 5 March 1985. The ruling Congress(I) got an absolute majority by winning 113 seats. The BJP came second with 38 seats followed by the Lok Dal 27, Janata Party 10, CPI(M) 1 and Independents 9 seats. Elections in two constituencies were countermanded. Shri Harideo Joshi was sworn in as the Chief Minister on 10 March 1985 by the Governor Shri O.P. Mehra.

One Motion of No-confidence was taken up in the Eighth Legislative Assembly.

Motion of No-confidence

A Motion of No-confidence was tabled by Sarvashri Bhairon Singh Shekhawat (BJP), Nathu Ram Mirdha (Lok Dal), Shyopat Singh (CPI-M) and Prof. Kedar Nath (Janata Party) on 29 July 1985 against the Congress Government of Shri Harideo Joshi. The main ground on which the motion was brought before the House was the alleged compromise with the interests of Rajasthan in the sharing of river waters. The debate on the motion lasted 5 hours and 30 minutes. In all, 47 members participated.

Moving the No-confidence Motion, Shri Bhairon Singh Shekhawat, Leader of the Opposition, said that the Centre-Akali accord grossly violated the Inter-State Water Dispute Act, the States Reorganisation Act, 1956 and the Inter-State River Water Distribution Act and the 1955 agreement and the tripartite agreement of 1983. Shri Shekhawat pointed out that in accordance with the 10 May 1984 agreement, Punjab had not yet restored the Bhakra main canal to its original capacity. Similarly, the Centre had also not been able to get control of the Bhakra Vyas Management Board even though this was declared as early as in 1966 in the Punjab Reorganisation Act. At the same time, Rajasthan had not got any electricity from the Central share which was assured to the State.

In his reply, the Chief Minister Shri Harideo Joshi said an attempt was being made to put him in the dock for being honest and declaring that he had the full confidence in Prime Minister Shri Rajiv Gandhi's public declaration that Rajasthan's interest shall be looked after on the issue of sharing of river waters. He criticised the

Opposition for raising the issue again and again even after clearly repeating so many times that after a talk with Shri Gandhi, he had full confidence that the interests of Rajasthan shall be safe. He said it appeared that the Opposition leaders were helpless on the issue and were raking it up repeatedly only to serve their own interests. He further said if at any time he felt that Rajasthan's interests were likely to be adversely affected, the Congress Party would not hesitate to take the necessary steps.

The motion was rejected by voice vote.

Ninth Legislative Assembly (1990-1992)

In the elections held on 27 February 1990 for 199 seats of the 200-seat Assembly, the BJP won 86 seats with the Janata Dal and Congress(I) securing 54 and 49 seats, respectively. The CPI(M) got one seat and Independents nine seats. Election in one constituency was countermanded following the death of an independent candidate. Shri Bhairon Singh Shekhawat, who was elected the Leader of the BJP Legislature Party on 3 March 1990, was sworn in as the Chief Minister on 4 March 1990 heading a coalition Government with the Janata Dal. He was asked to prove his majority on the floor of the House within 30 days.

The Ninth Legislative Assembly witnessed the adoption of two **Motions of Confidence** moved by the Chief Minister, Shri Bhairon Singh Shekhawat.

First Motion of Confidence

In accordance with the requirement laid down by the Governor, Shri Debi Prasad Chattopadhyaya, the Chief Minister Shri Bhairon Singh Shekhawat moved on 23 March 1990, a one-line motion seeking vote of confidence of the House, the first in the history of the Legislative Assembly. The Motion of Confidence was moved by the Chief Minister as part of agenda item of Supplementary List of Business, mid-way during the debate on the Address by the Governor. During the combined debate on the Motion of Confidence and the Motion of Thanks to the Governor for his Address, Shri Harideo Joshi (Congress-I) said that small districts were suitable and useful from the point of view of development as well as for administrative reasons. He appealed to the Government to take up the issues of drinking water supply and electricity which were pending before the Union Government. The Opposition, he said, was ready to extend all cooperation to the State Government in this regard.

The Chief Minister Shri Bhairon Singh Shekhawat said that the Government was not going to tolerate encroachment under any circumstances. He appealed to the members to caution people in their constituencies to remove encroachment; otherwise, stern action would be taken against them.

Fifteen members participated in the discussion lasting 2 hours and 42 minutes. Later, the Motion of Confidence was put to voice vote by the Speaker, Shri Hari Shankar

Bhabhra before the voting on the Motion of Thanks was taken up. There was no negative vote as the Congress(I) members remained silent. Accordingly, the motion was adopted.

Second Motion of Confidence

On 8 November 1990, two notices of Motion of Confidence - one in the name of Shri Om Prakash Gupta and the other in name of Shri Bhairon Singh Shekhawat - were admitted by the Speaker in a Special Session of the Legislative Assembly. This was necessitated following the withdrawal of the Janata Dal from the coalition Government in the State after the BJP ended its support to the V.P. Singh Government at the Centre.

Initiating the debate, the Chief Minister, Shri Bhairon Singh Shekhawat, claimed that his only concern during his eight-month-old rule was the all-round development of the State. He said that in pursuit of his mission he even did not care for the party interests. His Government had made a provision of Rs. 170 crore for loan revision in the budget, but on re-assessment the amount reached Rs. 300 crore out of which loans for Rs. 140 crore had been remitted so far. He apprehended that his work would be hampered in case the Congress Party replaced him or the State was put under President's Rule. Therefore, he was seeking a vote of confidence for the welfare of the downtrodden and hoped that the farmers of the State cutting across their party affiliations would help in this venture.

Shri Shekhawat referred to the Antyodaya programme and said the programme had been introduced by him during his first tenure as Chief Minister and was evaluated by successive Governments at the Centre and was appreciated. He further said that the results of the recently held elections for the civic bodies had reaffirmed the faith of the people in his Government. It was an unfortunate turn of events which had forced him to seek a vote of confidence. Recalling that the BJP and the Janata Dal had been given a mandate against the Congress(I) in the last Assembly elections, he said some of his colleagues in the Janata Dal parted company due to political reasons. He described the communal riots in the State as unfortunate and regretted that such ugly incidents took place during his regime. However, he hastened to add that the communal atmosphere had been vitiated since 1980 and the last communal riots in Jaipur had taken place in November 1989 during the Congress(I) rule. The Chief Minister sought the cooperation of all the members, irrespective of their party affiliations, for the State's development, adding that he had achieved progress in getting a number of power projects cleared, which would help the State to overcome the power shortage.

Speaking on the motion, the Leader of the Opposition, Shri Harideo Joshi, accused the Government of denying facilities to the Congress(I) leaders to move about in the riot affected areas. He said it was unfortunate that the liberal leaders in

the BJP were being sidelined by hardcore party members. The Government lacked control over its bureaucracy and political interference, admissible to some extent in a democracy, had exceeded all limits.

The Leader of the Opposition said that loan remission had helped the rich while the poor and the downtrodden were left stranded. In the field of education, the academic session had been reduced to a zero. There was no end in sight to the Rajasthan Roadways strike which had been continuing for the last 50 days. He alleged that under these circumstances, the administration stood crippled. He further said that whatever be the programme for the uplift of the poor - be it the Jawahar Yojana or the Antodaya programme - the result of such a programme should be made public.

In his reply, the Chief Minister Shri Bhairon Singh Shekhawat refuted the allegation that the BJP was a fundamentalist party and said a person or a community could have his or its religion but the Chief Minister's only religion was to conduct himself according to the wishes of the masses. He assured that action would be taken against all those found guilty during the riots.

At the end of the debate lasting 8 hours and 43 minutes in which 47 members took part, the motion was adopted with 116 members voting in favour and 80 members voting against it.

Tenth Legislative Assembly (1993-1998)

Elections to the 200-member State Legislative Assembly were held on 11 November 1993. The BJP won 95 seats, Congress(I) 76, Janata Dal 6, CPI(M) 1 and Independents 21 seats. Election in one constituency was countermanded. On 4 December 1993, Shri Bhairon Singh Shekhawat of the BJP was sworn in as the Chief Minister.

One Motion of Confidence was moved and adopted in the Tenth Legislative Assembly.

Motion of Confidence

On 31 December 1993, Shri Bhairon Singh Shekhawat moved a one-line motion seeking vote of confidence in his Council of Ministers, the third in the Rajasthan Legislative Assembly.

Supporting the motion, Shri Kailash Meghwal (BJP) said the Governor should have invited the BJP, being the single largest party, to form the Government in the first instance.

Opposing the motion, Shri Parsh Ram Maderna alleged that the BJP had been changing its promises and issues time and again and had disturbed communal harmony and peace.

Replying to the debate, the Chief Minister Shri Bhairon Singh Shekhawat said that the BJP which secured 95 seats had to seek the support of 10 independents to

form the Government; otherwise, the State would again have had to face polls. He criticised the Congress for talking of morality after failing in their immoral practices to form a Government. He further said that in politics, questions of morality and corruption had become obsolete. All parties would have to rethink on these questions. He criticised the Central Government for the delay in holding elections to the State Assembly and in implementing the power projects. The discussion on the motion lasted 4 hours and 48 minutes in which 43 members took part. At the end of the debate, the Congress(I) opposed the motion.

At this stage, the Speaker Shri Hari Shankar Bhabhra gave the ruling that since some members had opposed the motion, he was ordering division. In protest against this ruling, the Congress(I) members staged a walk out by saying that they did not press for division. The motion was put to vote and adopted with 108 members voting in favour and none against it.

The Eleventh Legislative Assembly and Twelfth Legislative Assembly (till date) did not take up any Motion of Confidence or No-confidence.

Motions of Confidence and No-confidence in the Rajasthan Legislative Assembly - An Analysis

In all, 9 Motions of No-confidence against different Councils of Ministers and three Motions of Confidence were admitted and discussed in the State Assembly. Of the 9 Motions of No-confidence, the maximum number of three Motions of No-confidence were debated in the Third Legislative Assembly and one each was discussed in the First, Second, Fourth, Sixth, Seventh and Eighth Legislative Assemblies. While two Motions of Confidence were moved in the Ninth Legislative Assembly, one was discussed in the Tenth Legislative Assembly. The Fifth, Eleventh and Twelfth (till date) Legislative Assemblies did not discuss any Motion of Confidence or No-confidence. Whereas the three Motions of Confidence moved by the incumbent Chief Ministers were adopted, all the nine Motions of No-confidence were defeated.

Table 2 gives the number of No-confidence and Confidence Motions admitted and discussed during the tenures of different Speakers of the Assembly, which shows that Speaker Shri Ram Niwas Mirdha chaired the debates on the highest number of four No-confidence Motions. Speakers Sarvashri Narottam Lal Joshi, Niranjana Nath Acharya, Gopal Singh Ahore, Poonam Chand Vishnoi and Heera Lal Deopura presided over the debate on one Motion of No-confidence each. Speaker Shri Hari Shankar Bhabhra presided over the debate on all the three Motions of Confidence.

Table 3 gives an account of the No-confidence Motions and Confidence Motions admitted and debated during the tenure of different Councils of Ministers. Of the 9 Motions of No-confidence, Shri Mohan Lal Sukhadia faced four motions.

Chief Minister Shri Tikaram Paliwal who submitted the resignation of his Cabinet on 8 October 1952 had to face one No-confidence Motion on 10 October 1952, i.e. during the interim period, when he was asked to continue by the Rajpramukh till a new Ministry was formed. All the three Motions of Confidence were moved by Shri Bhairon Singh Shekhawat and all were adopted.

Participation by Members

Table 4 gives statistical information pertaining to the participation of members in the debates on various Motions of No-confidence. It also depicts the time taken and the result of the division.

Table 4 shows that in all, 489 members of the Assembly participated in the debates on the Motions of No-confidence and Confidence - 384 members in the nine Motions of No-confidence and 105 in the three Motions of Confidence. The highest number of 63 members took part in the debate on the motion moved by Maharawal Shri Laxman Singh in September 1979. Shri Inder Nath Modi's motion moved on 10 October 1952 entailed the lowest partaking by 20 members. Maharawal Shri Laxman Singh moved the highest number of four Motions of No-confidence. As regards Confidence Motions, Shri Bhairon Singh Shekhawat's motion moved in November 1990 had the highest number of 47 members participating in it while another of his motion moved on 23 March 1990 had the lowest number of 15 members participating in the discussion.

Time taken

The total time spent on debating the nine Motions of No-confidence comes to 94 hours and 36 minutes while the time taken on the three Motions of Confidence was 16 hours and 13 minutes. The total number of days taken to discuss the nine Motions of Confidence and the three Motions of Confidence comes to 21 days and 3 days, respectively. Individually, the motions moved by Maharawal Shri Laxman Singh in September 1966 was debated for the longest duration of four days. The No-confidence Motion moved by Shri Maharawal Laxman Singh on 26 September 1966 was debated for the longest duration of 17 hours and 36 minutes and the shortest duration of 4 hours and 35 minutes was spent on the motion of Shri Yadunath Singh in April 1981. The longest duration of 8 hours and 43 minutes was on the Confidence Motion moved by Shri Bhairon Singh Shekhawat was in November 1990 while the shortest time of 2 hours 42 minutes was taken by the Confidence Motion moved by Shri Shekhawat on 23 March 1990.

Division

Of the 9 Motions of No-confidence which were debated by the Legislative Assembly, six were negatived by voice vote while three were negatived by division.

Two Motions of Confidence were adopted by division and one by voice vote. The No-confidence Motion moved by Maharawal Shri Laxman Singh against the Ministry of Shri Bhairon Singh Shekhawat in September 1979 was negatived with the widest margin of 115 votes while another of Shri Laxman Singh's motion against Shri Mohan Lal Sukhadia voted on 30 October 1964 was negatived by the narrowest margin of 38 votes. Shri Bhairon Singh Shekhawat's Motion of Confidence moved on 31 December 1993 was adopted with the widest margin of 108 votes and another of Shri Shekhawat's motion moved on 8 November 1990 was adopted with the lowest margin of 36 votes.

Sikkim Legislative Assembly

The early history of Sikkim can be traced to the 13th century with the signing of a blood-brotherhood treaty between the Lepcha Chief Thekong Tek and Tibetan Prince Khye Bumsa at Kabi Lungtsok in North Sikkim. This was followed by a historic visit of three revered saints a few centuries later to Yuksam in West Sikkim in 1641 where they met Phuntsog Namgyal, a sixth generation descendant of Khye Bumsa, and formally consecrated him the first Chogyal of Sikkim (*i.e.* ruler of Sikkim) at Yuksam in 1642, thus heralding the beginning of the Namgyal dynasty in Sikkim.

Since then, Sikkim continued to be ruled by the Namgyal dynasty. It remained a Protectorate under the British and its status as a Protectorate State under independent India was affirmed by the India-Sikkim Treaty of 1950. The then Chogyal of Sikkim, Shri Tashi Namgyal passed away on 2 December 1965 and was succeeded by his son Shri Palden Thondup Namgyal.

When India attained Independence in 1947, the people of Sikkim had expressed a strong urge to accede to India. India retained exclusive responsibilities for defence, external relations and communications, and also for the development of self-governing institutions in Sikkim. The institution of the Maharaja was allowed to continue with the expectation that the people's urge for fully responsible Government and for the closest of relationship with India would be fulfilled with the passage of years. These expectations, however, remained unfulfilled with the result that the gulf between the ruler of Sikkim and the Sikkimese people grew progressively wider. The situation deteriorated in April 1973 and resulted in massive demonstrations against the Chogyal, and law and order broke down completely. In the wake of the alarming developments, the people of Sikkim, as well as the Chogyal, sought the Government of India's assistance. A historic agreement was signed on 8 May 1973 between the Chogyal, the Government of India and the political leaders of Sikkim in acknowledgement of the important role of the people in the affairs of Sikkim.

Meanwhile, the Sikkim Assembly passed the Government of Sikkim Bill in 1974 which was promulgated by the Chogyal on 4 July 1974. The Act paved the way for setting up the first ever responsible Government in Sikkim and limiting the role of

the Chogyal to that of a constitutional head. The Act also sought Sikkim's representation in the political institutions of India.

After the promulgation of the Government of Sikkim Act, the Chief Minister of Sikkim, Shri Kazi Lhendup Dorji made formal requests to the Government of India through the Chief Executive, Shri B.S. Das who was the Chief of the administration and also President of the Assembly, requesting the Government of India to take such steps as may be legally or constitutionally necessary to give effect to the Government of Sikkim Act, 1974.

With a view to giving effect to the wishes of the people of Sikkim for strengthening Indo-Sikkim cooperation and inter-relationship, the Parliament passed the Constitution (Thirty-fifth Amendment) Act, 1975 to give Sikkim an associate status in the Indian Union. This Amendment Act provided for the terms and conditions of the association of Sikkim with the Indian Union. On 10 April 1975, the Sikkim Assembly unanimously adopted a Resolution calling for the abolition of the institution of Chogyal and declaring Sikkim a constituent unit of the Indian Union. This Resolution was put before the Sikkimese people for a referendum on 14 April 1975. The result of the referendum was an overwhelming support for full-fledged Statehood within India.

Responding to the will of the Sikkimese people expressed through this referendum and through their elected representatives, the Government of India introduced a Constitution Amendment Bill in Parliament to respect the people's verdict. On 23 April 1975, the Lok Sabha passed the Constitution (Thirty-eighth Amendment) Bill, 1975 making Sikkim the 22nd State of the Indian Union. The Bill was passed by the Rajya Sabha on 26 April. The Bill subsequently became the Constitution (Thirty-sixth Amendment) Act, 1975. The Act also provided that 32 members of the Sikkim Assembly, formed through the election held in 1974, were deemed to be members of the First Legislative Assembly of Sikkim duly elected under the Constitution of India. Out of a total of 32 seats in the Legislative Assembly, 15 seats were reserved for Nepalese of Sikkimese origin, 15 seats for Bhutia-Lepcha, one seat for Scheduled Castes and one seat for Sangha. However, the Representation of the People (Amendment) Act, 1979 abolished the reserved seats for Nepalese of Sikkimese origin.

Shri Kazi Lhendup Dorji, who became the Chief Minister following the elections held on the basis of adult franchise to the 32-member Assembly in April 1974, remained in office till 17 August 1979. Shri Dorji resigned in the wake of a controversy over the proposed amendment of the Representation of the People's Act abolishing reservation in the Assembly for Nepalese of Sikkimese origin. On 18 August, President, Dr. N. Sanjiva Reddy signed a Proclamation under article 356 dissolving the 32-member Assembly and placing the State under the President's

Rule. Elections to the Second Assembly were held in October 1979. The last General Elections to the Sixth Legislative Assembly were held in October 1999.

The Sikkim Legislature is unicameral. It has its own Rules of Procedure and Conduct of Business.

Motion of No-confidence

• Rule 140 of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly provides for moving of a Motion of No-confidence against the Council of Ministers. A motion expressing want of confidence in the Council of Ministers may be made with the consent of the Speaker, subject to some restrictions. Leave to make the motion shall be asked for after Questions and before the List of Business for the day is entered upon. The member asking for leave shall, before the commencement of the sitting for that day, give to the Secretary of the Assembly a written notice of the motion which he proposes to move.

If the Speaker is of the opinion that the motion is in order, he shall read the motion to the Assembly and shall request those members who are in favour of leave being granted to rise in their seats and if not less than six members who are in favour of leave rise accordingly, the Speaker shall intimate that leave is granted and that the motion will be taken up on such day not being more than five days from the day on which leave is asked, as he may appoint. If less than six members rise, the Speaker shall inform the member that he has not the leave of the Assembly.

The Speaker shall, at the appointed hour on the allotted day, forthwith put every question necessary to determine the decision of the House on the motion. The Speaker may prescribe a time limit for speeches.

Motion of Confidence

In the absence of a specific rule providing for the Motion of Confidence, the Speaker has admitted the Motions of Confidence in two cases under the residuary power vested in him under Rule 332 of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly. The rule states that all matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may from time to time, direct.

Motions in the Sikkim Legislative Assembly

The Sikkim Legislature has till date witnessed one Motion of No-confidence and two Motions of Confidence. The Motion of No-confidence moved in September 1980 was defeated. Of the two Motions of Confidence, while the one moved on 17 May 1994 was negatived, the second, moved on 6 June 1994, was carried.

For statistical details in respect of these three motions, see Tables 1 to 4. A graphical presentation of the motions is available in Graphs I and II. Tables 5 and 6 list out, respectively, the Governors and Chief Ministers of the State.

No Motion of Confidence or No-confidence was moved during the First Legislative Assembly.

Second Legislative Assembly (1979-1984)

In the General Elections to the State Assembly held on 12 October 1979, the Sikkim Janata Parishad led by Shri Nar Bahadur Bhandari secured an absolute majority by winning 17 seats in the 32-member House.

On 18 October 1979, an SJP Ministry led by Shri Bhandari was sworn in by the Governor Shri B.B. Lal.

Motion of No-confidence

The first Motion of No-confidence was moved in the Assembly in September 1980 against the Council of Ministers headed by Shri Nar Bahadur Bhandari. The notice for moving the motion was given by Shri B.B. Gurung of the Sikkim Congress(R) on 9 September 1980, and the leave of the House was granted on the same day.

The reasons cited for bringing the motion were the failure of the Government in fulfilling the pledges given to the people of Sikkim during the elections; corruption and misuse of the administration by the Government by encouraging favouritism and nepotism; and various omissions and commissions by the Government resulting in the complete breakdown of law and order in the State.

Initiating the debate on 11 September 1980, Shri B.B. Gurung said that ever since the Parishad Government came to power, there had been misrule in the State. Shri Gurung observed that not only the Opposition but the members from the ruling party were also not satisfied with the Government which was clear from the different resolutions and questions placed before the House.

Taking part in the debate, the Chief Minister Shri Nar Bahadur Bhandari rejected the allegations made by the Opposition members against his Government. While referring to the Opposition's charge that the Government did not fulfil its promises made in the election manifesto, Shri Bhandari said that in a democracy, the party manifestoes were issued to fulfil promises over a five-year term. No Government could fulfil the entire pledges within five or nine or eleven months. It was expected that the Opposition would cooperate with the ruling party for running the Government smoothly and democratically. Referring to the allegation of nepotism and favouritism, Shri Bhandari said that the Parishad Government had showed excessive favouritism and nepotism only to the people of Sikkim, to the employees and the needy people.

In his reply, Shri Gurung said that the Motion of No-confidence was intended to create an ideal Government and was not against all the members of the Sikkim

Table 1**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1975-2003)**

<i>Assembly</i>	<i>Period</i> [ⓐ]	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	04.09.1975 - 24.02.1979		
Second Legislative Assembly	20.10.1979 - 08.03.1984	1	
Third Legislative Assembly	18.03.1985 - 17.10.1989		
Fourth Legislative Assembly	15.12.1989 - 06.06.1994	-	2
Fifth Legislative Assembly	29.12.1994 - 09.09.1999	-	-
Sixth Legislative Assembly	15.10.1999 - 11.02.2004*	-	-
Total		1	2

ⓐ Period indicates the date(s) of commencement of the First Session and the conclusion of the last Session of each Assembly.

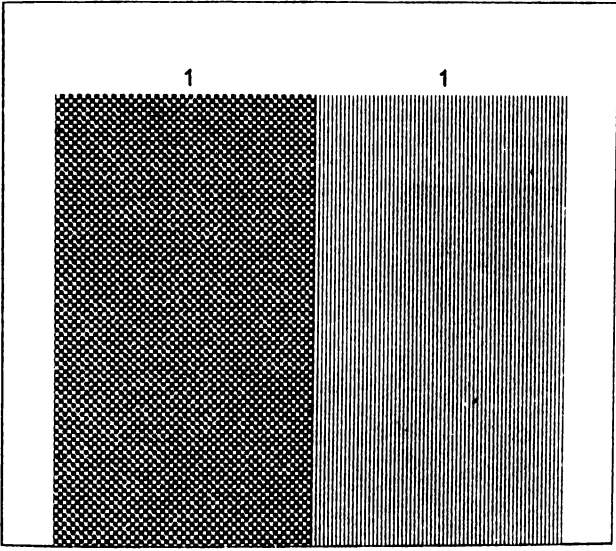
* House dissolved.

Table 2

**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1975-2003)**

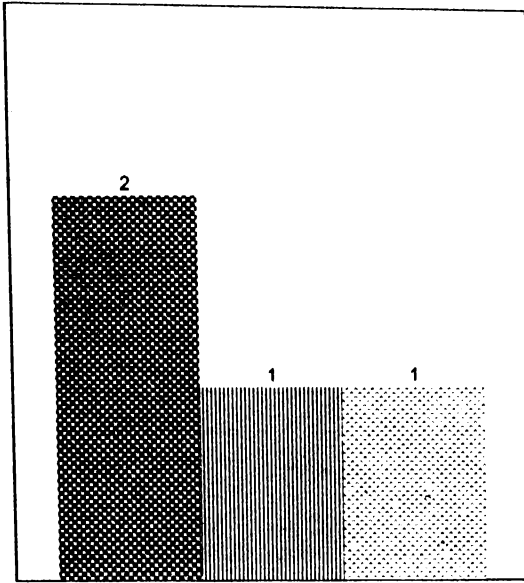
<i>Sl. No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1	Shri C.S. Roy	05.09.1975 - 23.09.1977	-	-
2	Shri B.B. Gurung	11.10.1977 - October 1979	-	-
3	Shri Sonam Tshering	20.10.1979 - March 1985	1	-
4	Shri T.R. Sharma	19.03.1985 - December 1989	-	-
5	Shri D.T. Bhutia	15.12.1989 - December 1994	-	2
6	Shri C.B. Subba	29.12.1994 - October 1999	-	-
7	Smt. Kalawati Subba	15.12.1999 - till date	-	-
Total			1	2

Graph I
NCMs in Sikkim Legislative Assembly
(1975 - 2003)



 **Motions admitted and discussed**  **Negated**

Graph II
CMs in Sikkim Legislative Assembly
(1975 - 2003)



 **Motions admitted**  **Negated**  **Adopted and discussed**

Table 3

**NCMs against/CMs in the Council of Ministers
(1975-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCM/ CM</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
N.B. Bhandari (Second Legislative Assembly)	Sikkim Janata Parishad 17/32; (56.2%)	NCM	B.B. Gurung (5)	(09.09.1980) 11.09.1980 01.10	Negatived Ayes - 10 Noes - 19 Abstention - 1
N.B. Bhandari (Fourth Legislative Assembly)	Sikkim Sangram Parishad 32/32; (100%)	CM	S.K. Pradhan (14)	17.05.1994 05.05	Negatived Ayes - 14 Noes - 16 Abstention - 1
Sanchaman Limboo (Fourth Legislative Assembly)	Sikkim Sangram Parishad (S) 19*/32	CM	Chamla Tshering (8)	06.06.1994 01.45	Adopted* Ayes - 18 Noes - Nil

* The Sikkim Sangram Parishad led by Shri N.B Bhandari which won all the 32 seats in the Assembly split into two factions in May 1994. The other faction, the 19-member Sikkim Sangram Parishad (S), was led by Shri Sanchaman Limboo.

@ All the members of the Opposition boycotted the one-day Special Session.

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1975-2003)

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
Sonam Tshering*	NCM	N.B. Bhandari	B.B. Gurung	11.09.1980	05	01.10	11.09.1980	10	19	Negated
D.T. Bhuti	CM	N.B. Bhandari	S.K. Pradhan	17.05.1994	14	05.05	17.05.1994	14	16	Negated
D.T. Bhuti	CM	Sanchaman Limboo	Chamla Tshering	06.06.1994	08	01.45	06.06.1994	18	-	Adopted*

* The proceedings were conducted by the Deputy Speaker L. B. Basnet.

© All the members of the Opposition boycotted the one-day Special Session.

Table 5

Governors of Sikkim

1.	Shri B.B. Lal	16.05.1975 - 09.01.1980
2.	Shri J.H. Taleyarkhan	10.01.1980 - 17.06.1984
3.	Shri Kona Prabhakar Rao	18.06.1984 - 30.05.1985
4.	Dr. Bhisma Narayan Singh (additional charge)	31.05.1985 - 20.11.1985
5.	Shri T.V. Rajeshwar	21.11.1985 - 16.07.1986
6.	Dr. Bhisma Narain Singh (additional charge)	17.07.1986 - August 1986
7.	Shri T.V. Rajeshwar	August 1986 - 01.03.1989
8.	Shri S.K. Bhatnagar	02.03.1989 - 07.02.1990
9.	Adm. (Retd.) R.H. Tahiliani	08.02.1990 - 20.08.1994
10.	Shri P. Shiv Shanker	21.09.1994 - 11.11.1995
11.	Shri K.V. Raghunatha Reddy	12.11.1995 - 09.03.1996
12.	Chaudhury Randhir Singh	10.03.1996 - 17.05.2001
13.	Shri Kedar Nath Sahani	18.05.2001 - 24.10.2002
14.	Shri V. Rama Rao	25.10.2002 - till date

Table 6

Chief Ministers of Sikkim

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Kazi Lhendup Dorji	16.05.1975 - 17.08.1979
	President's Rule	18.08.1979 - 17.10.1979
2.	Shri N.B. Bhandari	18.10.1979 - 11.05.1984
3.	Shri B.B. Gurung	11.05.1984 - 25.05.1984
	President's Rule	25.05.1984 - 08.03.1985
4.	Shri N.B. Bhandari	08.03.1985 - 17.06.1994
5.	Shri S.M. Limboo	17.06.1994 - 12.12.1994
6.	Shri P.K. Chamling	12.12.1994 - till date

Janata Parishad. It was exclusively against the Council of Ministers and not members of the ruling party and he appealed to all members to unanimously support the motion for establishing an exemplary democratic Government in Sikkim.

In all, five members participated in the seventy minutes long debate and thereafter the motion was put to vote by the Deputy Speaker who was in the Chair. The motion was negated with 19 members voting against and ten voting in favour, while one member abstained.

The Third Legislative Assembly did not take up any Motion of Confidence or No-confidence.

Fourth Legislative Assembly (1989-1994)

In the elections to the Fourth Legislative Assembly, the Sikkim Sangram Parishad (SSP) headed by Shri Nar Bahadur Bhandari made a clean sweep of all the 32 seats. Shri Bhandari assumed office on 1 December 1989.

The Fourth Legislative Assembly, during its last six months, witnessed two Motions of Confidence moved by two different Governments. Shri Nar Bahadur Bhandari lost the vote of confidence in 1994. The second motion was moved to seek the vote of confidence in the Ministry led by Shri Sanchaman Limboo and the same was adopted.

First Motion of Confidence

The first Motion of Confidence was necessitated following a split in the ruling Sikkim Sangram Parishad headed by Shri Bhandari over the withdrawal of income-tax exemptions for the Sikkim Tribes people by the Government.

On 5 May 1994, several MLAs belonging to the SSP called for the removal of the Chief Minister Shri Bhandari and demanded a change in leadership. On 7 May 1994, Shri Bhandari expelled 17 MLAs for challenging his leadership. The same day, the SSP Vice-President, Shri Thuckchuk Lachungga expelled Shri Bhandari from the post of party president. On 8 May 1994, the Governor, Admiral (Retd.) R.H. Tahiliani asked the Chief Minister to prove his majority on the floor of the House on 17 May 1994.

On 13 May 1994, the rebel MLAs formed a new Party, SSP (Sanchaman), with Shri Sanchaman Limboo as their leader in the Legislative Assembly.

As directed by the Governor, the House met for the Special Session on 17 May 1994. Shri S.K. Pradhan of the Sikkim Sangram Parishad moved the Motion of Confidence.

Speaking on the motion, Shri Sanchaman Limboo charged the Chief Minister with functioning as a "dictator". He observed that the people would heave a sigh of relief if Shri Bhandari was removed from his post. He also alleged that Shri Bhandari was responsible for the income-tax imbroglio and communal disharmony in the State.

Participating in the debate, the Chief Minister, Shri Bhandari said that Sikkim was the most peaceful State in the country during his fifteen-year rule. As regards the issue of income-tax, he said that his Government was not responsible for the situation.

In all, 14 members took part in the five hours and five minutes long debate. In the voting held thereafter, the motion was defeated with 16 members voting against it while 14 members voted in favour. One member abstained from voting. This resulted in the fall of the Bhandari Government.

Second Motion of Confidence

Following the defeat of Shri Bhandari's Government on the floor of the House, Governor Admral (Retd.) R.H. Tahiliani invited the leader of the newly-formed Sikkim Sangram Parishad (S), Shri Sanchaman Limboo to form the Government and directed him to prove his majority by 17 June 1994. Shri Limboo was sworn in as the Chief Minister on 18 May 1994.

Following the Governor's directive, a one-day Special Session was called on 6 June to enable the Sanchaman Ministry to prove its majority.

The Special Session was boycotted by the SSP led by Shri N.B. Bhandari and the lone Sikkim Democratic Front member Shri Pawan Kumar Chamling who claimed that the Sanchaman Ministry was unlawful and unconstitutional.

The Motion of Confidence reposing faith in the Ministry headed by Shri Sanchaman Limboo was moved by Shri Chamla Tshering.

Initiating the discussion, Shri T.M. Rai urged the Chief Minister to take effective measures to curb corruption and run the administration in a democratic manner and to ensure a better deal for the rural poor.

In his reply, the Chief Minister Shri Sanchaman Limboo said that his Government would set up a Grievances Commission to go into the irregularities committed by the previous Ministry in respect of granting promotion to Government employees. He assured that his Government would suggest compensatory measures for those discriminated against under the previous Government. He also praised the people for maintaining communal harmony in the State.

In all, 8 members took part in the day-long one hour and forty-five minutes debate. In the voting held thereafter, all the 18 members present in the House voted in favour and the motion was carried.

No Motion of Confidence or No-confidence has been taken up in the Assembly since 1994.

Motions of Confidence and No-confidence in the Sikkim Legislative Assembly - An Analysis

In the Sikkim Legislative Assembly, one Motion of No-confidence and two motions of Confidence have been admitted and discussed during the last 28 years.

While the lone Motion of No-confidence was taken up in the Second Legislative Assembly, the two Motions of Confidence were debated by the Fourth Legislative Assembly. The First, Third, Fifth and the Sixth Legislative Assemblies did not take up any Motion of Confidence or No-confidence. Table 1 gives details of motions admitted/discussed in each Assembly along with its duration.

Table 2 illustrates the number of Motions of Confidence and No-confidence admitted and discussed during the tenures of different Speakers. The proceedings of the lone Motion of No-confidence were conducted by the Deputy Speaker Shri L.B. Basnet on 11 September 1980. The two Motions of Confidence were taken up during the Speakership of Shri D.T. Bhutia in 1994.

Table 3 gives an account of the Motions of Confidence and No-confidence admitted and debated during the tenure of different Councils of Ministers.

The lone Motion of No-confidence moved in the Second Legislative Assembly in September 1980 against the Ministry headed by Shri Nar Bahadur Bhandari was defeated. Of the two Motions of Confidence moved and discussed in the Fourth Legislative Assembly, the first motion moved to express confidence in the Council of Ministers headed by Shri Nar Bahadur Bhandari was negatived resulting in the fall of his Government and swearing in of the Ministry led by Shri Sanchaman Limboo. The second one moved by Shri Sanchaman Limboo in June 1994 was adopted.

Table 4 gives statistical information pertaining to the participation of members in the debates on various Motions of Confidence and No-confidence. It also depicts the time taken and the result of the division.

Participation by Members

The total number of members who took part in the debate on the three motions - one Motion of No-Confidence Motion and two Motions of Confidence - is 27.

Five members took part in the debate on the Motion of No-confidence moved against the Bhandari Government in September 1980.

As regards the two Motions of Confidence, while fourteen members took part in the debate on the motion moved on 17 May 1994 by Shri Bhandari, 8 members participated in the debate on the second motion moved to express confidence in the Sanchaman Limboo Ministry on 6 June 1994.

Time taken

The proceedings of all the three motions commenced and concluded on the same day. The total time taken in the disposal of the three motions was eight hours.

The debate on the lone Motion of No-confidence took one hour and ten minutes. Out of the two Motions of Confidence, the debate on the first motion seeking confidence in the Council of Ministers led by Shri Bhandari took five hours and five minutes, while the proceedings of the second Motion of Confidence in the Ministry of Shri Sanchaman Limboo took one hour and forty-five minutes.

Division

The lone Motion of No-confidence in 1980 in the Council of Ministers headed by Shri Bhandari was defeated with 19 members voting against and 10 members favouring the motion while one member abstained from voting.

Of the two Motions of Confidence, the first one moved to seek confidence in the Council of Ministers led by Shri Bhandari was negatived with 16 members voting against and 14 members favouring the motion while one member abstained from voting. The second motion seeking to express confidence in the Ministry headed by Shri Sanchaman Limboo was carried by a majority of 18 votes in the 32-member House, with the entire Opposition boycotting the proceedings.

Tamil Nadu Legislative Assembly

The present State of Tamil Nadu was the residuary part of the erstwhile Madras Presidency. Besides Madras Presidency, there were two other Presidencies, *viz.*, the Presidency of Bombay and the Presidency of Calcutta. Each of the Presidencies was under the charge of a Governor. The Presidencies were independent of one another, but the Regulating Act of 1773 termed the Governor of Bengal as Governor-General of Bengal and made him the supreme head of all the three Presidencies. At the same time, the legislative power in the Presidencies was also recognized. This state of things was, however, discontinued by the Charter Act of 1833 which concentrated all the legislative powers in the Governor-General-in-Council and deprived the local Governments (Presidencies) of their power of independent legislation. The Indian Councils Act of 1861 restored the legislative power taken away by the Charter Act of 1833 and the Legislature of the Madras Presidency was given the power to make laws. The Provincial Legislative Council was constituted by the addition to the Governor's Executive Council of 4 to 8 *ad hoc* members of whom at least half were to be non-officials nominated by the Governor for a period of two years and the Advocate-General. The Indian Councils Act of 1909 enlarged the membership of the Provincial Legislative Council from 20 to 50. The Legislative Council was elected by an indirect election resulting in non-official majority for the first time.

The first conscious advance in the direction of Responsible Government was the reform of 1919 known as the Montague/Chelmsford Reforms. The Madras Legislative Council was set up in 1921 under the Government of India Act, 1919. The term of the Council was for a period of three years. It consisted of 132 members of which 34 were nominated by the Governor and the rest were elected. The Council met for the first time on 9 January 1921 at Fort St. George, Madras. The Second and Third Councils under this Act were constituted after the General Elections were held in 1923 and 1926, respectively. The Fourth Legislative Council met for the first time on 6 November 1930 after the General Elections held during that year and its life was extended from time to time and it lasted till the Provincial Autonomy under the Government of India Act, 1935 came into operation.

The Government of India Act, 1935 established a bicameral Legislature in the Province of Madras with a Legislative Assembly and a Legislative Council. The Legislative Council was a permanent body not subject to dissolution but as nearly as one-third of the members thereon retired every three years. It consisted of not less than 54 and not more than 56 members. The Legislative Assembly consisted of 215 members of which 146 were elected from general seats of which 30 seats were reserved for Scheduled Castes.

Although the Government of India Act was passed in 1935, the part relating to the Provinces came into operation only in 1937. The First Legislative Assembly under this Act was constituted on 14 July 1937 after the General Elections. The Congress Party, which formed the Government in July 1937, resigned in October 1939 following the proclamation of emergency on account of World War II and the Legislature ceased to function. After the War was over, General Elections were held in March 1946. The Second Legislative Assembly, constituted in 1946, met for the first time on 24 May 1946.

The First Legislative Assembly after Independence in the erstwhile Madras State was constituted in March 1952 after the First General Elections held in January 1952. The then composite Madras Assembly consisted of 375 seats to be filled by election from 243 single-member constituencies, 62 double-member constituencies in each of which a seat had been reserved for Scheduled Castes and four two-member constituencies in each of which a seat had been reserved for Scheduled Tribes. The strength of the Assembly was first reduced to 231 and then to 190, respectively, with the formation of the Andhra State on 1 October 1953 and with the coming into force of the States Reorganization Act on 1 November 1956. Following the Delimitation of Parliamentary and Assembly Constituencies Order, 1956, the strength of the Madras Assembly was raised to 205.

In 1959, as a result of the adjustment of boundaries between Andhra Pradesh and Madras (The Alteration of Boundaries) Act, 1959, one member from the Andhra Pradesh Legislative Assembly was allotted to Madras and consequently the strength of the Madras Assembly became 206. This was further increased to 234 by the Delimitation of Parliamentary and Assembly Constituencies Order, 1965.

During the term of the Fourth Legislative Assembly, on 18 July 1967, the House, by a unanimously adopted resolution, recommended that steps be taken by the State Government to secure necessary amendment to the Constitution to change the name of the Madras State to "Tamil Nadu". Accordingly, the Madras State (Alteration of Name) Act, 1968 (Central Act 53 of 1968) was passed. Consequently, the nomenclature "Madras Legislative Assembly" was changed to "Tamil Nadu Legislative Assembly."

On 1 November 1986, with the coming into force of the Tamil Nadu Legislative Council (Abolition) Act, 1986, the Tamil Nadu Legislative Council was

abolished. However, the Tamil Nadu Legislative Assembly adopted a resolution on 20 February 1989 seeking the revival of the Legislative Council. A Bill to this effect was passed by the Rajya Sabha in May 1990 but could not be passed by the Lok Sabha. On 4 October 1991, the State Legislative Assembly adopted another resolution rescinding its earlier resolution of 20 February 1989 seeking the revival of the Legislative Council. On 26 July 1996, the Legislative Assembly adopted a resolution seeking the creation of a Legislative Council. However, the Legislative Assembly adopted another resolution on 12 September 2001 rescinding the earlier resolution adopted on 26 July 1996.

The present Legislative Assembly consists of 234 members elected from 234 Assembly constituencies of which 42 constituencies are reserved for Scheduled Castes and 3 constituencies are reserved for Scheduled Tribes. In addition to this, one member is nominated by the Governor under article 333 of the Constitution to represent the Anglo-Indian community.

Motion of No-confidence

Under Rule 72 of the Rules of Procedure and Conduct of Business in Tamil Nadu Legislative Assembly, a motion expressing want of confidence in the Ministry or a motion disapproving the policy of the Ministry in a particular respect may be made with the consent of the Speaker, subject to certain restrictions, namely: (i) leave to make the motion must be asked for after Questions and before further business set down in the List of Business for the day is entered upon; and (ii) the member asking for leave must, before the commencement of the sitting of the day, leave with the Secretary a written notice of the motion which he proposes to make.

If the Speaker is of the opinion that the motion is in order, he then reads the motion to the House and requests those members who are in favour of leave being granted to rise in their places and if not less than twenty-four members rise accordingly, the Speaker intimates that leave is granted and that the motion will be taken on such day not being more than ten days from the date on which leave is asked for, as he may appoint. If less than twenty-four members rise, the Speaker informs the member that he has not the leave of the House.

Motion of Confidence

A Motion of Confidence in the Ministry is also governed by the provisions of the Rule 72 of the Rules of Procedure and Conduct of Business of the Tamil Nadu Legislative Assembly.

Motions in different Legislative Assemblies

In all, twelve Motions of No-confidence and three Motions of Confidence have been discussed in the Tamil Nadu Legislative Assembly till date. Tables 1 to 4 provide statistical details in respect of these motions. A graphical presentation of

Table 1**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	01.03.1952 - 31.03.1957	-	1
Second Legislative Assembly	01.04.1957 - 01.03.1962	1	-
Third Legislative Assembly	03.03.1962 - 28.02.1967	2	-
Fourth Legislative Assembly	01.03.1967 - 05.01.1971	2	-
Fifth Legislative Assembly	15.03.1971 - 31.01.1976	4	1
Sixth Legislative Assembly	30.06.1977 - 17.02.1980	2	-
Seventh Legislative Assembly	09.06.1980 - 15.11.1984	1	-
Eighth Legislative Assembly	16.01.1985 - 30.01.1988	-	1
Ninth Legislative Assembly	27.01.1989 - 30.01.1991	-	-
Tenth Legislative Assembly	24.06.1991 - 13.05.1996	-	-
Eleventh Legislative Assembly	13.05.1996 - 14.05.2001	-	-
Twelfth Legislative Assembly	14.05.2001 - till date	-	-
	Total	12	3

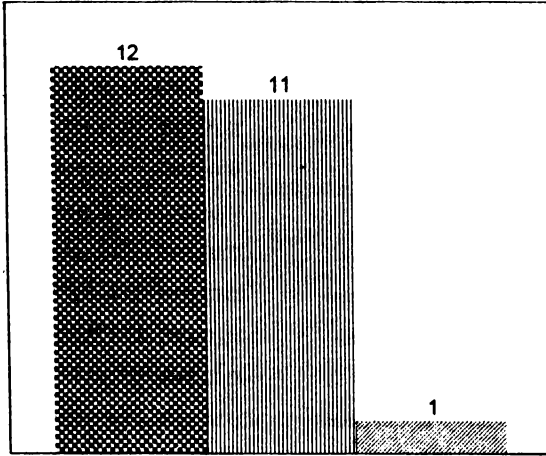
Table 2

**NCMs / CMs admitted/discussed during the tenures of different Speakers
(1952-2003)**

<i>Sl. No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri J. Sivashanmugam Pillai	06.05.1952 - 16.08.1955	-	1
2.	Shri N. Gopala Menon	27.09.1955 - 01.11.1956	-	-
3.	Dr. U. Krishna Rao	30.04.1957 - 03.08.1961	1	-
4.	Shri S. Chellapandian	31.03.1962 - 04.03.1967	2	-
5.	Shri Si. Pa. Adithanar	17.03.1967 - 12.08.1968	-	-
6.	Shri Pulavar K. Govindan	22.02.1969 - 14.03.1971	2	-
7.	Shri K.A. Mathiazhagan	24.03.1971 - 02.12.1972	1	-
8.	Shri P. Sreenivasan*	03.12.1972 - 02.08.1973	-	1
9.	Shri Pulavar K. Govindan	03.08.1973 - 03.07.1977	3	-
10.	Shri Munu Adhi	06.07.1977 - 18.06.1980	2	-
11.	Shri K. Rajaram	21.06.1980 - 24.02.1985	1	-
12.	Shri P.H. Pandian	27.02.1985 - 05.02.1989	-	1
13.	Dr. M. Tamilkudimagan	08.02.1989 - 30.06.1991	-	-
14.	Shri Sedappatti R. Muthiah	03.07.1991 - 21.05.1996	-	-
15.	Shri P.T.R. Palanivel Rajan	23.05.1996 - 21.05.2001	-	-
16.	Dr. K. Kalimuthu	24.05.2001 - till date	-	-
Total			12	3

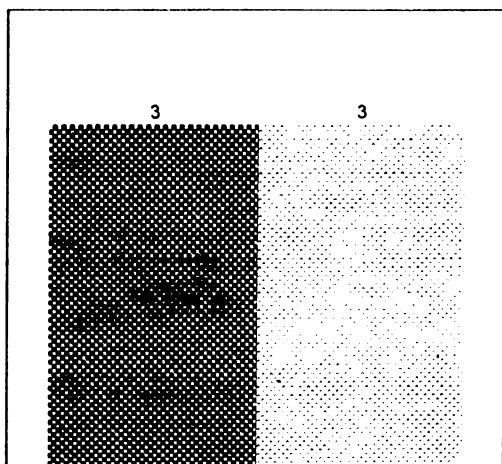
* Deputy Speaker Shri P. Sreenivasan performed the duties of the Speaker from 03.12.1972 to 02.08.1973

Graph I
NCMs in Tamil Nadu Legislative Assembly
(1952 - 2003)



⊗ Motions admitted and discussed ⊘ Motion withdrawn
||| Negated

Graph II
CMs in Tamil Nadu Legislative Assembly
(1952 - 2003)



⊠ Motions admitted and discussed **⊘ Adopted**

Table 3

**NCMs against/CMs in the Council of Ministers
(1952-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
C. Rajagopalachari (First Legislative Assembly)	Congress 152/375 (40.54%)	CM	C. Subramaniam (71)	(30.06.1952) 30.06.1952 01.07.1952 02.07.1952 03.07.1952 25.20	Adopted Ayes - 200 Noes - 151 Abstention - 1
K. Kamaraj (Second Legislative Assembly)	Congress 151/205 (73%)	NCM	M. Kalyanasundaram (25)	(28.10.1957) 28.10.1957 29.10.1957 30.10.1957 31.10.1957 17.33	Negatived Ayes - 28 Noes - 146
M. Bhaktavatsalam (Third Legislative Assembly)	Congress 139/206 (67%)	NCM	K.A. Mathiazhagan (30)	(16.10.1964) 22.10.1964 23.10.1964 24.10.1964 12.21	Negatived Ayes - 58 Noes - 138
-do-		NCM	V.R. Nedunchezhiyan (32)	(01.08.1966) 03.08.1966 04.08.1966 05.08.1966 12.36	Negatived Ayes - 56 Noes - 130
C.N. Annadurai (Fourth Legislative Assembly)	DMK 138/234 (58%)	NCM	P.G. Karuthiruman (40)	(20.08.1968) 23.08.1968 24.08.1968 26.08.1968 28.08.1968 17.16	Negatived Ayes - 37 Noes - 156

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCM/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
M. Karunanidhi (Fourth Legislative Assembly)		NCM	P.G. Karuthiruman (36)	(07.09.1970) 07.09.1970 08.09.1970 09.09.1970 16.28	Negated Ayes - 29 Noes - 133
M. Karunanidhi (Fifth Legislative Assembly)	DMK 184/234 (79%)	NCM	H.V. Hande (27)	(09.08.1972) 09.08.1972 10.08.1972 11.08.1972 12.08.1972 16.51	Negated Ayes - 27 Noes - 179
-do-		CM	M. Karunanidhi (24)	(04.12.1972) 07.12.1972 08.12.1972 09.12.1972 11.12.1972 17.53	Adopted ⁴ Ayes - 172 Noes - Nil
-do-		NCM	B. Venkatasamy (47)	(07.08.1973) 07.08.1973 08.08.1973 09.08.1973 10.08.1973 20.00	Negated by voice vote
-do-		NCM	A.R. Marimuthu (20)	(12.08.1974) 12.08.1974 13.08.1974 14.08.1974 16.08.1974 17.08.1974 14.13	Negated by voice vote
-do-		NCM	Kovai Chezhiyan (31)	(13.12.1974) 13.12.1974 14.12.1974 16.12.1974	Declared to have been withdrawn

● Walk-out by Opposition

Table 3

**NCMs against/CMs in the Council of Ministers
(1952-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
C. Rajagopalachari (First Legislative Assembly)	Congress 152/375 (40.54%)	CM	C. Subramaniam (71)	(30.06.1952) 30.06.1952 01.07.1952 02.07.1952 03.07.1952 25.20	Adopted Ayes - 200 Noes - 151 Abstention - 1
K. Kamaraj (Second Legislative Assembly)	Congress 151/205 (73%)	NCM	M. Kalyanasundaram (25)	(28.10.1957) 28.10.1957 29.10.1957 30.10.1957 31.10.1957 17.33	Negatived Ayes - 28 Noes - 146
M. Bhaktavatsalam (Third Legislative Assembly)	Congress 139/206 (67%)	NCM	K.A. Mathiazhagan (30)	(16.10.1964) 22.10.1964 23.10.1964 24.10.1964 12.21	Negatived Ayes - 58 Noes - 138
-do-		NCM	V.R. Nedunchezhiyan (32)	(01.08.1966) 03.08.1966 04.08.1966 05.08.1966 12.36	Negatived Ayes - 56 Noes - 130
C.N. Annadurai (Fourth Legislative Assembly)	DMK 138/234 (58%)	NCM	P.G. Karuthiruman (40)	(20.08.1968) 23.08.1968 24.08.1968 26.08.1968 28.08.1968 17.16	Negatived Ayes - 37 Noes - 156

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCM/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
M. Karunanidhi (Fourth Legislative Assembly)		NCM	P.G. Karuthiruman (36)	(07.09.1970) 07.09.1970 08.09.1970 09.09.1970 16.28	Negated Ayes - 29 Noes - 133
M. Karunanidhi (Fifth Legislative Assembly)	DMK 184/234 (79%)	NCM	H.V. Hande (27)	(09.08.1972) 09.08.1972 10.08.1972 11.08.1972 12.08.1972 16.51	Negated Ayes - 27 Noes - 179
-do-		CM	M. Karunanidhi (24)	(04.12.1972) 07.12.1972 08.12.1972 09.12.1972 11.12.1972 17.53	Adopted ^u Ayes - 172 Noes - Nil
-do-		NCM	B. Venkatasamy (47)	(07.08.1973) 07.08.1973 08.08.1973 09.08.1973 10.08.1973 20.00	Negated by voice vote
-do-		NCM	A.R. Marimuthu (20)	(12.08.1974) 12.08.1974 13.08.1974 14.08.1974 16.08.1974 17.08.1974 14.13	Negated by voice vote
-do-		NCM	Kovai Chezhiyan (31)	(13.12.1974) 13.12.1974 14.12.1974 16.12.1974	Declared to have been withdrawn

⊙ Walk-out by Opposition

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
				17.12.1974 18.12.1974 16.27	as the movers of the motion staged a walk out before the motion was put to vote.
M.G. Ramachandran (Sixth Legislative Assembly)	AIADMK 130/234 (55.5%)	NCM	M. Karunanidhi (42)	(04.01.1978) 04.01.1978 05.01.1978 06.01.1978 07.01.1978 20.06	Negated by voice vote
-do-		NCM	S.J. Sadiq Pasha (16)	(19.02.1979) 19.02.1979 20.02.1979 21.02.1979 26.02.1979 17.39	Negated Ayes - 64 Noes - 128
M.G. Ramachandran (Seventh Legislative Assembly)	AIADMK 129/234 (55%)	NCM	R. Umanath (16)	(31.10.1983) 08.11.1983 09.11.1983 10.11.1983 11.11.1983 15.11.1983 16.11.1983 18.27	Negated Ayes - 49 Noes - 125
Janaki Ramachandran (Eighth Legislative Assembly)	AIADMK 133/234 (57%)	CM	R.M. Veerappan	(28.01.1988) 28.01.1988	Adopted Ayes - 99 Noes - 8 Abstentions - 3

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
J. Sivashanmu- gam Pillai	CM	C.	C.	30.06.1952 01.07.1952	71	25.20	03.07.1952	200	151	Adopted
		Rajagop- alachari	Subram- anian	02.07.1952 03.07.1952						
U. Krishna Rao	NCM	K. Kamaraj	M. Kalyana- sundaram	28.10.1957 29.10.1957 30.10.1957 31.10.1957	25	17.33.	31.10.1957	28	146	Negative
S. Chellapandian	NCM	M. Bhaktav- atsalam	K.A. Mathia- zhagan	22.10.1964 23.10.1964 24.10.1964	30	12.21	24.10.1964	58	138	Negative
-do-	NCM	-do-	V.R. Nedunchez- hiyan	03.08.1966 04.08.1966 05.08.1966	32	12.36	05.08.1966	56	130	Negative
Pulavar K. Govindan	NCM	C.N. Annadurai	P.G. Karuthi- ruman	23.08.1968 24.08.1968 26.08.1968 28.08.1968	40	17.16	28.08.1968	37	156	Negative

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	NOM	M	-do-	07.09.1970 08.09.1970 09.09.1970	36	16.28	09.09.1970	29	133	Negative
K.A. Mathiahogan	NOM	-do-	H.V. Hande	09.08.1972 10.08.1972 11.08.1972 12.08.1972	27	16.51	12.08.1972	27	179	Negative
P. Sreenivasan	CM	-do-	M Karun- nidhi	07.12.1972 08.12.1972 09.12.1972 11.12.1972	24	17.53	11.12.1972	172	Nil	Adopted @
Pulavar K.Govindan	NOM	-do-	B. Venkata- samy	07.08.1973 08.08.1973 09.08.1973 10.08.1973	47	20.00.	10.08.1973	-	-	Negative by voice vote
-do-	NOM	-do-	A.R. Manimathu	12.08.1974 13.08.1974 14.08.1974 16.08.1974 17.08.1974	20	14.13	17.08.1974	-	-	Negative by voice vote

@ Walk-out by Opposition.

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipes- rns	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	NCM	-do-	Kovai Chezhiyan	13.12.1974 14.12.1974 16.12.1974 17.12.1974 18.12.1974	31	16.27	18.12.1974	-	-	Declared to have been withdrawn as the movers staged a walk out before the motion was put to vote.
Munu Adhi	NCM	M.G. Ramachan- dran	M. Karuna- nidhi	04.01.1978 05.01.1978 06.01.1978 07.01.1978	42	20.06	07.01.1978	-	-	Negated by voice vote
-do-	NCM	-do-	S.J. Sediq Pasha	19.02.1979 20.02.1979 21.02.1979 26.02.1979	16	17.39	26.02.1979	64	128	Negated
K. Rajaram	NCM	-do-	R. Umanath	08.11.1983 09.11.1983 10.11.1983 11.11.1983 15.11.1983 16.11.1983	16	18.27	16.11.1983	49	125	Negated

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs-Mts.	Date of Voting	Ayes	Noes	Result
P.H. Pandian	CM	Janaki Ramachan- dran	R.M. Veerappan	28.01.1988	-	-	28.01.1988	99	8	Adopted

Table 5

Governors of Tamil Nadu

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Sri Prakasa	12.03.1952 - 10.12.1956
2.	Shri A.J. John	10.12.1956 - 30.09.1957
3.	Shri Bishnuram Medhi	24.01.1958 - 03.05.1964
4.	Shri Jayachamaraja Wadiyar Bahadur	04.05.1964 - 23.11.1964 08.02.1965 - 12.08.1965 20.09.1965 - 03.01.1966
5.	Sardar Ujjal Singh	28.06.1966 - 26.05.1971
6.	Shri K.K. Shah	27.05.1971 - 15.06.1976
7.	Shri Mohan Lal Sukhadia	16.06.1976 - 08.04.1977
8.	Shri Prabhudas Patwari	27.04.1977 - 26.10.1980
9.	Shri Sadiq Ali	04.11.1980 - 02.09.1982
10.	Shri Sundar Lal Khurana	03.09.1982 - 15.02.1988
11.	Dr. P.C. Alexander	17.02.1988 - 23.05.1990
12.	Shri Surjit Singh Barnala	24.05.1990 - 14.02.1991
13.	Shri Bhishma Narain Singh	15.02.1991 - 30.05.1993
14.	Dr. M. Channa Reddy	31.05.1993 - 02.02.1996
15.	Shri Krishan Kant	02.02.1996 - 24.01.1997
16.	Justice M. Fathima Beevi	25.01.1997 - 03.07.2001
17.	Dr. C. Rangarajan	03.07.2001 - 18.01.2002
18.	Shri P.S. Rama Mohan Rao	18.01.2002 - till date

Table 6

Chief Ministers of Tamil Nadu

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri C. Rajagopalachari	10.04.1952 - 13.04.1954
2.	Shri K. Kamaraj	13.04.1954 - 12.04.1957 13.04.1957 - 15.03.1962 15.03.1962 - 02.10.1963
3.	Shri M. Bhaktavatsalam	02.10.1963 - 06.03.1967
4.	Dr. C.N. Annadurai	06.03.1967 - 03.02.1969
5.	Dr. V.R. Nedunchezhiyan (Acting)	03.02.1969 - 10.02.1969
6.	Dr. Kalaingar M. Karunanidhi	10.02.1969 - 04.01.1971 15.03.1971 - 31.01.1976 President's Rule 31.01.1976 - 30.06.1977
7.	Dr. M.G. Ramachandran	30.06.1977 - 17.02.1980
	President's Rule	17.02.1980 - 09.06.1980
8.	Dr. M.G. Ramachandran	09.06.1980 - 15.11.1984 10.02.1985 - 24.12.1987
9.	Dr. V.R. Nedunchezhiyan (Acting)	25.12.1987 - 07.01.1988
10.	Smt. Janaki Ramachandran	07.01.1988 - 30.01.1988
	President's Rule	30.01.1988 - 27.01.1989
11.	Dr. Kalaingar M. Karunanidhi	27.01.1989 - 30.01.1991
	President's Rule	30.01.1991 - 24.06.1991
12.	Dr. J. Jayalalitha	24.06.1991 - 12.05.1996
13.	Dr. Kalaingar M. Karunanidhi	13.05.1996 - 13.05.2001
14.	Dr. J. Jayalalitha	14.05.2001 - 21.09.2001
15.	Shri O. Parneerselvam	21.09.2001 - 01.03.2002
16.	Dr. J. Jayalalitha	02.03.2002 - till date

the Motions of Confidence and No-confidence is available in Graphs I and II. Tables 5 and 6 enumerate the names and tenures of the Governors and Chief Ministers, respectively, of the State.

In the Ninth, Tenth, Eleventh and Twelfth (till date) Legislative Assemblies, no Motion of Confidence or No-confidence was discussed.

First Legislative Assembly (1952-1957)

In the General Elections held between October 1951 and February 1952, the Congress Party secured 152 seats, Communist Party 62, KMPP 35, Tamil Nadu Toiler Party 19, Socialist Party 13, Krishikar Lok Party 15, Commonweal Party 6, Muslim League 5, All India Forward Bloc 3, Scheduled Castes Federation 2, Justice Party 1 and Independents 62 seats. The ruling Congress Party suffered a setback with six of the nine members of the previous Government who contested the election getting defeated, including the incumbent Chief Minister Shri P.S. Kumaraswami Raja. The Government resigned on 8 February 1952 but at the Governor's request Shri Kumaraswami Raja formed a caretaker Government from which the other five defeated Ministers were excluded, to conduct the administration *ad interim*. On 1 April 1952, Shri C. Rajagopalachari, who had previously been nominated by the Governor Shri Sri Prakasa to the Madras Legislative Council, agreed to form the Ministry and was sworn in as the Chief Minister on 10 April 1952.

In the First Legislative Assembly, one Motion of Confidence, the first in the history of post-Independence Indian Legislatures, was debated and adopted.

Motion of Confidence

A motion by Shri C. Subramaniam, the Leader of the House, seeking a vote of confidence in the Rajagopalachari Ministry, was moved on 30 June 1952 in the Madras Legislative Assembly. The Speaker Shri J. Sivashanmugam Pillai said that this was the first time in the country that a motion of this sort was being brought before the Legislature. Since there was no special rule in this regard, the Speaker said he was following the rules adopted in England in this matter. In England, when motions of this sort were made, amendments were not allowed. That being so, he did not allow Shri C.V.K. Rao who had given notice of an amendment to move it.

Raising a point of order, Shri M. Narayana Kurup said that the dates for the Budget Session were fixed by a Special Order of the Governor. The House was not entitled to change that agenda and the subject, vote of confidence before the House, was not included in it. The Speaker said he had taken the permission of the Governor to postpone the Budget discussion and bring up the motion before the House.

Thereafter, Shri C. Subramaniam, Leader of the House, who had given notice of the motion, told the House that before he moved the motion, the Chief Minister Shri C. Rajagopalachari would make a statement.

Shri Rajagopalachari said that he wished to make a statement as he was responsible for the motion to be brought forward and for changing the order of procedure and the agenda of the House also. He said the conditions under which he and his Cabinet colleagues were working were most difficult and unless they had a clear and strong backing of the Legislature, they could not accomplish the tasks they had set before themselves for the well-being of the people. A vote of confidence and support was essential, the Chief Minister stressed, to inspire confidence in the investing world, in the borrowing capacity of the State and in the Central Government for the much needed assistance from them. He appealed to all members who stood for orderly progress to cast their votes in favour of the motion. He said the task that lay ahead was onerous and he needed the support of the House in carrying it out. Expressing his hope that there would be a free vote by members on the motion, Shri Rajagopalachari said he had no objection to members sitting on his side of the House also having the freedom to vote according to their conviction.

Moving the one-line Confidence Motion, Shri Subramaniam first explained the necessity for bringing in the motion before the House and giving it precedence even over the Budget discussion. To understand the background, he said it was necessary to know under what circumstances the Government came into office and under what circumstances Rajaji took up the leadership of the Congress Party and agreed to be the Chief Minister. At that time, Rajaji was not a member of the Legislative Assembly. He was persuaded to take up the leadership as also the responsibility of the Chief Ministership and they all knew how the administration was being run. They were seeking the confidence of the House even before the Budget because of the adverse result of the Aruppukottai by-election. The Chief Minister wanted to have a clear verdict on whether the people were with him. The only way to get it was to enter a General Election which meant dissolution of the House. Therefore, he had suggested to the Chief Minister that it would be just and fair that the proposition should be put before the House whether this Government had the confidence and solid backing of the House. That was the background to moving the motion.

Opposing the motion, Shri V.R. Krishna Iyer said the House was being asked to put its implicit faith in one individual and what that individual proposed to do for the State. The motion was bereft of any details of the policies and programmes. Criticising the taxation proposals of the Government, he said all of them would hit the middle classes and the poor people.

Participating in the discussion, Shri P. Ramamurthi (CPI) said it was for the first time in the history of the Indian Legislatures that a Motion of Confidence had been brought forward. The motion was extraordinary and the procedure adopted

was also extraordinary. Any vote of the House would not efface the verdict of the people of the Aruppukottai constituency which was against the present Government.

Speaking on the motion, Shri S.C.C. Anthony Pillai (Socialist) said that the explanation offered by the Chief Minister for this motion would not stand a moment's scrutiny. The Council of Ministers could have adopted the Gandhian method of bringing about a change of heart in the Opposition instead of seeking a vote of confidence.

Taking part in the debate, Shri K.M. Shaffe (Muslim League) said that MLAs belonging to his party had a mandate from their constituencies to support that Government which did good for the people. Judged from his standard, Rajaji would have the support of the Muslim League.

Replying to the four-day debate, Shri C. Subramaniam, Leader of the House and Finance Minister, admitted that the Congress Party - though being the single largest party in the Legislative Assembly - was in a minority and that was the very reason why they went before the House seeking its support for continuing to hold the reigns of office. He said that the Ministry would abide by the verdict of the House.

At the end of the 25 hours and 20 minutes long debate spanning four days in which 71 members participated, the motion was put to vote and declared carried. Shri T. Viswanathan demanded a poll and the same resulted in 200 members voting in favour of the motion, 151 members voting against it and one remaining neutral.

Second Legislative Assembly (1957-1962)

Elections to the 205-member Assembly were held in February 1957. The Congress won 151 seats, Communist Party of India 4, PSP 2, Dravida Munnetra Kazhagam (DMK) 15, Congress Reforms Committee 16 and Independents and others 17 seats. Shri K. Kamaraj was sworn in as the Chief Minister on 14 April 1957.

One Motion of No-confidence was discussed and negatived in the Second Legislative Assembly.

Motion of No-confidence

A Motion of No-confidence was brought against the Congress Government of Shri K. Kamaraj on the grounds of alleged acts of omission and commission in connection with certain disturbances leading to police firing in Ramanathapuram district. Leave of the House to move the motion was granted on 28 October 1957 to Shri M. Kalyanasundaram (CPI).

Before calling upon Shri Kalyanasundaram to move his motion, the Speaker Dr. U. Krishna Rao said that Shri K.R. Nallasivam had given notice of another No-confidence Motion against the Ministry disapproving the action of the Government

with regard to the police firing in Ramanathapuram district. In view of the fact that the House was going to discuss Shri Kalyanasundaram's Motion of No-confidence, he ruled it out of order.

For the same reasons, Shri T.L. Sasivarna Thevar's (Forward Bloc) notice of motion expressing want of confidence in the Ministry and disapproving the policy of the Ministry in connection with the police action in Ramanathapuram district was also ruled out of order by the Speaker.

Moving the Motion of No-confidence, Shri Kalyanasundaram said that the Government was seeking to gain political ends and to destroy the Opposition parties using alleged communal differences as a smoke screen in this effort. Utterances of Ministers and the activities of the public in the area had contributed to creating communal tension and he cited certain statements of individual Ministers in support of his contention. Referring to the inquiry into the police firing in Keelathooval village, he said the result of the inquiry had gone on the lines of a pre-determined conclusion and referred to the evidence and findings of the inquiry in support of his statement. The Ministry was guilty of acting in a grossly communal manner not only in this matter but in making appointments and promotions in the services. In the name of giving equal opportunities to all communities, they were preferring candidates belonging to particular communities and also ignoring the claims of candidates belonging to certain other communities, however deserving they were. The Government's action tended to create and widen the differences between the masses and the intelligentsia which would be ruinous to the larger interests of the State. The Government was also using its position, power, patronage and the police force to further its own party and political ends.

Refuting the charges made against the Ministry in connection with the incidents in Ramanathapuram, the Home Minister, Shri M. Bhaktavatsalam said that it was not true that the Government took delayed action in regard to these incidents. The Government did not want to be hasty, but it did take action when the need arose. He regretted that the Opposition had chosen to bring a Motion of No-confidence at a time when the situation was tense in the district and tragic incidents had occurred. The need of the hour was for all to cooperate and restore peaceful conditions.

Replying to the debate, Shri C. Subramaniam, Finance Minister and Leader of the House, expressed the view that the real intention behind the Motion of No-confidence was not so much to find a solution to the situation in Ramanathapuram as to gain publicity and create dissatisfaction among the people. He said there was no need for a judicial enquiry into the incidents there. He analysed at length the social condition and outlook of the people in the strife-torn areas of Ramanathapuram and contended that unless there was an atmosphere of absolute peace and order there could be no progress for the backward people of the area. He said it was a

matter of deep regret to the party in power that they had to deal firmly with a delicate situation. Unless the Government discharged its duty in a bold and courageous manner as they had done in this instance, the situation would have become dangerous.

In his reply to the debate, Shri Kalyanasundaram suggested to the Finance Minister to include in the next Budget schemes for the improvement of the backward areas in the Ramanathapuram district.

The motion was discussed on 28, 29, 30 and 31 October 1957 for 17 hours and 33 minutes in which 25 members participated.

The motion was negatived with 28 members voting in favour and 146 members voting against it.

Third Legislative Assembly (1962-1967)

In the elections held in February 1962, the Congress Party secured 139 seats, Communist Party of India 2, DMK 50, Swatantra 6, Forward Bloc 3, Socialist 1 and Independents 5 seats in the 206-member House. Shri K. Kamaraj, the incumbent Chief Minister, was sworn in on 15 March 1962.

On 24 September 1963, the Finance Minister, Shri M. Bhaktavatsalam, was elected Leader of the Congress Legislature Party to succeed Shri Kamaraj, who stepped down from the Chief Ministership to devote himself to party work. Shri Bhaktavatsalam was sworn in as the Chief Minister on 2 October 1963.

Two Motions of No-confidence were debated during the Third Legislative Assembly.

First Motion of No-confidence

Leave was granted on 16 October 1964 to Shri K.A. Mathiazhagan (DMK) to move a Motion of No-confidence against the Congress Ministry of Shri Bhaktavatsalam.

Leave was also granted to a Censure Motion moved by Shri M. Kalyanasundaram (CPI) seeking to disapprove the Government's food policy which had resulted in the shooting up of prices of all essential articles very steeply, as also in hoarding and black marketing by wholesale traders with the aid of legal bank money and illegal black money and man-made scarcity of foodgrains and other vital articles of daily use, subjecting millions of people to unprecedented suffering.

In all, 30 members participated in the three-day combined debate on the No-confidence Motion and the Censure Motion lasting 12 hours and 21 minutes.

Moving the motion, Shri K.A. Mathiazhagan said that the purpose of the motion was to voice the untold miseries of the people who had voted the Congress Party to power. Quoting the note sent by the Planning Commission to the National Development Council which stated that between March 1961 and September 1964,

the foodgrain prices had risen by 44.4 per cent, while the general price index had risen by 24.5 per cent, he said this proved that the Ministry had miserably failed in the agricultural sector. Even with regard to the so-called package plan for Thanjavur district, the visiting American expert team had stated that the land ceiling legislation in Madras was only a paper proposition. Referring to the incidents in Arkonam and Coimbatore where there was lathi-charge and shooting by the police, Shri Mathiazhagan said long queues were seen waiting for hours together to get a bowl of rice in Madras and even in Thanjavur district which was considered to be the granary of the South. The serious food situation was largely due to the inefficiency of the Ministry. He objected to the Government employing police officers continuously as security staff to the Congress President. He wondered if the Government was right in incurring such expenditure on the chief of a political party. He also charged the Ministry with showing favouritism in appointments and said the appointment of the current Public Prosecutor in preference to those who had put in long years at the Bar, as also another junior as the Legal Adviser to the State Electricity Board, would prove his charge.

Replying to the three-day discussion, the Chief Minister Shri Bhaktavatsalam assured the House that all necessary steps were being taken to speed up movement of food stocks to the city and other needy areas. He said the Government was not in favour of statutory rationing as it was likely to cause hardship to the people and required the building up of a huge buffer stock. He further said that no effort was spared to help agriculturists to step up food production, make available adequate rice to the people and to prevent recurrence of such situations. He pointed out that food scarcity was an all India problem and no State could function in isolation. The State was self-sufficient and there was even a small surplus. Refuting the criticism that the Government was reluctant to take action against erring traders, the Chief Minister said so far 173 criminal cases had been filed in the State for violation of the Paddy and Rice (Declaration of Stocks) Order. Over 50,000 quintals of paddy and 26,000 quintals of rice were requisitioned by the collectors and distributed to the people. Shri Bhaktavatsalam maintained that the land reform measures enacted by the Government were being enforced properly. In fact, the Government was contemplating to put the Fair Rent Act on a permanent basis on the statute book. He defended the appointments of the Advocate-General and Public Prosecutor stating that the appointments were made on the basis of the candidates' proven merit and abilities.

On 24 October 1964, the motion was defeated with 58 members voting in favour and 138 members voting against it. The Censure Motion was rejected by voice vote.

Second Motion of No-confidence

The second No-confidence Motion against Shri Bhaktavatsalam's Council of

Ministers was brought by Dr. V.R. Nedunchezhiyan (DMK) on 1 August 1966. The grounds on which the motion was brought were the failure of the Government to: (i) control increasing prices of essential commodities; (ii) improve the food situation; (iii) arrange proper facilities for selection of candidates for the Technical Education Department; (iv) re-open the closed mills in Coimbatore; (v) establish the Salem steel plant as per assurances given time and again; (vi) understand the feelings of the people against the compulsory imposition of the Hindi language; and (vii) to take steps for Tamil as a medium of teaching in all colleges. The misuse of power to dissolve the non-Congress municipalities also formed the grounds for moving the motion. The discussion was held for three days on 3, 4 and 5 August 1966.

Moving the motion, Dr. V.R. Nedunchezhiyan, Leader of the Opposition, elaborated the eight points listed in the motion as the reasons for lack of confidence in the Ministry. He said the Ministry had erased all distinction between the Government and the Congress Party and treated the Opposition with scant respect, thus sounding the death knell of democracy in the State. He charged the Government with utter failure to meet the basic needs of the people and said it had driven scores of innocent people to end their lives to escape dire distress and poverty. He further said that the rise in prices of essential commodities was alarming. He charged that the Government had failed to introduce scientific methods of farming essential to step up food production. The Salem steel plant was still a matter of speculation, in spite of the assurance from the Government that it would be taken up during the Third Plan itself. He also alleged that the Tirunelveli and Aruppukkottai Municipal Committees had been superseded on political grounds. He further demanded an enquiry into the selection of students to the medical colleges.

In his reply to the debate, the Chief Minister, Shri M. Bhaktavatsalam, denied the charges of corruption, favouritism and nepotism levelled against his Ministry. He assured the House that the State administration was carried on in the best interests of the people without any party consideration, though it was natural in a democracy for the ruling party to take credit for the implementation of the welfare programmes. He further said the rise in prices of essential commodities in Madras State was not as high as compared to other States. In addition to the two big departmental stores proposed to be opened in Madras City, the Government of India had agreed to give assistance for starting similar stores in the four big towns of Coimbatore, Salem, Madurai and Tiruchirappalli. The State Government also proposed to open such stores in every district, taluk and block headquarters under a phased programme. In the course of his speech, the Chief Minister said if the members so desired, a quota could be reserved for backward classes and Scheduled Caste candidates, leaving open the remaining slots for selection on the basis of merit.

At the end of the debate lasting 12 hours and 36 minutes in which 32 members took part, the motion was defeated with 56 members voting in favour and 130 members voting against it.

Fourth Legislative Assembly (1967-1971)

Elections to the Fourth Legislative Assembly were held on 15, 18 and 21 February 1967. The DMK secured an absolute majority capturing 138 seats out of the total 234 seats in the Legislative Assembly. The Congress Party secured 49 seats, Swatantra won 20, CPI(M) 11, PSP 4, SSP 2, CPI 2 and Independents 7 seats. Election in one seat was postponed due to the death of a candidate. Dr. C.N. Annadurai of the DMK formed the Ministry which was sworn in on 6 March 1967. Following the death of Dr. Annadurai on 3 February 1969, Dr. V.R. Nedunchezhiyan, Minister for Industries and Leader of the House in the State Assembly, was sworn in as the acting Chief Minister by the Governor, Sardar Ujjal Singh. On 9 February 1969, Dr. M. Karunanidhi was unanimously elected leader of the DMK party. On 10 February 1969, a seven-member DMK Ministry headed by Dr. Karunanidhi was sworn in.

Two Motions of No-confidence were admitted and debated in the Fourth Legislative Assembly.

First Motion of No-confidence

The first Motion of No-confidence against the DMK Ministry of Dr. C.N. Annadurai was brought by Shri P.G. Karuthiruman (Congress) on the grounds of: (i) unsettled industrial and labour policy; (ii) wrong procurement policy; (iii) failure of the Government to prevent frequent occurrence of fire accidents in slums; (iv) fast deteriorating situation in law and order; (v) police atrocity against youth Congress marchers on 1 August 1968; (vi) failure of the Government to render proper accounts regarding the collection of funds for the Second World Tamil Conference; (vii) failure to check the ruling partymen from interfering in the day-to-day administration; (viii) questionable conduct of the Minister for Co-operation in using Government Agencies, etc.; and (ix) failure of the Government to enforce strict prohibition policy, etc. Leave for moving the motion was granted on 20 August 1968. In all, 40 members participated in the four-day discussion held on 23, 24, 26 and 28 August 1968.

When Shri Karuthiruman began the speech, the Food Minister, Shri Mathiazhagan raised a point of order and argued that some of the charges mentioned in the motion related to matters which had been thoroughly discussed earlier by the House in the ongoing Session itself. This was contrary to the rules which precluded any motion which sought to revive a discussion already held. But the Chief Minister intervened to say that though the rules precluded the discussion, he would like the Leader of the Opposition to raise these points so that he might be able to reply and his partymen might have an opportunity to speak on them.

Initiating the debate, Shri Karuthiruman drew a comparative picture of the industrial development in the State under the Congress regime and the industrial stagnation prevailing under the DMK rule. The Chief Minister intervened to point out that it was not proper to seek to compare the record of 20 years of Congress rule with that of the DMK which had been in power only for 17 months. Further, the various projects mentioned by Shri Karuthiruman had been part of three successive Plans and the Fourth Plan was yet to take shape.

Referring to the spate of strikes and lock-outs in the State during the previous one and a half years, Shri Karuthiruman said that as many as 27 textile mills had been closed during 1967 and there were 305 stoppages of work in industrial undertakings in the State, resulting in the loss of four lakh mandays. He said that the deterioration in the industrial situation was due to the Government's unsettled labour policy and the DMK's attempts to promote its own trade unions. Shri Karuthiruman referred to the failure of the Government to implement its promise of providing fire-proof houses to slum dwellers though a large sum of money had been collected for the purpose. He also accused the Government of failure to find out the elements behind the mystery fires in the city and alleged that the police had failed to take action on complaints from Congressmen while even false complaints from members of the ruling party were acted upon.

Replying to the debate on the motion, the Chief Minister, Dr. Annadurai, characterised the motion as ill-conceived and unwarranted, arising out of the frustration of the Congress Party. Refuting the charge that there had been no industrial progress, he said 32 applications had been received from entrepreneurs since January 1968. As many as 44 industries were given high tension connections in 1967-68 compared to 40 in 1966-67 and 4,437 industries were given low tension connections this year as against 4,253 the previous year. He quoted a remark by Shri R. Venkataraman, Planning Commission Member, that there was nothing wrong in the industrial policy of the State. On the agricultural front too, there had been steady progress.

The motion, debated for 17 hours and 16 minutes, was defeated with 37 members voting in favour and 156 members voting against it.

Second Motion of No-confidence

On 7 September 1970, Shri P.G. Karuthiruman (Congress (O)) tabled a Motion of No-confidence against the Council of Ministers headed by Dr. M. Karunanidhi. Simultaneously, Shri N. Sankariah (CPI) moved a Censure Motion disapproving the Government's police control policy.

The Motion of No-confidence and the Censure Motion were debated together on 7, 8 and 9 September 1970 for 16 hours and 28 minutes in which 36 members took part.

Initiating the debate, Shri Karuthiruman, Leader of the Opposition, levelled charges of corruption, moral turpitude and interference in administration against Ministers. He alleged that the Law Minister Shri Madhavan had met the CPI leader Shri A.K. Subbiah in the Central Jail at Tiruchi and coerced him to write a letter to the Government pleading for the release of the persons taken into custody in connection with the land grab agitation. He further said that Ministers interfered in the day-to-day administration so much that the officials had lost their initiative and freedom. Shri Karuthiruman called for a judicial inquiry into the statements of assets and liabilities filed by the Ministers to find out whether they had honestly disclosed the details of their property. The wealth accumulated by several Ministers had not been brought in into the statements.

Refuting the allegation, the Law Minister Shri Madhavan said it was true that he visited the jail but he went there to look into the complaints that the jail was overcrowded with the land grab agitationists and that amenities were lacking. It was then that he met Shri Subbiah who said the Government should release them since the agitation was over. He told Shri Subbiah to write to the Government that the agitation was over and it would not be revived. Shri Subbiah immediately wrote the letter and he handed it over to the Collector who forwarded it to the Government.

In his reply to the debate on the No-confidence Motion and the Censure Motion, the Chief Minister Dr. Karunanidhi listed out the achievements of the DMK administration in the last three years. He refuted the contention that the ruling party had lost the confidence of the people. On the other hand, he said, the confidence the people had reposed in the party had increased, judging by the results of the various by-elections in the last three years. The municipal and panchayat elections too had confirmed this fact. The Chief Minister further said it was wrong to say that the DMK Government did not show any interest in worker's welfare. During the dispute between the Tamil Nadu Electricity Board and its employees, the Government intervened and brought about a settlement resulting in a substantial salary raise for the employees, although it cost the Board Rs. 4 crore. But within two days after this, the engineers went on a strike suddenly plunging the whole State into darkness. It was then that the Government had decided to put down the strike with an iron hand. Refuting the criticism that the DMK Government was anti-labour, he said the credit went to his Government for declaring May Day as a holiday with pay for the workers. The Government did not have any special preference for the private or public sector. It wanted to promote a mixed economy, a joint sector. He claimed that the Government had maintained its popularity with the students, teachers and Government employees.

The No-confidence Motion was defeated with 29 members voting in favour and 133 members voting against it. The Censure Motion was also rejected by the House.

Fifth Legislative Assembly (1971-1976)

In the elections to the Legislative Assembly held in March 1971, the DMK once again emerged as the single largest party capturing 184 seats in the 234-member House. The DMK's allies in the Progressive Front won 25 seats - CPI 8, Forward Bloc 7, Muslim League 6, and PSP 4. The Congress(O) secured 15 seats and its poll ally, the Swatantra Party 6 seats. The remaining four seats went to Independents and others.

On 14 March 1971, Dr. M. Karunanidhi was unanimously re-elected as the Leader of the DMK Legislature Party. A 14-member Cabinet, headed by Dr. Karunanidhi, was sworn in on 15 March 1971.

Four Motions of No-confidence and one Motion of Confidence were discussed in the Fifth Legislative Assembly.

First Motion of No-confidence

Five notices of No-confidence Motion were received by the Speaker Shri K.A. Mathiazhagan on 9 August 1972. Those who had given notice of the motion were Dr. H.V. Hande (Swatantra), Sarvashri K.T.K. Thangamani (CPI), A.R. Marimuthu, A. Subramaniam, Smt. T.N. Anandanayaki (Congress) and Shri R. Ponnappa Nadar (Congress O). The Speaker allowed Dr. Hande's motion which was received first in point of time. The grounds for bringing the motion were: (i) mishandling of the farmers' agitation leading to unnecessary loss of life and loss of properties; (ii) police excess and unwarranted firings; (iii) deterioration in law and order situation; (iv) spiralling prices of essential commodities; and (v) indiscriminate mass arrests of peasants and political workers.

The Legislative Assembly also gave leave to a Censure Motion expressing disapproval of the policy of the Karunanidhi Ministry over the manner in which the farmers' agitation was handled. Moved by Shri K.T.K. Thangamani (CPI), the motion was seconded by Shri A.K. Subbiah. The two motions were taken up together for discussion.

The motions were debated for four days spanning 16 hours and 51 minutes. 27 members took part in the discussion.

Initiating the debate on the No-confidence Motion, Dr. Hande charged the Government with failure to handle the farmers' agitation tactfully and held it responsible for the police firings on 5 July when there was a State-wide bandh. He said it should be removed from power for its failure to maintain law and order and for political interference in every sphere of administration. He criticised the speeches made by prominent DMK members at the partys' Madurai Conference and said these speeches threatened the Centre that Tamil Nadu would go out of the Indian Union if the Prime Minister did not accede to the demand for State autonomy.

Replying to the four-day debate on the No-confidence Motion and Censure Motion, the Chief Minister Dr. Karunanidhi blamed the CPI for the violent turn that the farmers' agitation had taken. He said the agitation was peaceful at the beginning but after the CPI entered the picture, moves for negotiation with the Government were stalled and the agitation became violent. The CPI effectively prevented the Action Committee from having negotiations with the Government. It had foiled two attempts to bring the Action Committee members to the Conference table. Dr. Karunanidhi recounted to the House point by point the steps taken by the Government to implement the agreement it had reached with the Farmers' Action Committee on their 12-point charter of demands. He said the Government had asked the Revenue Board members to tour the drought affected areas and suggest suitable rescheduling of loan repayment by farmers. The report would be submitted before 30 August.

The motion, when put to vote, was defeated with 27 members voting in favour and 179 members voting against it. The House also rejected the Censure Motion expressing disapproval of the Ministry's policy in dealing with the farmers' agitation.

On 18 October 1972, the ruling DMK split into two with the announcement of the formation of a new party called the Anna Dravida Munnetra Kazhagam by Dr. M.G. Ramachandran.

On 11 November 1972, eight members of the State Legislative Assembly formed the Legislature Party of the Anna DMK and elected Dr. Ramachandran as its leader.

On 13 November 1972, the Speaker Shri K.A. Mathiazhagan abruptly adjourned the House to 5 December 1972. On 14 November 1972, the Tamil Nadu Governor prorogued both the Houses of the State Legislature. Later, on 28 November 1972 the Governor summoned both the Houses to meet on 2 December 1972.

At the end of the Question Hour on 2 December 1972, the Speaker, Shri Mathiazhagan informed the House that the CPI leader Shri K.T.K. Thangamani and other Opposition members had given notice of a No-confidence Motion against the DMK Ministry and asked whether the motion commanded the requisite support. Members of the CPI, ADMK, Congress and Congress (O) rose in support of the motion. The Leader of the House, Dr. V.R. Nedunchezhiyan, demanded that the No-confidence Motion against the Speaker (notice of which, he said, had been given by 184 members) should have precedence and till the matter was disposed of, the Deputy Speaker should preside and not the Speaker.

The Speaker said that he had already taken up the No-confidence Motion against the Ministry after taking leave of the requisite number of members and that Dr. Nedunchezhiyan's intervention was irregular, improper and obstructive.

In the midst of the din and confusion that followed, a DMK member, Shri N. Veeraswami was heard to read out a motion for the removal of the Speaker. Shri Veeraswami urged that the notice for the removal of the Speaker ought to be

taken into consideration before any other business was taken up. Endorsing this view, Dr. Nedunchezhyian said that under article 181 of the Constitution, the Speaker should not preside while a resolution for his removal was under consideration. Moreover, the House had to consider all the matters required to be considered as per the message from the Governor under article 175(2). This, Dr. Nedunchezhyian said, was mandatory. He added that as the Speaker was not complying with the mandatory constitutional requirements, the House should resolve that the Deputy Speaker preside over it. Dr. Nedunchezhyian then moved a resolution to this end, which was received with acclamation by the members of the ruling party and its allies. The Deputy Speaker Shri P. Sreenivasan then took the Chair specially placed for him in front of the Speaker's rostrum. The Opposition members objected to this. The Deputy Speaker, however, went ahead with the proceedings and put Dr. Nedunchezhyian's resolution to vote and declared it carried.

Dr. Nedunchezhyian then moved another resolution suspending the rule requiring that the Legislative Assembly Secretary should circulate to all the members the resolution for the removal of the Speaker, together with intimation about the date appointed for its discussion. The motion was put to vote by the Deputy Speaker and declared passed.

Shri Veeraswami then moved the resolution for the 'removal' of the Speaker from office. The Deputy Speaker said that leave was granted to the resolution since more than 35 members had supported it. He put the motion to vote and declared it carried, amidst protest from the Opposition.

The Chief Minister then presented the Supplementary Estimates. The next subject the Deputy Speaker took up was the Statement of Accounts of the Electricity Board.

Even as several members of the DMK and its allies participated in the debate, members of the ADMK and its allies were called upon by Shri Mathiazhagan to speak on the No-confidence Motion against the Ministry. The two parallel sessions went on for about 100 minutes when Shri Mathiazhagan adjourned the House and left. The members of the ADMK, CPI, Congress (O) and Swatantra Party also left the House. The members of the DMK, Forward Bloc, Muslim League and Tamil Arasu Kazhagam, however, stayed on and continued the discussion on the Electricity Board budget for another 40 minutes before the House rose for the day.

A Gazette Extraordinary issued on the same night said, "Mr. K.A. Mathiazhagan, Speaker, Tamil Nadu Legislative Assembly, has been removed from the Office of Speaker by a resolution of the Assembly passed by a majority of all the then Members of the Tamil Nadu Assembly on 2nd December 1972 afternoon under Article 179 (c) of the Constitution". It was also stated that: "Consequently, under clause (1) of Article 180 of the Constitution while the Office of Speaker is vacant, the duties of the Office shall be performed by the Deputy Speaker, Mr. P. Sreenivasan".

Motion of Confidence

On 4 December 1972, the Deputy Speaker Shri P. Sreenivasan allowed the Chief Minister Dr. M. Karunanidhi to move a Motion of Confidence in his Council of Ministers on the basis of an earlier precedent in 1952 when a similar motion was allowed to be moved and discussed on the practice that obtained in England. Accordingly; on 7 December 1972, the Chief Minister Dr. Karunanidhi moved a Motion of Confidence. The ADMK, CPI and Congress continued their boycott of the Session in protest against the illegal and unconstitutional removal of Speaker Mathiazhagan from office by the ruling party and its allies and the unconstitutional nature of proceedings in the House on 2 December 1972. The two Opposition parties - the Congress (O) and Swatantra - sought to question through points of order the propriety of such a motion by the Chief Minister. It was contended that there was no provision in the Constitution or the Assembly Rules for a Motion of Confidence by the House in the State Ministry and that, in any case, it would be improper to take up such a motion since a motion expressing lack of confidence in the Ministry had already been taken up when the Legislative Assembly began its sitting on 2 December 1972 which was yet to be disposed of. The members of the ruling party and its allies, however, expressed the view that the House was sovereign and it could decide on its own business. After some discussions, the Deputy Speaker ruled that the motion was in order.

The motion was discussed on 7, 8, 9 and 11 December 1972 for 17 hours and 53 minutes in which 24 members participated.

Speaking on the motion, Shri J. James (Congress-O) criticised the Government for not coming forward to place on the Table of the House the corruption charges forwarded by the Centre to the Chief Minister and said it had only prevented the Opposition members from effectively taking part in the debate. He said in bringing the Confidence Motion, the Chief Minister had in a way prevented the setting up of a Commission of Inquiry and demanded the resignation of the Ministry on this issue. He referred to the recent police firings and lathi-charges in different places of the State and said that as a result of police repression the students felt that they were not secure. He said the Government had done nothing to avert the abnormal rise in the prices of essential commodities or to solve the growing unemployment problem.

Dr. Karunanidhi asked whether it was proper on the part of the Opposition leaders to demand a Commission of Inquiry at the State level, when the ADMK and CPI leaders went all the way to Delhi to present their memoranda of charges against his Ministry. He said it would be equally improper and even unethical for him to place on the Table of the House without the Centre's permission the charges of corruption presented to the President and forwarded to him by the Prime Minister

for comments. The leaders who went to Delhi for this purpose should wait till the Centre acted. The State Government was not prepared to constitute a Commission of Inquiry. He made it clear that his stand should not be construed to suggest that he was afraid of facing a Commission of Inquiry. Dr. Karunanidhi dwelt at length on the achievements of the DMK since it came to power in 1967 in every sphere - whether it be education, welfare of the Scheduled Castes, land reforms or uplift of the backward classes. The Government's record had surpassed the performance of the Congress in the two decades of its rule. He appealed to the Opposition parties not to force students into political agitations which had no direct bearing on them.

The members of the Congress (O) and the Swatantra who participated in the debate left the House before the Confidence Motion was put to vote. Shri R. Ponnappa, Leader of the Congress (O) group, said his party members were walking out of the House as the Government had not accepted their demand for a commission to enquire into the charges levelled against the Ministry.

Dr. Hande (Swatantra), however, said his party's walk-out was to demonstrate that there was no relationship between the fictitious majority the DMK had in the House and the increasing unpopularity it was facing outside.

The members of the Congress, CPI and ADMK stayed away from the House on all the four days. The Deputy Speaker then put the motion to vote and declared the motion carried by voice vote. The Muslim League leader, Shri A.M. Mohideen, however, pressed for a division and the motion was carried with 172 votes for, and none against it.

Second Motion of No-confidence

The second No-confidence Motion in the Fifth Legislative Assembly was moved by Shri B. Venkatasamy (Swatantra). The main reasons for tabling the motion were the Government's failure to check the soaring prices of essential commodities, the ruling party's interference in the administration and widespread corruption. Leave for moving the motion was granted on 7 August 1973.

On the same day, Shri K.T.K Thangamani (CPI) moved a Censure Motion expressing disapproval of the policy of the Ministry which led to high prices of essential articles and the food crisis leading to widespread agitation. The motions were discussed for four days in which 47 members participated in the 20 hours long debate.

Initiating the debate, Shri B. Venkatasamy said the Government had lost the faith, trust and sympathy of the people and cited the verdict of the Dindigul poll in support of his claim. He complained that the ruling partymen interfered with the day-to-day administration. He accused the Government of failure to check the rise in prices and said it was paradoxical that despite Tamil Nadu being a surplus State in rice production, acute scarcity of the grain was experienced in the border areas,

particularly in Kanyakumari and Dharmapuri districts. This could be blamed only on the inefficiency of the Government in regard to distribution. He further charged the Government with adopting a policy of police repression which had caused a sense of panic and insecurity in the minds of the people, especially women.

Replying to the four-day debate, the Chief Minister Dr. M. Karunanidhi gave an elaborate analysis of the Centre's responsibilities in the matter of keeping prices under check. About the problem of soaring prices, Dr. Karunanidhi said it was not correct to say that the rate of increase was the highest in Tamil Nadu. He gave figures to show that, except coconut oil and a few other articles, the price was lower in Tamil Nadu when compared to that in other States. It was not as though the State Government had unbridled powers to invoke the provisions of the Essential Commodities Act. Except with the approval of the Centre, the State could not control the price, production, distribution or transport of important articles. He reiterated that only the Centre which shaped and implemented the fiscal and monetary policies had the instruments necessary to control the prices.

Refuting the criticism that the DMK had no set policy of its own, Dr. Karunanidhi said the basic policy of the DMK Government was to safeguard the rights and privileges of the Tamils and restore to them their ancient glory. The Government was also wedded to socialism. This consisted of social and economic development of the backward classes and the Scheduled Castes and Tribes. The Government, during the six years it was ruling the State, had appointed over 100 members of these classes to high posts which they had not occupied before. The land reform measures, schemes to assign *pattas* and house sites to the landless, nationalization of bus transport, the scheme for workers' participation in the share capital of bus transport corporations, organization of free eye camps, starting of beggar homes and distribution of cycle rickshaws were some of the efforts meant to achieve this goal of socialism.

The motions were negated by voice vote.

Third Motion of No-confidence

A No-confidence Motion against the Karunanidhi Government was moved by Shri A.R. Marimuthu (Socialist) on 12 August 1974 on the grounds of its failure to tackle the food situation in the State. The discussion on the motion was held on 12, 13, 14, 16 and 17 August 1974 for 14 hours and 13 minutes in which 20 members participated.

Moving the No-confidence Motion, Shri Marimuthu said the State faced a food crisis although the Government had given a rosy picture of food production during the Budget debate. He alleged that smuggling and black-marketing of rice had been done on such a large scale that the State's stocks had depleted to a dangerously low level. Thanjavur, which was the granary of the State, had a

marketable surplus of six or seven lakh tonnes. The Government had procured only about 1.5 lakh tonnes. It lifted the movement restrictions all of a sudden when the whole surplus had gone out of the State. Rejecting the argument that rice shortage had been created because those who ate coarse grains had taken to rice, he said the prices of these grains continued to be cheaper than that of rice and the people accustomed to taking them had not switched over to rice. He suggested that steps should be taken, if necessary, with the Centre's help to get rice from Andhra Pradesh. The Government should also entuse cultivators to raise a summer crop.

Replying to the charges made against the Government during the debate, the Chief Minister Dr. M. Karunanidhi blamed the Centre for removing the restrictions on the inter-State movement of coarse grains. He said that was the main reason why the satisfactory food supply position in Tamil Nadu changed into one of scarcity. He deplored the way the Opposition parties tried to exploit the situation by organising unlawful agitations. Detailing the steps taken by the Government to unearth hoarded stocks and to punish unscrupulous merchants, he said 665 cases had been detected till July and hoarded stocks worth Rs. 2.2 lakh seized. As a result of these measures, rice was freely available now.

The motion was defeated by voice vote.

Fourth Motion of No-confidence

On 13 December 1974, notices of No-confidence Motion were received from Shri Kovai Chezhiyan (ADMK) and Shri J. James (Congress-O). Notices of Censure Motion were also given by Sarvashri Aladi Aruna (ADMK), A. Subramaniam, M. Surendran (Congress) and N.K. Palaniswami and S. Vadivel (CPI) disapproving the Government's food policy. At the suggestion of Shri G.R. Edmund, Deputy Leader of ADMK, it was agreed that Shri Kovai Chezhiyan's No-confidence Motion and Shri A. Subramaniam's Censure Motion be moved and debated. The discussion on the motions was held on 13, 14, 16, 17 and 18 December 1974 for 16 hours and 27 minutes. 31 members participated in the debate.

Moving the No-confidence Motion, Shri Kovai Chezhiyan said the people of Tamil Nadu were fed up with the administration of the DMK. He alleged that behind the facade of the eye camps, the housing schemes and other social welfare measures, corruption and nepotism flourished. He argued that it was not the shortfall of two lakh tonnes but the large-scale illegal export of rice that had been responsible for the present crisis. People in the rural areas were facing acute food scarcity and unemployment. He accused the Government of failure to implement small irrigation schemes which would have had a cumulative effect in staving off famine.

Replying to the debate, the Chief Minister Dr. M. Karunanidhi rebutted the charges that the lifting of curbs on the movement of paddy from Thanjavur during

the last Samba season was the cause of the scarcity experienced by the State. He said the restrictions were removed because there was a sudden spurt in the price of rice in other parts of the State. Representations were made to the Government by all sections - the producers, merchants and consumers - that the curbs be lifted to stabilize prices throughout Tamil Nadu. Explaining the Government's efforts to bring out hoarded stocks, he said it had used the Maintenance of Internal Security Act (MISA) against foodgrain hoarders in 1973, long before the Centre thought of using it against smugglers. Action had been taken against 48 such persons under MISA and 523 others under the Defence of India Rules. He announced remission of land revenue and postponement of recovery of Government and co-operative loans due from ryots in the drought-hit areas of the State. He said the report from the Revenue Board on the drought situation in Tamil Nadu was expected in a day or two. After studying it, the Government would decide on the quantum of financial assistance to be sought from the Centre.

Replying to the debate, Shri Kovai Chezhiyan said the Chief Minister had not dealt with the various charges made during the debate and his speech was not convincing. He then walked out of the House accompanied by the other members of his party. For the same reason, Shri A.R. Marimuthu and other Congress members also walked out. Before the CPI members walked out, Shri K.T.K. Thangamani, Leader of the group, said the rice export scandal and other irregularities contained in the Estimates Committee's report was the crux of the Opposition members' speeches and the Chief Minister had ignored the whole subject.

The Speaker then ruled the motions were deemed to have been withdrawn and adjourned the House.

Sixth Legislative Assembly (1977-1980)

Elections to the 234-member State Legislative Assembly were held in June 1977. The AIADMK won 130 seats, DMK 48, Congress 27, Janata 10, CPI(M) 12, CPI 5 and Independents 2 seats.

On 30 June, 1977 a 14-member AIADMK Ministry headed by Dr. M.G. Ramachandran was sworn in by the Governor Shri Prabhudas Patwari.

In the Sixth Legislative Assembly, two Motions of No-confidence were discussed and both were negatived.

First Motion of No-confidence

Leave was granted on 4 January 1978 to Dr. M. Karunanidhi (DMK) to move a No-confidence Motion against the AIADMK Ministry headed by Dr. M.G. Ramachandran on the grounds of administrative lapses of the Government. The debate on the motion lasted 20 hours and 6 minutes spanning four days. 42 members participated in the debate.

Initiating the discussion, Dr. Karunanidhi charged the AIADMK Ministry with utter failure to fulfil its infinite poll promises and for trying to denigrate the DMK for corruption on every conceivable occasion. He accused the Government of prevarication, making contradictory statements and revelling in empty promises. He alleged that the Chief Minister and his colleagues were interested in utilizing every opportunity to malign the DMK with charges of corruption. Dr. Karunanidhi assailed the Ministry for blaming the DMK for the agitation by workers, teachers, doctors, engineers, handloom weavers and farmers. He said what the State witnessed during the AIADMK's six-month rule was conversion of section 307 of the IPC into a mini-MISA to arrest DMK leaders and their followers. About 25,000 to 30,000 persons were put behind bars during this period. He further charged that DMK workers had been arrested and imprisoned in connection with Smt Indira Gandhi's visit only to denigrate the party and harass its workers. He said he had moved the No-Confidence Motion only to highlight the administrative lapses of the Government.

Replying to the debate, the Chief Minister Dr. M.G. Ramachandran said the Government was intent on identifying the benami holdings and ensuring that the tiller of the soil really owned them. A legislation was on the anvil to give permanent protection to tenants from eviction. Rebutting the criticism that the Government had done nothing to fulfil its promises, he said despite financial and other constraints, as also the plethora of agitations the Government had to face in the brief period it had been in office, it had several achievements to its credit on the industrial, transport and labour sectors. Referring to the arrest of the DMK leader following the violent incidents in the wake of the party's black flag demonstration during Shrimati Indira Gandhi's visit, he said it was not the intention of the Government to victimize anyone by sending him to jail. Even in respect of the findings of the Sarkaria Commission which looked into the charges against the previous Karunanidhi Government, he said he would be happy if anyone involved in the enquiry came out unscathed and proved to be not guilty.

Before the motion was put to vote, the members of the Janata Party staged a walk out following the refusal of the Speaker Shri Munu Adhi to allow their leader Shri J. James to have his say on the remark made earlier by the Chief Minister about the pre-1967 Congress regime in the State. The motion was defeated by voice vote.

Second Motion of No-confidence

Another Motion of No-confidence was moved on 19 February 1979 by Shri S.J. Sadiq Pasha (DMK) against the 20-month-old AIADMK Government of Dr. M.G. Ramachandran. Simultaneously, the House took up for consideration three Censure Motions against the Ministry tabled by Sarvashri R. Umanath (CPI-M), J. James (Janata) and M.A. Latheef (Muslim League) in respect of the Government's

policy on labour, law and order and minority communities and for its acts of commission and omission. The combined discussion on these motions was held on 19, 20, 21 and 26 February for 17 hours and 39 minutes in which 16 members participated.

Moving the No-confidence Motion, Shri Sadiq Pasha charged that the Government was unable to maintain law and order and had bungled in every sphere. The murder of Shri S.G. Murugaiyan, CPI member of Parliament, and the attempt on the life of Dr. M. Karunanidhi, Leader of the Opposition, only highlighted the lawless conditions in the State. He said farmers, workers, teachers, students and industrialists were thoroughly dissatisfied with the Government. Their problems continued to remain unsolved. There had been no solution to the Cauvery waters' problem. The farmers' agitation was assuming alarming proportions. There were irregularities in the execution of some irrigation schemes and in the provision of relief to the flood-hit people in Madras. He said there was a lot of confusion in the Government's stand on the language issue. The Centre was going ahead with the imposition of Hindi and the State Government could do nothing about it.

Replying to the charges made by the Opposition during the four-day debate on the No-confidence Motion and the three Censure Motions, the Chief Minister Dr. M.G. Ramachandran expressed the hope that the Centre would come forward in one way or the other to redress the grievances of the farmers in the State. He said during his last visit to Delhi to participate in the National Development Council meeting, he had met the Union Finance Minister and apprised him of the hardships suffered by the agriculturists in the State, the unremunerative price offered for their produce, debt burden, etc.

Referring to the plea that the Government should procure more stocks of paddy, the Chief Minister said the procurement centers opened by the Food Corporation of India for the *Kuruva* season continued to function for the *Samba* crop also. Seventeen more such centers would be started. He pointed out that the State Government could not give more than the price fixed by the Centre because of regulations of the Reserve Bank which was giving Rs.60 to Rs.100 crore as advance. He criticised the move of the agriculturists' associations for a 'no tax' campaign which he said would strike at the roots of democratic functioning. As regards contract labour, he said it had been decided to regulate the system rather than abolish it. It would be ideal if the principle of one union for one industry could become a reality. Refuting the criticism that law and order had broken down in the State and murders and disturbances of meetings of Opposition parties were on the increase, he quoted comparative figures from 1974 to 1977 and said that the number of cases of riots and murders had come down in 1977. He regretted that the Opposition parties were carrying on a campaign aimed at implicating the ruling party in the murder of the CPI MP, Shri S.G. Murugaiyan and made it clear that till date he had not interfered

with the investigations and had allowed the police investigation to take its course. He deplored the attempt on the life of Dr. M. Karunanidhi and the attack on the house of Shri Umanath and said he had never approved of such violent acts. He assured the House that he would take appropriate action based on the facts placed before him in this regard.

The Speaker Shri Munu Adhi put to vote the No-confidence Motion first and declared it lost by voice vote. However, Shri S.J. Sadiq Pasha pressed for a division, following which a vote was taken and the motion was declared lost with 64 members voting in favour and 128 members voting against it.

The Censure Motions were also put to voice vote and declared lost.

Seventh Legislative Assembly (1980-1984)

General Elections were held on 28 and 31st May 1980 for the 234-member Legislative Assembly. The AIADMK secured an absolute majority with 129 seats, followed by DMK 38, Congress(I) 30, CPI(M) 11, CPI 10, Janata (JP) 2, GKNC 6, AIFB 1 and Independents 7. On 9 June 1980, a new 18-member Council of Ministers headed by Dr. M.G. Ramachandran assumed office.

One Motion of No-confidence was debated and negated in the Seventh Legislative Assembly.

Motion of No-confidence

A Motion of No-Confidence was brought against the Council of Ministers headed by Dr. M.G. Ramachandran by Shri R. Umanath [CPI(M)] on 31 October 1983. The motion was discussed for six days on 8, 9, 10, 11, 15 and 16 November 1983. Sixteen members participated in the 18 hours and 27 minutes long debate.

Moving the motion, Shri Umanath accused the Government of betraying the mandate given by the people of the State to fight authoritarianism and dictatorship by trying to forge an alliance with the Congress(I). He pointed out that the AIADMK had given a poll pledge to restore the democratic rights of the people. But this had been given the go-by when the Government enacted an anti-Press law. He demanded that the Press Act be repealed as also sections 292A of the IPC which imposed crippling curbs on the Press. He further charged the Government with continuing its surveillance over judges of the High Court. He said the people had lost confidence in the selection of candidates for medical and engineering courses as the interview system had provided scope for corruption. He also alleged that there was lot of mismanagement, under-utilization of funds and corruption in the implementation of the self-sufficiency schemes and welfare projects meant for the poor. Referring to the anti-labour policies of the Government, he said the labour laws and conciliation machinery had collapsed.

Replying to the debate on the motion, the Chief Minister Dr. M.G. Ramachandran pointed out that he had never failed to protest against measures which went against the interests of the State. He and his party had opposed the Centre's move to remove sales tax from the State List as well as the move to station Central Reserve Police Force in the State when riots erupted. The Government had not failed to voice its protest when the Centre did not fix a higher procurement price for paddy as was done for wheat or when it ignored Tamil Nadu while choosing zero industries' districts for concessions. He said that the Government was prepared to hold elections to panchayats and municipalities before the end of February 1984. Dismissing the allegation that the Government had not shown enough interest in getting the second atomic power plant at Kudankulam in Tirunelveli district, he said steps had been taken to allot land and supply water required for the project. He also cited statistics to show that the Government had gone all out to provide housing for the Adi Dravidas and improve their socio-economic conditions.

The motion was then first put to voice vote by the Speaker, Shri K. Rajaram and declared lost. One member, however, pressed for a division. The motion was negatived with 49 members voting in favour and 125 members voting against it.

Eighth Legislative Assembly (1985-1988)

Elections were held for the 234-member Legislative Assembly on 24 December 1984. The ruling AIADMK secured an absolute majority by winning 133 seats. The Congress(I) which had entered into an alliance with the AIADMK got 62 seats. The DMK won 20 seats, Janata 3, CPI(M) 5, CPI 2, and Independents and others 7 seats. Elections in two constituencies had been countermanded following the death of independent candidates. Dr. M.G. Ramachandran was again sworn in on 10 February 1985 as the Chief Minister. Following the death of Dr. Ramachandran on 24 December 1987, Dr. V.R. Nedunchezhiyan was sworn in as the acting Chief Minister on 25 December 1987. On 3 January 1988, the Governor Shri S.L. Khurana invited Smt. Janaki Ramachandran, the widow of Dr. M.G. Ramachandran, to form a new Government. On 7 January 1988, Smt. Janaki Ramachandran was sworn in as the Chief Minister; she was asked to prove her majority in the Legislative Assembly in four weeks' time.

One Motion of Confidence was adopted in the Eighth Legislative Assembly.

Motion of Confidence

On 28 January 1988, the House assembled for voting on the Confidence Motion. The Speaker Shri P.H. Pandian announced that five Congress(I) members had telephoned him 15 minutes earlier that they had resigned from the Legislative Assembly. He said they were on their way and adjourned the House

saying the voting would take place at 12 noon amidst loud protests from both Congress(I) and pro-Jayalithaa members of the AIADMK.

The House re-assembled at 12 noon. The Speaker then announced disqualification of six former Ministers under the Anti-defection Law and adjourned the House to 3 P.M. following which pandemonium broke out. The pro-Chief Minister members withdrew from the House. Thereafter, Opposition members elected Shri S. Sivaraman as the Speaker, passed resolutions for the removal of Speaker Shri Pandian, voted down the Confidence Motion and adjourned the House *sine die*.

The Legislative Assembly met again at 3 P.M. with all sections of the House present. Pandemonium broke out once again and police then entered the Assembly Chamber. Fifteen minutes later, the House re-assembled with only the pro-Chief Minister MLAs and DMK, Muslim League and Janata members present. Shri R.M. Veerappan, Leader of the House, moved the Confidence Motion for voting without discussion as already decided upon in the Business Advisory Committee meeting. The Speaker Shri P.H. Pandian declared the motion passed by a voice vote. However, Shri A. Rahman Khan (DMK) pressed for division and the House divided with 99 members voting in favour and eight members voting against and three remaining neutral. The motion was, thereafter, declared adopted.

No Motion of Confidence or No-confidence was taken up in the Ninth, Tenth, Eleventh and Twelfth (till date) Legislative Assemblies.

Motions of Confidence and No-confidence in the Tamil Nadu Legislative Assembly - An Analysis

In all, 12 Motions of No-confidence and three Motions of Confidence were admitted and discussed in the State Legislative Assembly. Table 1 shows that out of the 12 Motions of No-confidence, the highest number of four Motions of No-confidence were debated in the Fifth Legislative Assembly followed by two each in the Third, Fourth and Sixth Legislative Assemblies and one each in the Second and Seventh Legislative Assemblies. As regards Motions of Confidence, one each was debated in the First, Fifth and Eighth Legislative Assemblies. In the Ninth, Tenth, Eleventh and Twelfth (till date) Legislative Assemblies, no such motion was discussed.

Table 2 gives the number of No-confidence and Confidence Motions discussed during the tenure of different Speakers of the Legislative Assembly. Speaker Shri Pulavar K. Govindan chaired the debate over the highest number of five Motions of No-confidence. Speakers Sarvashri S. Chellapandian and Munu Adhi presided over the debates on two Motions of No-confidence each. Speakers Dr. U. Krishna Rao, Shri K.A. Mathiazhagan and Shri K. Rajaram presided over the debates on one No-confidence Motion each. Speakers Sarvashri J. Sivashanmugam Pillai, P.H. Pandian and Deputy Speaker Shri P. Sreenivasan chaired the debate on one Motion of Confidence each.

Table 3 gives an account of the No-confidence Motions and Confidence Motions debated during different Councils of Ministers. Of the 12 Motions of No-confidence, Dr. M. Karunanidhi faced five Motions of No-confidence whereas Dr. M.G. Ramachandran faced three Motions of No-confidence. Shri M. Bhaktavatsalam faced two motions and Shri K. Kamaraj and Dr. C.N. Annadurai faced one Motion of No-confidence each. Chief Ministers Shri C. Rajagopalachari, Dr. M. Karunanidhi and Smt. Janaki Ramachandran moved one Motion of Confidence each. Dr. M. Karunanidhi was the only Chief Minister who faced motions of both types - No-confidence as well as Confidence.

Table 4 gives statistical information pertaining to the participation of members in the debates on various Motions of No-confidence. It also depicts the time taken and the result of the division.

Participation of Members

In all, 457 members of the Legislative Assembly participated in the debates on the 14 motions - 362 members in the 12 Motions of No-confidence and 95 in the two Motions of Confidence. One Motion of Confidence was adopted without any discussion. The highest number of 47 members took part in the No-confidence Motion moved by Shri B. Venkatasamy against the Council of Ministers of Dr. M. Karunanidhi in August 1973.

On the other hand, the two No-confidence Motions against the Ministry of Dr. M.G. Ramachandran - one moved by Shri S.J. Sadiq Pasha in February 1979 and the other by Shri R. Umanath in November 1983 - entailed the lowest partaking by 16 members.

As regards Motions of Confidence, the highest number of 71 members participated in the motion moved by Shri C. Rajagopalachari in 1952. Smt. Janaki Ramachandran's motion moved in January 1988 was carried without any discussion.

Time taken

The total time spent on debating the Motions of No-confidence comes to 199 hours and 57 minutes while the time taken on the Motions of Confidence was 43 hours and 13 minutes. The total number of days taken to discuss the Motions of No-confidence and Motions of Confidence comes to 49 days and 9 days, respectively. Individually, the No-confidence Motion moved by Shri R. Umanath against Dr. M.G. Ramachandran's Cabinet on 8 November 1983 was debated for the largest number of six days. The No-confidence Motion moved by Dr. M. Karunanidhi on 4 January 1978 against Dr. M.G. Ramachandran's Ministry was debated for the longest duration of 20 hours and 6 minutes while the shortest duration of 12 hours and 21 minutes was taken by the No-confidence Motion moved by Shri K.A. Mathiazhagan on 22 October 1964 against the Bhaktavatsalam Ministry.

As regards Motions of Confidence, Shri C. Rajagopalachari's motion moved on 30 June 1952 was debated for the longest duration of 25 hours and 20 minutes whereas Dr. M. Karunanidhi's motion moved on 7 December 1972 took 17 hours and 53 minutes.

Division

Of the 12 Motions of No-confidence, eight motions were negatived by division, three by voice vote and one was declared to have been withdrawn as the movers were absent at the time of voting. The No-confidence Motion moved by Dr. H.V. Hande on 12 August 1972 against Dr. M. Karunanidhi's Ministry was negatived with the widest margin of 152 votes whereas the No-confidence Motion moved by Shri S.J. Sadiq Pasha against the Ministry of Dr. M.G. Ramachandran voted on 26 February 1979 was negatived with the lowest margin of 64 votes. All the three Motions of Confidence were adopted by division. The Motion of Confidence moved by Dr. M. Karunanidhi in December 1972 was adopted with the widest margin of 172 votes whereas Shri C. Rajagopalachari's Motion of Confidence voted in July 1952 was adopted with the lowest margin of 49 votes. Smt. Janaki Ramachandran's motion was carried without discussion amidst pandemonium and police intervention.

Tripura Legislative Assembly

Tripura was a princely State till 14 October 1949. For a short period before Independence, a Regency Council was formed in the State which was terminated with the signing of the agreement of merger of Tripura with the Indian Union in September 1949. Subsequently, Tripura became a Part 'C' State of India in October 1949 and came to be administered by the Chief Commissioner. Consequent upon the reorganization of States in November 1956, Tripura became a Union territory with an Advisory Committee to advise the Chief Commissioner. As a major step towards popularization of democracy in Tripura, the Territorial Council was formed on 15 August 1957 with 30 members of the Council to be elected on the basis of adult franchise and two to be nominated by the Government of India. On 1 July 1963, the Tripura Territorial Council was dissolved after the formation of a Council of Ministers along with a Union territory Legislative Assembly with the existing members of the Territorial Council.

On 21 January 1972, by virtue of the provisions of the North-Eastern Areas (Reorganisation) Act, 1971, Tripura became a full-fledged State with a Legislative Assembly of 60 members.

Motion of No-confidence

Rule 107 of the Rules of Procedure and Conduct of Business in the Tripura Legislative Assembly provides that a motion expressing want of confidence in the Council of Ministers or a motion disapproving the policy of the Council of Ministers in a particular respect may be made subject to certain restrictions namely: (i) leave to make the motion is to be asked for after Questions and before the List of Business for the day is entered upon; and (ii) the member asking for leave should, before the commencement of the sitting for that day, give to the Secretary a written notice of the motion which he proposes to move. If the Speaker is of the opinion that the motion is in order, he reads the motion to the House and requests those members who are in favour of leave being granted to rise in their places, and if not less than one-fifth of the total number of members of the House rise accordingly, the Speaker intimates that leave is granted. The motion is taken up on such day, not being more than ten

days from the date on which the leave is granted. The Speaker may, at the appointed hour on the allotted day or the last of the allotted days, forthwith put every question necessary to determine the decision of the House on the motion. The Speaker may, if he thinks fit, prescribe time limit for speeches.

Motion of Confidence

No Motion of Confidence has come up in the Tripura Legislative Assembly so far.

Motions in different Legislative Assemblies

In all, eleven Motions of No-confidence have been admitted and discussed in the Tripura Legislative Assembly till date. Tables 1 to 4 provide statistical details in respect of these motions. A graphical presentation of the motions is available in the Graph. Tables 5 and 6 enumerate the Governors and Chief Ministers, respectively, of the State.

The First, Second, Fourth, Seventh and Ninth (till date) Legislative Assemblies did not discuss any Motion of No-confidence.

Third Legislative Assembly (1972-1977)

In the elections held on 11 March 1972, the Congress won 41 seats, CPI(M) 16, CPI 1 and Independents 2 seats in the 60-member State Legislative Assembly. Shri Sukhamoy Sengupta, Leader of the Congress Legislature Party, was sworn in as the Chief Minister on 20 March 1972 by the Governor Shri B.K. Nehru.

In the Third Legislative Assembly, four Motions of No-confidence were admitted against the Cabinet of Shri Sukhamoy Sengupta. Three of these motions were negatived while one was carried leading to the resignation of the Cabinet.

First Motion of No-confidence

A Motion of No-confidence was brought against the Government of Shri Sukhamoy Sengupta by Shri Nripendra Chakraborty [CPI(M)]. Leave to move the motion was granted on 18 September 1973. The debate on the motion held on 21 September 1973 lasted 4 hours and 10 minutes in which 19 members participated.

Moving the motion, Shri Nripendra Chakraborty charged the Government with non-implementation of the assurances and promises made during the election campaign and said that the Government had assured the electorate that after coming to power within one or one and a half years they would bring about land reforms and allot land to the landless in villages as well as in cities. They also promised to amend the tenancy Act, to give job to the jobless, solve the food problem and set up industries. Besides, they promised that black marketeers would be dealt with strongly and many new educational institutions and a medical centre would be set up. None

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1963-2003)**

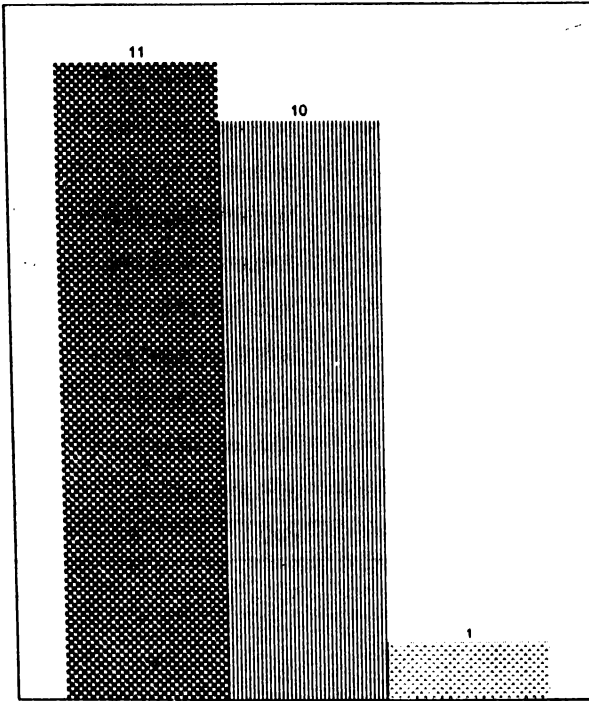
<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Tripura Union Territory Legislative Assembly			
First Legislative Assembly	01.07.1963 - 1967	-	-
Second Legislative Assembly	14.03.1967 - 01.11.1971	-	-
Tripura State Legislative Assembly			
Third Legislative Assembly	29.03.1972 - 05.11.1977	4	-
Fourth Legislative Assembly	24.01.1978 - 06.01.1983	-	-
Fifth Legislative Assembly	09.02.1983 - 05.02.1988	2	-
Sixth Legislative Assembly	29.02.1988 - 10.03.1993	3	-
Seventh Legislative Assembly	14.05.1993 - 26.02.1998	-	-
Eighth Legislative Assembly	23.03.1998 - 04.03.2003	2	-
Ninth Legislative Assembly	20.03.2003 - till date	-	-
Total		11	-

Table 2

**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1963-2003)**

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri Upendra Kr. Roy	01.07.1963 - 11.01.1967	-	-
2.	Shri Manindralal Bhowmick	14.03.1967 - 29.03.1972		
		29.03.1972 - 1978	4	-
3.	Shri Sudhanwa Deb Burman	24.01.1978 - 06.01.1983	-	-
4.	Shri Amarendra Sarma	09.02.1983 - 04.02.1988	2	-
5.	Shri Jyotirmoy Nath	29.02.1988 - 07.04.1993	3	-
6.	Shri Bimal Singha	14.05.1993 - 22.09.1995	-	-
7.	Shri Jitendra Sarkar	12.10.1995 - 10.3.1998		
		23.03.1998 - 07.03.2003	2	-
8.	Shri Ramendra Ch. Deb Nath	20.03.2003 - till date	-	-
Total			11	-

Graph
NCMs in Tripura Legislative Assembly
(1963-2003)



⊗ Motions admitted and discussed **||| Negative** **⊘ Adopted**

No Motion of Confidence was taken up in the Tripura Legislative Assembly.

Table 3

**NCMs against/CMs in the Councils of Ministers
(1963-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Sukhamoy Sengupta (Third Legislative Assembly)	Congress 41/60 (68.34%)	NCM	Nripendra Chakraborty (19)	(18.09.1973) 21.09.1973 04.10	Negated Ayes - 19 Noes - 39
-do-		NCM	-do- (2)	(27.03.1974) 29.03.1974 04.30	Negated by voice vote
-do-		NCM	-do- (23)	(07.10.1974) 08.10.1974 09.10.1974 04.30	Negated Ayes - 19 Noes - 38
-do-		NCM	Prafulla Kumar Das (2)	(30.03.1977) 30.03.1977	Adopted* Ayes - 31 Noes - Nil
Nripendra Chakraborty (Fifth Legislative Assembly)	Left Front	NCM	Shyama Charan Tripura (11)	(18.07.1983) 19.07.1983 04.45	Negated by voice vote
-do-		NCM	Sudhir Ranjan Majumdar (12)	(19.12.1986) 19.12.1986 04.00	Negated by voice vote

● Government members remained absent

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Sudhir Ranjan Majumdar (Sixth Legislative Assembly)	Congress & TUJS Coalition 31/60 (51.67%)	NCM	Nripendra Chakraborty (12)	(04.01.1989) 05.01.1989 04.00	Negatived Ayes - 24 Noes - 31
-do-		NCM	-do- (10)	(31.01.1991) 08.02.1991 04.45	Negatived by voice vote
-do-		NCM	Dasaratha Deb (9)	(16.08.1991) 21.08.1991 04.30	Negatived Ayes - 27 Noes - 31
Manik Sarkar (Eighth Legislative Assembly)	Left Front 41/60 (68.34%)	NCM	Sudip Roy Burman (15)	(24.08.1998) 24.08.1998 04.45	Negatived by voice vote
-do-		NCM	Jawahar Saha (13)	02.09.2002 05.05	Negatived by voice vote

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1963-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
Manindralal Bhowmick	NCM	Sukhamoy Sengupta	Nripendra Chakra- borty	21.09.1973	19	04.10	21.09.1973	19	39	Negated
-do-	NCM	-do-	-do-	29.03.1974	2	04.30	29.03.1974	-	-	Negated by voice vote
-do-	NCM	-do-	-do-	08.10.1974 09.10.1974	23	04.30	09.10.1974	19	38	Negated
-do-	NCM	-do-	Prafulla Kumar Das	30.03.1977	2	—	30.03.1977	31	Nil	Adopted@
Amarendra Sarua	NCM	Nripendra Chakraborty	Shyama Charan Tripura	19.07.1983	11	04.45	19.07.1983	-	-	Negated by voice vote
-do-	NCM	-do-	Sudhir Ranjan Majumdar	19.12.1986	12	04.00	19.12.1986	-	-	Negated by voice vote

@ Government members remained absent

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Jyotirmoy Nath	NCM	Sudhir Ranjan Majumdar	Nripendra Chakraborty	05.01.1989	12	04.00	05.01.1989	24	31	Negated
-do-	NCM	-do-	-do-	08.02.1991	10	04.45	08.02.1991	-	-	Negated by voice vote
-do-	NCM	-do-	Dasaratha 'Deb	21.08.1991	9	04.30	21.08.1991	27	31	Negated
Jitendra Sarkar	NCM	Manik Sarkar	Sudip Roy	24.08.1998	15	04.45	24.08.1998	-	-	Negated by voice vote
-do-	NCM	-do-	Burman Jawahar Saha	02.09.2002	13	05.05	02.09.2002	-	-	Negated by voice vote

Table 5
Governors of Tripura

<i>Sl No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri B.K. Nehru	21.01.1972 - 22.09.1973
2.	Shri L.P. Singh	22.09.1973 - 13.08.1981
3.	Shri S.M.H. Burney	14.08.1981 - 13.06.1984
4.	Gen. (Retd.) K.V. Krishna Rao	14.06.1984 - 11.07.1989
5.	Shri Sultan Singh	12.07.1989 - 11.02.1990
6.	Shri K.V. Raghunatha Reddy	12.02.1990 - 14.08.1993
7.	Shri Romesh Bhandari	15.08.1993 - 16.06.1995
8.	Prof. Siddheswar Prasad	16.06.1995 - 22.06.2000
9.	Lt. Gen. (Retd.) K.M. Seth	23.06.2000 - 01.06.2003
10.	Shri Dinesh Nandan Sahai	02.06.2003 - till date

Table 6

Chief Ministers of Tripura

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Sachindra Lal Singh	24.06.1963 - 03.11.1971
	President's Rule	01.11.1971 - 20.03.1972
2.	Sukhamoy Sengupta	20.03.1972 - 31.03.1977
3.	Prafulla Kumar Das	01.04.1977 - 25.07.1977
4.	Radhika Ranjan Gupta	26.07.1977 - 04.11.1977
	President's Rule	05.11.1977 - 04.01.1978
5.	Nripendra Chakraborty	05.01.1978 - 04.01.1983
		05.01.1983 - 04.02.1988
6.	Sudhir Ranjan Majumdar	05.02.1988 - 18.02.1992
7.	Samir Ranjan Burman	19.02.1992 - 10.03.1993
	President's Rule	11.03.1993 - 10.04.1993
8.	Dasaratha Deb	10.04.1993 - 10.03.1998
9.	Manik Sarkar	11.03.1998 - 04.03.2003
		07.03.2003 - till date

of the promises made were fulfilled by the Government; instead, they were going in the opposite direction.

Replying to the debate, the Chief Minister Shri Sukhamoy Sengupta said that the Opposition Leader as well as the members of the Opposition had made personal attacks on him and his Cabinet Ministers, as no actual allegation could be brought by them on the failure of any Government policy. He also said that it had always been his Ministry's earnest endeavour to keep the promises his party had made during the election campaign. But it was wrong for the Opposition to feel and believe that all the promises could be fulfilled within the period of one or one and a half years. However, during their tenure, they would try to fulfil whatever assurances they had given. Regarding assurances given in respect of issues like industrialization, power shortage, schooling, etc., including the issue of combating corruption, he said, stringent measures had already been started and the process was still on.

At the end of the discussion, the Opposition Leader Shri Nripendra Chakraborty said, no satisfying reply had been given by the Chief Minister on the issues raised by them.

Later, the Speaker put the motion to the vote of the House. Nineteen members stood in favour of the motion and thirty-nine members against it. Accordingly, the motion was declared lost.

Second Motion of No-confidence

Leave was granted on 27 March 1974 to Shri Nripendra Chakraborty to move his second Motion of No-confidence against the Cabinet of Shri Sukhamoy Sengupta. Speaker Shri Manindralal Bhowmick fixed 29 March 1974 and allotted time for discussion and disposal of the motion. On the appointed day, Opposition members, including Shri Nripendra Chakraborty, remained absent and did not take part in the debate, their grievance being that enough time had not been allotted for the motion. They protested saying that only the ruling party's decision had been taken into consideration. The rule had been violated and their opinion and views had not been given due weightage. They felt that within the time allotted for the discussion on the motion, they would not be able to put forward their viewpoints to their satisfaction. They alleged that the ruling party wanted to allot such a short time so that all the grievances and charges against the Government could not be placed before the House and the motion could be disposed of.

The Speaker, before disposing of the motion, regretted the absence of the members of the Opposition and said that since the House had granted leave to move the Motion of No-confidence, the motion had become the property of the House and the House was to dispose it of either by accepting it or by rejecting it. Moreover, the question of withdrawal of the motion also rested with the House. The Leader of the Opposition did not agree with the allotted time; but after receiving the consent of the

Leader of the House, he had allotted time for disposal of the business. The Speaker said that when he was about to announce the time schedule, the Leader of the Opposition objected to it and opined that the matter should have been processed through the Business Advisory Committee. Thereafter, he agreed to the suggestion. The Business Advisory Committee met immediately and prepared the time schedule earmarking 205 minutes for the Opposition and 215 minutes for the ruling party. He further said that though he had tried his best to accommodate both the opposition and the ruling party members, no opposition member was present in the House. That being so, he had no alternative but to proceed with the motion. Thereafter, he placed the motion before the House. The motion was put to voice vote and declared lost.

Third Motion of No-confidence

The third Motion of No-confidence against the Ministry of Shri Sukhamoy Sengupta was moved on 8 October 1974. Leave of the House to move the motion was granted on 7 October 1974 to Shri Nripendra Chakraborty of the CPI(M).

Moving the motion, Shri Nripendra Chakraborty accused the Government of uprooting the tribals and said the State which mainly belonged to these tribals were gradually being captured by others. These tribals did not have proper living conditions and had no facility of education, medical treatment, post office or even proper roads. There were few areas which were reserved for the tribals. But, by adopting undemocratic means, the Government had passed an Ordinance saying that no reserved area belonged to the tribals and started handing over the lands to non-tribals through the landlords and brokers. Shri Chakraborty further alleged that it was not the tribals only who were being harassed, even the villagers who consisted of seventy per cent of the State population were dying of starvation. He also criticized the Government for its anti-labour policy, failure to provide job opportunities to the youth and for illegal activities that were being committed by them. The member also alleged that the people of the State did not have any sort of protection of their life and property.

Replying to the debate, the Chief Minister Shri Sukhamoy Sengupta refuted the allegation that the Government was responsible for uprooting the tribals. He alleged that a majority of the members belonging to the Opposition CPI(M) had once tried to build up a confidence in the minds of the tribals by giving them false hopes that they, along with the tribals, jointly would be able to lead an anarchist rule in the State. The tribals later realised their mistakes and could understand that they were befooled and as a reaction to that they never wanted to be dictated by the CPI(M) leadership and formed the Tribal Youth Front. Referring to the heinous crimes, the Chief Minister said proper enquiries were conducted into each such case and whenever the culprits were nabbed proper court cases were conducted. The Chief

Minister also denied that his party had committed any illegality. However, he assured the House that appropriate action would be taken if any such activity was brought to his notice.

The motion was discussed for two days on 8 and 9 October 1974. 23 members took part in the 4 hours and 30 minutes long debate. The motion was defeated with 19 members voting in favour and 38 members voting against it.

Fourth Motion of No-confidence

On 30 March 1977, two notices expressing want of confidence in the Council of Ministers headed by Shri Sukhamoy Sengupta were received by the Speaker Shri Manindralal Bhowmick. The motion was then put before the House to determine the leave of the House. Thirty-one members out of the total membership of sixty favoured the motion and the leave to move the motion was granted by the House.

The discussion then took place on whether to put the motion immediately to the vote of the House after having proper discussion on it or first to dispose of other business before the House and then start the discussion on the motion.

The Speaker was of the opinion that since the Supplementary Budget and many other business were listed for the day, these should be disposed of and only then the discussion on the Motion of No-confidence should be taken up.

Thereupon, a ruling party member pointed out that since in the House of sixty, 31 members had voted in favour of taking up the motion for discussion, automatically the Government had lost the confidence of the House. Therefore, he felt, there was no point in transacting any Government business.

The Leader of the Opposition Shri Nripendra Chakraborty, however, wanted to have a proper discussion on the motion followed by voting. Ultimately, the Speaker requested Shri Prafulla Kumar Das (CFD) who was the first to give the notice, to move the motion.

Moving the motion, Shri Prafulla Kumar Das criticised the Government for indulging in undemocratic work and for doing nothing for the welfare of the people. He promised that his party would give a clean Government which would work for the welfare of the people.

The Leader of the Opposition Shri Nripendra Chakraborty also extended his support to the No-confidence Motion.

The Speaker then put the motion to vote which was declared carried with 31 members voting in favour. The Government members remained absent. On the same day, the Chief Minister, Shri Sukhamoy Sengupta submitted his resignation to the Governor Shri L.P. Singh.

No Motion of Confidence or No-confidence was taken up in the Fourth Legislative Assembly.

Fifth Legislative Assembly (1983-1988)

In the elections held for the 60 Legislative Assembly seats on 5 January 1983, the CPI(M) secured an absolute majority by winning 37 seats followed by the Congress(I) with 12 seats. The Tripura Upajati Juba Samiti (TUJS) won 6 seats, Revolutionary Socialist Party 2, and Independents 3 seats. A 12-member Left Front Ministry headed by Shri Nripendra Chakraborty was sworn in on 11 January 1983 by the Governor Shri S.M.H. Burney.

In the Fifth Legislative Assembly, two Motions of No-confidence were admitted against the Council of Ministers of Shri Nripendra Chakraborty and both of them were negatived.

First Motion of No-confidence

On 18 July 1983, two notices of No-confidence Motion against the Council of Ministers headed by Shri Nripendra Chakraborty were given by Sarvashri Shyama Charan Tripura (TUJS) and Ashok Bhattacharyya, Congress(I). Leave to move the motion was granted. The discussion on the motion was held on 19 July 1983 for 4 hours and 45 minutes. 11 members participated in the debate.

Initiating the discussion, Shri Tripura criticized the Government for its failure to maintain law and order in the State. He stated that the Government had been working in an undemocratic manner and the number of criminal acts was increasing day by day. The police force, meant for protecting the people, was being used by the State machinery for their vested interests.

During the debate, the Opposition members blamed the Government for curbing the fundamental rights of the citizens and for taking measures which were detrimental to the interests of the tribal population of the State.

Replying to the debate, the Chief Minister Shri Nripendra Chakraborty refuted all the allegations made by the Opposition members. The Chief Minister further said that during the last five years his Government had tried to work for the all round welfare of the people. They had tried to fulfil all the promises made in their election manifesto. People were very happy with their work and as such in the next election they brought them back to power. The leaders of the Opposition parties who had made all sorts of allegations against them had also tried their best to come to power but because of their past misdeeds which the people could not forget, they were not successful.

The motion was then put to the vote of the House and was negatived by voice vote.

Second Motion of No-confidence

A notice of motion expressing want of confidence in the Council of Ministers headed by Shri Nripendra Chakraborty given jointly by Shri Sudhir Ranjan Majumdar

(Congress-I), Shri Shyama Charan Tripura (TUJS) and Shri Manoranjan Majumdar (Independent) was received by the Speaker Shri Amarendra Sarma on 19 December 1986. Fourteen members from the Opposition parties supported the motion and accordingly leave was granted. The discussion on the motion took place on 19 December 1986. The motion was discussed for 4 hours in which 12 members participated.

Moving the motion, Shri Sudhir Ranjan Majumdar accused the Government of resorting to corrupt and unfair practices for winning the two by-elections held in the recent past. The people of Tripura who had reposed faith in the Government by electing them a second time expected security of life and assurance of their constitutional rights, but none of the promises made by them was fulfilled. He charged the Government with not providing security of life and property to the people during the nine years of their rule. The Opposition Leader was of the view that with enough security forces available, it was not at all difficult to control the extremist problem in the State. He said the Government had not tried to curb the extremist problem intentionally to gain political mileage out of it.

Replying to the debate, the Chief Minister Shri Nripendra Chakraborty termed the allegations made by Shri Majumdar as baseless. He said the very fact that the people had reposed their faith by electing them again proved that all the allegations were baseless. Referring to various crimes committed in the State, the Chief Minister said, instead of criticising the Government, he expected that the Opposition would like to know what steps his Government had taken to curb such incidents. Pointing out the inadequacy of forces available with them, he said, the Centre had not paid any heed to their requirement. Although a large number of forces belonging to various cadres were available with the Centre, the Assam Rifles which actually had been trained to tackle the extremists were not dispatched in adequate numbers so that they could be deployed properly to handle the situation. The Chief Minister also refuted the allegation that his Government had done nothing for the tribals.

The motion was negated by voice vote.

Sixth Legislative Assembly (1988-1993)

Elections to the State Legislative Assembly were held on 2 February 1988. The CPI(M) secured 26 seats and its ally the Revolutionary Socialist Party 2 seats. The Congress won 24 seats and its ally the Tripura Upajati Juba Samiti 7 seats. Polling in one seat was countermanded because of the death of the CPI(M) candidate. A 16-member two-tier Congress(I)-TUJS coalition Ministry headed by Shri Sudhir Ranjan Majumdar was sworn in on 5 February 1988 by the Governor Gen. (Retd.) K.V. Krishna Rao.

Three Motions of No-confidence against the Government of Shri Sudhir Ranjan Majumdar were debated in the Sixth Legislative Assembly.

First Motion of No-confidence

Leave was granted on 4 January 1989 to Shri Nripendra Chakraborty (CPI-M), Leader of the Opposition, to move a Motion of No-confidence against the Council of Ministers of Shri Sudhir Ranjan Majumdar. The motion was debated on 5 January 1989 for 4 hours in which 12 members participated.

Moving the motion, Shri Nripendra Chakraborty criticised the Government for curbing the fundamental rights of the people, particularly of the Opposition parties, for running their party offices and other party related activities. He also criticised the Government for political killings, torturing party workers, falsification of elections in various constituencies and corruption and wasteful expenditure. Shri Chakraborty further alleged that the Government did not hesitate even to interfere in the working of the Judiciary.

Replying to the debate, the Chief Minister Shri Sudhir Ranjan Majumdar said that he could not find any justification on any of the points raised by the Leader of the Opposition. The motion was sponsored to create confusion in the minds of the people. The Leader of the Opposition could not accept the fact that their party was defeated during the elections and a Congress(I)-TUJS Government installed in the State. The Chief Minister also listed out the achievements of his Government which included construction of roads, opening of new banks, industrialization, power generation, etc. Concluding, he appealed to the Opposition to join hands with them for the progress and welfare of the State.

The motion was negatived with 24 members voting in favour and 31 voting against it.

Second Motion of No-confidence

A notice of Motion of No-confidence against the Council of Ministers headed by Shri Sudhir Ranjan Majumdar was given by Shri Nripendra Chakraborty [CPI(M)] on 31 January 1991. The motion was debated on 8 February 1991 for 4 hours and 45 minutes in which 10 members took part.

Moving the motion, Shri Nripendra Chakraborty accused the Government of disregarding constitutional provisions and assaulting the democratic rights of the people. He charged the Government with ill-treating workers belonging to the CPI(M) and other Left parties indiscriminately. Not only this, they were forced to change their party affiliation and switch over to the Congress Party. He criticised the Government for not giving due respect to the Opposition parties and also for curbing the freedom of the Press. He also alleged corrupt practices and misappropriation of funds by Ministers.

Replying to the debate, the Chief Minister Shri Sudhir Ranjan Majumdar refuted the allegations of assaulting or curtailing the democratic rights of the people. The Chief Minister cited cases that were pending before the court and said, the court

would decide who were the real culprits. Referring to the elections to the Panchayats, he assured the House of forming a strong Panchayat Raj System with all the powers as provided for in the Constitution. He said his Government was always open to all suggestions and advice and assured the House that any mistake that might have been committed unintentionally would be rectified as and when brought to its notice.

The motion was negated by voice vote.

Third Motion of No-confidence

On 16 August 1991, Shri Dasaratha Deb [CPI(M)] tabled a Motion of No-confidence against the Congress(I)-TUJS coalition Ministry of Shri Sudhir Ranjan Majumdar. The motion was discussed on 21 August 1991 for 4 hours and 30 minutes in which 9 members took part.

Moving the motion, Shri Dasaratha Deb accused the Government of resorting to a one-party rule. One of the glaring instances to prove that charge was the disbanding of the elected Panchayats. The reason given for such disbanding was the corruption charges against them; the unfortunate part of the whole process was that no election for the Panchayats could be held although three and a half years had passed since then. Instead, a nominated Committee, termed as 'Development Committee', had been set up with the people of the ruling party to look after all work. None other than their party members had been included in the Committee so that nobody could raise his voice. The member further said that after assuming office, the Government did not allow any political party to work properly; rather, they had snatched away all the rights of the political parties. The Government had resorted to all unparliamentary practices and procedures and the Opposition had no say in any matter.

Replying to the debate, the Chief Minister Shri Sudhir Ranjan Majumdar said, he could not understand why the Opposition had brought the No-confidence motion and wondered whether they had any solid ground for the same. Regarding the elections to the Panchayats, he said it was incorrect to say that they did not want to hold the elections but on account of various reasons, the elections could not be held. He assured the House of holding the elections in the month of December. As regards the allegation that they did not allow the Opposition to function and that they were not allotted enough time to speak in the House, he said, he was always open to discussion and if the Opposition experienced any kind of hindrance from the ruling party, he was ready to remove those obstacles. The Government had been on the job of recovering bank debts which the earlier Government could never do.

The Speaker then put the motion to the vote of the House. The motion was negated by voice vote. However, a member, Shri Samar Chaudhury, requested division which was granted. 27 members voted in favour of the motion and 31 members voted against it. The motion was accordingly negated.

No motion of either type was discussed in the Seventh Legislative Assembly.

Eighth Legislative Assembly (1998-2003)

Elections to the 60-member Legislative Assembly were held on 16 February 1998. The CPI(M) secured an absolute majority by winning 38 seats followed by Congress(I) which won 13 seats. The TUIS got 4 seats, RSP 2, CPI 1, TNV 1 and Independent 1 seat. A Left Front Ministry headed by Shri Manik Sarkar of the CPI(M) was sworn in on 11 March 1998.

Two Motions of No-confidence were debated in the Eighth Legislative Assembly.

First Motion of No-confidence

Shri Sudip Roy Burman (Congress-I) moved on 24 August 1998 a Motion of No-confidence against the five-month-old Left Front Ministry of Shri Manik Sarkar. In all, 15 members took part in the 4 hours and 45 minutes long debate.

Moving the motion, Shri Sudip Roy Burman alleged that the Government had failed to protect the lives and property of innocent people and check the breakdown of the law and order situation. They had also failed to curb maladministration and misuse of Government funds. The Opposition members said that having created totally anarchic conditions all over the State, the Government had lost its moral right to continue in office.

In his reply, the Chief Minister Shri Manik Sarkar said that at least 641 people, including the State Health Minister Shri Bimal Sinha and his brother, several CPI(M) leaders and security personnel, had been killed since April 1993. Painting a grim picture of the escalating insurgency, he told the Legislative Assembly that 1,199 people, including politicians, officials, traders, students and teachers in the hill areas had been kidnapped during this period. Several hostages were killed while others were released. Every effort was being made to stop this violence.

The motion was defeated by voice vote.

Second Motion of No-confidence

The second Motion of No-confidence against the Left Front Ministry of Shri Manik Sarkar was jointly moved by Shri Jawahar Saha (Congress-I) and Shri Rabindra Debbarma (Indigenous Nationalist Party of Tripura). The motion was discussed on 2 September 2002 for 5 hours and 15 minutes. 13 members took part in the debate.

Moving the motion, Shri Jawahar Saha accused the Government of failure on all fronts, including in protecting the lives and property of the people and controlling the menace of militancy. He alleged that the Ministers had indulged in nepotism and corruption. As a result, development works had come to a halt in the rural areas.

Speaking on the motion, Shri Rabindra Debbarma claimed that the tribals in the interior areas were dying in large numbers without getting proper medical treatment.

In his reply, the Chief Minister Shri Manik Sarkar denied the charges of corruption and said that the Opposition parties were alienated from the masses due to their negative attitude towards the development works of the Government. Quoting from the Planning Commission documents, Shri Sarkar claimed that Tripura was a front runner in implementing Central Government projects and in many cases it stood number one in the country. He further said that his Government had also achieved good success in containing insurgency.

The motion was negated by voice vote.

No Motion of Confidence or No-confidence has been taken up till date in the Ninth Legislative Assembly.

Motions of No-confidence in the Tripura Legislative Assembly - An Analysis

In all, eleven Motions of No-confidence against different Councils of Ministers were admitted and discussed in the Legislative Assembly. Of these, four Motions of No-confidence were debated in the Third Legislative Assembly, three in the Sixth Legislative Assembly and two each in the Fifth and the Eighth Legislative Assemblies. In the First, Second, Fourth, Seventh and Ninth Legislative Assemblies (till date), no such motion was discussed. Of the eleven Motions of No-confidence, ten were defeated and one was adopted. The State Legislative Assembly has not debated a Motion of Confidence till date.

Table 2 gives the number of No-confidence Motions admitted and discussed during the tenures of different Speakers, which shows that Speaker Shri Manindralal Bhowmick presided over the debates on four Motions of No-confidence followed by Speakers Shri Jyotrimoy Nath who presided over the debates on three Motions of No-confidence. Speakers Sarvashri Amarendra Sarma and Jitendra Sarkar chaired the debate on two Motions of No-confidence each.

Table 3 gives an account of the No-confidence Motions debated during the tenures of different Councils of Ministers. Of the eleven Motions of No-confidence, Chief Minister Shri Sukhamoy Sengupta faced four motions. While three of the motions were negated, Shri Sengupta resigned after the Motion of No-confidence against his Cabinet was carried on 30 March 1977. Chief Minister Shri Sudhir Ranjan Majumdar faced three Motions of No-confidence and Chief Ministers Sarvashri Nripendra Chakraborty and Manik Sarkar faced two Motions of No-confidence each.

Table 4 gives statistical information pertaining to the participation of members in the debates on various Motions of No-confidence. It also depicts the time taken and the result of the division.

Participation by Members

In all, 128 members participated in the debate on the eleven Motions of No-confidence. The highest number of 23 members took part in the debate on the motion moved by Shri Nripendra Chakraborty in October 1974 while his other motion moved in March 1974 and Shri Prafulla Kumar Das's motion moved in 30 March 1977 entailed the lowest participation by 2 members each. Shri Nripendra Chakraborty moved the highest number of five No-confidence Motions.

Time taken

The total time spent on debating the ten Motions of No-confidence (excluding one for which figures are not available) comes to 45 hours. The total number of days taken to discuss the eleven motions comes to 12 days. Individually, the motion moved by Shri Jawahar Saha in September 2002 was debated for the longest duration of five hours and five minutes while the lowest duration of four hours was taken by the No-confidence Motion moved by Shri Sudhir Ranjan Majumdar in December 1986 and the one moved by Shri Nripendra Chakraborty in January 1989.

Division

Of the eleven Motions of No-confidence, six were negatived by voice vote, four were negatived by division and one was adopted by division. The No-confidence Motion moved by Shri Prafulla Kumar Das against the Ministry of Shri Sukhamoy Sengupta in March 1977 was adopted with the widest margin of 31 votes while Shri Dasaratha Deb's Motion of No-confidence against Shri Sudhir Rajan Majumdar voted on 21 August 1991 was negatived by the lowest margin of 4 votes.

Uttaranchal Legislative Assembly

The State of Uttaranchal came into existence on 9 November 2000 following the enactment of the Uttar Pradesh Reorganisation Act, 2000 by the Parliament. The new State was carved out of the existing State of Uttar Pradesh. The Act made provision for allocation of seats between the Legislative Assemblies of the two States. Accordingly, 22 seats from the Uttar Pradesh Legislative Assembly and eight seats from the Uttar Pradesh Legislative Council were transferred to the Uttaranchal Legislative Assembly. Presently, the number of seats in the Legislative Assembly of Uttaranchal is 70. The State Legislature is unicameral.

As provided in Section 14(1) of the Act, a provisional Legislative Assembly of the State of Uttaranchal was constituted. The term of office of the members of the provisional Legislative Assembly of the State was to, unless the said Legislative Assembly was sooner dissolved, expire immediately before the first meeting of the Legislative Assembly of the State of Uttaranchal.

Shri Surjit Singh Barnala was sworn in as the Governor and Shri Nityanand Swami of the BJP was sworn in as the Chief Minister.

The First Session of the Provisional Legislative Assembly commenced on 12 January 2001 and on the same day Shri Prakash Pant was unanimously elected as the Speaker.

On 29 October 2001, Chief Minister Shri Nityanand Swami resigned from the office. On 30 October 2001, Shri Bhagat Singh Koshiyari, who was unanimously elected Leader of the BJP Legislature Party, was sworn in as the Chief Minister of the State.

Motion of No-confidence

The Uttaranchal Legislative Assembly has adopted the rules of Procedure and Conduct of Business of the Uttar Pradesh Legislative Assembly. Accordingly, under the rules, a Motion of No-confidence in the Council of Ministers may be made with the permission of the Speaker, subject to the following restrictions, namely: (i) leave to make the motion is asked for after the Question Hour and before the List of Business

for the day is entered upon; (ii) the member asking for leave must deliver to the Secretary, a written notice of the motion before the commencement of the day's sitting.

If the Speaker is of the opinion that the motion is in order, he reads it to the House and requests those members who are in favour of leave being granted to rise in their places, and if not less than one-fifth of the total number of the members of the House rise accordingly, the Speaker intimates that the leave is granted and that the motion would be taken up on such day not being more than ten days from the date on which leave is granted as the Speaker may appoint. If less than the requisite number of members rise, the Speaker informs that the leave has not been granted. The Speaker may allot a day or days or part of the day for discussion. The Speaker, on the appointed hour or the last of the allotted days, as the case may be, put forthwith every question necessary to determine the decision of the House. The Speaker may, if he thinks fit, prescribe a time limit for speeches.

Motion of Confidence

No Motion of Confidence has been taken up in the Legislative Assembly till date.

Motions in the Legislative Assembly

In the First Legislative Assembly, till date, one No-confidence Motion has been debated. A brief account of the motion is given below. Tables 1 to 4 provide statistical details of the motion. A graphical presentation of the motion is available in the Graph. Tables 5 and 6 enumerate the Governors and Chief Ministers, respectively, of the State.

First Legislative Assembly (2002-till date)

Elections to the 70-member Legislative Assembly were held on 14 February 2002. The Congress(I) secured 36 seats followed by the BJP with 19 seats, BSP 7, Uttarakhand Kranti Dal (UKD) 4, and others 4 seats. On 2 March 2002, Shri Narayan Datt Tiwari, who was then a member of Parliament, was sworn in as the Chief Minister of the State. Shri Tiwari was subsequently elected to the State Legislative Assembly from the Ramnagar constituency in a by-election held on 8 August 2002.

In the First Legislative Assembly, till date, one Motion of No-confidence has been discussed and negatived.

Motion of No-confidence

On 22 December 2003, as soon as the Question Hour was over, a Motion of No-confidence against the Council of Ministers of Shri Narayan Datt Tiwari was tabled by Shri Kazi Nizamuddin of the Bahujan Samaj Party. The Chief Minister requested an immediate discussion on the motion as he said his Government was not ready to work under the shadow of no-confidence of the House.

Table 1**NCMs/CMs admitted/discussed in different Legislative Assemblies
(2000-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Provisional Legislative Assembly	12.01.2001 - 26.02.2002	-	-
First Legislative Assembly	26.02.2002 - till date	1	-
Total		1	-

Table 2**NCMs/CMs admitted/discussed during the tenures of different Speakers
(2000-2003)**

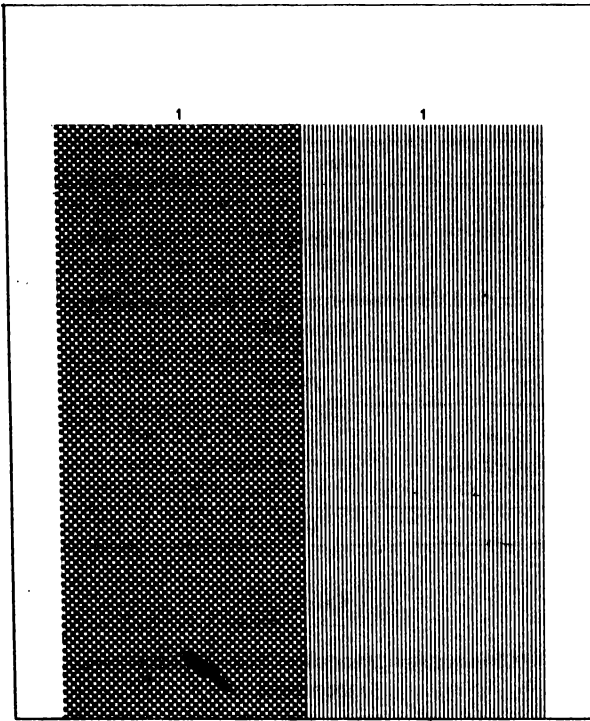
<i>Sl. No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri Prakash Pant	12.01.2001 - 14.03.2002	-	-
2.	Shri Yashpal Arya	15.03.2002 - till date	1	-
	Total		1	-

Table 3**NCMs against/CMs in the Council of Ministers
(2000-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Narayan Datt Tiwari (First Legislative Assembly)	Congress(I) 37/71* (52.11%)	NCM	Kazi Nizamuddin (24)	22.12.2003 05.34	Negated by voice vote

* Including one member nominated on 21 May 2002.

Graph
NCMs in Uttaranchal Legislative Assembly
(2000 - 2003)



▣ Motions admitted and discussed ▤ Negatived

No Motion of Confidence was taken up in the Uttaranchal Legislative Assembly.

Table 4
**Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(2000-2003)**

<i>Speaker</i>	<i>NCMs/ CMs</i>	<i>Cabinet</i>	<i>Mover</i>	<i>Dates of Discussion</i>	<i>No. of Parti- cipa- nts</i>	<i>Time Taken Hrs.Mts.</i>	<i>Date of Voting</i>	<i>Ayes</i>	<i>Noes</i>	<i>Result</i>
Yashpal Arya	NCM	Narayan Datt Tiwari	Kazi Nizamu- ddin	22.12.2003	24	05.34	22.12.2003	-	-	Negated by voice vote

Table 5

Governors of Uttaranchal

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Surjit Singh Barnala	08.11.2000 - 30.12.2002
2.	Shri Sudarshan Kumar Aggarwal	08.01.2003 - till date

Table 6

Chief Ministers of Uttaranchal

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri Nityanand Swami	08.11.2000-29.10.2001
2.	Shri Bhagat Singh Koshiyari	29.10.2001 -01.03.2002
3.	Shri Narayan Datt Tiwari	02.03.2002 - till date

Moving the motion, Shri Kazi Nizamuddin said each and every section of society was dissatisfied under the present rule - be it the farmers, labourers or traders. Sugarcane farmers had not been paid and the sugar mills were taking the major portion of sugarcane from Western Uttar Pradesh. Apart from roads, no developmental works seemed to have been carried out. Unemployment also was on the increase. However, the burning issue was the land ordinance which was to be discussed in the House on that day. Every person, he said, had a fundamental right mentioned under article 19(1)(g) of the Constitution. The Government, he alleged, had restricted that right by issuing a G.O. Matters relating to such policies should be discussed in the House. He further said that the Government had been saying that there was no increase in the revenue and also that the resources were not sufficient. He questioned as to why the non-plan budget was being increased, if that were so. The provisional Government and the present Government also had ruled for a year but the need to create posts was never felt. There were only 6 or 7 Ministers in the Delhi Cabinet which has a Legislative Assembly with 70 members. This was not the case in Uttaranchal. Regarding reservations, he said his party welcomed reservation for new categories but any tampering with the list of the existing Scheduled Castes and backward classes would not be tolerated by the people. He also said that the environmental guidelines were not being enforced in the sugar mills and kilns. As a

result, pollution was increasing in the State. Concluding, he appealed to the Government not to overlook the districts of Haridwar and Udham Singh Nagar in matters of development.

In his reply, the Chief Minister Shri Narayan Datt Tiwari said a Motion of No-confidence was the last weapon to be resorted to by the Opposition but the Opposition had used their last weapon as the first weapon. He read out excerpts from the Address of the previous Governor Shri Surjit Singh Barnala to the House in January 2001 and said his Government was trying to implement those policies and measures of the previous Government as outlined in that Address. Ninety per cent of the developmental works being carried out had the stamp of the previous Government. The plans, policies and financial regulations of the Central Government were still the same. The State Government had no option but to implement the economic reforms of the Central Government. Replying to the allegations of scam, he said that the Lokayukta constituted to look into the charges of corruption by public servants had received nine hundred complaints but none of these was against any Minister or member. Referring to the district of Haridwar, he claimed that the developmental work that had been carried out in the district had far exceeded what was done in the past.

The discussion lasted 5 hours and 34 minutes in which 24 members participated. The motion was negatived by voice vote.

Uttar Pradesh Legislative Assembly

The territory called Uttar Pradesh was formerly known as the North Western Provinces. In the year 1902, its nomenclature was changed to the United Provinces of Agra and Oudh. The State was renamed as Uttar Pradesh on 24 January 1950.

With the promulgation of the Indian Councils Act of 1861, the Councils of the Presidencies of Bombay and Madras were reorganized, and the Governor-General-in-Council was authorized to establish similar Councils for Bengal, North Western Provinces (now Uttar Pradesh) and the Punjab. On 26 November 1889, a proclamation was issued by the Governor-General-in-Council, constituting the North Western Provinces and Oudh into a province for the purpose of the Indian Councils Act. The "Rules for the Conduct of Business at the meeting of the Council of the Lt. Governor of the North Western Provinces and Oudh for the purpose of making laws and regulations" were framed by the Lt. Governor of the North Western Provinces with the sanction of the Governor-General-in-Council and were contained in the notification issued by the Home Department of the Government of India on 31 December 1886. By the notification dated 5 January 1887 issued by the General Department of the Government of the North Western Provinces and Oudh, the Lt. Governor, with the sanction of the Viceroy and the Governor-General, appointed nine persons to be members of the Council of the Lt. Governor.

As per the Indian Councils Act, 1892, the strength of the Legislative Council for the North Western Provinces and Oudh was increased to 15. By the Indian Councils Act, 1909, the strength of the Council was increased to 46, of which 20 were official and 26 were non-official members.

With the coming into force of the Government of India Act, 1919, the United Provinces became a Governor's Province. The strength of the Legislative Council was increased to 123 of which 100 were elected members and 23 members were nominated by the Governor.

In 1935, the Government of India Act came into force and a bicameral Legislature came into existence in the United Provinces. The Legislative Council was made a permanent body, not subject to dissolution, but, as near as might be,

one-third of the members thereof was to retire every third year. The total strength was not to be less than 58 and more than 60. The Fifth Schedule of the Government of India Act, 1935 was substituted by the India (Provincial Constitution) Order in 1947 according to which the allocation of seats in the Legislative Council of the United Provinces was changed. The composition of the Legislative Council was further changed under the Constitution of free India.

The Legislative Assembly was constituted for the first time in the United Provinces on 1 April 1937 in accordance with the Government of India Act 1935. The first Congress Ministry assumed office on 17 July 1937. On 3 November 1939, the Assembly was suspended by a Proclamation of the Governor and it was dissolved on 8 September 1945. The next elections for the Legislative Assembly were held in 1946.

After Independence, the Legislative Assembly met for the first time on 3 November 1947. The strength of the Assembly was fixed at 431, including one nominated member from the Anglo-Indian community. The first elections to the 430-member Assembly were held in 1952.

The Uttar Pradesh Legislature presently consists of the Governor and the two Houses. At present, the Legislative Council comprises 100 members.

Following the reorganization of the State in November 2000, *vide* the Uttar Pradesh Reorganisation Act, 2000, the State of Uttaranchal was formed with 13 Districts of the State of Uttar Pradesh. Accordingly, the number of seats for the Legislative Assembly of Uttar Pradesh was fixed at 403 and for the Legislative Assembly of Uttaranchal, seventy seats were allocated.

Motion of No-confidence

In terms of Rule 275 of the Rules of Procedure and Conduct of Business in the Uttar Pradesh Legislative Assembly, a Motion of No-confidence in the Council of Ministers may be made with the permission of the Speaker. The leave to make the motion is asked for after the Question Hour and before the List of Business for the day is entered upon. The member asking for leave must deliver to the Secretary, a written notice of the motion before the commencement of the days' sitting. If the Speaker is of the opinion that the motion is in order, he reads it to the House and requests those members who are in favour of leave being granted to rise in their places, and if not less than one-fifth of the total number of the members of the House rise accordingly, the Speaker intimates that the leave is granted and that the motion would be taken on such day not being more than ten days from the date on which leave is granted as the Speaker may appoint. If less than the requisite number of members rise, the Speaker informs that the leave has not been granted. The Speaker may, if he thinks fit, prescribe a time limit for speeches.

Motion of Confidence

There is no specific rule in the Rules of Procedure and Conduct of Business of the Uttar Pradesh Legislative Assembly governing the Motion of Confidence. In the absence of a rule, the convention evolved over the years is that after the receipt of such a motion, it is put up for consideration and recommendation of the Business Advisory Committee. A Motion of Confidence is not taken up under the rule governing the Motion of No-confidence. However, the procedure for the debate on such a motion is more or less the same as in the case of a Motion of No-confidence. Notice of such a Confidence Motion is generally sent to the Legislative Assembly Secretariat well in advance so that it may be considered by the Business Advisory Committee.

There is also no specific ground for moving a Motion of Confidence. The convention evolved is that whenever a single political party is not voted to power in the elections to the Legislative Assembly, any minority Government either of a single party or coalition may be directed by the Governor to seek vote of confidence in the Legislative Assembly. In such a situation, a motion seeking the confidence of the House is moved in the Legislative Assembly after giving notice thereof.

Motions in different Legislative Assemblies

In all, 17 Motions of No-confidence and 7 Motions of Confidence have been admitted and discussed in the Uttar Pradesh Legislative Assembly. Besides, a Composite Floor-Test was also conducted. A brief account of these motions is given below. Tables 1 to 4 provide the statistical details in respect of these motions. A graphical presentation of the Motions of Confidence and No-confidence is available in Graphs I and II. Graph III details the Composite Floor-Test. Tables 5 and 6 list out the Governors and Chief Ministers, respectively, of the State.

In the First Legislative Assembly, no Motion of Confidence or No-confidence was discussed.

Second Legislative Assembly (1957-1962)

In the elections held to the Second Legislative Assembly, the Congress Party was returned to power, securing 268 seats in the 430-member House. The PSP emerged as the second largest party by securing 44 seats. The Communists won 9 seats, Jan Sangh 17 and others 74 seats.

The outgoing Chief Minister, Dr. Sampooranand, who was unanimously re-elected leader of the Congress Legislature Party on 7 April 1957, was administered the oath of office and secrecy by the Governor on 10 April 1957.

The Second Legislative Assembly took up five Motions of No-confidence of which three were against the Ministry headed by Dr. Sampooranand and two

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies*
(1952-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	08.03.1952 - 31.03.1957	-	-
Second Legislative Assembly	01.04.1957 - 06.03.1962	5	-
Third Legislative Assembly	07.03.1962 - 09.03.1967	4	-
Fourth Legislative Assembly	10.03.1967 - 15.04.1968	1	-
Fifth Legislative Assembly	26.02.1969 - 04.03.1974	2	1
Sixth Legislative Assembly	04.03.1974 - 30.04.1977	1	-
Seventh Legislative Assembly	23.06.1977 - 17.02.1980	1	-
Eighth Legislative Assembly	09.06.1980 - 10.03.1985	1	-
Ninth Legislative Assembly	10.03.1985 - 29.11.1989	1	-
Tenth Legislative Assembly	02.12.1989 - 04.04.1991	-	1
Eleventh Legislative Assembly	22.06.1991 - 06.12.1992	-	-
Twelfth Legislative Assembly	04.12.1993 - 27.10.1995*	-	2
Thirteenth Legislative Assembly	17.10.1996 - 07.03.2002	-	1
Fourteenth Legislative Assembly	26.02.2002 - till date	1	2
Total		17	7

● Excluding the 'Composite Floor-Test' conducted on 26 February 1998, as per the order of the Supreme Court to test the majority support enjoyed by Shri Kalyan Singh and Shri Jagadambika Pal

* President's Rule was imposed on 18.10.1995 which remained upto 17.10.1996. Elections were held in October 1996. As no party or coalition of parties was in a position to form a stable Government, President's Rule was imposed again on 17 October 1996, which remained in force till 21 March 1997 when the coalition Government headed by Kumari Mayawati was formed.

Table 2

**NCMs/CMs admitted/discussed during the tenures of different Speakers*
(1952-2003)**

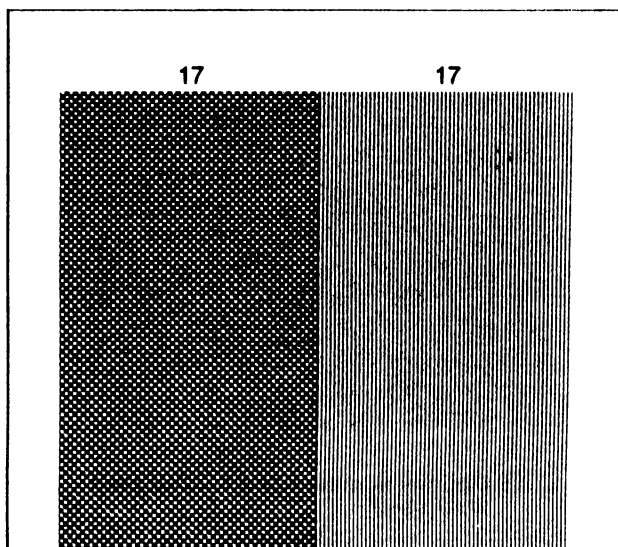
<i>Sl. No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri Nafisul Hassan	21.12.1950 - 19.05.1952	-	-
2.	Shri Atmaram Govind Kher	20.05.1952 - 25.03.1962	5	-
3.	Shri Madan Mohan Verma	26.03.1962 - 16.03.1967	4	-
4.	Shri Jagdish Sharan Agarwal	17.03.1967 - 16.03.1969	1	-
5.	Shri Atmaram Govind Kher	17.03.1969 - 18.03.1974	2	1
6.	Shri Vasudeo Singh	18.03.1974 - 12.07.1977	1	-
7.	Shri Banarasi Das	12.07.1977 - 26.02.1979	-	-
8.	Shri Jagannath Prasad#	27.02.1979 - 06.07.1980	1	-
9.	Shri Shripati Mishra	07.07.1980 - 18.07.1982	-	-
10.	Shri Dharam Singh	25.08.1982 - 15.03.1985	1	-
11.	Shri Niyaz Hassan	15.03.1985 - 09.01.1990	1	-
12.	Shri Hari Kishan Shrivastava	09.01.1990 - 30.07.1991	-	1
13.	Shri Keshari Nath Tripathi	30.07.1991 - 15.12.1993	-	-
14.	Shri Dhaniram Verma	15.12.1993 - 20.06.1995	-	2 [©]
15.	Shri Barkhu Ram Verma	18.07.1995 - 26.03.1997	-	-
16.	Shri Keshari Nath Tripathi	27.03.1997 - till date	1	3
Total			17	7

* Excluding the 'Composite Floor -Test' conducted on 26 February 1998, as per the order of the Supreme Court to test the majority support enjoyed by Shri Kalyan Singh and Shri Jagadambika Pal. Speaker Shri Keshari Nath Tripathi presided over the Composite Floor-Test.

Deputy Speaker chaired the proceedings

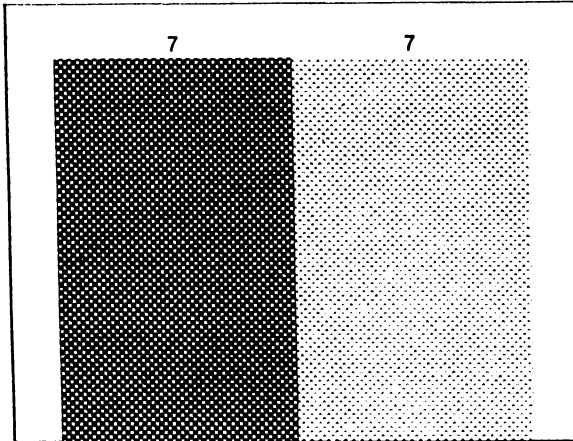
© The Motion of Confidence of 20 June 1995 was presided over by Shri Barkhu Ram Verma as Shri Dhaniram Verma was removed from the Office of the Speaker on 20 June 1995 following the adoption by the House of a resolution to that effect.

Graph I
NCMs in Uttar Pradesh Legislative Assembly
(1952 - 2003)



 **Motions admitted and discussed**  **Negated**

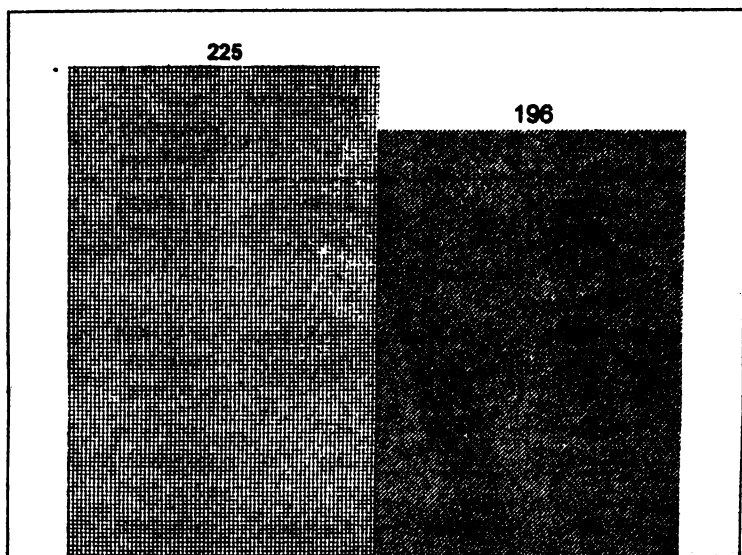
Graph II
CMs in Uttar Pradesh Legislative Assembly
(1952 - 2003)



■ Motions admitted and discussed* **□ Adopted**

* Excluding the Composite Floor Test held on 26 February 1998

Graph III
Composite Floor-Test held on 26 February 1998
(Votes secured by Shri Kalyan Singh and Shri Jagadambika Pal)



■ Shri Kalyan Singh ■ Shri Jagadambika Pal

Table 3

**NCMs against/CMs in the Council of Ministers
(1952-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Sampoorna-nand (Second Legislative Assembly)	Congress 268/430 (66.5%)	NCM	Raj Narain (28)	(10.12.1957) 23.12.1957 24.12.1957	Negatived Ayes - 106 Noes - 265
-do-	-do-	NCM	Triloki Singh (38)	(22.08.1958) 03.09.1958 04.09.1958	Negatived Ayes - 95 Noes - 269
-do-	-do-	NCM	-do- (36)	(31.07.1959) 06.08.1959 07.08.1959	Negatived Ayes - 112 Noes - 285
Chandra Bhanu Gupta (Second Legislative Assembly)	-do-	NCM	Raj Narain (37)	(20.02.1961) 23.02.1961 24.02.1961	Negatived Ayes - 91 Noes - 288
-do-	-do-	NCM	Krishnadutt Paliwal (33)	(09.08.1961) 22.08.1961 23.08.1961	Negatived Ayes - 90 Noes - 291
Chandra Bhanu Gupta (Third Legislative Assembly)	Congress 249/430 (57.9%)	NCM	Yadavendra Dutt Dubey and others (55)	(09.08.1962) 10.08.1962 13.08.1962	Negatived Ayes - 135 Noes - 251
Sucheta Kripalani (Third Legislative Assembly)	-do-	NCM	Sharda Bhakta Singh and others (81)	(29.07.1964) 29.07.1964 30.07.1964 31.07.1964 03.08.1964	Negatived Ayes - 102 Noes - 239

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
-do-	-do-	NCM	-do- (52)	(23.02.1965) 04.03.1965	Negated Ayes - 104 Noes - 243
-do-	Congress	NCM	M.P. Tripathi (49)	(26.07.1966) 27.07.1966 28.07.1966	Negated Ayes - 100 Noes - 229
Charan Singh (Fourth Legislative Assembly)	S.V.D. 206/425 (48.4%)	NCM	Chandra Bhanu Gupta (36)	(24.07.1967) 26.07.1967 27.07.1967	Negated Ayes - 200 Noes - 220
Charan Singh (Fifth Legislative Assembly)	BKD Congress(R) Coalition 229/425 (53.88%)	NCM	Girdhari Lal (53)	(13.03.1970) 17.03.1970 20.03.1970 21.03.1970	Negated Ayes - 169 Noes - 236
-do-	BKD Congress(R) 229/425 (53.88%)	CM	Charan Singh (19)	30.06.1970	Adopted by voice vote
Kamalapati Tripathi (Fifth Legislative Assembly)	Congress(R) 280/425 (65.88%)	NCM	Jairam Verma (39)	(27.07.1972) 02.08.1972 03.08.1972	Negated Ayes - 115 Noes - 256
H.N. Bahuguna (Sixth Legislative Assembly)	Congress 215/425 (50.5%)	NCM	Charan Singh (55)	(01.01.1975) 02.01.1975 03.01.1975	Negated by voice vote; walk- out by Opposition

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time taken</i>	<i>Result</i>
Banarsi Das (Seventh Legislative Assembly)	Janata Party 351/425 (82.5%)	NCM	Rajmangal Pandey (40)	(29.08.1979) 29.08.1979 07.00	Negated* Ayes - 192 Noes - 218
Shripati Mishra (Eighth Legislative Assembly)	Congress(I) 306/425 (72%)	NCM	Rajindra Singh (28)	(02.09.1983) 02.09.1983 06.30	Negated by voice vote
Vir Bahadur Singh (Ninth Legislative Assembly)	Congress(I) 268/425 (63%)	NCM	Mulayam Singh Yadav (35)	(08.09.1986) 08.09.1986 08.00	Negated Ayes - 108 Noes - 250
Mulayam Singh Yadav (Tenth Legislative Assembly)	(Janata Dal) 204/430 (47.4%)	CM	Mulayam Singh Yadav (23)	20.11.1990 06.00	Adopted Ayes - 224 Noes - 146
Mulayam Singh Yadav (Twelfth Legislative Assembly)	SP-BSP Coalition 242/425 (56.2%)	CM	-do-	(22.12.1993) 22.12.1993 00.05	Adopted by voice vote
Kumari Mayawati (Twelfth Legislative Assembly)	236/425 BSP-BJP Coalition	CM	Kumari Mayawati (15)	(20.06.1995) 20.06.1995 03.30	Adopted** Ayes - 249 Noes - Nil
Kalyan Singh (Thirteenth Legislative Assembly)	BJP 174/425 (40.9%)	CM	Kalyan Singh (6)	(21.10.1997) 21.10.1997 00.30	Adopted# Ayes - 222 Noes - Nil

* One vote against the motion was left uncounted by mistake.

** SP and BSP rebels boycotted the Session; Congress(I), Janata Dal, CPI-M abstained from voting.

The Opposition stayed away from the House.

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Jagadambika Pal/Kalyan Singh	-	Composite Floor -Test [Ⓔ]	-	26.02.1998 08.20	Kalyan Singh-225 Jagadambika Pal - 196
Kumari Mayawati (Fourteenth Legislative Assembly)	BSP-BJP Coalition 207/403 (51.36%)	CM	Kumari Mayawati (31)	17.05.2002 07.30	Adopted Ayes - 217 Noes - 180
-do-	-do-	NCM	Azam Khan	05.03.2003	Negativd by voice vote
Mulayam Singh Yadav (Fourteenth Legislative Assembly)	SP-LD-RKD- Others 228/403 (56.58%)	CM	Mulayam Singh Yadav (48)	08.09.2003 09.00	Adopted Ayes - 244 Noes - 154

ⒺThe Composite Floor-Test was conducted as per the order of the Supreme Court.

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
Atmaram Govind Kher	NCM	Sampoornanand	Raj Narain	23.12.1957 24.12.1957	28	-	24.12.1957	106	265	Negatived
-do-	NCM	-do-	Triloki Singh	03.09.1958 04.09.1958	38	-	04.09.1958	95	269	Negatived
-do-	NCM	-do-	-do-	06.08.1959 07.08.1959	36	-	07.08.1959	112	285	Negatived
-do-	NCM	Chandra Bhanu Gupta	Raj Narain	23.02.1961 24.02.1961	37	-	24.02.1961	91	288	Negatived
-do-	NCM	-do-	Krishna- dutt Paliwal	22.08.1961 23.08.1961	33	-	23.08.1961	90	291	Negatived
M.M. Verma	NCM	-do-	Yadavendra- dutt Dubey	10.08.1962 13.08.1962	55	-	13.08.1962	135	251	Negatived

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
-do-	NCM	Sucheta Kripalani	Sharda Bhakta Singh	29.07.1964 30.07.1964 31.07.1964 03.08.1964	81	-	03.08.1964	102	239	Negated
-do-	NCM	-do-	-do-	04.03.1965	52	-	04.03.1965	104	243	Negated
-do-	NCM	-do-	M.P. Tripathi	27.07.1966 28.07.1966	49	-	28.07.1966	100	229	Negated
Jagdish Sharan Agarwal	NCM	Charan Singh	Chandra Bhanu Gupta	26.07.1967 27.07.1967	36	-	27.07.1967	200	220	Negated
Atmaram Govind Kher	NCM	-do-	Girdhari Lal	17.03.1970 20.03.1970 21.03.1970	53	-	21.03.1970	169	236	Negated
-do-	CM	-do-	Charan Singh	30.06.1970	19	-	30.06.1970	-	-	Adopted by voice vote
-do-	NCM	Kamalapati Tripathi	Jairam Verma	02.08.1972 03.08.1972	39	-	03.08.1972	115	256	Negated
Vasudeo Singh	NCM	H.N. Bahuguna	Charan Singh	02.01.1975 03.01.1975	55	-	03.01.1975	-	-	Negated by voice vote

Speaker	NCM/s/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs. Mfts.	Date of Voting	Ayes	Noes	Result
Jagannath Prasad	NCM	Banarsi Das	Rajman- gal Pandey	29.08.1979	40	07.00	29.08.1979	192	218	Negativated*
Dharam Singh	NCM	Shripati Mishra	Ch. Rajindra Singh	02.09.1983	28	06.30	02.09.1983	-	-	Negativated by voice vote
Niyaz Hassan	NCM	Vir Bahadur Singh	Mulayam Singh Yadav	08.09.1986	35	08.00	08.09.1986	108	250	Negativated
H.K. Shrivastava	CM	Mulayam Singh Yadav	Mulayam Singh Yadav	20.11.1986	23	06.00	20.11.1990	224	146	Adopted
Dhaniram Verma	CM	-do-	-do-	22.12.1993	-	00.05	22.12.1993	-	-	Adopted by voice vote
Barkhu Ram Verma@	CM	Kumari Mayawati	Kumari Mayawati	20.06.1995	15	03.30	20.06.1995	249	Nil	Adopted**

* One vote against the motion was left uncounted by mistake.

** SP and BSP rebels boycotted the session; Congress (I), Janata Dal, CPI-M and CPI obtained from voting

@ The Motion of Confidence of June 1995 was presided over by Shri Barkhu Ram Verma as Shri Dhaniram Verma was removed from the Office of Speaker on the same day following the adoption by the House of a Resolution to that effect.

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Keshari Nath Tripathi	CM	Kalyan Singh	Kalyan Singh	21.10.1997	06	00.30	21.10.1997	222	Nil	Adopted#
-do-	Compo- site Floor Test@	Jagadam- bika Pal / Kalyan Singh	-	26.02.1998	-	08.20	26.02.1998	-	-	Kalyan Singh - 225 Jagadambika Pal - 196 Adopted
-do-	CM	Kumari Mayawati	Kumari Mayawati	17.05.2002	31	07.30	17.05.2002	217	180	Adopted
-do-	NCM	-do-	Azam Khan	05.03.2003	-	-	05.03.2003	-	-	Negated by voice vote
-do-	CM	Mulayam Singh Yadav	Mulayam Singh Yadav	08.09.2003	48	09.00	08.09.2003	244	154	Adopted

The Opposition members stayed away from the House

@ The Composite Floor-Test was conducted on 26 February 1998 as per the order of the Supreme Court.

Table 5

Governors of Uttar Pradesh

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Smt. Sarojini Naidu	15.08.1947 - 02.03.1949
2.	Shri Vidhu Bhushan Malik (Acting)	03.03.1949 - 01.05.1949
3.	Sir H. P. Modi	02.05.1949 - 01.06.1952
4.	Shri K.M. Munshi	02.06.1952 - 09.06.1957
5.	Shri V.V. Giri	10.06.1957 - 30.06.1960
6.	Dr. B. Ramakrishna Rao	01.07.1960 - 15.04.1962
7.	Shri Vishwanath Das	16.04.1962 - 30.04.1967
8.	Dr. B. Gopala Reddy	01.05.1967 - 30.06.1972
9.	Shri Shashikant Verma (Acting)	01.07.1972 - 13.11.1972
10.	Shri Akbar Ali Khan	14.11.1972 - 24.10.1974
11.	Dr. M. Channa Reddy	25.10.1974 - 01.10.1977
12.	Shri G.D. Tapase	02.10.1977 - 28.02.1980
13.	Shri C.P.N. Singh	28.02.1980 - 30.03.1985
14.	Shri Mohd. Usman Arif	31.03.1985 - 12.02.1990
15.	Shri B. Satyanarayan Reddy	12.02.1990 - 26.05.1993
16.	Shri Motilal Vora	26.05.1993 - 03.05.1996
17.	Shri Mohd. Shafi Qureshi	03.05.1996 - 18.07.1996
18.	Shri Romesh Bhandari	19.07.1996 - 17.03.1998
19.	Shri Mohd. Shafi Qureshi	17.03.1998 - 19.04.1998
20.	Shri Suraj Bhan	20.04.1998 - 23.11.2000
21.	Shri Vishnu Kant Shastri	24.11.2000- till date

Table 6

Chief Ministers of Uttar Pradesh

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Pandit Govind Ballabh Pant	01.04.1946 - 25.01.1950 (Premier) 26.01.1950 - 27.12.1954
2.	Dr. Sampurnanand	28.12.1954 - 09.04.1957 10.04.1957 - 06.12.1960
3.	Shri Chandra Bhanu Gupta	07.12.1960 - 14.03.1962 14.03.1962 - 01.10.1963
4.	Smt. Sucheta Kripalani	02.10.1963 - 13.03.1967
5.	Shri Chandra Bhanu Gupta	14.03.1967 - 02.04.1967
6.	Choudhary Charan Singh	03.04.1967 - 24.02.1968
	President's Rule	25.02.1968 - 26.02.1969
7.	Shri Chandra Bhanu Gupta	26.02.1969 - 17.02.1970
8.	Choudhary Charan Singh	17.02.1970 - 01.10.1970
	President's Rule	02.10.1970 - 18.10.1970
9.	Shri Tribhuvan Narain Singh	18.10.1970 - 03.04.1971
10.	Shri Kamalapati Tripathi	04.04.1971 - 12.06.1973
	President's Rule	13.06.1973 - 08.11.1973
11.	Shri H.N. Bahuguna	08.11.1973 - 04.03.1974
	President's Rule	05.03.1974 - 29.11.1975 30.11.1975 - 21.01.1976
12.	Shri Narayan Datt Tiwari	21.01.1976 - 30.04.1977
	President's Rule	30.04.1977 - 23.06.1977
13.	Shri Ram Naresh Yadav	23.06.1977 - 27.02.1979
14.	Shri Banarsi Das	28.02.1979 - 17.02.1980
	President's Rule	17.02.1980 - 09.06.1980
15.	Shri V.P. Singh	09.06.1980 - 18.07.1982
16.	Shri Shripati Mishra	19.07.1982 - 03.08.1984
17.	Shri Narayan Datt Tiwari	03.08.1984 - 10.03.1985 11.03.1985 - 24.09.1985
18.	Shri Vir Bahadur Singh	24.09.1985 - 24.06.1988

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
19.	Shri Narayan Datt Tiwari	25.06.1988 - 04.12.1989
20.	Shri Mulayam Singh Yadav	05.12.1989 - 24.06.1991
21.	Shri Kalyan Singh	24.06.1991 - 06.12.1992
	President's Rule	06.12.1992 - 04.12.1993
22.	Shri Mulayam Singh Yadav	04.12.1993 - 03.06.1995
23.	Kumari Mayawati	03.06.1995 - 17.10.1995
	President's Rule	18.10.1995 - 17.10.1996
	President's Rule	17.10.1996 - 21.03.1997
24.	Kumari Mayawati	21.03.1997 - 21.09.1997
25.	Shri Kalyan Singh	21.09.1997 - 12.11.1999
26.	Shri Ram Prakash Gupta	12.11.1999 - 27.10.2000
27.	Shri Rajnath Singh	28.10.2000 - 07.03.2002
	President's Rule	08.03.2002 - 03.05.2002
28.	Kumari Mayawati	03.05.2002 - 29.08.2003
29.	Shri Mulayam Singh Yadav	29.08.2003 - till date

against his successor Shri Chandra Bhanu Gupta. All the five motions were negatived.

First Motion of No-confidence

A No-confidence Motion against the Congress Government of Dr. Sampooranand was tabled by Shri Raj Narain (Socialist) on 10 December 1957. The motion expressed no-confidence in the Ministry as a protest against the anti-democratic policy adopted by the Government in suppressing the fundamental rights of the people, specially those who participated in the civil disobedience movement of the Socialist Party. The motion was discussed on 23 and 24 December 1957 in which 28 members participated.

Initiating the debate, Shri Raj Narain said that the denial of the fundamental rights of the people had led to tyranny of the administration. The Chief Minister, according to him, had declared that the agitation by the Socialists would be treated as a declaration of war against the Government. This encouraged the Executive to use repressive measures to crush the movement. He also alleged that the magistracy was hand in gloves with the Executive and pleaded for the separation of the Executive from the Judiciary and the repeal of repressive provisions of law such as section 144 of the Cr.P.C.

Participating in the debate, the Chief Minister Dr. Sampooranand refuted all allegations regarding the Government's failure to uphold the fundamental rights of the people. He said that the Congress Government had every reason to be proud of its achievements, although no Government could claim at any time that it had done all that could be done. No Ministry could live for ever, but he and his colleagues wanted to leave a more prosperous Uttar Pradesh to their successors. The Chief Minister said it was the duty of every Government to intervene if freedom was misused and abused. In the interest of law and order, restrictions had to be imposed on public meetings wherever necessary. Redress could be sought from the courts if any individual thought that his rights had been encroached upon. Referring to some of the complaints made by Shri Raj Narain, Dr. Sampooranand said the famous Vishwanath Temple of Banaras had been opened to Harijans, and even before the Constitution came into force, the UP Government had, by a Gazette notification, enforced equal wages for equal work, irrespective of sex.

Replying to the two-day debate, Shri Raj Narain said civil disobedience was the only alternative to revolution by bloodshed.

The motion was negatived with 106 members voting in favour and 265 members voting against it.

Second Motion of No-confidence

A notice of Motion of No-confidence against the Congress Ministry of Dr. Sampooranand was given by Sarvashri Triloki Singh (PSP), Krishnadutt Paliwal,

Raja Yadavendra Dutt Dubey and Jharkhande Rai on the alleged failure of its food policy. Leave to move the motion was granted to Shri Triloki Singh on 22 August 1958. The debate was held on 3 and 4 September 1958 in which 38 members took part.

Moving the motion, Shri Triloki Singh, Leader of the Opposition, said that he was shocked that the Government did not foresee the food crisis five months earlier. Even though the Opposition had drawn its attention to the seriousness of the situation, the Government had failed to respond. He listed the irrigation policy, non-fulfilment of the food production targets and refusal to grant revenue remission as the other failures of the Government. The member pointed out that the Opposition had warned the Government a year earlier about the failure of the major irrigation works and asked the Government to change over to minor irrigation plans, but no heed was paid. Recently, the Chief Minister himself had admitted this fact, but only when the situation had become critical. He accused the Government of giving fictitious figures of food production to delude the public and even the Union Government.

Replying to the two-day debate, the Chief Minister Dr. Sampooranand denied the allegation that the Government had fed the people with wrong statistics prepared under instructions. He said there was no famine in the State and that the Opposition parties were creating panic and spreading alarm. The agitation would be taken advantage of by undesirable elements who would create confusion. It was even likely that the food scarcity may increase as a result of these agitations. The Chief Minister said not only the police force but the entire peace loving people of the State were behind the Government. No doubt, food production had fallen this year but there was no famine or starvation and there was no cause for alarm. There was adequate stock of food grains and in some parts, the situation was improving.

The motion was negatived with 95 members voting in favour and 269 members voting against it.

Third Motion of No-confidence

A notice of Motion of No-confidence against the Cabinet of Dr. Sampooranand given by Sarvashri Triloki Singh (Praja Socialist Party) Krishnadutt Paliwal (Independent Progressive Legislature Party), Raj Narain (Socialist), Yadavendra Dutt Dueby (Jan Sangh) and Jharkhande Rai (Communist) was admitted by the Speaker Shri Atmaram Govind Kher on 31 July 1959. The discussion on the motion was held on 6 and 7 August 1959.

Initiating the two-day debate, Shri Triloki Singh alleged that the Government had failed to control rising prices of foodgrains, growing unemployment and deteriorating law and order situation. Quoting statistics, he said the rate of crime had increased but so had the police force. He accused the Government of using the police force as an instrument of coercion, maintaining that it was improper for a

Government to have direct control over the police. The control of police forces should be given to the Zila Parishads and other civic bodies. Pleading for immediate separation of the Executive and the Judiciary, Shri Triloki Singh related alleged instances of miscarriage of justice. He quoted extensively from the strictures passed by the High Court against some magistrates. He said it was shameful for the Chief Minister to maintain that the strictures were to be treated as part of administrative routine. Shri Singh also cited some cases of alleged police highhandedness and indifference.

During the discussion, Shri Jugal Kishore (Congress) read out a statement signed by 96 members of the Congress Party expressing their lack of confidence in the Ministry. The members stated in their declaration that they would not vote with the Opposition on the motion as such an action might lead to political instability in the State. They warned the Ministry, however, that they might not flinch from such an ultimate action if the Ministry did not mend its ways.

Shri Raj Narain demanded that the Ministry should resign immediately in view of the stand taken by such a large section of the ruling party itself. He said 96 members of the Congress had expressed their No-confidence in the Ministry in writing. This should be regarded as having the same effect as that of an adverse vote.

The Deputy Speaker, Shri Ram Narain Tripathi, who was in the Chair, did not accept the plea and explained that 96 members had no doubt handed a signed document to the Speaker but they had stated in their declaration that they would not vote for the No-confidence Motion for the fear of creating an unstable situation. The Speaker also said the Deputy Speaker's ruling would prevail.

In his reply to the two-day debate, the Chief Minister Dr. Sampooranand answered in detail the charges of Shri Triloki Singh against the police administration. He conceded that there could possibly be many defects in the police administration but it did not help merely to recite charges against them. One should try, as the Government was trying, to improve the set-up by sympathy and by firmly dealing with the black sheep. As regards Shri Triloki Singh's suggestion that the police forces should be placed under the control of civic bodies, Dr. Sampooranand felt such a measure would not work at this stage. Even in Britain, he said, the Government kept organizational control over the police though they might be deployed for specific purposes under the disciplinary control of civic bodies.

Reacting to the criticism of the price of power for the aluminium industry, the Chief Minister said the question should be judged in its larger perspective. One should not forget the many benefits that would accrue to the State and the whole country from the aluminum industry. The Chief Minister deprecated the tendency among certain Opposition members to repeat unfounded charges and accusations which only reflected badly on the whole country.

At the end of the debate in which 36 members participated, the motion was negated with 112 members voting in favour and 285 members voting against it.

Shri Chandra Bhanu Gupta was elected as the President of the UPCC on 4 October 1960, which was considered by the Chief Minister Dr. Sampooranand as an endorsement of the stand taken by 98 Congressmen who had in a statement on the floor of the House in 1959 expressed their lack of confidence in his Government. Following the election of Shri Gupta as the UPCC President, Dr. Sampooranand sought the permission of the Central Congress leadership to step down from the office of the Chief Minister. His request was acceded to and Shri Gupta was elected unopposed as the leader of the Congress Legislature Party on 1 December 1960. A Congress Ministry led by Shri Gupta was sworn in on 7 December 1960.

Fourth Motion of No-confidence

Two Motions of No-confidence - one by Shri Raj Narain (Socialist) and the other by Shri Triloki Singh (PSP) on behalf of his party and other three Opposition Parties, the Swatantra, the Communist and the Jan Sangh - were received by the Speaker Shri Atmaram Govind Kher on 20 February 1961 against the Council of Ministers headed by Shri Chandra Bhanu Gupta. The Speaker said he would take up first the motion given by the Socialist Party containing 21 reasons. These included non-fulfilment of the well known Socialist Party demands. The last of them stated that by banning civil disobedience, the Government had failed to take steps to establish equality of opportunity to all, freedom, democracy and socialism in the State. Leave was granted to Shri Raj Narain's motion.

Shri Triloki Singh said his motion which merely stated that the House had no confidence in the Ministry was in general terms, while the Socialist motion which referred to specific points would circumscribe the discussion. With many of the points contained in the Socialist motion, the other Opposition parties might not even agree. It was the practice to discuss a motion like this in general terms. In any case, his party wanted to discuss the recent political developments in the State.

The Speaker said that since the first motion had been admitted, the second could not be considered; while he could give no undertaking in advance, he would allow as wide a latitude to members as possible as was his practice in the past. But the Speaker wanted that the discussion be confined to the Socialist motion. The motion was debated on 23 and 24 February 1961 in which 37 members participated.

Moving the motion, Shri Raj Narain elaborated on his 21-point chargesheet against the Government. Referring to Shri Gupta's impending election from Ranikhet and his earlier nomination to the Vidhan Parishad, Shri Narain charged that the election would not be fair, as he would be in the House in any case, whether defeated or victorious. He demanded that Shri Gupta must first resign from the Parishad and then declare that if defeated at Ranikhet he would quit.

Replying to the debate, the Chief Minister Shri Chandra Bhanu Gupta characterized the No-confidence Motion as unreal, impractical and misleading. He reaffirmed that he held his office because of the confidence his party had in him. To misinform and mislead the people was against democratic traditions. He defended his austerity measures which, he said, had built up a climate of economy. Rejecting Shri Raj Narain's demand for inquiry and action against some of the ex-Ministers and high officials, Shri Gupta said charges against them had been discussed in the Assurance Committee, and the members of the Committee had agreed to the decision taken by the former Chief Minister Dr. Sampurnanand and the matter was closed. Reopening the question was against healthy democratic traditions. Denying the charge that the Government favoured the capitalists, he said the aluminium factory at Rihand would get electricity at one-third higher rate than the rate at which other State Governments had extended similar facility to private enterprises.

The motion was negatived with 91 members voting in favour and 288 members voting against the motion.

Fifth Motion of No-confidence

A No-confidence Motion against the Ministry of Shri Chandra Bhanu Gupta was admitted by the Speaker Shri Atmaram Govind Kher on 9 August 1961. The discussion was held on 22 and 23 August 1961 in which 33 members participated.

Initiating the debate, Shri Krishnadutt Paliwal (Swatantra) said the ruling party was so engrossed in factionalism that it had little time to attend to the affairs of the State, thereby resulting in inefficiency and slackness in the administration. He pointed out that on 12 September, the Government had appointed a text book review Committee, but no arrangement had yet been made for its functioning. Legislative measures, he said, had been brought in to suit group interests. The Act by which new Vice-Chancellors were appointed and old ones were replaced and the Intermediate Education Amendment Bill were cited as instances. He warned that the appointment of retired High Court judges as Vice-Chancellors would impact upon the quality of justice.

Replying to the two-day debate, the Chief Minister Shri Chandra Bhanu Gupta ridiculed the Opposition's talk of economy when they were themselves wasting the tax payer's money by bringing up wholly unwarranted No-confidence Motions time and again. He pointed out that nothing new had happened between now and when the last motion was moved four or five months earlier to merit this debate. To talk of healthy democratic traditions in these circumstances was hypocrisy. Refuting all the allegations levelled against the Government as baseless and untrue, Shri Gupta said that retired High Court judges were appointed Vice-Chancellors of the State Universities as an interim measure under the new Act which the Legislature had passed, because these dignitaries were free from controversies. No new ground

had been broken in this matter as Banaras University already had a Vice-Chancellor who was a former judge of the Supreme Court.

Referring to the allegation that the Government had shown inability to solve the farmers' and cane growers' problems, the Chief Minister said the Government had done all it could for growers by getting the mills to crush a record maundage of cane this year which was worth over Rs.60 crore. The arrears of price due to the growers had fallen from nearly Rs.5.75 crore to Rs.3 crore. If the arrears had at all occurred, it was because the banks had refused to advance money to the mills against stocks.

The motion was negatived with 90 members voting in favour and 291 members voting against it.

Third Legislative Assembly (1962-1967)

Elections to the 430-member Legislative Assembly were held in February 1962. The Congress secured 249 seats, Jan Sangh 49, PSP 38, Swatantra 15, Communist Party of India 14, Socialists 24, and others and Independents 41 seats. Shri Chandra Bhanu Gupta was sworn in as the Chief Minister on 14 March 1962.

In the Third Legislative Assembly, four Motions of No-confidence, one against the Cabinet of Shri Chandra Bhanu Gupta and three against that of Smt Sucheta Kripalani, were debated and all the four were negatived.

First Motion of No-confidence

A Motion of No-confidence jointly sponsored by Shri Yadavendra Dutt Dubey (Jan Sangh), Shri Ugra Sen (Socialist), Shri Genda Singh (PSP), Shri Raghavendra Pratap Singh (Swatantra), Dr. Z.A. Ahmed (Communist) and Shri Bhagwan Sahay (Independent) was moved against the Cabinet of Shri Chandra Bhanu Gupta in August 1962. Leave to move the motion was granted on 9 August 1962. There were some procedural wrangles in fixing the time for discussion of the motion. 10 August 1962 was a non-official day after which the House was to go into recess till 20 August. Members were, therefore, considerably exercised over the fate of the motion. The Chief Minister suggested that he would like the motion to be discussed that day itself. Shri Chandrajit Yadav (Communist) said it was for the Speaker to fix the day or days for the debate, having regard to the seriousness of the situation. The Speaker then fixed 10 and 13 August 1962 for discussion. In all, 55 members participated in the discussion.

Initiating the debate, Shri Yadavendra Dutt Dubey said the most ironical aspect of the planning process initiated by the Congress Government was that it had led to a fall in the per capita income in the State. The reasons were that these plans were wrongly conceived, lacked cohesion and executed faultily. Instead of resulting in increased production, the plans had led to an increase in the administrative expenditure. Quoting statistics to show that the Government lacked capacity to

spend on productive schemes, Shri Dubey said that of the allocated funds under different heads, the unspent money amounted to as much as 51 per cent in industry, 27.7 per cent in labour, 29.8 per cent in irrigation and 37 per cent in agriculture. On the other hand, the Government had exceeded the allocations for the police. In these circumstances, he wondered as to why the people should be asked to bear more burden. Referring to the eastern districts, Shri Dubey said that conditions there had worsened as was evident from the fact that while in Gorakhpur district in 1901 the percentage of population subsisting on agriculture was 62.3, in 1951 it had risen to 85.7. He warned that any attempt to tax the peasantry in these circumstances would destroy the Government. He also pointed out the increasing sense of insecurity in the countryside, corrupt administration, wasteful expenditure, absence of any attempt to effect economies and groupism among officials.

In his reply, the Chief Minister Shri Chandra Bhanu Gupta said the Opposition tactics would only distract the attention of the Government and the people from the real issue which was the implementation of the Third Plan. This would not be allowed to happen. The result could very well be a law and order problem and it would be faced. But the Plan would be pushed through, come what may. Rejecting the demand for nationalisation of the sugar industry, Shri Gupta pointed out that the Constitution had not given them any such right. They had a mixed economy in which only the basic industries were in the public sector. No other State had made such a demand. Any suggestion worth considering should have a basis in law and realities.

Shri Gupta said he had addressed more than 250 meetings both before and after the General Elections and in almost all of them he had told the people frankly that if the State was to be raised from the poverty line to a slightly higher level, there could be no escape from taxation for all sections of the society. Those who championed the cause of the *Kisans* in the manner they were doing were not their well wishers, for their actions would only succeed in keeping them downtrodden, helpless and non-self-reliant. The *Kisans* knew where their interest lay and would not be deceived by such tactics. The Chief Minister further said that the Planning Commission and the Centre had gone out of their way to give the State more grants than were its due because the State had lagged behind in investment in the first two Plans and the need was to usher in a self-generating economy. The State must, therefore, rise to the occasion and raise the stipulated resources through its own efforts.

The motion was negatived with 135 members voting in favour and 251 members voting against it.

Consequent to the resignation of the Chief Minister Shri C.B. Gupta, Smt. Sucheta Kripalani was elected on 21 September 1963 as the Leader of the Congress Legislature Party. On 2 October 1963, Smt. Kripalani was sworn in as the Chief Minister.

Second Motion of No-confidence

Notices of three Motions of No-confidence against the Ministry of Smt. Sucheta Kripalani were received by the Speaker Shri Madan Mohan Verma on 29 July 1964.

The notice of the first motion was given by Sarvashri Z.A. Ahmed (Communist), Nekram Sharma (Independent), Brahamdutt Meyer (Independent), Surajanram (Communist), Raghunathram (Communist), Udal (Communist), Bhikalal (Communist), Jharkhande Rai (Communist), Chandrajit Yadav (Communist) and Bhagwan Das Yadavendu (Republican) on the grounds of failure to control the spiralling prices of essential commodities and its availability to the public.

The second notice was given by Shri Gaya Prasad (Jan Sangh) on the grounds of corruption charges made against a majority of the members of the Cabinet by responsible persons which could be proved on investigation.

The third motion expressing lack of confidence in the Council of Ministers was given by Sarvashri Sharda Bhakta Singh (Jan Sangh), Balwan Singh (Praja Socialist Party), Ugrasen (Socialist), Bhagwan Sahay (Independent), Bhanupratap Singh (Swatantra), Nekram Sharma (Independent), Kamala Singh (Socialist Party) and Brahamdutt Meyer (Independent).

The Speaker admitted the third motion as it was comprehensive and ruled the other two to be included in that.

Initiating the four-day debate on the motion, Shri Sharda Bhakta Singh said the Government's disastrous food policy had brought the State to the brink of starvation. Many went without a meal for days and people were dying. The pity of it was that the Government was not addressing the realities of a famine. Nothing spoke more poignantly of the current situation than Food Minister Shri Jagmohan Singh Negi's memorandum to the Union Food Minister in which he had stated that the situation was extremely dangerous, that ruin and starvation faced the State and that thousands of people were sending distress telegrams to the Government. It was in this context that the Opposition was demanding the Government's resignation because the Government had been forewarned months ago. The Government could not take shelter under the plea that the situation had come upon them all of a sudden, he added.

In her reply to the debate, the Chief Minister Smt. Sucheta Kripalani declared that not a single person would be made to die because of starvation. Referring to the Opposition warning that if the food problem continued it would lead to internal war, she said the Government would not allow the law and order situation to be disturbed. She further said that the Opposition parties were trying to strengthen their position on the issue of the food crisis. Whatever may be the differences within the Congress Party, it was united on the issue of the food situation. She asserted that the Government had not lost the confidence of the people. If people had lost confidence

in the Government, lakhs of people would have participated in anti-Government protests. She admitted that the food problem was serious but it was not so grave as to go beyond the control of the Government. The Centre had promised to extend its full cooperation to the State, she added.

The four-day discussion on the motion was held on 29, 30, 31 July 1964 and 3 August 1964 in which 81 members participated. In the voting held on 3 August 1964, the motion was negatived with 102 members voting in favour and 239 voting against it.

Third Motion of No-confidence

Leave was granted on 23 February 1965 to Shri Sharda Bhakta Singh (Jan Sangh) to move a Motion of No-confidence against the Cabinet of Smt. Sucheta Kripalani. The motion was debated on 4 March 1965 in which 52 members took part.

Initiating the debate, Shri Sharda Bhakt Singh said the Government could not run away from its responsibility to give adequate wages to the teachers by saying that the plans had to be pushed through. He charged the Government with being weak-kneed before the Centre on this issue as well as on the wheat allocation. He condemned the Government for halving the quantum of ration at a time when the people were expecting an increase. All the problems of the people had been aggravated to a point where it had become difficult to find solutions; as such, the Government had no moral right to govern.

In her reply, the Chief Minister Smt. Sucheta Kripalani said that the Government would not be intimidated by the teachers' threat to boycott the examinations which would be held on schedule. She said that teachers were not the only section demanding a rise in dearness allowance; other sections of Government employees were in no better a position. In any case, the Government's resources were limited and if the Centre came to its aid, the Government would only be pleased to meet the teachers' demands. Defending the administration, Smt. Kripalani said the Government had maintained law and order with firmness at the time of the exodus of the minorities from East Pakistan and Bengal in comparison to several other States where it had become a problem. Admitting that there were dissensions in her party, the Chief Minister said she was pained about it. However, Congressmen, she said, were and would be one when it came to meeting the challenge posed by the Opposition.

The motion was negatived with 104 members voting in favour and 243 members voting against it.

Fourth Motion of No-confidence

Another Motion of No-confidence against the Cabinet of Smt. Sucheta Kripalani

was moved by Shri Madhav Prasad Tripathi (Jan Sangh). Leave to move the motion was granted on 26 July 1966.

Initiating the two-day debate on 27 July 1966, Shri Tripathi said that due to the in-fighting among the State Congress leaders, there was no collective responsibility of the Cabinet to the Legislature. Because of this, specific charges levelled against certain Ministers had not yet been investigated. Even official postings, transfers and appointments were being made on the group basis. He demanded that the price line be held, otherwise the Jan Sangh would observe protest days on 25 August and on 12 September.

Speaking on the motion, the Co-operation Minister Shri Banarsi Das said such a motion was a costly exercise, especially with the General Election only six months away. In her reply, the Chief Minister Smt. Sucheta Kripalani said the Opposition had misused the weapon of no-confidence, which should be used only as a last resort. Her partymen had already replied to the criticism and she would not like to add anything more.

At the end of the debate in which 49 members participated, the motion was declared lost with 100 members voting in favour and 229 members voting against it.

Fourth Legislative Assembly (1967-1968)

Elections to the 425-member Legislative Assembly were held on 15, 17, 19 and 21 February 1967. The Congress secured 198 seats, Jan Sangh 98, SSP 44, Swatantra 12, CPI 14, CPI-M 1, Republican Party 9, PSP 11 and Independents 37 seats. Polling in two constituencies was countermanded. The Congress, not having an absolute majority in the 425-member House, got support from 16 Independents raising its total to 214. The other parties which combined to form the United Legislature Party claimed that they had more support. The Governor, Shri Vishwanath Das, after satisfying himself that the Congress Party had a reliable majority, invited Shri Chandra Bhanu Gupta on 12 March 1967 to form the Government. On 1 April 1967, almost 18 days after its formation, Shri Chandra Bhanu Gupta submitted the resignation of his Ministry to the Governor, following the passing of an Opposition amendment to the Motion of Thanks to the Address by the Governor by 215 votes to 193. On 1 April 1967, Choudhary Charan Singh was unanimously elected as the Leader of the Samyukta Vidhayak Dal (SVD) and was sworn in as the Chief Minister on 3 April 1967.

In the Fourth Legislative Assembly, one Motion of No-confidence against the Ministry of Choudhary Charan Singh was discussed.

Motion of No-confidence

Leave was granted to Shri Chandra Bhanu Gupta (Congress) to move a Motion of No-confidence against Choudhary Charan Singh's Ministry on 24 July 1967. The

discussion on the motion was held for two days on 26 and 27 July 1967 in which 36 members took part.

Initiating the debate, Shri Chandra Bhanu Gupta contended that the Government formed by the SVD was without aims and policies. Neither by its functioning during the last three months nor by its budget proposals had it shown the capacity to fulfil its 19-point programme. He questioned as to what had happened to the salient points of the programme like the total abolition of land revenue, a minimum pay of Rs.150 per month for primary school teachers, free education upto the 10th class, reduction of irrigation rates and so on. Shri Gupta accused the Government of ignoring its low-paid employees. The DA Commission's report had neither been made public nor had its recommendations been implemented. No Government could run with its employees in a state of continued discontent.

Shri Gupta said the previous Congress Government had secured from the Centre an additional grant in the Third Plan for the development of the Uttarakhand division. Choudhary Charan Singh's Government had failed to do so in the Fourth Plan. This was a vital matter as the neighbouring country was doing propaganda in these areas, telling the people how well looked after the people on the other side of the border were.

Replying to the debate, the Chief Minister Choudhary Charan Singh refuted the charge that the Ministers had been speaking in different voices. The SVD Ministry was a new experiment in coalition. Refuting Shri Gupta's criticism that the people of the border areas were discontented because of propaganda, he said he was not prepared to concede that the people in Tibet were happy under the Chinese rule. In any case, it was an insult to our people that they would not side with us in case of an aggression as Shri Gupta seemed to suggest. The Chief Minister said he would do his best to absorb all the retrenched Government employees, especially women. As regards the Congress assertion that in case the Government was defeated on the motion, there would be no President's Rule in the State as the Congress had the people's mandate, the Chief Minister pointed out that the electorate had given no mandate to any party. The only verdict it gave was that it had no confidence in the Congress.

The motion was negated with 200 members voting in favour and 220 members voting against it.

Fifth Legislative Assembly (1969-1974)

In the mid-term elections held on 5, 7, 9 and 20 February 1969, the Congress which secured 211 seats was only two seats short of an absolute majority. The Jan Sangh won 49 seats, BKD 99, SSP 33, PSP 3, CPI 4, CPI(M) 1, Swatantra 5, Republican Party 1, Hindu Mahasabha 1 and Independents and others 18 seats.

On 26 February 1969, Shri Chandra Bhanu Gupta was sworn in as the Chief Minister. On 20 November 1969, the Deputy Chief Minister Shri Kamalapati Tripathi and eight other Ministers belonging to Smt. Indira Gandhi's group in the Congress, resigned from the Ministry, withdrawing their support to the Chief Minister who belonged to the Congress led by Shri S. Nijalingappa. On 10 February 1969, Shri Chandra Bhanu Gupta submitted his resignation to the Governor, and recommended that Choudhary Charan Singh, the Leader of the Opposition, be called upon to form a new Government. On 17 February 1970, Choudhary Charan Singh, Chairman of the Bharatiya Kranti Dal (BKD), was sworn in as the Chief Minister by the Governor Shri B. Gopala Reddy.

In the Fifth Legislative Assembly, one Motion of Confidence by Choudhary Charan Singh and two Motions of No-confidence - one against the Council of Ministers of Choudhary Charan Singh and the other against that of Shri Kamalapati Tripathi were debated.

First Motion of No-confidence

A Motion of No-confidence was tabled by Shri Girdhari Lal (Congress) seeking to express no-confidence in the Government. Some of the reasons cited and demands made included: the Government's refusal to exempt holdings upto 6.25 acres from land revenue; withdraw profession tax; regular disbursement of pay to teachers of aided non-Government schools and non-teaching employees; forty-five per cent reservation in Government jobs for Scheduled Castes; adoption of Hindi in place of English in administration and court work; encourage Urdu, etc. The motion, admitted on 13 March 1970, was debated on 17, 20 and 21 March 1970. 53 members took part in the discussion.

Moving the motion, Shri Girdhari Lal charged the Chief Minister with pursuing repressive policies and ignoring the popular measures proposed by the Chandra Bhanu Gupta Government. Elaborating the points mentioned in the motion, he said the Government had no principle or ideology. The administrative machinery was being terrorized as was evident from the manner in which the Inspector General of Police had been replaced by a junior man.

Replying to the debate, the Chief Minister Choudhary Charan Singh said personally he was opposed to land ceilings as well. But certain defects in the existing law had to be removed and, therefore, a Bill was to be brought forward in the Monsoon Session. The land to be released by the ceiling measures would not be enough to solve the economic problem. Nevertheless, he stood by the policy decision he had announced, though its details would be settled in consultation with the BKD and the Congress, and at a later stage by agreement in the House itself. There was no difference of opinion about it in the ruling alliance. He also rejected the demand for withdrawal of the profession tax and disbursement of salaries of aided schools

through Government treasuries. The Chief Minister said that he was opposed to the abolition of land revenue but since it had been made a political issue by almost all parties he had perforce to agree to exempt holdings upto 3.125 acres. He made it clear that he was not going to withdraw the enhanced irrigation rates.

The motion was negatived with 169 members voting in favour and 236 members voting against it.

Motion of Confidence

On 30 June 1970, while asking supplementaries to his Starred Question, Shri Anantram Jaiswal (SSP) levelled corruption charges against a district supply officer who, he said, was a resident of Merrut and belonged to the Chief Minister's caste. The BKD members immediately stood up demanding that the remarks be withdrawn.

The Speaker told Shri Jaiswal that he had raised the issue of corruption. As the answer to the question had been given, the Speaker moved to the next question saying he would not permit to raise the issue. Shri Jaiswal, however, demanded that his request be listened to, otherwise he would not allow the proceedings to go on.

The Speaker then named him. The Chief Minister Choudhary Charan Singh then moved that Shri Jaiswal be suspended for three days. There was an uproar in the House and several Opposition members protested against the motion. But the Speaker proceeded to take a vote and after a voice vote, the result of which was challenged by the Opposition, division was ordered. During the division, two members were seen entering the House through the Governor's gallery. Some more members forced their way into the House through the Press Gallery. Thereafter, the Speaker announced that the motion had been lost by 117 votes to 115. The Opposition demanded that since the motion had been moved by the Leader of the House and had been rejected, it amounted to a vote of no-confidence and the Chief Minister should resign. When the House reassembled, Shri Lakshmi Raman Acharya (Congress-O) said that at least 20 members of the ruling coalition had entered through a rear door. He said it was not a snap vote and the Chief Minister should resign.

The Speaker then adjourned the House for two hours. When the House reassembled, the Speaker said he would not revise his announcement of the result of the division. Any irregularity in the voting should be pointed out before the result was announced. Once the result was declared, the only way left was to inquire into the complaints. The Treasury Benches had alleged that certain signatures against the motion were forged, while the Opposition had alleged that some members of the ruling party had come by the backdoor. The Speaker said these charges would be investigated by a Committee headed by the Deputy Speaker to prevent such happenings in the future.

The Education Minister Shri Shripati Mishra said it was imperative for the Chief Minister to move a motion for suspension the moment the Speaker named a

member. He said the Government had accepted the result but it did not affect the Ministry's position. In the uproar that followed, the Chief Minister said he wanted to seek a vote of confidence immediately. The BKD Chief Whip Shri Mahi Lal immediately submitted a motion seeking to express confidence of the House in the Council of Ministers.

The Opposition members said the Chief Minister should first resign and then seek a vote of confidence. The Speaker ruled that the Chief Minister could seek a vote of confidence at any time. A big uproar followed as the Speaker put the confidence motion to vote. In the din, he declared the motion carried by voice vote and adjourned the House for the next day.

Differences of opinion between the two partners of the coalition Ministry - BKD and Congress(N) - came to a head on 24 September 1970 with the Chief Minister asking the Governor to 'remove' 13 of the 26 Congress(N) Ministers if they did not resign. The Congress(N) withdrew its support to the Government and urged the Governor to demand Choudhary Charan Singh's resignation on the ground that after the withdrawal of the Congress(N) support, his Government had been reduced to a minority.

On 27 September, the Governor, on the advice of the Chief Minister, divested all the 13 Congress(N) Ministers of their portfolios and allotted them to Choudhary Charan Singh. On the following day, however, the Governor wrote to Choudhary Charan Singh asking him to resign from the office of the Chief Minister as the coalition in which the Congress(N) was a major partner no longer existed and it was unconstitutional in the present circumstances for him to continue as Chief Minister. The propriety of the Governor's action in asking him to resign was questioned by Choudhary Charan Singh who maintained that the question whether he had lost the confidence of the Assembly had to be tested in the Assembly which was scheduled to meet on 6 October and could be summoned even earlier if the Governor so desired.

On 29 September, the Governor sent a report to the President stating that the constitutional machinery had broken down in the State and recommending the imposition of President's Rule. Eventually, the State was brought under President's Rule on 1 October 1970, the necessary Proclamation having been signed by the President in Kiev in the erstwhile Soviet Union on the previous day. The Proclamation suspended the State Assembly but did not dissolve it to keep open the chances of formation of a new Government.

On 6 October 1970, the Allahabad High Court rejected a writ petition questioning the President's Proclamation imposing Central rule in the State. The petitioners had, *inter alia*, contended that: (i) the recommendation of the Governor for imposition of President's Rule was *mala fide* and against the provisions of Constitution; and (ii) that the President did not apply his mind nor was he acquainted with the facts of the situation and the Proclamation, therefore, was nothing but an abuse of power.

Recording the reasons for rejecting the petition, the Court held on 19 October 1970 that it was not open to it to go into the validity of a Proclamation issued by the President because of the provisions of article 361 of the Constitution which lays down that the President shall not be answerable to any court for the exercise and performance of the powers of his office.

A new Samyukta Vidhayak Dal (SVD), comprising the BKD, Congress(O), Jan Sangh, SSP and Swatantra Party, which together claimed the support of 257 MLAs, unanimously elected Shri T.N. Singh as its leader. A three-man SVD Ministry headed by Shri T.N. Singh was sworn in on 18 October 1970.

Following the defeat in the House of the SVD Government on 30 March 1971 on an amendment to the Motion of Thanks to the Governor for his Address by 184 to 229 votes, Shri T.N. Singh resigned from the office of the Chief Minister. The Governor then invited the Congress(R) leader Shri Kamalapati Tripathi to form the Ministry. Shri Tripathi was sworn in on 4 April 1971.

Second Motion of No-confidence

A Motion of No-confidence against the 18-month-old Kamalapati Tripathi Ministry tabled jointly by Sarvashri Jairam Verma (BKD), Madhav Prasad Tripathi (Jan Sangh), Kalpnath Singh (Congress-O) and Anant Ram Jaiswal (SSP) was admitted on 27 July 1972 by the Speaker Shri Atmaram Govind Kher. The motion was debated for two days on 2 and 3 August 1972 in which 39 members took part.

Initiating the debate, Choudhary Charan Singh dwelt at length on the rising prices, the expanding army of Government employees, the growing stranglehold of the bureaucracy, maladministration and corruption, casteism and slaughter of democracy. Shri Singh made a brief mention of the recent riots at Firozabad and Varanasi and asked Shri Tripathi to do a bit of heart searching and said the Government had failed in its responsibility towards those who had lost their lives and property. He appealed to the Congress legislators to pause and think before voting on the motion and said democracy and their duty by the people demanded that they choose only such leaders as had no stigma and were fit in every manner to lead India's biggest State.

In his reply, the Chief Minister Shri Kamalapati Tripathi said that a secret pamphlet had been seized which showed that certain forces which were unhappy since the Bangladesh liberation were trying to foment communal trouble in the name of the anti-Alighrah Muslim University Act campaign.

Replying to the debate, Choudhary Charan Singh charged that the Congress had formed the Government in the State only with the help of members who changed their party affiliation.

The motion was negatived with 115 members voting in favour and 256 members voting against it.

Sixth Legislative Assembly (1974-1977)

In the General Elections held in the State on 24 and 26 February 1974, the Congress Party secured an absolute majority by winning 215 seats in the 425-member House, the position of the other parties being Jan Sangh 61, BKD 106, Congress (O) 10, CPI 16, Socialist 5, CPI(M) 2, Akhil Bhartiya Hindu Mahasabha 1, Muslim League 1, Swatantra 1, Soshit Samaj Dal 1 and Independents and others 5. Election in one constituency was countermanded.

On 5 March 1974, Shri Hemvati Nandan Bahuguna was unanimously elected Leader of the Congress Legislature Party and on the same day an 11-member Ministry headed by Shri Bahuguna was sworn in by the Governor Shri Akbar Ali Khan.

During the tenure of the Sixth Legislative Assembly, one Motion of No-confidence against the Council of Ministers of Shri Hemvati Nandan Bahuguna was discussed.

Motion of No-confidence

A No-confidence Motion against Shri Hemvati Nandan Bahuguna's Ministry tabled by Choudhary Charan Singh (BKD) was admitted on 1 January 1975 by the Speaker Shri Vasudeo Singh. The motion was discussed for two days on 2 and 3 January 1975 in which 55 members participated.

Initiating the debate, Shri Madhav Prasad Tripathi (Jan Sangh) accused the Government of misuse of power in connection with a Congress rally and said the regional transport officers were compelled to arrange trucks. He further alleged that Ministers were involved in all the main scandals and when corruption thrived at the top, there was no use blaming those below.

Supporting the motion, Choudhary Charan Singh, the Leader of the Opposition, charged the Government and the ruling party with adopting a dictatorial attitude and not tolerating the Opposition.

Replying to the debate, the Chief Minister Shri Hemvati Nandan Bahuguna said the politics of character assassination was not good for the nation. It should stop as it would murder democracy.

Choudhary Charan Singh explained that his remarks about certain Ministers did not mean that he was interested in character assassination. If the Government had nothing to hide, it should have accepted the demand for a judicial inquiry by a Committee of the House into the allegations of corruption against the Ministers.

Thereafter, the Bharatiya Lok Dal and Jan Sangh members walked out of the House in protest against the Government's refusal to order a judicial inquiry or to constitute a Committee of the House to go into the conduct of some Ministers.

The motion was negatived by voice vote.

Seventh Legislative Assembly (1977-1980)

In the elections to the State Legislative Assembly held in June 1977, the Janata Party secured more than two-thirds majority by winning 351 seats. The Congress won 46 seats, CPI 9, CPI(M) 1 and Independents 16 seats. Polling in two constituencies was countermanded. A 5-member Janata Government headed by Shri Ram Naresh Yadav was sworn in by the Governor Dr. M. Chenna Reddy on 23 June 1977. On 15 February 1979, the Chief Minister Shri Ram Naresh Yadav submitted the resignation of his Ministry to the Governor, Shri G.D. Tapase, after he lost a trial of strength in the Janata Legislature Party by a margin of nine votes. On 27 February 1979, Shri Banarsi Das who resigned from the Speakership on 26 February 1979 was elected Leader of the Janata Legislature Party and a seven-member Janata Ministry headed by Shri Das was sworn in on 28 February 1979.

The Seventh Legislative Assembly discussed one Motion of No-confidence against the Cabinet of Shri Banarsi Das.

Motion of No-confidence

A Motion of No-confidence against the six-month-old Janata Government of Shri Banarsi Das was moved by Shri Rajmangal Pandey (Janata-R) on 29 August 1979. The motion was debated on the same day for seven hours in which 33 members took part.

Moving the motion, Shri Rajmangal Pandey said that all kinds of tactics were being adopted by the Cabinet to remain in power. The Chief Minister had told the members of the Legislative Assembly that if they did not vote for him, he would order fresh elections.

Supporting the motion, Shri Narayan Datt Tiwari (Congress-I) said the present Government was a minority Government as only 195 members out of a total of 426 members of the State Legislative Assembly supported Shri Banarsi Das. Shri Tiwari further said that the Government seemed the least concerned about the drought situation prevailing in the State. No relief work had been started as yet. The crime situation was getting worse with every passing day. Because of the bad power supply position, the Government had lost the farmers' confidence as well.

Replying to the debate, the Chief Minister Shri Banarsi Das denied the charge of provoking communal riots in Aligarh Muslim University and hiding the facts. Referring to the charge that he would be forced by his party leaders to hold elections, Shri Das said nobody's advice was binding on him. Denying that he had any idea of advising dissolution of the Assembly, the Chief Minister said that if the Government fell, there was no alternative to a mid-term poll as the Congress(I) would not help the rival Janata Party to form an alternative Government. He was sure members would not sign their own dismissal warrant.

The motion was negatived with 192 members voting in favour (of these 5 votes were declared invalid) and 218 members voting against the motion. One vote against the motion was left uncounted by mistake.

Eighth Legislative Assembly (1980-1985)

Polling was held on 28 and 31 May 1980 to elect members to the State Legislative Assembly. Elections in four constituencies were countermanded due to the death of candidates. The Congress(I) secured a two-third majority by winning 306 seats, the tally of the other parties being: Janata (CS) 59, Congress (U) 13, BJP 11, CPI 7, Janata (JP) 4, Janata (S)(RN) 4 and Independents 17.

A Congress(I) Ministry headed by Shri Vishwanath Pratap Singh was sworn in on 9 June 1980. On 28 June 1982, Shri V.P. Singh tendered the resignation from the office of the Chief Minister to the State Governor, Shri C.P.N. Singh, following the massacre of 17 villagers in the districts of Kanpur and Mainpuri by dacoits on 22 June 1982. Shri Shripati Mishra was unanimously elected Leader of the Congress(I) Legislature Party on 18 July 1982. He immediately resigned from the Speakership of the Assembly. On 19 July, Shri Shripati Mishra assumed office.

One Motion of No-confidence against the Cabinet of Shri Shripati Mishra was debated during the tenure of the Eighth Legislative Assembly.

Motion of No-confidence

A No-confidence Motion against Shri Shripati Mishra was moved by Choudhary Rajendra Singh (Janata-S) on 2 September 1983 on the grounds of corruption, inefficiency of the Government and the poor economic condition of the State. The motion was supported by all sections of the Opposition except the lone AICP (Dange) member, Shri Shyam Narayan Tewari. In the first count, the number of members supporting the motion was 84, which was one short of the requisite number. There was a hue and cry following this and the Opposition demanded a recount. By the time recounting started, two Opposition members entered the House. The Speaker Shri Dharam Singh announced that in the recount 86 members had supported the motion. The Speaker then declared that the motion had been admitted. In all, 28 members participated in the 6 hours and 30 minutes long discussion.

Moving the motion, Choudhary Rajendra Singh demanded an inquiry by a High Court judge into charges against certain Ministers.

Replying to the Opposition charges against his ministerial colleagues, the Chief Minister Shri Shripati Mishra said that the Lokayukta had sent his report about only one Minister and no charges had been proved against him. An enquiry was in progress against another Minister. He said no charges should be made against anyone without any facts, for character was the only asset of a politician. Therefore, no such allegations should be made only for character assassination. He, however, promised stern action against anyone found guilty of corruption charges. Referring

to the Government's achievements, the Chief Minister said the democratic process at the local level was restored by holding elections to *gram sabhas*, block committees and Zila Parishads. The elections for urban local bodies would also be held soon. Claiming adequate improvement in the law and order situation, Shri Mishra said during the last one year there had been no complaints of fake encounters. As regards the cane growers' problem, the Chief Minister said the Government had got cleared the old arrears of cane growers and assured that it would arrange the clearance of the rest of the arrears also.

The motion was negated by voice vote.

Ninth Legislative Assembly (1985-1989)

Elections to the Legislative Assembly were held on 2 and 5 March 1985. The ruling Congress(I) got an absolute majority by winning 268 seats. The Lok Dal emerged as the main Opposition party by winning 85 seats. The seats won by other parties were as follows: Janata Party 18, BJP 16, CPI 5, CPI(M) 3, Congress (J) 4 and Independents 23. Elections in three constituencies were countermanded. Shri Narayan Datt Tiwari was sworn in as the Chief Minister on 11 March 1985 by the Governor, Shri C.P.N. Singh.

Following the resignation of Shri Narayan Datt Tiwari on 23 September 1985, Shri Vir Bahadur Singh was unanimously elected Leader of the Congress Legislature Party and took the oath of office as the Chief Minister on 24 September 1985.

In the Ninth Legislative Assembly, one Motion of No-confidence was admitted and debated.

Motion of No-confidence

A Motion of No-confidence against the 11-month-old Vir Bahadur Singh Ministry was moved by Shri Mulayam Singh Yadav (Lok Dal) on 8 September 1986. 35 members participated in the eight hours long discussion.

Moving the No-confidence Motion, Shri Mulayam Singh Yadav, Leader of the Opposition, said that the people of the State had lost confidence in the Government. Even the Ministers and bureaucrats had lost confidence in the Chief Minister. He said it was the moral duty of Shri Vir Bahadur Singh's Government to quit following a spate of failures on all fronts - political, economic and social. He said that while the Ministers were occupied with transfers and postings, the policy decisions were being taken by the bureaucrats. Shri Singh also said that a constitutional crisis had cropped up following sharp differences between the Chief Secretary and the Chief Minister. He also referred to the condition of public sector corporations in the State, most of which were in the red. Speaking on the law and order situation, Shri Singh said that innocent persons were being killed in fake encounters; communal tension was disturbing indeed and the Government was doing nothing about it.

Intervening in the discussion, the Chief Minister Shri Vir Bahadur Singh said that the main task of the Government had been to activate the administration which had ultimately resulted in Uttar Pradesh topping in the country in the implementation of the 20-point programme. He said that he had promised a clean Government immediately after taking over the reigns of the State. Regarding communal riots, he claimed that in Uttar Pradesh there was the least number of communal riots as compared to other States. Shri Singh stated that his Government's main goal was to increase agricultural production. Due to its emphasis on this goal, during 1985-86 there was a record production of foodgrains. Referring to complaints against officials, he said disciplinary action had been initiated against employees of different ranks. For better results in all development activities, a decision had been taken to decentralize power.

The motion was defeated with 108 members voting in favour and 250 members voting against it.

Tenth Legislative Assembly (1989-1991)

In the elections to the Legislative Assembly held in November 1989 for 421 seats, the Congress(I) won 94 seats. The Janata Dal emerged as the single largest party by securing 204 seats. The BJP got 57 seats while the BSP secured 13 seats. 53 seats were won by other parties and Independents.

A Janata Dal Ministry headed by Shri Mulayam Singh Yadav was administered the oath of office and secrecy on 5 December 1989.

The Tenth Legislative Assembly took up one Motion of Confidence in November 1990. Following the split in the Janata Dal at the national level, the Janata Dal split in the State also with five Ministers in Shri Mulayam Singh's Yadav's eleven-month-old Ministry resigning from the Council of Ministers. The dissidents handed over the letter written by the newly appointed State Janata Dal President, Shri Kailash Nath Yadav to the Governor which stated that as Shri Mulayam Singh Yadav was expelled from the Janata Dal, he ceased to be the Leader of its Legislature Party in the State and hence demanded the dismissal of the Government. However, Shri Mulayam Singh Yadav claimed that he enjoyed an absolute majority in the House and said he could prove his majority on the floor of the House. The Congress(I) offered its "issue-based" "one-time" conditional support to the Government. As there were claims and counterclaims with regard to the numerical support enjoyed by rival parties among the MLAs, the Governor Shri Satyanarayana Reddy asked the Chief Minister to prove his majority.

Motion of Confidence

Moving the Confidence Motion in the House on 20 November 1990, the Chief Minister Shri Mulayam Singh Yadav said that the State Janata Dal had secured a

clear majority in the elections held in 1989 and it was a mandate given by the people for five years. But owing to a conspiracy to destabilize him, he had to now seek a mandate of the House again. He criticised the BJP for raising the Ram Janma Bhoomi issue only at the time of elections. He alleged that he was not taken into confidence about the negotiations held by the Prime Minister on the Ayodhya issue; even the Ordinance on Ayodhya was not discussed with him.

The Leader of the Opposition, Shri. N.D. Tiwari [Congress(I)], while extending his party's conditional support to the Government, said that the Congress(I) was prepared to support the Government till the Chief Minister fought communalism and kept the doors open for negotiations as it was not the question of an individual but that of the country.

Shri Kalyan Singh of the BJP said that the Government had failed on all fronts and that it had no right to continue in office any more.

Replying to the debate, the Chief Minister Shri Mulayam Singh Yadav asserted that his fight against communalism would continue. He assured the House that he would order a high level judicial inquiry into the Ayodhya firing and riots in Gonda, Meerut and Bijnore.

Twenty-three members took part in the debate lasting six hours. The motion was adopted as 224 members voted in favour while 146 voted against it.

The Eleventh Legislative Assembly did not take up any Motion of Confidence or No-confidence.

Twelfth Legislative Assembly (1993-1995)

In the elections held to the Twelfth Legislative Assembly in November 1993, no party could get an absolute majority. While the BJP emerged as the single largest party with 176 seats, the Samajwadi Party (SP) led by Shri Mulayam Singh Yadav won 108 seats, the Bahujan Samaj Party secured 68 seats and the Congress(I) and the Janata Dal won 28 seats each. The remaining seats were won by other parties and Independents.

Shri Mulayam Singh Yadav claimed the support of 242 members belonging to all the non-BJP Parties - the Congress(I), Janata Dal, CPI, CPI-M, Janata Party and the Uttaranachal Kranti-Dal - and some Independents. Meanwhile, the BJP also staked its claim to form the Government saying that it was the single largest party and it also had the support of some other legislators.

Subsequently, a 27-member SP-BSP coalition Ministry headed by Shri Mulayam Singh Yadav was administered the oath of office and secrecy by the Governor Shri Motilal Vora on 4 December 1993.

The Twelfth Legislative Assembly took up two Motions of Confidence.

First Motion of Confidence

On 22 December 1993, soon after the adoption of the Motion of Thanks to the

Governor for his Address by voice vote, the Chief Minister Shri Mulayam Singh Yadav moved a motion seeking vote of confidence in the Council of Ministers. The Governor had directed him to prove his majority on the floor of the House.

The Leader of the Opposition, Shri Kalyan Singh, while raising a point of order, said that this was not on the day's agenda as recommended by the Business Advisory Committee. He also described the manner in which the Government was rushing through the vote of confidence as improper. However, the Speaker Shri Dhaniram Verma ruled out the objections raised by Shri Kalyan Singh. Following this, the BJP members walked out of the House. The motion was then taken up for voting without any discussion and was adopted by voice vote within five minutes.

On 29 January 1995, the Congress(I) decided to withdraw its support to the SP-BSP coalition Government. Subsequently, on 1 June 1995, the BSP withdrew from the Government and also withdrew its support to the Government. As Shri Mulayam Singh Yadav could not convince the Governor Shri Motilal Vora of his majority in the Assembly, the Governor asked Shri Yadav to resign. However, the Chief Minister refused to resign and instead opted to get dismissed.

Meanwhile, there was a split in the BSP as 25 MLAs of that party led by Shri Raj Bahadur broke away from the BSP and formed BSP(R). On 3 June 1995, the Governor Shri Vora dismissed the Ministry of Shri Mulayam Singh Yadav. The BSP leader Kumari Mayawati was then sworn in as the new Chief Minister.

Second Motion of Confidence

As per the Governor's directive, a Special Session was convened on 20 June 1995 to enable the Chief Minister to prove her majority on the floor of the House.

However, prior to moving the motion seeking vote of confidence, the House adopted a resolution seeking the removal of the Speaker Shri Dhaniram Verma for acting in a partisan manner and undermining the Constitution, the office of the Governor and parliamentary conventions. The proceedings for the removal of Shri Verma were presided over by Shri Barkhu Ram Verma of the BSP. Thereafter, the motion expressing confidence in the Council of Ministers headed by Kumari Mayawati was taken up by the House.

Initiating the debate on the Motion of Confidence, Shri Ram Ashrey Verma (Janata Dal) congratulated Kumari Mayawati for creating history by becoming the first dalit woman Chief Minister of the State.

Participating in the debate, the Leader of the BJP Legislature Party, Shri Kalyan Singh said that his party's unconditional support to the Government headed by Kumari Mayawati was to end the misrule and to fight jointly for the cause of the dalits and the downtrodden. In order to save and protect the public of the State, the BJP had extended its support to Kumari Mayawati.

In her reply, the Chief Minister Kumari Mayawati said that there was no question of her Government following the BJP line as the policies of her party and that of the BJP were different. As regards the transfers of civil servants, she said all the promotions would be made strictly on the basis of merit and seniority of the officials concerned would also be taken into account. While referring to the demolition of the Babri Masjid, she said that her party and her Government would honour the verdict of the Supreme Court. Thanking the Centre for not placing the State under President's Rule, she said that the Governor had thoughtfully sent his message to the House, which helped scuttle all the moves to throttle democracy.

In all, fifteen members took part in the debate lasting three hours and thirty minutes. The motion was, thereafter, adopted with 249 members voting in its favour. The Opposition SP and rebels of the BSP boycotted the Session while the members of the Congress(I), the Janata Dal, the CPI-M and the CPI abstained from voting.

Within four months of winning the vote of confidence, the BSP Government was reduced to a minority following the withdrawal of support by the 176-member BJP. Kumari Mayawati resigned from office on 17 October 1995. On 18 October 1995, the State was placed under President's Rule and the Legislative Assembly was kept under suspended animation.

Meanwhile, the BJP staked its claim to form the Government on 24 October 1995 claiming the support of 216 members. The Samajwadi Party led by Shri Mulayam Singh Yadav also staked its claim to form the Government claiming the support of 222 MLAs. However, other parties, including the Congress(I), favoured the dissolution of the Legislative Assembly.

Subsequently, following the Governor's report that there was no possibility of formation of a stable Government in the State and that the situation of suspended animation of the Legislative Assembly might lead to bargaining among the parties, for securing support of the members, the Assembly was dissolved on 27 October 1995.

Thirteenth Legislative Assembly (1996-2002)

In the elections held in October 1996, no party could get an absolute majority. The BJP emerged as the single largest party with 174 seats while the United Front bagged 134 seats; the BSP-Congress(I) combine secured 100 seats and the remaining seats were won by others and Independents.

As no single party or combination of parties were in a position to form the Government, and since it was necessary to provide for the governance of the State, President's Rule was imposed on 17 October 1996. The newly elected Legislative Assembly was also kept under suspended animation.

After four months of President's Rule, a coalition Government comprising the BSP and BJP was formed on 21 March 1997 by Kumari Mayawati. The coalition

Government had come into office on the understanding that the power sharing would be for one year and that both the BSP and the BJP would get the Chief Ministership for six months, respectively. In pursuance of this, the Chief Minister Kumari Mayawati resigned on 20 September 1997 after completing her six-month tenure, paving the way for a Chief Ministership from the BJP. On 21 September 1997, Shri Kalyan Singh of the BJP was sworn in as the Chief Minister.

Just after a month of the formation of the Government, the BSP withdrew its support to the coalition Government led by Shri Kalyan Singh. As the Government was reduced to a minority, the Governor Shri Romesh Bhandari asked the Chief Minister to prove his majority on the floor of the House.

Meanwhile, there was a split in the Congress(I) as well as in the Janata Dal. Nineteen of the Congress(I) members under the leadership of Shri Naresh Agarwal formed a new party - the Loktantrik Congress Party. Three of the seven-member Janata Dal also formed a separate group under the leadership of Shri Rajaram Pandey. Both the new parties decided to support the Government led by Shri Kalyan Singh.

The Thirteenth Legislative Assembly took up one Motion of Confidence and the Composite Floor-Test as per the order of the Supreme Court.

Motion of Confidence

As per the Governor's directive, the House met on 21 October 1997 to enable Shri Kalyan Singh to prove his strength on the floor of the House. Soon after the House commenced its Special Session, Opposition members rushed into the well of the House and there was pandemonium in the House. The security personnel who were called by the Speaker led the agitating Opposition members to the Lobby. The Speaker Shri Keshari Nath Tripathi then read out the Governor's communication to him to secure the mandate of the House on the Confidence Motion through division in which members present in the House give their vote in writing. The Opposition then left the House to march to the Raj Bhavan.

Moving the motion, the Chief Minister Shri Kalyan Singh said that as the Opposition members were in no mood to listen to anything, it would be better to straightaway go in for voting on the motion without any discussion as this would save the precious time of the House. However, the Speaker asked whether anyone would want to speak on the motion. Six members then spoke on the motion.

Replying to the debate, the Chief Minister Shri Kalyan Singh assured the House that nobody involved in any type of corruption would be spared. He assured the House that an equal opportunity of development would be given to every section of society. There would be no discrimination on the basis of caste, creed or religion. He requested the House to support him in the interest of the overall development of the State and for political stability.

In all, six members took part in the debate lasting 30 minutes. 222 members voted in favour of the motion and none against it, with the Opposition staying away from the House.

Composite Floor-Test

As we have seen, according to article 164 (2) of the Constitution, the Council of Ministers in a State shall be collectively responsible to the Legislative Assembly of the State. For governance, the Government must, at all times, enjoy the confidence of the House. If need be, it has to demonstrate the majority support either by winning a confidence vote or by defeating a No-confidence Motion brought against it. The moment it loses the majority in the House, the Government must go.

The trial of strength on the floor of the House could be held as per the directive of the Governor or on a motion moved by the Government on its own seeking the confidence of the House. The Opposition can bring forward a Motion of No-confidence in accordance with the rules provided therefor against the Council of Ministers with a view not only to expressing its criticism against the policies and programmes of the Government but also to bring down the Government. A provision to this effect has been made in the Rules of Procedure and Conduct of Business of both the Lok Sabha and all the State Legislative Assemblies.

For the first time in the annals of over fifty years of our parliamentary democracy, a trial of strength was held in the Uttar Pradesh Legislative Assembly on 26 February 1998 as per the order of the Supreme Court to decide upon the question as to who among the two claimants to the post of Chief Minister enjoyed the majority support of the House. The trial of strength referred to by the Apex Court as the 'Composite Floor-Test' was held to decide on the support enjoyed by Shri Kalyan Singh and Shri Jagadambika Pal - the two contenders for the post of Chief Minister.

The Composite Floor-Test was a unique one in the sense that it was neither in the form of a Motion of No-confidence nor a Motion of Confidence. The Rules of Procedure nowhere provided for such a test. Perhaps it was not visualized either by the Constitution-makers or the Legislatures which subsequently formulated their rules in accordance with the constitutional provisions. However, the unique device devised by the Supreme Court in February 1998 settled the question of who should be the Chief Minister - the one who was earlier dismissed by the Governor but reinstated by an interim order of the Allahabad High Court, or the other who was sworn in earlier in place of the dismissed Chief Minister and who, in turn, challenged in the Apex Court, the High Court order reinstating the dismissed Chief Minister.

The background to this was the political developments which took place in the Uttar Pradesh Legislative Assembly prior to the Composite Floor-Test. On 21 February 1998, Shri Naresh Agrawal of the Loktantrik Congress, an alliance partner of the BJP led Kalyan Singh Government, informed the Governor Shri Romesh Bhandari of the

withdrawal of support of his 22-member party to the Kalyan Singh Government. The Janata Dal (Rajaram Pandey) Group which had 3 members also withdrew its support.

Following the withdrawal of support by the two supporting parties, the Governor Shri Romesh Bhandari dismissed the Kalyan Singh Government and on the same day administered the oath of office and secrecy to the Loktantrik Ministry led by Shri Jagadambika Pal. The new Government was supported by the Samajwadi Party, Bahujan Samaj Party and the Congress(I). The Governor asked the newly sworn in Chief Minister Shri Jagadambika Pal to prove his majority on the floor of the House by 24 February 1998.

Meanwhile, the Governor's action of dismissal of the Kalyan Singh Government was challenged in the Allahabad High Court by Shri N.K.S. Gaur who was Minister for Higher Education in the Kalyan Singh Government.

The Division Bench of the High Court, in its interim order, reinstated the Kalyan Singh Government, while staying the order of the Governor dismissing Shri Kalyan Singh's Government. The Court also ruled that the Governor was free to summon the House and test the majority of the Kalyan Singh Government. If the Kalyan Singh Government failed to prove its majority in the House, the Governor might take appropriate action in accordance with the Constitution.

Shri Jagadambika Pal filed a Special Leave Petition before the Supreme Court, challenging the order of the Allahabad High Court by which the Kalyan Singh Government was restored by staying the decision of the Governor Shri Romesh Bhandari of 21 February dismissing the Kalyan Singh Ministry. The three-judge Bench, after hearing the arguments of the Counsel for both the Petitioner and the State of Uttar Pradesh, declined to grant stay on the interim order of the Allahabad High Court.

The Apex Court, after hearing the learned Counsels for both parties, in its interim order on 24 February 1998, directed that a Special Assembly Session be held on 26 February 1998 to determine whether Shri Kalyan Singh or Shri Jagadambika Pal enjoyed the majority support. It also directed that the order itself be treated as notice to all MLAs. In its order, the Supreme Court held:

"Order: 1. We have heard learned counsel for the petitioner. We have also heard learned counsel for the Caveators. On hearing them, the order which commends to us is as follows:-

- (i) A Special Session of the Uttar Pradesh Assembly be summoned/ convened for 26th February, 1998, the Session commencing forenoon.
- (ii) The only Agenda in the Assembly would be to have a composite floor-test between the contending parties in order to see which out of the two contesting claimants of Chief Ministership has a majority in the House.
- (iii) It is pertinently emphasized that the proceedings in the Assembly shall

be totally peaceful and disturbance, if any, caused therein would be viewed seriously.

- (iv) The result of the composite floor-test would be announced by the Speaker faithfully and truthfully.

2. The result is expected to be laid before us on 27 February 1998 at 10.00 AM when this Bench assembles again.

3. Ancillary directions are that this order shall be treated to be a notice to all the MLAs, leaving apart the notices the Governor/Secretariat is supposed to issue. In the interregnum, no major decisions would be made by the functioning Government except attending to routine matters, not much of any-consequence.

4. To come up on 27th February, 1998 as part-heard." [*Shri Jagadambika Pal vs. Union of India and others, AIR, 1998 (Supreme Court), pp. 998-99*].

As per the order of the Apex Court, the Special Session was convened on 26 February 1998 to hold the Composite Floor-Test to test the majority enjoyed by the two contending candidates, Shri Kalyan Singh and Shri Jagadambika Pal. Both were seated on either side of the Speaker Shri Keshari Nath Tripathi. Members, who were called constituency-wise, after signing the Register and the counter-foil of the ballot paper and the ballot paper, marked their preference for either of the two contenders and dropped the ballot paper in the ballot box placed near the podium of the Speaker.

In the counting held thereafter, Shri Kalyan Singh secured 225 votes while Shri Jagadambika Pal polled 196 votes. The entire process took eight hours and twenty minutes.

On 27 February 1998, the Apex Court upheld the Allahabad High Court interim order restoring the Kalyan Singh Government and also upheld the Composite Floor Test held in the State Legislative Assembly. The Court also disposed of the writ petition pending before the Allahabad High Court challenging the dismissal of the Kalyan Singh Government saying that pursuing it would not be conducive to political peace and tranquility, as also overall harmony.

Fourteenth Legislative Assembly (2002-till date)

In the elections of February 2002 to the 403-member House, no party could muster an absolute majority to form the Government. The BJP and its allies got 107 seats, the Samajwadi Party secured 145 seats, the BSP got 98 seats and the Congress(I) secured 25 seats and others won 26 seats.

The Governor Shri Vishnu Kant Shastri recommended on 6 March 2002, the imposition of President's Rule and keeping the Legislative Assembly under suspended animation as no party or combination of parties was in a position to form a stable Government. On 8 March 2002, the State was brought under President's Rule and the Legislative Assembly was kept under suspended animation.

On 29 April 2002, Kumari Mayawati, while staking her claim to form the Government, gave a list of 211 members to the Governor. Later, on 3 May 2002, a 24-member coalition Government comprising BSP, the BJP, Rashtriya Lok Dal and others was administered the oath of office and secrecy. Kumari Mayawati was directed by the Governor to prove her majority on the floor of the House within three weeks.

First Motion of Confidence

In accordance with the Governor's directive, the Chief Minister Kumari Mayawati moved a Motion of Confidence in the House on 17 May 2002. Moving the motion, the Chief Minister explained why the coalition Government was formed. She clarified that the BSP formed the Government along with the BJP only after the single largest party - the Samajwadi Party - had failed to muster the required majority. The poor economic health of the State could not have borne yet another expensive election. It was only to spare the people the financial burden of a fresh round of elections that the BSP-led coalition Government and other parties was formed. She admitted that in the past differences had emerged between the two parties when they had come together to govern the State but she said the BJP had never behaved with her in such a bad manner in which the Samajwadi Party had done in June 1995.

Refuting the allegation that the interest of the Muslims were not safe in her hands, she said, in 1995 and 1997 the BSP had formed the Government with the support of the BJP and on both occasions the lives and religious places of the Muslims were guarded with honesty and sincerity. On the Ram Janmabhoomi issue, she said, it was better if the issue could be solved through dialogue; otherwise, the Government would abide by the decision of the court.

While the Opposition dwelt on the contradictions in the BJP-BSP alliance, the Treasury Benches insisted that they had joined hands only to give the State a popular Government.

Replying to the debate, Kumari Mayawati said that her Government, during its six-month rule in 1997, had protected the interests of every section of society, especially the backward classes and the minorities. The increase in the seats won by the BSP in the present Assembly amply demonstrated this. The Government would create a crime-free, fear-free and injustice-free Government and work for the development of the State. Every section of society would be taken care of. The law and order situation would be improved.

Thirty-one members took part in the seven and a half hours long debate. In the voting held thereafter, 217 members voted in favour of the motion while 180 voted against it. Voting on the motion was taken up thrice: by voice vote, by the raising of hands and finally by lobby division.

Motion of No-confidence

The notice for the Motion of No-confidence against the 10-month-old Council of Ministers headed by Kumari Mayawati was given by the Opposition following the alleged appeals made by the Chief Minister to the MPs and MLAs of her party to contribute to the party funds from out of the Member of Parliament Local Area Development Scheme Funds.(MPLADS)

On 5 March 2003, the Speaker Shri Keshari Nath Tripathi asked the Leader of the Opposition Shri Mohammad Azam Khan to move the Motion of No-confidence for leave. As the requisite number of members stood in support of the motion, it was admitted for discussion. Following acrimonious scenes, the House had to be adjourned several times during the day. When the House met again at 7.20 P.M., Shri Suresh Chandra Shrivastava, who was in the Chair, called Shri Mohammad Azam Khan and other members who had signed the motion and the leaders of the other Opposition parties to speak on the motion. However, none of them spoke in the House. Shri Shrivastava then declared the motion as rejected by voice vote.

In a sudden development, on 25 August 2003, the main coalition partner, the BJP, withdrew its support from the coalition Government, following which the 15-month-old Mayawati Government was reduced to a minority. Kumari Mayawati met the Governor Shri Vishnu Kant Shastri and urged him to dissolve the Assembly and put the State under President's Rule, but the Governor did not accede to her demand. On 26 August 2003, Kumari Mayawati resigned as Chief Minister. Shri Mulayam Singh Yadav, leader of the Samajwadi Party, which was the main Opposition party in the House, staked his claim to form a new Government. He claimed the support of 210 members of ten parties and handed over a list to that effect to the Governor. The Governor then invited Shri Yadav to form the Government and on 29 August 2003, he was administered the oath of office of the Chief Minister. The Governor directed him to prove his majority on the floor of the House within 14 days.

Second Motion of Confidence

On 8 September 2003, the Chief Minister Shri Mulayam Singh Yadav, moving the Motion of Confidence, levelled various charges against the previous Government. Opposing the motion, the BSP Legislature Party leader Shri Swami Prasad Maurya also levelled various allegations against Shri Yadav's earlier regime.

After a day-long debate which lasted nine hours, the Speaker Shri Keshari Nath Tripathi first called for a voice vote, but after the insistence of the Congress(I) Legislature Party leader, Shri Pramod Tiwari, the Speaker permitted the counting of votes. After the count, the Speaker declared 244 votes in favour of the Confidence Motion and 154 votes against it. The motion was accordingly adopted.

Motions of Confidence and No-confidence in the Uttar Pradesh Legislative Assembly - An Analysis

In all, 17 Motions of No-confidence and seven Motions of Confidence have been admitted and discussed in the Assembly till date. The House also took up a Composite Floor-Test in 1998. Out of the 17 Motions of No-confidence, the highest number of five Motions of No-confidence were debated in the Second Legislative Assembly followed by four in the Third Legislative Assembly, two in the Fifth Legislative Assembly and one each in the Fourth, Sixth, Seventh, Eighth, Ninth and Fourteenth (till date) Legislative Assemblies.

Two Motions of Confidence each were discussed in the Twelfth and the Fourteenth (till date) Legislative Assemblies and one each in the Fifth, Tenth and Thirteenth Legislative Assemblies. In the Thirteenth Legislative Assembly, a Composite Floor-Test was conducted as per the order of the Supreme Court. The First and the Eleventh Legislative Assemblies did not discuss either a Motion of Confidence or No-confidence. Table 1 gives statistical details of the motions admitted and discussed in each Legislative Assembly.

Table 2 gives the number of No-confidence and Confidence Motions discussed during the tenures of different Speakers of the Legislative Assembly. The highest number of seven Motions of No-confidence was taken up by the House during the tenure of Shri Atmaram Govind Kher. Speaker Shri Madan Mohan Verma's tenure witnessed four Motions of No-confidence. Both types of motions were taken up by the House during the tenures of Speakers Shri Atmaram Govind Kher and Shri Keshari Nath Tripathi. However, the debate on the lone Motion of No-confidence taken up during the tenure of Shri Tripathi in March 2003 was chaired by Shri Suresh Chandra Shrivastava. The Motion was admitted for discussion earlier in the day by the Speaker. Besides, Speaker Shri Tripathi also chaired the Composite Floor-Test conducted on 26 February 1998 as per the order of the Supreme Court. The Deputy Speaker Shri Jagannath Prasad presided over the debate on the No-confidence Motion moved in August 1979.

Table 3 gives an account of the No-confidence Motions and Confidence Motions during different Councils of Ministers. Of the 17 Motions of No-confidence, Dr. Sampooranand, Shri Chandra Bhanu Gupta and Smt. Sucheta Kripalani faced three Motions of No-confidence each followed by Choudhary Charan Singh who faced two Motions of No-confidence. One Motion of No-confidence was moved against the Ministries of Sarvashri Kamalapati Tripathi, H.N. Bahuguna, Banarsi Das, Shripati Mishra, Vir Bahadur Singh and Kumari Mayawati. Shri Mulayam Singh Yadav moved the highest number of three Confidence Motions followed by Kumari Mayawati who moved two Motions of Confidence whereas one Motion of Confidence each was moved by Choudhary Charan Singh and Shri Kalyan Singh. Choudhary Charan Singh and Kumari Mayawati faced motions of both types - No-

confidence as well as Confidence. Chief Ministers Shri Kalyan Singh and Shri Jagadambika Pal faced the Composite Floor-Test as per the order of the Supreme Court to enable them to prove their majority on the floor of the House.

Table 4 gives statistical information about the participation of members in various Motions of No-confidence and Confidence. It also depicts the time taken and the result of the division.

Participation by Members

In all, 837 members participated in the debates on the 22 motions of both categories which were debated. Of these, 695 members participated in the 16 Motions of No-confidence and 142 members took part in the six Motions of Confidence which were debated in the House. The highest number of 81 members took part in the four-day debate on the No-confidence Motion moved by Shri Sharda Bhakta Singh and others against the Council of Ministers of Smt. Sucheta Kripalani in July-August 1964. The No-confidence Motion moved by Shri Raj Narain against the Ministry of Dr. Sampurnanand on 23 December 1957 and Choudhary Rajendra Singh against the Ministry of Shri Shripati Mishra in September 1983 entailed the lowest participation of 28 members.

The highest number of 48 members participated in the Confidence Motion moved by Shri Mulayam Singh Yadav in September 2003, whereas the lowest number of six members participated in the Motion of Confidence moved by Shri Kalyan Singh on 21 October 1997.

Time taken

The total time spent is available for only 9 motions - 6 Motions of Confidence and 3 Motions of No-confidence. The particulars of time taken is also available for the Composite Floor-Test. The total time spent on the debate on the 6 Motions of Confidence and 3 Motions of No-confidence comes to 48 hours and 05 minutes. While 21 hours and 30 minutes were spent on the three Motions of No-confidence, 26 hours and 35 minutes were spent on the six Motions of Confidence. Eight hours and twenty minutes were spent on the Composite Floor-Test. The total number of days taken to discuss the 17 Motions of No-confidence and the 7 Motions of Confidence comes to 32 days and 7 days, respectively. The Composite Floor-Test held on 26 February 1998 was concluded the same day. Individually, the No-confidence Motion moved by Shri Sharda Bhakta Singh against Smt. Sucheta Kripalani on 29 July 1964 was debated for 4 days. The No-confidence Motion moved by Shri Mulayam Singh Yadav against Shri Vir Bahadur Singh was debated for the longest duration of eight hours followed by the motion moved by Shri Rajmangal Pandey against the Ministry of Shri Banarsi Das which was debated for seven hours.

As regards Motions of Confidence, the one moved by Shri Mulayam Singh Yadav on 8 September 2003 was debated for the longest duration of nine hours whereas an earlier Motion of Confidence moved by him on 22 December 1993 was disposed of in five minutes.

Division

All the 17 Motions of No-confidence were negated - 14 were negated by division and three by voice vote. The No-confidence Motion moved by Shri Krishnadutt Paliwal on 22 August 1961 against Shri Chandra Bhanu Gupta was negated with the widest margin of 201 votes whereas the No-confidence Motion moved by Shri Chandra Bhanu Gupta against the Ministry of Choudhary Charan Singh voted on 27 July 1967 was negated with the narrowest margin of 20 votes. All the seven Motions of Confidence were adopted - five by division and two by voice vote. The Motion of Confidence moved by Kumari Mayawati on 20 June 1995 was adopted with the widest margin of 249 votes while another Motion of Confidence, also moved by Kumari Mayawati and voted on 17 May 2002, was adopted with the narrowest margin of 37 votes. The Composite Floor-Test, conducted on 26 February 1998 as directed by the Supreme Court to enable Shri Kalyan Singh and Shri Jagadambika Pal to prove their respective strength on the floor of the House, recorded 225 votes for the former and 196 votes for the latter.

West Bengal Legislative Assembly

The history of the West Bengal Legislature is traceable from 1862. Under the Indian Councils Act of 1861, a Legislative Council for Bengal was established by the Governor-General of India on 18 January 1862 comprising the Lieutenant-Governor of Bengal and some nominated members. The maximum number of members of this Council was 12. Under the Indian Councils Act of 1892, the maximum strength of the Council was raised to 20 members of whom seven were to be elected. A provision had been made in the Act for the asking of Questions and the discussion of the annual financial statement by the members. Following the enactment of the Indian Councils Act, 1909, the strength of the Council was raised from 20 to 50. The members obtained the right to ask supplementary questions (confined to the original questioner only) and to discuss any matter of general public interest. In the wake of the Government of India Act of 1919, the number of members of the Legislative Council was raised to 125 of whom not more than twenty per cent were to be official members and at least seventy per cent elected members. Under the Government of India Act, 1935, the Legislative Council and Legislative Assembly were created. The duration of the Assembly, consisting of 250 members, was to be of five years unless dissolved sooner, while the Council, with a membership of not less than 63 and not more than 65, was made a permanent body not subject to dissolution with the provision that one-third of the members should retire every third year.

From 1950 onwards, the Legislative Assembly became the Legislature of West Bengal with the members who were originally elected in the General Elections held in 1946 continuing as such till the new House was constituted after the General Elections in 1952. The number of members in the Legislative Assembly was 240, including two nominated members from the Anglo-Indian community. Presently, the West Bengal Legislative Assembly has a total membership of 295, including one member nominated by the Governor from the Anglo-Indian community. The Bengal Legislative Council which was constituted on 5 June 1952 was abolished on 1 August 1969.

Motion of No-confidence

Rule 199 of the Rules of Procedure and Conduct of Business deals with the Motion of No-confidence in the Council of Ministers. It provides that a motion may be made to express want of confidence in the Council of Ministers or to disapprove the policy of the Council of Ministers in a particular respect. The member intending to move such a motion has to give to the Secretary a written notice thereof before the commencement of the sitting of the day. If the Speaker is of the opinion that the motion is in order, he, after the Questions and before the List of Business for the day is entered upon, reads the motion to the House and requests those members who are in favour of leave being granted to rise in their places. If not less than thirty members rise accordingly, he declares that leave is granted and fixes a day or days or part of a day for discussion of the motion. The rule was amended during the Budget Session of 1992 to reduce the number of members needed for support to grant leave for the Motion of No-confidence from 48 to 30. The day for the discussion so fixed must not be beyond ten days from the date on which the leave is asked for. At the end of the discussion, the Speaker forthwith puts every question necessary to determine the decision of the House. The Speaker may also fix time limit for the speeches on the motion.

Motion of Confidence

There is no specific rule in the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly to govern the Motion of Confidence. However, a Motion of Confidence may be taken up by the House as a general motion governed under Rule 185 which provides that save insofar as is otherwise provided in the Constitution or in the rules, no discussion of a matter of general public interest shall take place except on a motion made with the consent of the Speaker. Incidentally, no such motion has been taken up by the Legislative Assembly so far.

Motions in the West Bengal Legislative Assembly

The West Bengal Legislative Assembly has till date taken up seventeen Motions of No-confidence and all the 17 were negatived. Another Motion of No-Confidence, though admitted, was not taken up by the House. As mentioned earlier, the House has not taken up any Confidence Motion so far. At least one or more number of No-confidence Motions were taken up by the Second, Third, Sixth, Ninth, Eleventh, Twelfth and Thirteenth Legislative Assemblies. The First, Fourth, Fifth, Seventh, Eighth and Tenth Legislative Assemblies did not take up any motion.

For statistical details in respect of these motions, see Tables 1 to 4. A graphical presentation of the motions is available in the Graph. Tables 5 and 6, respectively, list the names of Governors and Chief Ministers of the State.

Table 1**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly	31.03.1952 - 05.04.1957	-	-
Second Legislative Assembly	06.04.1957 - 01.03.1962	1	-
Third Legislative Assembly	03.04.1962 - 28.02.1967	1	-
Fourth Legislative Assembly	01.03.1967 - 20.02.1968*	-	-
Fifth Legislative Assembly	25.02.1969 - 30.07.1970*	-	-
Sixth Legislative Assembly	02.03.1971 - 25.06.1971*	1	-
Seventh Legislative Assembly	20.03.1972 - 30.04.1977*	-	-
Eighth Legislative Assembly	21.06.1977 - 24.05.1982	-	-
Ninth Legislative Assembly	24.05.1982 - 30.03.1987	3	-
Tenth Legislative Assembly	30.03.1987 - 31.03.1991	-	-
Eleventh Legislative Assembly	19.06.1991 - 16.05.1996	4	-
Twelfth Legislative Assembly	16.05.1996 - 15.05.2001	3	-
Thirteenth Legislative Assembly	15.05.2001 - till date	5 [⊙]	-
Total		18	

* Assembly was dissolved

⊙ The Motion of No-confidence admitted on 10 December 2001 was not taken up by the House on 13 December 2001 following the terrorist attack on Parliament on that day.

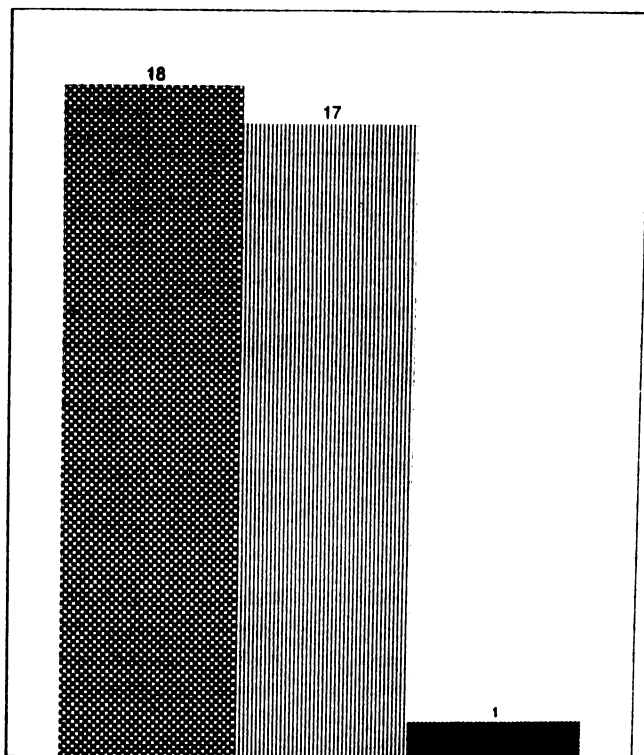
Table 2

**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1952-2003)**

<i>Sl. No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1.	Shri Saila Kumar Mukherjee	20.06.1952 - 20.03.1957	-	-
2.	Shri Sankar Das Banerjee	04.06.1957 - 15.05.1959	1	-
3.	Shri Bankim Chandra Kar	22.02.1960 - 11.03.1962	-	-
4.	Shri Keshab Chandra Basu	12.03.1962 - 07.03.1967	1	-
5.	Shri Bijoy Kumar Banerjee	08.03.1967 - 02.05.1971	-	-
6.	Shri Apurbalal Majumdar	03.05.1971 - 23.06.1977	1	-
7.	Shri S.A.M. Habibullah	24.06.1977 - 13.06.1982	-	-
8.	Shri Hashim Abdul Halim	14.06.1982 - 06.05.1987	3	-
		06.05.1987 - 18.06.1991	-	-
		18.06.1991 - 10.06.1996	4	-
		10.06.1996 - 14.06.2001	3	-
		14.06.2001 - till date	5 [@]	-
Total			18	

[@] The Motion of No-confidence admitted on 10 December 2001 was not taken up by the House on 13 December 2001 following the terrorist attack on Parliament on that day.

Graph
NCMs in West Bengal Legislative Assembly
(1952 - 2003)



 **Motions admitted and discussed**  **Motion not discussed***
 **Negated**

* The motion was not taken up following the terrorist attack on the Parliament on 13 December 2001.

No Motion of Confidence was taken up in the West Bengal Legislative Assembly.

Table 3

**NCMs against/CMs in the Council of Ministers
(1952-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
B.C. Roy (Second Legislative Assembly)	Congress 152/252 (60.3%)	NCM	P.C. Ghosh & others (12)	(20.03.1958) 27.03.1958 08.05	Negated by voice vote
P.C. Sen (Third Legislative Assembly)	Congress 157/252 (62.3%)	NCM	Jyoti Basu (54)	(24.08.1966) 26.09.1966 27.09.1966 28.09.1966 13.20	Negated Ayes - 146 Noes - 85
Ajoy Kumar Mukherjee (Sixth Legislative Assembly)	Democratic Coalition 123/280 (43.9%)	NCM	-do- (23)	(11.05.1971) 15.05.1971 06.12	Negated Ayes - 132 Noes - 141
Jyoti Basu (Ninth Legislative Assembly)	Left Front 238/294 (80.9%)	NCM	Abdus Sattar & another member (33)	(15.03.1983) 23.03.1983 24.03.1983 10.30	Negated Ayes - Nil Noes - 184 Abstentions - 2
-do-		NCM	-do- (28)	(12.09.1983) 14.09.1983 15.09.1983 06.18	Negated Ayes - 33 Noes - 180 Abstentions - 2
-do-		NCM	Zainal Abedin and others (22)	(16.09.1985) 20.09.1985 05.50	Negated Ayes - 38 Noes - 183 Abstentions - 2

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Jyoti Basu (Eleventh Legislative Assembly)	Left Front 245/294 (83.3%)	NCM	-do- (17)	(02.12.1992) 03.12.1992 04.00	Negatived Ayes - 28 Noes - 189 Abstention - 1
-do-	-do-	NCM	-do- (27)	(14.06.1993) 14.06.1993 05.00	Negatived Ayes - 34 Noes - 189 Abstentions - 4
-do-	-do-	NCM	Zainal Abedin & another (22)	(16.09.1994) 22.09.1994 05.00	Negatived Ayes - 27 Noes - 180
-do-	-do-	NCM	-do- (20)	(11.07.1995) 20.07.1995 05.00	Negatived Ayes - 33 Noes - 206 Abstention - 1
Jyoti Basu (Twelfth Legislative Assembly)	Left Front 193/294 (65.6%)	NCM	Atish Chandra Sinha & others (12)	(25.06.1997) 03.07.1997 04.30	Negatived Ayes - 68 Noes - 168 Abstention - 1
-do-		NCM	-do- (15)	(15.12.1998) 22.12.1998 03.40	Negatived Ayes - 49 Noes - 145 Abstention - 1
-do-		NCM	-do- (25)	(29.11.1999) 02.12.1999 04.15	Negatived Ayes - 61 Noes - 149 Abstention - 1

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Buddhadeb Bhattacharjee (Thirteenth Legislative Assembly)	Left Front 199/294 (68%)	NCM	Pankaj Banerjee & others	(10.12.2001)	Motion was scheduled to be taken up on 13.12.2001. However, it was not taken up for discussion following the terrorist attack on Parliament on that day.
-do-		NCM	-do- (19)	(03.07.2002) 11.07.2002 04.01	Negated Ayes - 60 Noes - 167
-do-		NCM	-do- (33)	(10.12.2002) 19.12.2002 06.09	Negated Ayes - 60 Noes - 175 Abstentions - 3
-do-		NCM	-do- (18)	(23.07.2003) 31.07.2003 04.09	Negated Ayes - 59 Noes - 180 Abstentions - 2
-do-		NCM	-do- (19)	(02.12.2003) 08.12.2003 04.14	Negated Ayes - 59 Noes - 157

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Sankar Das Banerjee	NCM	B.C. Roy	P.C. Ghosh & others	27.03.1958	12	08.05	27.03.1958	-	-	Negated by voice vote
Keshab Chandra Basu	NCM	P.C. Sen	Jyoti Basu	26.09.1966 27.09.1966 28.09.1966	54	13.20	28.09.1966	146	85	Negated
Apurbalal Majumdar	NCM	Ajoy Kumar Mukherjee	-do-	15.05.1971	23	06.12	15.05.1971	132	141	Negated
Hashim Abdul Halim	NCM	Jyoti Basu	Abdus Sattar & another	23.03.1983 24.03.1983	33	10.30	24.03.1983	Nil	184	Negated (Opposition walked out)
-do-	NCM	-do-	-do-	14.09.1983 15.09.1983	28	06.18	15.09.1983	33	180	Negated
-do-	NCM	-do-	Zainal Abedin	20.09.1985	22	05.50	20.09.1985	38	183	Negated

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	NCM	-do-	-do-	03.12.1992	17	04.00	03.12.1992	28	189	Negated
-do-	NCM	-do-	-do-	14.06.1993	27	05.00	14.06.1993	34	189	Negated
-do-	NCM	-do-	Zainal Abedin & another -do-	22.09.1994	22	05.00	22.09.1994	27	180	Negated
-do-	NCM	-do-	-do-	20.07.1995	20	05.00	20.07.1995	33	206	Negated
-do-	NCM	-do-	Atish Chandra Sinha & others -do-	03.07.1997	12	04.30	03.07.1997	68	168	Negated
-do-	NCM	-do-	-do-	22.12.1998	15	03.40	22.12.1998	49	145	Negated
-do-	NCM	-do-	-do-	02.12.1999	25	04.15	02.12.1999	61	149	Negated

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipants	Time Taken Hrs Mts	Date of Voting	Ayes	Noes	Result
-do-	NCM	Buddhadeb Bhattachar- jee	Pankaj Banerjee & others	10.12.2001	-	-	-	-	-	Motion scheduled for 13.12.2001 was not taken up following the terrorist attack on Parliament on that day.
-do-	NCM	-do-	-do-	11.07.2002	19	04.01	11.07.2002	60	167	Negated
-do-	NCM	-do-	-do-	19.12.2002	33	04.09	19.12.2002	60	175	Negated
-do-	NCM	-do-	-do-	31.07.2003	18	04.09	31.07.2003	59	180	Negated
-do-	NCM	-do-	-do-	08.12.2003	19	04.14	08.12.2003	59	157	Negated

Table 5

Governors of West Bengal

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri C. Rajagopalachari	15.08.1947 - 09.11.1947
2.	Shri B.L. Mitter	10.11.1947 - 23.11.1947
3.	Shri C. Rajagopalachari	24.11.1947 - 20.06.1948
4.	Dr. K.N. Katju	21.06.1948 - 31.10.1951
5.	Dr. H.C. Mookerji	01.11.1951 - 07.08.1956
6.	Shri P.B. Chakraborti	08.08.1956 - 02.11.1956
7.	Smt. Padmaja Naidu	03.11.1956 - 06.06.1961
8.	Shri S.C. Lahiri	07.06.1961 - 06.08.1961
9.	Smt. Padmaja Naidu	07.08.1961 - 31.05.1967
10.	Shri Dharma Vira	01.06.1967 - 31.03.1969
11.	Shri D.N. Sinha	01.04.1969 - 18.09.1969
12.	Shri S.S. Dhavan	19.09.1969 - 20.08.1971
13.	Shri A.L. Dias	21.08.1971 - 09.09.1974
14.	Shri S.P. Mitra	10.09.1974 - 05.10.1974
15.	Shri A.L. Dias	06.10.1974 - 05.11.1977
16.	Shri T.N. Singh	06.11.1977 - 11.09.1981
17.	Shri B.D. Pande	12.09.1981 - 09.10.1983
18.	Shri A.P. Sharma	10.10.1983 - 15.08.1984
19.	Shri Satish Chandra	16.08.1984 - 30.09.1984
20.	Shri U.S. Dikshit	01.10.1984 - 11.08.1986
21.	Prof. S. Nurul Hasan	12.08.1986 - 01.03.1989
22.	Shri T.V. Rajeswar	02.03.1989 - 20.07.1989
23.	Shri Harideo Joshi	21.07.1989 - 13.08.1989
24.	Shri T.V. Rajeswar	14.08.1989 - 06.02.1990
25.	Prof. S. Nurul Hasan	07.02.1990 - 04.01.1991
26.	Shri K.V. Raghunatha Reddy	05.01.1991 - 24.01.1991
27.	Prof. S. Nurul Hasan	25.01.1991 - 03.01.1992
28.	Md. Shafi Qureshi	04.01.1992 - 24.01.1992
29.	Prof. S. Nurul Hasan	25.01.1992 - 28.10.1992
30.	Md. Shafi Qureshi	29.10.1992 - 29.11.1992

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
31.	Prof. S. Nurul Hasan	30.11.1992 - 12.07.1993
32.	Shri B. Satyanarayan Reddy	13.07.1993 - 13.08.1993
33.	Shri K.V. Raghunatha Reddy	14.08.1993 - 26.04.1998
34.	Dr. A.R. Kidwai	27.04.1998 - 17.05.1999
35.	Shri S.K. Sen	18.05.1999 - 03.12.1999
36.	Shri Viren J. Shah	04.12.1999 - 11.12.1999
37.	Shri V.C. Pandey	12.12.1999 - 03.01.2000
38.	Shri Viren J. Shah	04.01.2000 - till date

Table 6

Chief Ministers of West Bengal

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Dr. B.C. Roy	11.06.1952 - 25.04.1957 26.04.1957 - 10.03.1962 11.03.1962 - 01.07.1962
2.	Shri P.C. Sen	09.07.1962 - 28.02.1967
3.	Shri Ajoy Kumar Mukherjee	02.03.1967 - 21.11.1967
4.	Dr. P.C. Ghosh	21.11.1967 - 19.02.1968
	President's Rule	20.02.1968 - 25.02.1969
5.	Shri Ajoy Kumar Mukherjee	25.02.1969 - 16.03.1970
	President's Rule	19.03.1970 - 02.04.1971
6.	Shri Ajoy Kumar Mukherjee	02.04.1971 - 28.06.1971
	President's Rule	29.06.1971 - 20.03.1972
7.	Shri Siddhartha Shankar Ray	20.03.1972 - 30.04.1977
	President's Rule	30.04.1977 - 21.06.1977
8.	Shri Jyoti Basu	21.06.1977 - 06.11.2000
9.	Shri Buddhadeb Bhattacharjee	06.11.2000 - 21.05.2001 21.05.2001 - till date

As mentioned above, no Motion of No-confidence was taken up in the First Legislative Assembly.

Second Legislative Assembly (1957-1962)

The elections to the Second Legislative Assembly were held in April 1957. The ruling Congress Party was returned to power, winning 152 seats in the 252-member House. The CPI won 46 seats. The remaining seats were won by other parties and Independents.

Dr. B.C. Roy, who had been the Chief Minister since 1952, was sworn in again by the Governor Smt. Padmaja Naidu on 26 April 1957.

The Second Legislative Assembly took up one Motion of No-confidence against the Council of Ministers headed by Dr. B.C. Roy.

Motion of No-confidence

A notice of Motion of No-confidence in the Council of Ministers headed by Dr. Roy was tabled by Dr. P.C. Ghosh of the PSP and five others on 20 March 1958. The motion was admitted by the Speaker Shri Sankar Das Banerjee as more than 76 members rose in support of the motion.

Initiating the debate on 27 March 1958, Shri Jyoti Basu, Leader of the Opposition, said that the Government had no moral right to stay in power for a single moment more. He levelled various charges, including violation of the Essential Commodities Act, use of administration and police in the political interest, inadequate irrigation facilities, lack of new industries, economic imbalance, etc. against the Government and highlighted its omissions and commissions.

Participating in the debate, the Chief Minister Dr. Roy, while admitting the existence of corruption in the Government Departments, stated that steps were being taken to root out the malaise.

Replying to the debate, Shri Jyoti Basu said that the Chief Minister had failed to satisfy the Opposition.

In the eight hours and five minutes long debate, 12 members participated. Thereafter, the motion was defeated by voice vote.

Third Legislative Assembly (1962-1967)

In the elections held to the Third Legislative Assembly in March 1962, the Congress Party was once again returned to power securing 157 seats in the 252-member House. The CPI got 49 seats while the remaining seats were shared by other parties and Independents.

A Congress Ministry headed by Dr. B.C. Roy was once again administered the oath of office and secrecy by the Governor Smt. Padmaja Naidu on 11 March 1962.

Dr. B.C. Roy, who had been the Chief Minister for over a decade, passed away on 1 July 1962. Following the demise of Dr. Roy, Shri P.C. Sen, who was unanimously elected leader of the Congress Legislature Party, was sworn in as the Chief Minister on 9 July 1962.

In the Third Legislative Assembly, one Motion of No-confidence was taken up and it was negatived after debate.

Motion of No-confidence

The Chief Minister Shri P.C. Sen faced a Motion of No-confidence in September 1966, four years after assuming the office. The notice for the motion was given by Shri Jyoti Basu and it was admitted by the Speaker Shri Keshab Chandra Basu on 24 August 1966. It was taken up for debate on 26 September 1966 and discussion thereon continued till 28 September 1966. No specific ground was mentioned in the notice of the motion.

Initiating the debate, Shri Jyoti Basu criticised the Government for its inefficiency and total mishandling of the administration. He alleged that during their nineteen-year rule, the Congress Government had not only made an onslaught on the democratic rights of the people but also led the State to a situation which created vast economic imbalance whereby the rich had become richer and the poor, poorer. There had been no legal protection for the common man; the entire police administration was under State control and the common man had to face the barbarous use of force.

Taking part in the discussion, members belonging to the ruling party defended the Government against these allegations. One of the members praised the Chief Minister for the welfare programmes he had undertaken for the common man. It was because of the Chief Minister's farsightedness and the policies like the food policy, education policy, etc., that the State could progress. In spite of shortage of foodgrains in a few areas, nobody had died of starvation. A number of schools had been set up and people were also being provided with proper health care.

Shri Jyoti Basu latter replied to the 3-day debate.

In all, 54 members took part in the debate lasting 13 hours and 20 minutes spread over three days. The motion was, thereafter, negatived with 146 members voting against it while 85 members voted in its favour.

The Fourth and the Fifth Legislative Assemblies did not take up any Motion of No-confidence.

Sixth Legislative Assembly (1971-1971)

In the elections to the Sixth Legislative Assembly held in March 1971, no party or Front could get an absolute majority in the 280-member Assembly. While the Congress (R) got 105 seats, the CPI(M) got 113 seats and the remaining seats were won by other parties, groups and Independents.

On 26 March 1971, at a meeting of the representatives of the 6 non-Marxist parties having a combined strength of 123 members in the Assembly, [the Congress(R) - 105, Bangla Congress - 5, Muslim League - 7, Gorkha League - 2, Praja Socialist Party - 3 and Samyukta Socialist Party - 1], it was decided to form a Democratic Coalition. The meeting unanimously elected Shri Ajoy Kumar Mukherjee (Bangla Congress) as the leader of the newly formed coalition. Four other parties having a total strength of 20 seats pledged to lend their support to Shri Mukherjee. Subsequently, on 2 April 1971, the Ministry assumed office.

One Motion of No-confidence was taken up in the Sixth Legislative Assembly.

Motion of No-confidence

A Motion of No-confidence against the Council of Ministers headed by Shri Ajoy Kumar Mukherjee was tabled in the House on 11 May 1971 by Shri Jyoti Basu [CPI(M)]. The leave of the House was granted on 11 May 1971. The motion was taken up for debate on 15 May 1971.

Initiating the debate, Shri Jyoti Basu said that the constituent parties of the coalition, whose MLAs had been voted on an anti-Congress platform, had betrayed the electorate by supporting the Congress-led coalition. He said that he was unable to understand how the Congress(R), with its socialistic posture, could align with forces like the Congress(O), the Jan Sangh and the Muslim League to come to power. Accusing the Ministry of favouritism, he said that Ministers were getting their own men into official positions. He alleged that the Government was utilising every opportunity to suppress democratic people's movements.

Participating in the debate, the Chief Minister Shri Ajoy Kumar Mukherjee rebutted the charges of the Opposition. Referring to the charge made by Shri Jyoti Basu that he was running after the office of Chief Ministership, Shri Mukherjee said that it was the United Front leaders who, in his absence, elected him to head the Ministry in 1967. Shri Mukherjee recalled that in 1969 again, Shri Basu himself had requested him to become the Chief Minister.

In his reply, Shri Jyoti Basu criticized the Government for not replying to the issues raised by the Opposition.

In all, 23 members participated in the debate lasting six hours and twelve minutes. The motion was, thereafter, voted upon with 132 members voting in favour and 141 voting against it. The motion was, accordingly, negatived.

In the Seventh Legislative Assembly, three Motions of No-confidence against the Ministry led by Shri Siddhartha Shankar Ray were tabled in the House - one on 27 August 1973, the second on 25 February 1974 and another one on 1 November 1974 and all the three were refused leave of the Houses since the required number of members as per rule did not rise in favour of the leave being granted. The Eighth Legislative Assembly did not take up any motion.

Ninth Legislative Assembly (1982-1987)

In the elections to the 294-member Legislative Assembly in May 1982, the ruling Left Front led by the CPI(M) secured 238 seats, of which the CPI(M) alone won 174 seats. The Opposition led by the Congress(I) won 56 seats out of which the Congress(I) alone got 49 seats.

On 26 May 1982, a five-member Left Front Ministry headed by Shri Jyoti Basu of the CPI(M) was sworn in for the second time by the Governor Shri B.D. Pande.

The Ninth Legislative Assembly took up three Motions of No-confidence.

First Motion of No-confidence

On 15 March 1983, immediately after the Question Hour, the Speaker Shri Hashim Abdul Halim announced that he had received a notice from Shri Abdus Sattar and Dr. Zainal Abedin [both Congress(I)] seeking leave of the House to move a Motion of No-confidence against the Council of Ministers. The Speaker informed the House that the motion was in order and wanted to ascertain whether it had the support of the requisite number of 48 members. As 49 members rose in support of the motion, leave of the House was granted on 15 March 1983.

Shri Abdus Sattar, Leader of the Opposition and Dr. Zainal Abedin (Congress-I), jointly moved the motion on 23 March 1983.

However, Shri Amalendra Roy, an RSP member, while moving an amendment to the motion, sought the deletion of the words "want of confidence" and wanted to add the words "fullest confidence" in the Motion of No-confidence. To further his contention, Shri Roy, while referring to an earlier ruling of the Chair on 20 March 1959, said that the Opposition members then had tabled a Motion of No-confidence against the then Speaker Shri Sankar Das Banerjee. But a ruling party member Shri Bejoy Singh Nahar had moved an amendment which had sought to replace the words "no-confidence" with the "fullest confidence" in the Speaker. The Deputy Speaker Shri Asutosh Mullick, who was in the Chair on that day, had allowed the amendment.

However, some members, while opposing Shri Roy's amendment, said that their motion was against the Council of Ministers and not against the Speaker. They argued that it was the right of the Opposition to move such a motion to censure the Government of the day.

The Speaker Shri Halim, after listening to both the sides, rejected the amendment motion brought by Shri Roy. He ruled that the Opposition's right to move a No-confidence Motion should not be curtailed under any circumstances. Thereafter, the debate on the motion commenced.

Initiating the debate, Dr. Zainal Abedin [Congress(I)] said that the motion was symbolic of the rising tide of resentment against the Government among the

public and criticised the Government's failure in maintaining law and order in the State. He said that attacks on women had become a daily feature. The Government was using the administration and the police to serve its political interests.

Taking part in the two-day debate, the Chief Minister Shri Jyoti Basu said that it was appropriate that the Congress(I) should not have confidence in his Government as that party represented landlords and the rich. His Government, on the other hand, had sought to solve the problems of the masses. He also said that the people had reposed their faith in the Left Front Government in successive elections. Accusing the Congress(I) of trying to disturb the law and order situation, he said that the situation was much better in West Bengal than in the Congress(I) ruled States.

Dr. Zainal Abedin [Congress(I)] replied to the debate. In all, 33 members took part in the two-day debate lasting ten hours and thirty minutes. The Speaker then put the motion to voice vote. However, following a demand for division from the members of the Congress(I), voting was held. The votes could not be counted due to the failure of the electronic voting panel twice. At this, the entire Opposition, except two SUCI members, walked out of the House.

The motion was, thereafter, declared lost on physical verification by 184 to nil votes. The two members of the SUCI abstained from voting.

Second Motion of No-confidence

A Motion of No-confidence against the Council of Ministers was admitted on 12 September 1983. It was jointly given by the Leader of the Opposition Shri Abdus Sattar, Dr. Zainal Abedin and Shri Subrata Mukherjee [all Congress(I)]. The grounds for bringing the motion mainly related to the deteriorating law and order situation and alleged CPI(M) attacks on the Congress(I) workers.

The motion was moved in the Legislative Assembly on 14 September 1983 by Dr. Zainal Abedin.

Initiating the debate, the Leader of the Opposition Shri Abdus Sattar said that there was absence of rule of law in the State. During the Left Front rule, the State had become bankrupt due to expenditure on unproductive purposes.

Participating in the debate, the Chief Minister Shri Jyoti Basu said that there was nothing new in the No-confidence Motion which had become a mere ritual, with the Opposition making the same old complaints and allegations against his Government. Acknowledging that the law and order situation was a matter of concern, Shri Basu said that it was the Congress(I) which was solely responsible for this. He also criticised the Congress(I) for being silent over the discrimination meted out by the Central Government against the State of West Bengal and said that the industrial development of the State had been hampered by the Central Government's policies. At the end, Dr. Zainal Abedin replied to the two-day debate.

In all, 28 members took part in the debate spread over six hours and eighteen minutes. In the voting held thereafter, the motion was declared lost by 180 votes to 33 votes while two members abstained from voting.

Third Motion of No-confidence

A Motion of No-confidence against the Left Front Government was brought by five Congress(I) members in September 1985 for the Government's dismal failure in all sectors, including the law and order situation. 48 Congress(I) members stood in support of the motion which was admitted by the Speaker on 16 September 1985 and was fixed for debate on 20 September 1985.

Earlier, as 'technical' grounds did not satisfy him, the Speaker Shri Halim was hesitant to admit the motion saying that the notice of the motion should have been given that day itself before admission. He drew the attention of the Opposition members to the relevant rule in this regard. Dr. Zainal Abedin argued that they had given the notice to the Secretary so that the Speaker would take up the matter with the Leader of the House and the Leader of the Opposition and after negotiations, the leave would be permitted and thereafter it would come up for business and as such it was redundant to move the motion afresh on that occasion.

At this, a Congress(I) member Shri G. Sohan Pal said this was not the first time that such a motion was being moved and it had followed the same procedure in the past. The objection given now by the Speaker was uncalled for, he said.

The Leader of the Opposition Shri Abdus Sattar said that the Speaker was deviating from the stand taken earlier on a similar occasion. The Speaker Shri Halim then said that if he had done a mistake earlier, he could not do it again and said that he had already told the sponsors of the motion that the notice given by the Opposition was wrong.

While agreeing with the Speaker's decision that on a matter of technicalities the decision of the Speaker was supreme, Dr. Abedin, however, felt that Speaker had not been able to protect the Opposition.

At this, the Speaker asked the Opposition members whether it was a question of protection of precedent and not of rule. He said if he went by the rule, the Opposition would not be protected. Later, the Chair declared that the motion was in order and admitted the same for discussion.

The motion was moved in the Legislative Assembly on 20 September 1985 by Dr. Zainal Abedin. Initiating the debate, Shri Abdus Sattar, Leader of the Opposition, said that the motion was brought against the Government for eight reasons - breakdown of law and order in the State; economic bankruptcy brought about by the policies of the State Government; chaos in the field of education; corruption in all Departments of the Government; anarchy in the Health Department; the alarming power supply position; failure to repair roads; and the lack of transport. He said

that during the past five years, the Centre had paid for 87 per cent of the development expenditure of the State, while the State Government had provided only 13 per cent though, according to the Plan, the Centre was to provide 33 per cent and the State Government 67 per cent. He also alleged that the loss of mandays was the highest in West Bengal.

Participating in the debate, the Chief Minister, Shri Jyoti Basu, deplored the discriminatory attitude of the Centre for its refusal to participate in a petro-chemical complex at Haldia while money had been sanctioned for a similar unit in Maharashtra. Similarly, he said, while natural gas had been denied to West Bengal, the Centre was financing the setting up of an 1800 km. pipeline for supplying gas to Uttar Pradesh.

Replying to the debate, Dr. Zainal Abedin said that there had been attacks on newspaper offices and the police had not gone to handle the situation, though the offices were nearby.

In all, 22 members took part in the debate lasting five hours and fifty minutes. Thereafter, the motion was negatived with 183 members voting against and 38 voting in favour while 2 members abstained.

The Tenth Legislative Assembly did not take up any Motion of Confidence or No-confidence.

Eleventh Legislative Assembly (1991-1996)

The Left Front, which had been in office since 1977, was returned to power once again in the elections held to the Eleventh Legislative Assembly in May 1991. In the 294-member House, the Left Front secured 245 seats of which the CPI(M) got 188 seats, while the Congress(I) secured 43 seats and the remaining seats were won by other parties.

Shri Jyoti Basu was sworn in as the Chief Minister for the fourth successive term on 25 June 1991 by the Governor Prof. S. Nurul Hasan.

During his fourth term in office, Shri Basu faced four Motions of No-confidence and all were negatived.

First Motion of No-confidence

On 2 December 1992, as the House assembled, the Speaker Shri Hashim Abdul Halim asked the Congress(I) Whip Shri G.S. Sohanpal to take leave of the House to move the Motion of No-confidence. [From the Budget Session of 1992, the required number of members for supporting the motion had been reduced from 48 to 30 by amending the rule]. The motion was admitted by the Speaker the same day and it was fixed for discussion on 3 December 1992.

The motion stood in the names of Dr. Zainal Abedin, Dr. Motahar Hossain, Shri Atish Chandra Sinha, Shri Satya Ranjan Bapuli and Shri Gyan Singh Sohanpal.

Initiating the debate, Dr. Zainal Abedin said that the Left Front Government was supported by the police and the other elements and not by the common man. The ordinary citizen could not dare lodge an FIR at the Police Stations for fear of the CPI(M) cadre.

Participating in the debate, the Chief Minister Shri Jyoti Basu said that the Congress(I) had only a one-point programme of creating lawlessness and disorder. However, the people would give a fitting reply to such attempts by the Congress(I) and its efforts at pulling down the duly elected Left Front Government by such nefarious deeds would not work.

The motion was debated for four hours in which 17 members took part. In the voting held by division, while 28 members voted in favour of the motion, 189 members voted against it. One member abstained from voting. The motion was, accordingly, negatived.

Second Motion of No-confidence

A Motion of No-confidence against the Left Front Ministry headed by Shri Jyoti Basu was admitted in the House by the Speaker Shri Halim on 14 June 1993. It was taken up for debate on the same day. The motion was moved on the charges that the administration had totally failed to check the alleged deterioration in the law and order during and after the Panchayat elections which were held on 30 May 1993; the economic plight of the people; and growing corruption in the administration.

Initiating the debate, Dr. Zainal Abedin described the State Government as "utterly autocratic and anti-people" and alleged that corruption had assumed new proportions. Dr. Abedin alleged that the Government had failed in every respect and had become virtually bankrupt. The worst kind of atrocities was being unleashed by the police in the State, he added.

Participating in the debate, the Chief Minister Shri Jyoti Basu said that the Congress(I) had moved the Motion of No-confidence out of a sense of frustration. He alleged that there was a Congress(I)-BJP alliance at the lower level during the Panchayat polls. Citing the death toll in the violence before and after the elections, Shri Basu stated that most of the victims belonged to the CPI(M). He also alleged that in no Congress-run State, Panchayat polls were held in time. The BJP which was in power in four States did not hold the polls either. He also said that the Front had got a massive victory as it captured all the Zilla Parishads and most of the Panchayat Samitis, though it lost a few Gram Panchayats.

The debate lasted five hours in which 27 members participated. In the voting held by division, 189 members voted against the motion while 34 voted in favour and four members abstained. The motion was, accordingly, negatived.

Third Motion of No-confidence

A Motion of No-confidence against the Left Front Government was received from Dr. Zainal Abedin and another member and the same was admitted by the Speaker on 16 September 1994. The Speaker Shri Halim fixed 22 September 1994 for debate.

Initiating the debate, Dr. Zainal Abedin said that there had been a grave deterioration in the law and order situation in the State and the entire administration was under the control of police and anti-social elements. He alleged that the Government was reluctant to constitute an Enquiry Commission for investigation into the malpractices and corruption in the Government Departments. He also levelled various other charges against the Government.

Participating in the debate, the Chief Minister Shri Jyoti Basu said that the State had progressed in every sector during the Left Front rule in the last 17 years. He stated that a Judicial Enquiry Commission to look into the incident in Sealdah had been constituted. He defended the Government by stating that the State had secured the first position in agriculture and pisciculture and that the State had got awards eight times from the Union Government and an international award in afforestation. As regards the non-development of industries in the State, he stated that it was the Union Government which was solely responsible for that. He added that the State Government had got the approval of the Union Government to the Haldia petro-chemicals after a long period of 12 years.

Replying to the debate, Dr. Zainal Abedin said that the Chief Minister could not satisfy the Opposition on the issues raised by them.

In all, 22 members took part in the debate lasting five hours. Thereafter, the motion was negatived by 180 votes to 27 votes.

Fourth Motion of No-confidence

Another Motion of No-confidence against the Left Front Government was given by Dr. Zainal Abedin of the Congress(I) which was admitted on 11 July 1995. The motion was taken up for debate on 20 July 1995.

Initiating the debate, Dr. Zainal Abedin criticised the Left Front Government for "unleashing a reign of terror" on the Congress workers after the Municipal and Corporation polls. He said that the Left Front did not believe in democracy which was evident from the way they had been crushing democratic movements for the last one and a half years. He further accused the Left Front Government of various omissions and commissions.

Participating in the debate, the Chief Minister Shri Jyoti Basu refuted the charges levelled against his Government. He said that it was his Government which was holding elections to the Panchayats, Municipalities and Corporations regularly. Referring to the Opposition criticism that his foreign tours had not

brought any investment to the State, Shri Basu said he had never been abroad to attract foreign investors. These tours were primarily the result of invitations from different universities or the community of doctors in the USA. He further added that in 1984, the Centre had specifically instructed him not to seek foreign investment during his tours abroad, but now things had changed.

In the five hours debate, 20 members took part. 33 members voted in favour of the motion while 206 voted against it and another member abstained from voting. The motion was, accordingly, negated.

Twelfth Legislative Assembly (1996-2001)

In the elections to the 294-member House held in April 1996, the ruling CPI(M)-led Left Front again emerged victorious by winning 193 seats. The Congress(I) emerged as the main Opposition party by securing 82 seats. The remaining seats were won by other parties and Independents.

Shri Jyoti Basu was sworn in as the Chief Minister for the fifth time on 20 May 1996.

The Twelfth Legislative Assembly took up 3 Motions of No-confidence and all the three were negated.

First Motion of No-confidence

A Motion of No-confidence against the Left Front Government was moved by three Congress(I) members, Shri Atish Chandra Sinha, Shri Saugata Roy and Shri Satya Ranjan Bapuli. The motion was admitted by the Speaker on 25 June 1997 and was taken up for debate on 3 July 1997 and disposed of on the same day.

Initiating the debate, Shri Atish Chandra Sinha said that the Left Front Government had led the State to a grave situation. It was indulging in corruption, malpractices, attacks on Congress workers, unfair means in the elections and, above all, violation of the Constitution. He referred to the charges of financial irregularities, including misappropriation of funds sanctioned for the Jawahar Rojgar Yojna, Indira Awas Yojna, IRDP etc. and defalcation of money in the panchayats and municipalities. He also criticised the Government for non-presentation of the Enquiry Report on Wakf Affairs and for non-operation of land reforms after 1978.

Intervening in the debate, the Chief Minister Shri Jyoti Basu dismissed the charges, accusations and allegations by the Opposition against his Government regarding financial irregularities. He said that the charges were politically motivated and felt that perhaps the Opposition had reason to be agitated as the Left Front had won the elections for a record fifth time. As regards the charge of deteriorating law and order situation, Shri Basu said nearly eleven hundred of his party men were killed during the Congress rule and many more served detention without trial while there was not even a single such incident during the Left Front rule.

The motion was debated for four and a half hours in which 12 members participated. The House thereafter divided with 68 members voting in favour of the motion while 168 members voting against it and one member abstained. The motion was, accordingly, negatived.

Second Motion of No-confidence

A Motion of No-confidence against the Left Front Government was moved by the Leader of the Opposition Shri Atish Chandra Sinha on 15 December 1998. Leave of the House was granted on the same day and it was fixed for debate on 22 December 1998.

Initiating the debate on 22 December 1998, the Leader of the Opposition Shri Atish Chandra Sinha said that the Left Front had been in power for over two decades by taking advantage of the division of anti-Left votes and also by unleashing a reign of terror through its party cadres. The members of the Opposition also accused the Government of various acts of omission and commission. The Opposition mainly dwelt on four issues during the debate - the deteriorating law and order situation; breakdown of health and education system; rise in crime in the State, especially in Kolkata; and the soaring prices of essential commodities.

Participating in the debate, the Chief Minister Shri Jyoti Basu denied the charges levelled by the Opposition and accused the Congress(I) of helping the BJP reap electoral gains in the State. He also criticised the Congress(I) for moving a Motion of No-confidence in every Session and said that the people were no longer bothered about such motions. Besides, he highlighted the achievements made by the State during the Left Front rule.

In all, 15 members participated in the three hours and forty minutes long debate. The motion was negatived with 49 members voting in favour and 145 voting against it while one member abstained.

Third Motion of No-confidence

A notice of Motion of No-confidence against the Council of Ministers was given by Shri Atish Chandra Sinha, Shri Abdul Mannan and G.S. Sohanpal of the Congress(I) on 29 November 1999. Leave of the House was granted on the same day and it was taken up for debate on 2 December 1999. Another notice of Motion of No-confidence tabled by Shri Sobhandeb Chattopadhyay of the Trinamool Congress was refused leave of the House on the same day.

Initiating the debate, the Deputy Leader of the Congress(I) Legislature Party, Shri Saugata Roy levelled various charges against the Left Front Government. Shri Roy criticised the Government for the deteriorating law and order situation, declining health care system and the growing unemployment.

Participating in the debate, the Chief Minister Shri Jyoti Basu said that moving the No-confidence Motion in each and every Session had become a ritual for the

Congress(I). He also criticised MLAs who had crossed once from Congress(I) to the Trinamool Congress but continued to sit on the Congress(I) benches just to escape the provisions of the Anti-defection Law. Further, he challenged the Opposition parties who together brought the Motion of No-confidence against the Left Front Government to close ranks and defeat the CPI(M) in the Legislative Assembly elections due in 2001.

In all, 25 members took part in the debate lasting 4 hours and 15 minutes. In the voting held by division, 61 members voted in favour of the motion while 149 members voted against it and one member abstained. The motion was, accordingly, negatived.

Shri Jyoti Basu who had been Chief Minister of the State for over 23 years resigned from the office on 28 October 2000. Shri Basu was succeeded by Shri Buddhadeb Bhattacharjee who was sworn in on 6 November 2000 by the Governor, Shri Viren J. Shah.

Thirteenth Legislative Assembly (2001-till date)

The Left Front Government was once again returned to power in the State for the sixth consecutive term, winning 199 seats in the 294-member House, elections to which were held in May 2001. The Trinamool Congress and Congress(I) combine got 86 seats and others won nine seats.

A Left Front Ministry led by Shri Buddhadeb Bhattacharjee was sworn in on 18 May 2001.

The Thirteenth Assembly - the present one - has taken up four Motions of No-confidence so far; all were negatived. One motion, though admitted, was not discussed.

First Motion of No-confidence

One Motion of No-confidence, jointly sponsored by Shri Pankaj Banerjee and others of the Trinamool Congress was admitted by the Speaker Shri Hashim Abdul Halim on 10 December 2001. Though the motion was scheduled for discussion on 13 December 2001, following the attack on Parliament by the terrorists the same day, the debate was not taken up.

Another Motion of No-confidence was tabled by Shri Abdul Mannan and others of the Congress(I) on 18 June 2002. However, the leave of the House was refused since the required number of members did not rise in favour of the motion as per the relevant rule.

Second Motion of No-confidence

The Thirteenth Legislative Assembly discussed a Motion of No-confidence in July 2002. The motion was tabled on 3 July 2002 by Shri Pankaj Banerjee and two others of the Trinamool Congress. Leave of the House was granted on 3 July 2002. The debate on the motion was fixed for 11 July 2002.

Initiating the debate, Shri Banerjee said that they had brought the motion for the reasons that the Chief Minister had lost confidence in the democratic system; the members of the Cabinet had no faith in the Chief Minister. He referred to corruption in the administration and the anti-people policies of the Government. He also levelled charges of rigging in the last elections, arrest of some persons without warrant and physical torture of them. He also criticised the Government for its failure in procuring paddy for economic support to farmers, in paying salary to teachers in time, providing proper health services in the hospitals and generating more employment.

Participating in the debate, the Chief Minister Shri Buddhadeb Bhattacharjee said that the No-confidence Motion had become a ritual and dismissed all the charges levelled by the Opposition. He said that the common people had full faith in the Government and did not support the motion. About ten lakh unemployed people had been provided jobs in the Haldia petro-chemicals and more would be provided employment in its down-stream units. He also stated that the Government had procured 3000 tonnes of paddy and the situation had improved. Regarding allegations against the police administration, he replied that the Government had taken steps to maintain law and order.

In reply to the debate, Shri Pankaj Banerjee said that he had made some specific allegations against the Government but the Chief Minister had not replied to these. He pointed out that the Government was trying to create an alarming environment and to suppress the democratic movement in the State before the panchayat elections. The whole administration was being made use of to serve the political interests of the ruling front and the common people had no confidence in the working of the Government.

In all, 19 members took part in the debate lasting four hours and one minute. Thereafter, the motion was negatived as 167 members voted against the motion and 60 members voted in favour of it.

Third Motion of No-confidence

Shri Buddhadeb Bhattacharjee faced another Motion of No-confidence tabled by Shri Pankaj Banerjee and others of the Trinamool Congress on 10 December 2002. Leave of the House was granted on the same day and it was fixed for debate on 19 December 2002.

Initiating the debate, Shri Banerjee criticised the Government for not depositing the amount collected by the Regulated Marketing Committess, hike in tuition fees in schools and colleges, enhancement in the charges for hospital services and increase of court fees in filing cases. He also levelled the charges of break-down of law and order, closure of industrial units, economic bankruptcy, non-procurement of paddy at support price and anomalies in preparing the Below Poverty Line list. He alleged that the Government had failed to prevent ISI activities and other anti-

social activities in the State. The Government had not undertaken any developmental works in North Bengal and had not yet prepared any master plan for the same. He highlighted the Government's failure in supplying mid-day meals in primary schools and in providing employment to the unemployed youth. He also criticised the Government for the hike in electricity charges and its failure in maintaining communal harmony.

Participating in the debate, the Chief Minister Shri Buddhadeb Bhattacharjee expressed his astonishment at the bringing of a No-confidence Motion in every Session of the House and rebutted the charges of the Opposition. Referring to the charge of fall in price of paddy, he stated that the production of paddy had increased by 5 per cent while all over India there was a decrease of 10 per cent over the previous year. He added that the Government had been trying to procure paddy at support price and about 5 to 6 lakh tonnes of paddy would be procured through the FCI, Government and co-operatives. Regarding the charge of anomalies in the BPL list, he said that the Government had prepared the BPL list which would be distributed to the listed persons within 3 months for multipurpose use - providing subsidised rations, free education facilities, free medical treatment, etc. Acknowledging the charge of hike in hospital charges, he pointed out that most of the hospitals of the Government were free-bed ones and the increased amount of hospital charges was about 36 per cent less than that of private nursing homes. As regards the law and order situation, he cited that the KLO and the Peoples War Group had spread their activities with the support of ISI and the Government was very alert in tackling the situation. As regards the question of industrialisation in the State, he mentioned that it was due to the industrial policy of the Union Government that the manufacturing units of various industries had been closing down not only in West Bengal but also in other States.

Replying to the debate, Shri Pankaj Banerjee said that the Government had failed to give satisfactory replies to the specific charges of economic bankruptcy, non-development of the State, disruption of communal harmony, imposition of new taxes and spurt in the activities of the ISI and anti-social elements.

The debate lasted six hours and nine minutes in which 33 members participated. 175 members voted against the motion and 60 members voted in favour of it while 3 members abstained. The motion was, accordingly, negatived.

Fourth Motion of No-confidence

The Left Front Ministry led by Shri Buddhadeb Bhattacharjee faced yet another Motion of No-confidence during the Budget Session of 2003.

The notice of the motion was given by Shri Pankaj Banerjee and Shri Saugata Roy of the Trinamool Congress. The leave of the House was granted on 23 July

2003. The motion was taken up for discussion on 31 July 2003, the concluding day of the extended Budget Session.

Initiating the debate, Shri Pankaj Banerjee criticised the Government for its failure in every field and alleged that the Left Front Government was deceiving the people with false claims and inflated figures in respect of various developmental parameters.

Shri Saugata Roy, co-mover of the motion, alleged large scale electoral malpractices and total failure of the State Government in bringing about an industrial resurgence in the State.

Participating in the debate, the Chief Minister Shri Buddhadeb Bhattacharjee denied all the charges levelled against his Government and criticised the Opposition for bringing a No-confidence Motion in almost every Session of the Legislative Assembly despite knowing fully well that they did not command the requisite support to win it. Agreeing that a lot more needed to be done in the health and education sectors, he said despite many positive things already done, there was still a long way to go to attain the desired results. The State's growth rate was 7.7 per cent as compared to that of the national GDP growth of 4.8 per cent; this growth was mainly in agro-based industries and chemicals.

In the four hours and nine minutes long debate, 18 members participated. The House, thereafter, divided with 59 members voting in favour of the motion while 180 voted against it. Two members of the SUCI abstained from voting. The motion was accordingly negatived.

Fifth Motion of No-confidence

A Motion of No-confidence against the Council of Ministers headed by Shri Buddhadeb Bhattacharjee was tabled in the House on 2 December 2003 by Shri Pankaj Banerjee and others of the Trinamool Congress and Shri Atish Chandra Sinha of the Congress(I). The leave of the House was granted on the same day and it was taken up for debate on 8 December 2003.

Initiating the debate, Shri Pankaj Banerjee said that the motion was symbolic of the rising tide of resentment against the Left Front Government among the common people. He criticised the Government's failure in providing relief to the flood-affected people, in repairing dams and in making proper infrastructure development of the educational institutions.

Taking part in the debate, the Chief Minister Shri Buddhadeb Bhattacharjee dismissed all the charges brought by the Opposition. Referring to the charges of lack of infrastructure development of the educational institutions, he stated that during the last three years, 51 Engineering Colleges had started courses. 185 Information Technology Centres had been functioning successfully in Bidhannagar generating employment for 16,000 youths. He added that the Government had de-

veloped infrastructure facilities in the industrial sector to attract foreign investors. Referring to the law and order situation, he stated that the Government had already arrested 145 accused in connection with ISI-related cases and the Government was always alert in this regard.

Replying to the debate, Shri Pankaj Banerjee said that the Government had failed to bring any development in the State.

The motion was debated for 4 hours and 14 minutes in which 19 members took part. In the voting held by division, while 59 votes were voted in favour of the motion, 157 voted against it. The motion was, accordingly, negatived.

Motions of No-confidence in the West Bengal Legislative Assembly - An Analysis

The West Bengal Legislative Assembly has so far taken up 17 Motions of No-confidence against different Councils of Ministers: One motion, though admitted, was not taken up by the House. All the 17 motions were negatived. The House has not taken up any Motion of Confidence so far.

Assembly-wise, the Eleventh and the Thirteenth Legislative Assemblies debated the highest number of four motions each followed by the Ninth and the Twelfth Assemblies which took up three motions each. Besides, one motion, though admitted, was not discussed in the Thirteenth Legislative Assembly. One motion each was taken up by the Second, Third and the Sixth Legislative Assemblies. No motion was taken up by the First, Fourth, Fifth, Seventh, Eighth and Tenth Legislative Assemblies. Table 1 gives statistical details of the motions admitted and debated in each Legislative Assembly.

Table 2 gives details of motions admitted and discussed during the tenures of different Speakers. During the tenure of Shri Hashim Abdul Halim (1982-till date) - the longest serving Speaker of a Legislative Body in India - 14 motions were debated, which again is the highest number of motions, the debates on which were chaired by a single Speaker in the country. One motion each was debated by the House during the tenure of Speakers Shri Sankar Das Banerjee, Shri Keshab Chandra Basu and Shri Apurbalal Majumdar.

Table 3 gives an account of the Motions of No-confidence admitted /debated during the tenures of different Councils of Ministers. Of the 17 motions taken up by the House, ten motions were moved against the Ministry headed by Shri Jyoti Basu, who was the Chief Minister for over 23 years. Shri Buddhadeb Bhattacharjee (the present Chief Minister) faced four Motions while one motion was not taken up. Shri Jyoti Basu himself moved two No-confidence Motions - one against the Ministry of Shri P.C. Sen in September 1966 and the second one against the Ministry of Shri Ajoy Kumar Mukherjee in May 1971. Dr. Zainal Abedin moved the highest

number of five motions and he was a co-mover of two other motions followed by Shri Pankaj Banerjee who moved four motions.

Table 4 gives statistical information about the participation of members in the debates. It also depicts the time taken and the result of the division.

Participation by Members

All the 17 motions were debated by the House before they were voted upon. The number of participants in the 17 motions is 399. The highest participation of 54 members was in the debate on the Motion of No-confidence of September 1966 against the Ministry of Shri P.C. Sen. The lowest number of 12 members partook in the debate on the motions against the Ministry headed by Dr. B.C. Roy in March 1958 and that of Shri Jyoti Basu in July 1997.

Time taken

The total time spent on the 17 motions is 100 hours and 13 minutes. The longest duration of 13 hours and 20 minutes was spent on the Motion of No-confidence of September 1966 against the Ministry led by Shri P.C. Sen which was debated for three days, while three hours and forty minutes were spent on the debate on the motion of December 1998 against the Jyoti Basu Ministry.

The Motion of No-confidence against Shri P.C. Sen's Ministry in September 1966 was discussed for three days followed by the motions of March 1983 and September 1983, both against the Jyoti Basu Ministry, which were debated for two days each. All other motions were debated and disposed of on the same day. In all, 21 days were spent on the debate on the 17 motions.

Division

Of the 17 motions, the fate of the Motion of No-confidence of March 1958 was decided by voice vote. The remaining 16 motions were decided by division. The Motion of No-confidence of March 1983 against the Ministry led by Shri Jyoti Basu was negatived by the widest margin of 184 votes as the Opposition walked out of the House following the failure of the electronic voting panel twice. The Motion of No-confidence of May 1971 against the Ajoy Kumar Mukherjee Ministry was negatived by the narrowest margin of 9 votes.

Delhi Legislative Assembly

After India achieved Independence, while the other States of the country got their Legislative Assemblies, various systems of running the administration of Delhi - the capital of free and sovereign India - were tried from time to time. On 17 March 1952, the Delhi State Assembly was constituted under the Government of Part 'C' States Act of 1951. This was done on the basis of the recommendations of the Pattabhi Sitaramaya Committee. This attempt for a popular set-up for Delhi, however, proved to be short lived as the Assembly was abolished on 1 November 1956 by the Constitution (Seventh) Amendment Act, 1956 passed in pursuance of the recommendations of the States Reorganisation Commission. Later, the Municipal Corporation of Delhi was set up on 7 April 1958 under the Delhi Municipal Corporation Act, 1957. Simultaneously, two non-official Committees, namely, the Public Relations Committee and the Industrial Advisory Board, were set up under the Chairmanship of Shri Gopi Nath Aman and Dr. Yudhvir Singh, respectively, in order to associate the people of Delhi with the Delhi Administration. But despite the fact that these Committees endeavoured to address the problems of the people of Delhi, these could not become any substitute for an Assembly.

Finally, as a result of the recommendation of the Administrative Reforms Commission, the Delhi Administration Bill, 1966 was passed and was assented to by the President of India on 2 June 1966. The Act provided for a Metropolitan Council for the entire territory and also an Executive Council to assist and advise the Administrator of the territory.

The Interim Metropolitan Council constituted under Section 32 of the Delhi Administration Act, 1966, had forty-seven members (42 elected and 5 nominated). The Interim Council had a very short spell, functioning from September 1966 to February 1967.

The Metropolitan Council set up under the aforesaid Act consisted of 56 elected members and five members nominated by the Central Government. The elections to the Metropolitan Council were held in 1967, 1972, 1977 and 1983. The term of the Fourth Metropolitan Council was to end on 16 March 1988, but as per Section 10 of

the Delhi Administration (Amendment) Act, 1988, the President, by separate orders, extended twice the term of the Council by one year each, first upto 16 March 1989 and again, by another year up to 16 March 1990 on the grounds that the question of reorganizing the administrative set-up of the Union territory of Delhi was under consideration. Eventually, the Council was dissolved by an order of the President on 12 January 1990.

The Sarkaria Committee (later on called the Balakrishnan Committee), appointed by the Government of India on 24 December 1987 to consider various issues connected with the administration of Delhi, submitted its report in December 1989. The recommendations of the Committee took shape in the form of the Constitution (Sixty-ninth) Amendment Act, 1991, a milestone in the history of Delhi. The enactment of the National Capital Territory Act, 1991, gave effect to the Constitution Amendment, and Delhi was provided with a Legislative Assembly comprising 70 seats along with a seven-member Council of Ministers headed by a Chief Minister.

Motion of No-confidence

As per Rule 251 of the Rules of Procedure and Conduct of Business in the Delhi Legislative Assembly, a motion expressing want of confidence in the Council of Ministers may be made with the consent of the Speaker subject to certain restrictions, namely: (a) leave to make the motion shall be asked for after Questions and before the List of Business for the day is entered upon; and (b) the member asking for leave shall deliver to the Secretary a written notice of the motion which he proposes to move by 11.00 hours of the sitting for the day.

If the Speaker is of the opinion that the motion is in order, he reads the motion to the House and requests those members who are in favour of leave being granted to rise in their places, and if not less than one-fifth of the total number of the members of the House rise accordingly, the Speaker intimates that leave is granted and that the motion be taken up on such day, not being more than three days from the date on which the leave is granted. The Speaker, if he thinks fit, prescribes a time limit for speeches.

Motion of Confidence

There is no specific provision in the Rules of Procedure of the Delhi Legislative Assembly for moving a Motion of Confidence. Besides, there has not been any instance of a Motion of Confidence being moved in the Legislative Assembly till date.

Motions in different Legislative Assemblies

The Legislative Assembly (1952-1956) did not discuss either a Motion of Confidence or No-confidence. In the Delhi Metropolitan Council (1966-1990), five

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1952-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Delhi State Legislative Assembly			
Legislative Assembly	17.03.1952 - 01.09.1956	-	-
Delhi Union Territory Metropolitan Council			
Interim Council	1966 -1967	-	-
First Metropolitan Council	1967 - 1972	1*	-
Second Metropolitan Council	1972 - 1977	-	-
Third Metropolitan Council	1977 - 1980**	-	-
Fourth Metropolitan Council	1983 - 1990	4*	-
Total		5*	-
Delli State Legislative Assembly			
First Legislative Assembly	14.12.1993 - 03.12.1998	3	-
Second Legislative Assembly	14.12.1998 - 05.12.2003	2	-
Third Legislative Assembly	05.12.2003 - till date	-	-
Total		5	-

* Censure Motions.

** On 21 March 1980, the Metropolitan Council was suspended by an order issued by the President of India.

Table 2

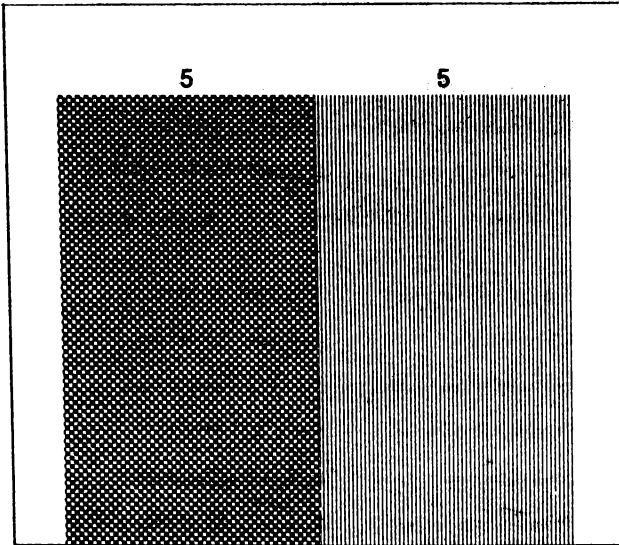
**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1952-2003)**


<i>Sl.No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
Delhi State Legislative Assembly				
1.	Shri Gurmukh Nihal Singh	22.03.1952 - 12.02.1955	-	-
2.	Shrimati Sushila Nayyar	25.02.1955 - 06.12.1955	-	-
	Delhi Union Territory Metropolitan Council			
1.	Shri Jag Parvesh Chandra	03.10.1966 - 27.03.1967	-	-
2.	Shri L.K. Advani*	28.03.1967 - 19.04.1970	1**	-
3.	Shri Shyam Charan Gupta	19.04.1970 - 19.03.1972	-	-
4.	Mir Mustaq Ahmed	20.03.1972 - 27.06.1977	-	-
5.	Shri Kalka Dass	28.06.1977 - 17.03.1983	-	-
6.	Shri Purushottam Goyal*	18.03.1983 - 12.01.1990	4**	-
	Total		5**	-
Delhi State Legislative Assembly				
1.	Shri Charti Lal Goel	15.12.1993 - 13.12.1998	3	-
2.	Choudhary Prem Singh	15.12.1998 - 03.07.2003	2	-
3.	Shri Subhash Chopra	03.07.2003 - 19.12.2003	-	-
4.	Shri Ajay Maken	19.12.2003 - till date	-	-
	Total		5	-

* Presided over Censure Motions

**Censure Motions.

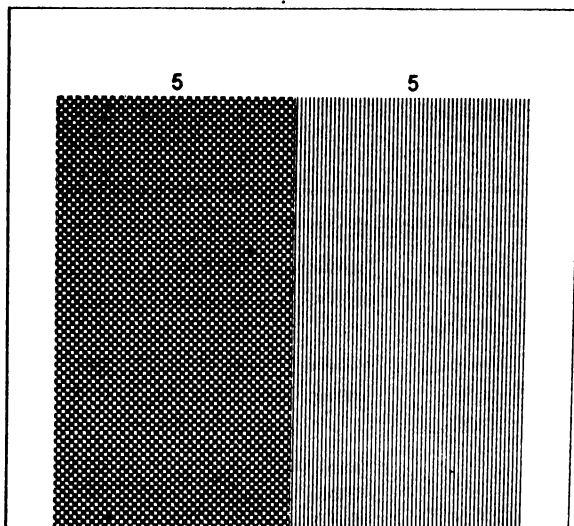
Graph I
Censure Motions in Delhi Metropolitan Council
(1966 - 1990)



 **Motions admitted and discussed**  **Negated**

Two other Censure Motions were disallowed by the Chairman, Delhi Metropolitan Council

Graph II
NCMs in Delhi Legislative Assembly
(1993 - 2003)



▣ Motions admitted and discussed* **▤ Negated**

No Motion of Confidence was taken up in Delhi Legislative Assembly

Table 3

**Censure Motions against Executive Council/NCMs against/CMs in the
Council of Ministers
(1966-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Delhi Union Territory Metropolitan Council					
Vijay Kumar Malhotra (First Council)	Jan Sangh 33/56 (58.92%)	Censure Motion	O.P. Bahl and others (13)	(16.10.1967) 16.10.1967	Negated by voice vote
Radha Raman (Second Council)	Congress 44/56 (78.57)	Censure Motion	-	1973	Disallowed by Chairman
-do-		Censure Motion	-	1974	Disallowed by Chairman
Jag Parvesh Chandra (Fourth Council)	Congress 34/56 (60.7%)	Censure Motion	Madan Lal Khurana (9)	(02.05.1984) 02.05.1984 01.57	Negated Ayes - 17 Noes - 25
-do-		Censure Motion	-do- (7)	(11.07.1985) 11.07.1985	Negated by voice vote
-do-		Censure Motion	Kalka Dass (8)	(21.05.1986) 21.05.1986 02.13	Negated Ayes - 18 Noes - 27
-do-		Censure Motion	-do- (9)	22.12.1987 22.12.1987 02.31	Negated by voice vote

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
Delhi State Legislative Assembly					
Madan Lal Khurana (First Legislative Assembly)	Bharatiya Janata Party 49*/70 (70%)	NCM	Deep Chand Bandhu (11)	(22.08.1994) 22.08.1994 04.00	Negated by voice vote
-do-		NCM	Ramvir Singh Biddhuri (9)	(18.12.1995) 18.12.1995 02.10	Negated by voice vote
Sahib Singh Verma (First Legislative Assembly)		NCM	Deep Chand Bandhu (8)	(26.08.1997) 26.08.1997 03.10	Negated by voice vote
Sheila Dikshit (Second Legislative Assembly)	Congress(1) 53/70 (75.79%)	NCM	Jagdish Mukhi (11)	(04.04.2001) 04.04.2001 02.05	Negated Ayes-13 Noes-43 Abstentions - 10
-do-		NCM	-do- (9)	(24.09.2001) 24.09.2001 01.45	Negated Ayes-14 Noes-48

* Including Speaker

Table 4
Details of Censure Motion against Executive Council/NCMs/CMs admitted/discussed in different Legislative Assemblies (1966-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
Delhi Union Territory Metropolitan Council										
L.K. Advani	Censure Motion	V.K. Malhotra	O.P. Bahl	16.10.1967	13	-	16.10.1967	-	-	Negated by voice vote
Mir Mustaq Ahmed	Censure Motion	Radha Raman	-	1973	-	-	-	-	-	Disallowed by Chairman
-do-	Censure Motion	-do-	-	1974	-	-	-	-	-	Disallowed by Chairman
Purushottam Goyal	Censure Motion	Jag Parvesh Chandra	Madan Lal Khurana	02.05.1984	9	01.57	02.05.1984	17	25	Negated
-do-	Censure Motion	-do-	-do-	11.07.1985	7	-	11.07.1985	-	-	Negated by voice vote
-do-	Censure Motion	-do-	Kalka Dass	21.05.1986	8	02.13	20.05.1986	18	27	Negated

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs.Mts.	Date of Voting	Ayes	Noes	Result
-do-	Censure Motion	-do-	-do-	22.12.1987	9	02.31	22.12.1987	-	-	Negated by voice vote
Delhi State Legislative Assembly										
Charti Lal Goel	NCM	Madan Lal Khurana	Deep Chand Bandhu	22.08.1994	11	04.00	22.08.1994	-	-	Negated by voice vote
-do-	NCM	-do-	Ramvir Singh Bidhuri	18.12.1995	9	02.10	18.12.1995	-	-	Negated by voice vote
-do-	NCM	Sahib Singh Verma	Deep Chand Bandhu	26.08.1997	8	03.10	26.08.1997	-	-	Negated by voice vote
Chaudhary Prem Singh	NCM	Sheila Dikshit	Jagdish Mukhi	04.04.2001	11	02.05	04.04.2001	13	43	Negated
-do-	NCM	-do-	-do-	24.09.2001	9	01.45	24.09.2001	14	48	Negated

Table 5

Chief Commissioners/Lieutenant Governors of Delhi

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
Chief Commissioners		
1.	Shri Shankar Prasad	1948 - 1954
2.	Shri A.D. Pandit	1954 - 1959
3.	Shri Bhagwan Sahay	1959 - 1963
4.	Shri Dharma Vira	1963 - 1964
5.	Shri V. Viswanathan	1964 - 1966
6.	Shri A. N. Jha	1966
Lieutenant Governors		
7.	Shri A.N. Jha	07.09.1966 - 19.01.1972
8.	Shri M.C. Pimputkar	19.01.1972 - 23.04.1972
9.	Shri Baleshwar Prasad	24.04.1972 - 03.10.1974
10.	Shri Krishan Chand	04.10.1974 - 30.03.1977
11.	Shri Dalip Rai Kohli	31.03.1977 - 16.02.1980
12.	Shri Jagmohan	17.02.1980 - 30.03.1981
13.	Shri Sundar Lal Khurana	31.03.1981 - 01.09.1982
14.	Shri Jagmohan	02.09.1982 - 25.04.1984
15.	Shri P.G. Gavai	26.04.1984 - 03.11.1984
16.	Shri M.M.K. Wali	04.11.1984 - 15.11.1985
17.	Shri Harkishan Lal Kapoor	16.11.1985 - 03.08.1988
18.	Shri Romesh Bhandari	04.08.1988 - 13.12.1989
19.	Shri Arjun Singh	14.12.1989 - 16.12.1990
20.	Shri Markandey Singh	07.12.1990 - 03.05.1991
21.	Shri P.K. Dave	04.05.1992 - 03.01.1997
22.	Shri Tejendra Khanna	04.01.1997 - 19.04.1998
23.	Shri Vijay Kumar Kapoor	20.04.1998 - till date

Table 6

Chief Ministers of Delhi

<i>Sl.No.</i>	<i>Name</i>	<i>Period</i>
Delhi State Legislative Assembly		
1.	Ch. Braham Prakash	17.03.1952 - 09.02.1955
2.	Shri Gurumukh Nihal Singh	12.02.1955 - 06.12.1955
Delhi Union Territory Metropolitan Council • Chief Executive Councillors		
1.	Mir Mustaq Ahmed	1966 - 1967
2.	Shri Vijay Kumar Malhotra	1967 - 1972
3.	Shri Radha Raman	1972 - 1977
4.	Shri Kidar Nath Sahni	1977 - 1980
5.	Shri Jag Parvesh Chandra	1983 - 1989
Delhi State Legislative Assembly		
1.	Shri Madan Lal Khurana	02.12.1993 - 26.02.1996
2.	Shri Sahib Singh Verma	26.02.1996 - 12.10.1998
3.	Smt. Sushma Swaraj	12.10.1998 - 03.12.1998
4.	Smt. Sheila Dikshit	03.12.1998 - till date

Censure Motions against the Executive Council were discussed and all were negated. In the Legislative Assembly, five Motions of No-confidence have been discussed since its constitution in 1993. Tables 1 to 4 give statistical details in respect of the Motions moved till date. Graphical presentation of these motions is available in the Graphs I and II. Tables 5 and 6 list out the Governors and Chief Ministers, respectively, of the National Capital Territory.

Union Territory Metropolitan Council (1966-1990)

As mentioned earlier, the Metropolitan Council, constituted under the Delhi Administration Act, 1966, consisted of 56 elected and five nominated members and was headed by the Chairman. The Metropolitan Council was empowered to discuss and make recommendations on matters relating to the administration and development of the Union territory of Delhi except those matters which were reserved and in which the Lt. Governor was free to exercise his functions in his discretion, the proposals of legislations, extension of enactment, estimated receipts and expenses for Delhi, matters of general policy, schemes of development, etc.

The Act provided for an Executive Council of 4 members, including the Chief Executive Councillor, to assist and advise the Lt. Governor in the exercise of his functions in respect of the transferred subjects. The term of the Council was five years but could be extended by the Central Government. The Executive Council, though not responsible to the Metropolitan Council, was actually responsive to it.

In all, seven notices of Censure Motions against the Executive Council were received in the Metropolitan Council. Of these, five Censure Motions against the Executive Council were discussed and negated. Two Censure Motions were disallowed by the Chairman. Besides, one Censure Motion was brought against the Opposition on 21 July 1983 deploring the conduct of the Opposition in the House the previous day. The motion also commended and appreciated the services of the Chairman of the Metropolitan Council in conducting the proceedings of the Council impartially. This motion was adopted by voice vote.

In the same year, a notice of Motion of No-confidence against the Chief Executive Councillor Shri Jag Pravesh Chandra was given by Shri Madan Lal Khurana (BJP) on 20 June 1983. The Chairman Shri Purushottam Goyal pointed out that the House had no provision for such a motion as the Chief Executive Councillor was not answerable to the House. All the same, he reserved his ruling on the matter till the next day.

On 21 June 1983, giving his ruling on Shri Khurana's No-confidence Motion, Shri Purushottam Goyal said that there was no such provision within the format. There had never been a motion against an Executive Councillor or against the Chief Executive Councillor. Technically, the Executive Councillor was not responsible to the House. He further said no such motion had been admitted by the House in

the past. In 1967, a motion was moved that the House disapproved of the anti-people policy and programmes of the Executive Council. It was not a No-confidence Motion but a motion of disapproval of policies and programmes. Accordingly, the notice of the No-confidence motion was disallowed by the Chairman.

First Metropolitan Council (1967-1972)

In the elections to the Executive Council held in February 1967, the Jan Sangh secured an absolute majority by winning 33 seats. The Congress got 19 seats, the Republican Party of India 2, and Independents and others 2 seats. On 28 March 1967, Shri V.K. Malhotra, the Chief Executive Councillor, was administered the oath of office by the Lt. Governor Shri A.N. Jha.

In the First Council, one Censure Motion against the Executive Council was discussed and negated.

Censure Motion

On 16 October 1967, a motion disapproving the anti-people policies and programmes of the Executive Council was brought by Sarvashri Om Prakash Bahl, Fateh Singh, V.P. Singh and Abdul Aziz.

Dr. Ram Kishan Bhardawaj (Jan Sangh) raised a point of order and said the motion could not be admitted under the rules. The Chairman Shri L.K. Advani said that the motion was admissible under the rules though it did not have any legal sanction.

Moving the motion, Shri Fateh Singh, Deputy Leader of the Congress Party, accused the Jan Sangh of partonising private trade and ignoring even the legitimate claims of the co-operative sector. The administration, he said, had failed to provide relief to the flood victims. The prices of essential commodities, he said, had risen under the Jan Sangh regime.

In his reply to the debate on the motion, the Chief Executive Councillor Shri Vijay Kumar Malhotra said more than 3 lakh units were detected in the course of their hunt for false ration cards during the past six months. Departmental action had been initiated against 1,000 ration dealers and 22 officials had been suspended in the bid to streamline the system of distribution. 21 relief camps were opened during the recent floods. The present administration, he said, was facing a lot of opposition as it had disturbed the old monopolies. He sought the cooperation of the Opposition in ending these monopolies. Shri Malhotra dwelt at length on the measures taken by his administration in making Delhi a more liveable city. He said their progressive approach had helped slash the land prizes.

The motion was negated by voice vote.

Second Metropolitan Council (1972-1977)

In the Second Metropolitan Council, two Censure Motions - one in 1973 and

the other in 1974 - were given notice of. However, both these Censure Motions were disallowed by the Chairman Mir Mustaq Ahmed.

In the Third Metropolitan Council, no Censure Motion was discussed.

Fourth Metropolitan Council (1983-1990)

Elections were held on 5 February 1983 for the 56 seats of the Metropolitan Council. The Congress(I) got an absolute majority by winning 34 seats as against 19 by the BJP. The Lok Dal(C) won 2 seats and Janata Party 1. Shri Jag Pravesh Chandra was sworn in as the Chief Executive Councillor on 8 February 1983 by the Lt. Governor Shri Jagmohan.

In the Fourth Council, four notices of Censure Motions against the Executive Council were admitted. All these Censure Motions were discussed and negated.

First Censure Motion

On 2 May 1984, a Censure Motion was brought by Shri Madan Lal Khurana (BJP) against the Executive Council for its alleged failures on law and order, prices and other fronts.

The motion was debated for 1 hour and 57 minutes in which 9 members participated.

Initiating the debate, Shri Madan Lal Khurana, Leader of the Opposition, said one-fourth period of the rule of the Executive Council was over and there was no indication that it had served the citizens of the Union territory well. He quoted several Press reports to prove his point. Shri Khurana said the Executive Council had neither the will nor the capability to govern. It had failed to fulfil the promises made by the ruling party at the time of the elections.

The Chief Executive Councillor Shri Jag Parvesh Chandra said that the people of Delhi were broad-minded and they were not going to be influenced by secretarian, communal and narrow-minded propaganda. The motion was negated by raising of hands. 17 members voted in favour of the motion and 25 members against it.

Second Censure Motion

A motion disapproving the policies and programmes of the Executive Council was moved by Shri Madan Lal Khurana on 11 July 1985. During the discussion, Shri Khurana alleged corruption cases in the Super Bazaar, Flood Department and Transport Directorate. As Shri Jag Parvesh Chandra rose to reply to the Opposition charges against the Executive Council, Opposition members demanded that Shri Prem Singh, Executive Councillor (Development), should withdraw certain of his remarks against Shri Khurana during the discussion on the motion. But the Executive Councillor did not oblige the Opposition. In the din, the Chairman put the motion to vote which was negated by voice vote.

Third Censure Motion

Another Censure Motion was brought against the Executive Council on 21 May 1986 by the Opposition, coupled with a demand for the resignation of the Chief Executive Councillor and three other Councillors. In all, 8 members participated in the 2 hours and 13 minutes long debate.

Leading the debate on the motion seeking the removal of an ineffective, unsuccessful and anti-people Executive Council, Shri Kalka Dass (BJP) listed the unfulfilled promises made by the ruling party to the citizens of the Capital. He said the Legislative Assembly status for Delhi was a far cry. Sales tax had not been abolished. The minimum wages had not been raised; price rise continued unabated. Farmers were still being given poor remuneration for their crops. Corruption was prevailing in various Departments of the Administration.

In his reply to the debate on the motion, the Chief Executive Councillor Shri Jag Parvesh Chandra claimed that the Government had changed the sales tax application to the first point only, which was a help to the trading class. Delhi was the first city to universalise primary education. Voluntary agencies were checking fair price shops and the *Lal dora* proposals were soon going to be formulated for the benefit of the citizens. The motion was negated with 18 members voting in favour of the motion and 27 members voting against it.

Fourth Censure Motion

On 22 December 1987, Shri Kalka Dass (BJP) tabled a Censure Motion against the Executive Council on the grounds of failure of the Government on all fronts. The discussion on the motion lasted 2 hours and 31 minutes in which 9 members took part.

Moving the motion, Shri Kalka Dass alleged that the Congress(I) had not fulfilled any of its election promises. Refuting the Opposition charges, the Chief Executive Councillor Shri Jag Parvesh Chandra outlined the achievements of the Administration in the last five years highlighting the work done by the Slum and Welfare Departments. He made special mention of the *Sulabh Shauchalya*, the construction of a three-storeyed *barat ghar*, night shelters and setting up of 300 libraries in the city. Shri Chandra said while industrial production had registered growth, seven lakh additional employment had been given and the Society for Self Employment had undertaken several courses. Under a rapid mass transportation system, there would be a west to east corridor and a north to south corridor which would transport 40,000 persons per hour on surface, elevated surface and underground.

The motion was rejected by voice vote.

Delhi State Legislative Assembly (1993-2003)

First Legislative Assembly (1993-1998)

In the elections to the 70-member Legislative Assembly held on 6 November 1993, the Bharatiya Janata Party secured an absolute majority winning 49 seats. The Congress(I) got 14 seats, Janata Dal 4 and Independents 3 seats. On 2 December 1993, Shri Madan Lal Khurana was sworn in as the Chief Minister by the Lieutenant Governor, Shri P.K. Dave.

Three Motions of No-confidence were discussed and negatived during the tenure of the First Legislative Assembly.

First Motion of No-confidence

The first Motion of No-confidence in the Delhi Legislative Assembly was moved by Shri Deep Chand Bandhu (Congress) against the Council of Ministers of Shri Madan Lal Khurana on the grounds of its anti-people programmes and policies. The leave of the House to move the motion was granted on 22 August 1994. In all, eleven members participated in the four hours long debate.

Moving the motion, Shri Deep Chand Bandhu accused the Government of making false promises with not even a single promise being fulfilled during the previous eight months. He further said that the Government had failed on all fronts - be it in providing power, water, or transport or in controlling pollution.

Defending the Government, Shri Mewa Ram Arya (BJP) highlighted the achievements of the BJP rule in various spheres like power and water and special plans for the poor and the neglected. He specifically referred to the constitution of the Trans-Yamuna Board for the East Delhi areas of the capital and record plan allocations for the *Jhuggi Jhopri* clusters. Shri Sahib Singh Verma, Development and Education Minister, said that a new direction had been given to all the development programmes with a thrust towards the uplift of the poor. As soon as Shri Sahib Singh Verma finished his speech, the Speaker Shri Charti Lal Goel, called the Chief Minister to reply to the debate. However, the Opposition members demanded that more members from the Congress(I) and the Janata Dal should be allowed to speak on the motion. This resulted in pandemonium and the proceedings of the House were disrupted. The Speaker then put the motion to vote and declared it defeated by voice vote.

Second Motion of No-confidence

On 18 December 1995, Shri Ramvir Singh Bidhuri (Janata Dal) moved the second Motion of No-confidence against the BJP Ministry headed by Shri Madan Lal Khurana. The grounds for tabling the motion were that the Government had failed to fulfil its promises made to the people of Delhi at the time of the elections. The

motion was discussed for two hours and ten minutes in which nine members took part.

Moving the motion, Shri Bidhuri accused the Government of misleading the people with statistics and figures and said the Government had hardly done anything for the poor and the vulnerable. He charged that the Administration had failed on all fronts - be it housing for the poor or power connections in the slums, pollution control, streamlining of the water distribution system, medical care or allotment of plots to the farmers whose lands had been acquired by the Government.

Opposing the motion, Shri Mewa Ram Arya (BJP) listed out the various achievements of the Government during its two-year rule and appealed that the Opposition may at least desist from creating obstacles in the developmental process. Defending the Government, Shri Alope Kumar (BJP) made a special mention of the massive developmental activity undertaken in East Delhi.

As soon as the Speaker called the Chief Minister Shri Madan Lal Khurana to reply to the debate, the Opposition members demanded extension of the sitting of the House so that more members from various parties could take part in the discussions. The proceedings of the House were then stalled and the Chief Minister was forced to table his reply. In his written reply to the debate, the Chief Minister, Shri Madan Lal Khurana, while defending the performance of his Government, reiterated the commitment of the BJP to speed up the developmental process for public good and sought the cooperation of all in this endeavour.

The Speaker Shri Charti Lal Goel then put the motion to vote amidst chaos and declared it defeated by voice vote.

The Chief Minister Shri Madan Lal Khurana resigned from office on 22 February 1996. Shri Sahib Singh Verma was sworn in as the new Chief Minister of Delhi on 26 February 1996.

Third Motion of No-confidence

The third Motion of No-confidence in the First Legislative Assembly was brought against the Cabinet of Shri Sahib Singh Verma. Leave to move the motion was granted to Shri Deep Chand Bandhu (Congress-I) on 26 August 1997. The grounds for moving the motion were the Government's failure: (i) to impose certain percentage of sales tax on lotteries; (ii) to check pollution; (iii) to arrange uninterrupted supply of electricity; (iv) to improve the transport system; (v) to implement the MRTS scheme; and (vi) non-appointment of a Lokayukta despite the passage of the Lokayukta Bill by the Legislative Assembly two years earlier. The discussion on the motion lasted three hours and ten minutes in which eight members participated.

Moving the motion, Shri Deep Chand Bandhu (Congress-I) said that a campaign had been started by the Chief Minister and his colleagues regarding the Government's achievements while the fact was that the people did not even have

the basic amenities. He further said that the Government was silent while the exchequer was losing crores of rupees which were to be reclaimed as sales tax on the sale of lottery tickets. He felt that the Government had failed to solve the electricity crisis as well. Similarly, the problem of pollution had remained unchecked despite the claims of the Government.

As soon as the Deputy Speaker Shri Fateh Singh Choudhary called the Chief Minister to reply to the debate, Shri Ramvir Singh Bidhuri argued that he might be allowed to speak on the motion. In spite of the Deputy Speaker's repeated requests, Shri Bidhuri continued with his plea, thereby resulting in the disruption of the proceedings. The Deputy Speaker then named Shri Bidhuri. Thereafter, on a resolution moved by the Minister of Law, Justice and Legislative Affairs, Shri Rajendra Gupta, and adopted by the House, Shri Bidhuri was suspended from the House for three sittings. The Opposition members raised slogans in protest against this and walked out of the House.

Replying to the debate, the Chief Minister Shri Sahib Singh Verma said that the Congress members were not keen to listen to his reply to the baseless allegations levelled by them. They were shying away from their duty of being an effective Opposition by walking out of the House. Claiming an overall improvement in the situation in Delhi, he spoke about the welfare measures taken up by his Government. Much of the Government work was being hampered due to lack of administrative powers, he said. Whatever had been provided was being undone by the transaction of business rules. Files pertaining to even trivial matters had to be referred either to the Lieutenant Governor or to the Centre which caused inordinate delay in taking decisions on vital issues. At the end of the debate, the motion was negated by voice vote.

Second Legislative-Assembly (1998-2003)

Elections to the 70-member Legislative Assembly were held on 25 November 1998. The Congress(I) secured 53 seats, BJP 14, Janata Dal 1, and Independents 2 seats. Smt. Sheila Dikshit, who was earlier unanimously elected Leader of the Congress Legislature Party, was sworn in as the Chief Minister on 3 December 1998.

Two Motions of No-confidence were admitted, debated and negated during the Second Legislative Assembly.

First Motion of No-confidence

A No-confidence Motion against the Congress Ministry headed by Smt. Sheila Dikshit was brought by Prof. Jagdish Mukhi (BJP) on 4 April 2001 on the grounds of failure of the Government in ensuring proper electricity and water supply. Leave to move the motion was granted on 4 April 2001.

Moving the motion, Prof. Mukhi said the power, water and sewer situation in the Capital had deteriorated during the present regime. Corruption had become

rampant and no development worth the name had taken place. The Government had failed on all four fronts on which direction had been given by the Supreme Court - be it on the issue of CNG buses, relocation of industries, cleaning of the Yamuna river or regularisation of unauthorised colonies. The people of Delhi were suffering under an incompetent and inefficient Government.

Replying to the debate, the Chief Minister Smt. Sheila Dikshit declared that she was ready for an independent inquiry into any case of corruption and challenged the Opposition to produce any evidence against her Government.

At the end of the debate lasting 2 hours and 5 minutes in which 11 members participated, the motion was negatived with 13 members voting in favour and 43 members voting against it with 10 abstentions.

Second No-confidence Motion

On 24 September 2001, Prof. Jagdish Mukhi (BJP) moved the second No-confidence Motion against the Council of Ministers of Smt. Sheila Dikshit on the grounds of corruption and the lethargic attitude of the Government. The motion was debated for 1 hour and 45 minutes in which 9 members participated.

Initiating the debate, the Leader of the Opposition, Prof. Jagdish Mukhi said that though he was aware that his motion had no chance of succeeding, he was forced to use it as a tool to draw attention to the non-performance of the Congress Government. He accused the Government of failure on all fronts and said that their performance was well below par and the Government had nothing substantial to show.

In her reply to the debate, the Chief Minister Smt. Sheila Dikshit remarked that the BJP was losing the confidence of the people across the country. On the achievements of the Congress Government, she said the revenue collection had gone up by 44 per cent. The motion was negatived with 14 members voting in favour and 48 members voting against it.

The Third Legislative Assembly was constituted on 5 December 2003 and no Motion of Confidence or No-confidence has been discussed so far.

Censure Motions in Delhi Metropolitan Council and Motions of No-confidence in the Delhi State Legislative Assembly - An Analysis

Delhi Metropolitan Council

In all, seven notices of Censure Motions against the Executive Council were admitted in the Metropolitan Council. Four Censure Motions were discussed in the Fourth Council and one such motion was taken up in the First Council. In the Second Council, two notices of Censure Motions were disallowed by the Chairman. In the Third Council, no notice of Censure Motions was received. Shri Jag Parvesh

Chandra, the Chief Executive Councillor, faced four motions followed by Shri Vijay Kumar Malhotra who faced one Censure Motion. Shri Purushottam Goyal chaired the debate on four Censure Motions while Shri L.K. Advani presided over the debate on one Censure Motion. In all, 46 members participated in the debate on the five Censure Motions. The total time spent on debating the three Censure Motions comes to 6 hours and 41 minutes (figures for two motions are not available). Two Censure Motions were negated by division and three were negated by voice vote. The Censure Motion moved by Shri Madan Lal Khurana on 2 May 1984 was negated with a margin of 8 votes whereas Shri Kalka Dass's Censure Motion voted on 21 May 1986 was rejected by 9 votes.

Delhi Legislative Assembly

In all, five Motions of No-confidence against different Councils of Ministers were admitted and discussed in the Legislative Assembly. Table 1 shows that three Motions of No-confidence were debated in the First Legislative Assembly, whereas two Motions of No-confidence were discussed in the Second Legislative Assembly. All the five Motions of No-confidence were defeated in the House. The Delhi Legislative Assembly has not taken up a Motion of Confidence so far.

Table 2 illustrates the number of Motions of No-confidence admitted and discussed during the tenures of different Speakers of the Assembly. Speaker Shri Charti Lal Goel presided over the debates on three Motions of No-confidence while Speaker Choudhary Prem Singh chaired the debate on two Motions of No-confidence.

Table 3 gives an account of the No-confidence Motions admitted and debated during the tenure of different Councils of Ministers. Of the five Motions of No-confidence, Shri Madan Lal Khurana and Smt. Sheila Dikshit faced two each, while Shri Sahib Singh Verma faced one such motion. Both the Motions of No-confidence moved against Smt. Sheila Dikshit were negated by division whereas the two Motions of No-confidence moved against Shri Khurana and the one against Shri Sahib Singh Verma were negated by voice vote.

Table 4 gives statistical information pertaining to the participation of members in the debates on various Motions of No-confidence. It also depicts the time taken and the result of the division.

Participation by Members

In all 48 members of the Legislative Assembly participated in the debates on the five Motions of No-confidence. The highest number of 11 members took part in the debate on the motion moved by Shri Deep Chand Bandhu in August 1994 and Prof. Jagdish Mukhi's motion moved in April 2001. Shri Deep Chand Bandhu and Prof. Jagdish Mukhi moved two Motions of No-confidence each.

Time taken

The total time spent on debating the five Motions of No-confidence comes to 13 hours and 10 minutes. Individually, the Motion of No-confidence moved by Shri Deep Chand Bandu on 22 August 1994 was debated for the longest duration of 4 hours while the lowest time of one hour and forty-five minutes was taken by the No-confidence Motion moved by Prof. Jagdish Mukhi on 24 September 2001.

Division

Of the five Motions of No-confidence debated by the Legislative Assembly, three were negatived by voice vote while two were negatived by division. The Motion of No-confidence moved by Prof. Jagdish Mukhi on 24 September 2001 was defeated with the widest margin of 34 votes while his other motion moved on 4 April 2001 was negatived with the lowest margin of 30 votes.

Pondicherry Legislative Assembly

Consequent upon the signing of the Instrument of Transfer of Power between the Government of India and the Government of France on 21 October 1954, the *de facto* transfer of Pondicherry and other regions under French domination in India to the Indian Union took place on 1 November 1954. Subsequently, the Government of India issued a notification titled the French Establishments (Administration) Order, 1954. In pursuance of this Order, a Chief Commissioner was appointed by the Central Government as the head of the administration of the French Establishments under the Foreign Jurisdiction Act, 1947. The Treaty of Cession of the French Establishments of Pondicherry, Karaikal, Mahe and Yanam was signed later on 28 May 1956.

The legal integration (*de jure* transfer of Pondicherry and other regions) with the Indian Union was completed on 16 August 1962 with the issue of the Pondicherry (Administration) Act, 1962. Following the promulgation of the Constitution (Fourteenth Amendment) Act, 1962, Pondicherry, Karaikal, Mahe and Yanam were constituted into a separate Union territory under the name of the Union territory of Pondicherry.

After the *de facto* merger on 1 November 1954 and before the legal integration with the Indian Union on 16 August 1962, General Elections to the Representative Assembly were held in 1955 and 1959. The elections were held on the basis of adult franchise under the State of Pondicherry (Representation of the People) Order, 1955 which prescribed the rules and regulations for the conduct of elections, more or less on the pattern adopted in the Indian Union. On 1 July 1963, the Government of the Union Territories Act, 1963 which was enacted by the Parliament, came into force.

Under article 239 of the Constitution, the President appoints an Administrator - the Lt. Governor - to head the administration of the territory. The Pondicherry Legislature is unicameral. The members of the Legislative Assembly - thirty in number - are directly elected by the people for five years. Apart from the 30 elected members, the Central Government may nominate not more than three persons, not being persons in the service of Government, to be members of the Assembly.

Before the General Elections to the Legislative Assembly were held in August 1964, the constituencies were delimited by the Delimitation Commission and the entire territory was divided into 30 single-member constituencies - 21 for Pondicherry region, 6 for Karaikal region, 2 for Mahe region and 1 for Yanam region. Out of these, five seats were reserved for Scheduled Castes, four in Pondicherry region and one in Karaikal region. In the General Elections held in 1964, the candidates representing the Congress Party and the People's Front were the main contestants. A Congress Ministry headed by Shri V. Venkatasubba Reddiar was formed and was in office till 18 September 1968.

Motion of No-confidence

Rule 257 of the Rules of Procedure and Conduct of Business in the Assembly provides for a Motion of No-confidence. A motion expressing want of confidence in the Council of Ministers may be made with the consent of the Speaker subject to the restrictions that leave to make the motion is asked for after Questions and before the List of Business for the day is entered upon; the member asking for leave must, before the commencement of the sitting for the day, deliver to the Secretary a written notice of the motion which he proposes to move. If the Speaker is of the opinion that the motion is in order, he reads the motion to the House and requests those members who are in favour of leave being granted to rise in their places, and if not less than one-fifth of the total number of the members of the House rise accordingly, the Speaker intimates that leave is granted and that the motion will be taken up on such day, not being more than ten days from the date on which the leave is granted, as he may appoint. If less than the requisite number of members rise, the Speaker informs the member that he does not have the leave of the House. If leave is granted, the Speaker may, after considering the state of business in the House, allot a day or days or part of the day for the discussion of the motion. The Speaker, at the appointed hour on the allotted day or the last of the allotted days, forthwith puts every question necessary to determine the decision of the House on the motion. The rule also empowers the Speaker to prescribe a time limit for speeches.

Motion of Confidence

There is no specific rule in the Rules of Procedure and Conduct of Business for moving a Motion of Confidence. However, such a motion is admitted on a written request made by the Chief Minister. After the motion is moved, it is put to vote by the House. On two occasions, *viz.*, on 26 September 1978 and 10 October 1994, the motions were debated before voting. No specific grounds have been prescribed for moving a Motion of Confidence in the Assembly.

Motions in different Legislative Assemblies

During the last four decades, the Pondicherry Assembly has taken up 6

Motions of Confidence and 5 Motions of No-confidence. Besides these, another Motion of No-confidence, though admitted, was not moved in the House on 20 March 1967 as the Chief Minister resigned on 19 March 1967, while one Motion of Confidence, though admitted, was not taken up by the House on 27 December 1990 as no one from the ruling party was present in the House. No motion of either type was admitted or debated in the Third, Fourth, Sixth and Seventh Legislative Assemblies.

For statistical information in respect of the motions, see Tables 1 to 4. A graphical presentation of the motions is available in Graphs I and II. Tables 5 and 6, respectively, list out the names of Governors and Chief Ministers of the Union territory.

First Legislative Assembly (1963-1964)

The Representative Assembly which was constituted in 1955 was dissolved by the Chief Commissioner on 28 October 1958 following the instability caused by change of party affiliation of members. In the mid-term elections held to the Representative Assembly in August 1959, the Congress Party was once again voted to power. A six-member Cabinet headed by Shri. V. Venkatasubba Reddiar was sworn in by the Chief Commissioner, Shri L.R.S. Singh on 9 September 1959. Shri Reddiar was succeeded by Shri E. Goubert on 1 July 1963. The Representative Assembly was converted into the Legislative Assembly of Pondicherry on 1 July 1963 as per Section 54 (3) of the Union Territories Act, 1963 and its members were deemed to have been elected to the Assembly. Its term was fixed to expire on 24 August 1964.

The First Legislative Assembly took up one Motion of No-confidence.

Motion of No-confidence

The first Motion of No-confidence in the history of the Assembly was taken up in March 1964. The notice of the Motion of No-confidence against the Council of Ministers headed by Shri E. Goubert was given by Shri V. Kailassa Soubbaya of the People's Front.

The grounds for moving the motion were the Government's failure to fulfil the aspirations of the people in bringing about a fundamental change; its failure to depart from the old colonial set-up and its administrative practices; and its failure in enforcing in full the salient features and provisions of the Indian Constitution thereby to enable the people enjoy the fruits of freedom and democracy.

On 9 March 1964, the Speaker, Shri A.S. Kankeyan asked members favouring the motion to say yes. As one-fifth of the total membership of the House favoured the motion, it was admitted and he fixed 18 March 1964 for taking up the motion.

Initiating the debate, Shri V. Kailassa Soubbaya criticised the Government for its failure to fulfil the aspirations of the people, especially after the merger of

Table 1

**NCMs/CMs admitted/discussed in different Legislative Assemblies
(1963-2003)**

<i>Assembly</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
First Legislative Assembly\$	01.07.1963 - 24.08.1964	1	-
Second Legislative Assembly	29.08.1964 - 18.09.1968	2 [⊙]	-
Third Legislative Assembly	17.03.1969 - 03.01.1974	-	-
Fourth Legislative Assembly	06.03.1974 - 28.03.1974	-	-
Fifth Legislative Assembly	02.07.1977 - 12.11.1978	-	1
Sixth Legislative Assembly	16.01.1980 - 24.06.1983	-	-
Seventh Legislative Assembly	16.03.1985 - 05.03.1990	-	-
Eighth Legislative Assembly	05.03.1990 - 04.03.1991	-	1*
Ninth Legislative Assembly	04.07.1991 - 14.05.1996	3	2
Tenth Legislative Assembly	10.06.1996 - 16.05.2001	-	2
Eleventh Legislative Assembly	16.05.2001 - till date	-	1
Total		6	7

\$The Representative Assembly was converted into the Legislative Assembly on 1 July 1963.

⊙ One Motion of No-confidence was not taken up by the House as the Chief Minister resigned on 19.03.1967, i.e. one day before the motion was to be taken up by the House.

*One Motion of Confidence was not taken up by the House on 27.12.1990 as no one from the ruling party was present in the House.

Table 2

**NCMs/CMs admitted/discussed during the tenures of different Speakers
(1963-2003)**

<i>Sl. No.</i>	<i>Speaker</i>	<i>Period</i>	<i>NCMs</i>	<i>CMs</i>
1	Shri A.S. Kankeyan	22.07.1963 - 18.09.1964	1	-
2	Shri M.O.H. Farook	19.09.1964 - 19.03.1967	1 [⊙]	-
3	Shri P. Shanmugam	30.03.1967 - 09.03.1968	1	-
4	Shri S. Manicka Vasagam	25.03.1968 - 22.03.1969	-	-
5	Shri S. Perumal	22.03.1969 - 02.12.1971	-	-
6	Shri M.L. Selvarajan	29.03.1972 - 03.01.1974	-	-
7	Shri S. Pakkiam	26.03.1974 - 28.03.1974	-	-
8	Shri K. Kanthi	02.07.1977 - 12.11.1978	-	1
9	Shri M.O.H. Farook	16.01.1980 - 24.06.1983	-	-
10	Shri K.P. Varaprasada Rao Naidu	16.03.1985 - 19.01.1989	-	-
11	Shri M. Chandirakasu	29.03.1989 - 05.03.1990	-	-
12	Shri P. Palaniraja	22.03.1990 - 04.03.1991	-	1*
13	Shri P. Kannan**	26.07.1991 - 14.05.1996	3	2
14	Shri V.M.C. Siva Kumar	10.06.1996 - 18.03.2000	-	1
15	Shri M. Kandasamy#			1
16	Shri A.V. Subramanian	24.05.2000 - 15.05.2001	-	-
17	Shri M.D.R. Ramachandharan	11.06.2001 - till date	-	1
Total			6	7

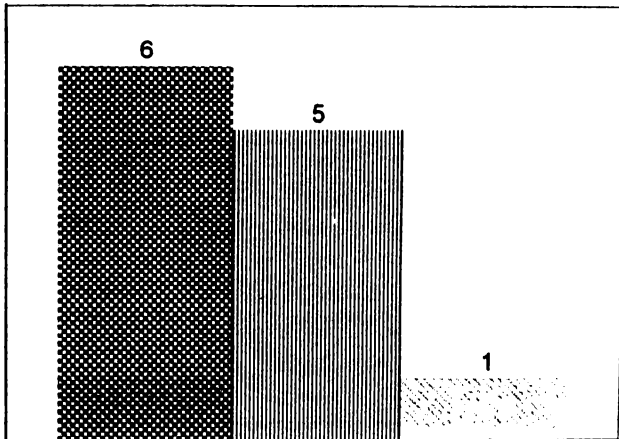
⊙ One Motion of No-confidence was not taken up by the House as the Chief Minister resigned on 19.03.1967, i.e., one day before the motion was to be taken up by the House.

* One Motion of Confidence was not taken up by the House on 27.12.1990 as no one from the ruling party was present in the House.

** Deputy Speaker Shri A.V. Subramanian chaired the debate on the Motion of Confidence of 10 October 1994 and the Motion of No-confidence of 28 September 1995.

Deputy Speaker Shri M. Kandasamy chaired the debate on the Motion of Confidence of 27 March 2000.

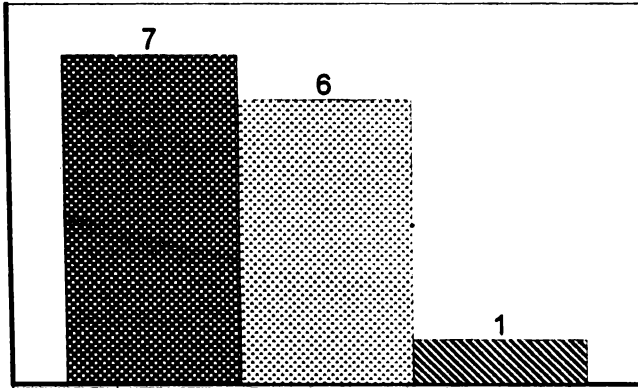
Graph I
NCMs in Pondicherry Legislative Assembly
(1963 - 2003)






 **Motions admitted and discussed**  **Chief Minister resigned***
 **Negatived**

* The Chief Minister resigned in March 1967 before the motion was taken up.

Graph II
CMs in Pondicherry Legislative Assembly
(1963 - 2003)



-  **Motions admitted and discussed**
-  **Adopted**
-  **Motion not moved***

* The motion was not taken up as the Chief Minister was not present in the House in December 1990.

Table 3

**NCMs against/CMs in the Council of Ministers
(1963-2003)**

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
E. Goubert (First Legislative Assembly)	Congress 22/30 (73%)	NCM	V. Kailassa Soubbaya (28)	(09.03.1964) 18.03.1964 06.00	Negatived Ayes - 11 Noes - 26
V. Venkatasubba Reddiar (Second Legislative Assembly)	Congress 22/30 (73%)	NCM	V. Kailassa Soubbaya	(14.03.1967) -	Chief Minister resigned on 19.03.1967 one day before the motion was to be taken up
-do-	Congress 22/30 (73%)	NCM	N. Gurusamy (13)	(19.03.1968) 27.03.1968 04.00	Negatived by voice vote
S. Ramassamy (Fifth Legislative Assembly)	AIADMK 14/30 (46%)	CM	S. Ramassamy (14)	26.09.1978 00.25	Adopted Ayes - 15 Noes - Nil
D. Ramachandran (Eighth Legislative Assembly)	Janata Dal - DMK coalition 13/30 (43%)	CM	D. Ramachandran		Motion was not taken up on 27.12.1990 as Chief Minister and ruling party members were not present in the House.

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
V. Vaithilingam (Ninth Legislative Assembly)	Congress(I) 15/30 (50%)	CM	V. Vaithilingam	17.03.1993 00.15	Adopted Ayes - 18 (Opposition did not participate in the voting)
-do-	-do-	NCM	R. Viswanathan (17)	(21.10.1993) 21.10.1993 03.00	Negated by voice vote
-do-	-do-	CM	V. Vaithilingam (16)	10.10.1994 02.50	Adopted by voice vote
-do-	-do-	NCM	V.M. C.V. Ganapathy (19)	(27.03.1995) 27.03.1995 28.03.1995 07.00	Negated Ayes - 12 Noes - 17
-do-	-do-	NCM	V.M.C.V. Ganapathy (15)	(28.09.1995) 28.09.1995 04.00	Negated by voice vote
R.V. Janakiraman (Tenth Legislative Assembly)	Coalition Government (DMK, TMC and CPI) 15/30 (50%)	CM	N. Kesavan	22.12.1998	Adopted Ayes - 19 Noes - 13
P. Shanmugam (Tenth Legislative Assembly)	Coalition Government (Congress(I) - TMC) 14/30 (46%)	CM	P. Shanmugam	27.03.2000	Adopted Ayes - 19 Noes - 13

<i>Council of Ministers</i>	<i>Party/seats won/ Total; (%)</i>	<i>NCMs/ CMs</i>	<i>Mover/ No. of members participated</i>	<i>Dates of (grant of leave)/ discussion; Time Taken</i>	<i>Result</i>
N. Rangasamy (Eleventh Legislative Assembly)	-do-	CM	N. Rangasamy	21.11.2001	Adopted Ayes - 19 Noes -*

*As 19 members voted in favour of the Confidence Motion by raising their hands, the Speaker did not call for the members to say 'Noes'.

Table 4
Details of NCMs/CMs admitted/discussed in different Legislative Assemblies
(1963-2003)

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
A.S. Kankeyan	NCM	E. Goubert	V. Kailassa Soubbaya	18.03.1964	28	06.00	18.03.1964	11	26	Negated
M.O.H. Farook	NCM	V. Venkatasub- ba Reddiar	V. Kailassa Soubbaya	-	-	-	-	-	-	Chief Minister resigned on 19.3.1967 one day before the motion was to be taken up
P. Shanmugam	NCM	-do-	N. Gurusamy	27.03.1968	13	04.00	27.03.1968	-	-	Negated by voice vote
K. Kanthi	CM	S. Ramassamy	S. Ramassamy	26.09.1978	14	00.25	26.09.1978	15	Nil	Adopted

Speaker	NCMs/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipa- nts	Time Taken Hrs. Mts.	Date of Voting	Ayes	Noes	Result
G. Palaniraja	CM	D. Ramach- andran	D. Ramach- andran	-	-	-	-	-	-	Motion was not taken up by the House on 27.12.1990 as Chief Minister and ruling party members were not present in the House. Adopted (The Opposition did not partici- pate in the voting) Negated by voice vote Adopted by voice vote Negated
P. Kannan	CM	V. Vaithi- lingam	V. Vaithi- lingam	17.03.1993	-	00.15	17.03.1993	18	-	
-do-	NCM	-do-	R. Viswa- nathan	21.10.1993	17	03.00	21.10.1993	-	-	
P. Kannan*	CM	-do-	V. Vaithi- lingam	10.10.1994	16	02.50	10.10.1994	-	-	
P. Kannan	NCM	-do-	V.M.C.V. Ganapathy	27.03.1995 28.03.1995	19	07.00	28.03.1995	12	17	

*Deputy Speaker A.V. Subramanian chaired the debate.

Speaker	NCM/ CMs	Cabinet	Mover	Dates of Discussion	No. of Parti- cipes- nts	Time Taken Hrs. Mts	Dets of Voting	Ayes	Noes	Result
P. Kannan\$	NCM	-do-	V.M.C.V. Ganapathy	28.09.1995	15	04.00	28.09.1995	-	-	Negated by voice vote
V.M.C. Svakumar	CM	R.V. Janaki- raman	N. Kesavan	22.12.1998	-	-	22.12.1998	19	13	Adopted
M.Kandasamy#	CM	P Shanugam	P Shanugam	27.03.2000	-	-	27.03.2000	19	13	Adopted
M.D.R. Ramachand- haran	CM	N. Rangasamy	N. Rangasamy	21.11.2001	-	-	21.11.2001	19	-	Adopted*

\$ Deputy Speaker A. V. Subramanian chaired the debate

Deputy Speaker M. Kandasamy chaired the debate

* As 19 members voted in favour of the Confidence Motion by raising their hands, the Speaker did not call for the members to say 'Noes'.

Table 5

Chief Commissioners/Lieutenant Governors of Pondicherry

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
Chief Commissioners		
1.	Shri Kewal Singh	21.10.1954 - 16.11.1956
2.	Shri M.K. Kripalani	17.11.1956 - 27.08.1958
3.	Shri L.R.S. Singh	30.08.1958 - 08.02.1961
4.	Shri S.K. Dutta	02.05.1961 - 01.08.1963
5.	Shri K.J. Somasundaram	02.08.1963 - 13.10.1963
Lieutenant Governors		
1.	Shri S.L. Silam	14.10.1963 - 13.10.1968
2.	Shri B.D. Jatti	14.10.1968 - 07.11.1972
3.	Shri Chhedi Lal	08.11.1972 - 29.08.1976
4.	Shri B.T. Kulkarni	30.08.1976 - 31.10.1980
5.	Shri R.K. Vyas	01.11.1980 - 15.04.1981
6.	Shri R.N. Haldipur	27.07.1981 - 14.05.1982
7.	Shri K.M. Chandy	15.05.1982 - 05.08.1983
8.	Shri K. Prabhakar Rao	02.09.1983 - 17.06.1984
9.	Shri Tribhuvan Prasad Tewary	01.10.1984 - 21.06.1988
10.	Lt. Gen. (Retd.) Ranjit Singh Dayal	22.06.1988 - 18.02.1990
11.	Smt. Chandravati	19.02.1990 - 18.12.1990
12.	Dr. Har Swarup Singh	19.12.1990 - 05.02.1993
13.	Dr. Bhisuma Narain Singh (Governor of Tamil Nadu Addl. Charge)	06.02.1993 - 30.05.1993
14.	Dr. M. Channa Reddy (Governor of Tamil Nadu Addl. Charge)	31.05.1993 - 01.05.1995
15.	Dr. Rajendra Kumari Bajpai	02.05.1995 - 22.04.1998
16.	Dr. Rajani Rai	23.04.1998 - 24.07.2002
17.	Shri K.R. Malkani	31.07.2002 - 27.10.2003
18.	Shri P.S. Rama Mohan Rao (Governor of Tamil Nadu Addl. Charge)	27.10.2003 - 05.01.2004
19.	Shri N.N. Jha	05.01.2004 - till date

Table 6

Chief Ministers of Pondicherry

<i>Sl. No.</i>	<i>Name</i>	<i>Period</i>
1.	Shri V. Venkatasubba Reddiar	09.09.1959 - 30.06.1963
2.	Shri E. Goubert	01.07.1963 - 24.08.1964
3.	Shri V. Venkatasubba Reddiar	11.09.1964 - 08.04.1967
4.	Shri M.O.H. Farook	09.04.1967 - 05.03.1968
5.	Shri V. Venkatasubba Reddiar	06.03.1968 - 18.09.1968
	President's Rule	18.09.1968 - 07.03.1969
6.	Shri M.O.H. Farook	07.03.1969 - 03.01.1974
	President's Rule	03.01.1974 - 06.03.1974
7.	Shri S. Ramassamy	06.03.1974 - 28.03.1974
	President's Rule	28.03.1974 - 02.07.1977
8.	Shri S. Ramassamy	02.07.1977 - 12.11.1978
	President's Rule	12.11.1978 - 16.01.1980
9.	Shri D. Ramachandran	16.01.1980 - 24.06.1983
	President's Rule	24.06.1983 - 16.03.1985
10.	Shri M.O.H. Farook	16.03.1985 - 07.03.1990
11.	Shri D. Ramachandran	08.03.1990 - 12.01.1991
	President's Rule	12.01.1991 - 04.07.1991
12.	Shri V. Vaithilingam	04.07.1991 - 25.05.1996
13.	Shri R.V. Janakiraman	27.05.1996 - 21.03.2000
14.	Shri P. Shanmugam	22.03.2000 - 23.05.2001
		24.05.2001 - 26.10.2001
15.	Shri N. Rangasamy	27.10.2001 - till date

Pondicherry with the Indian Union. The Government, he said, had failed to follow the rules and regulations in appointments and there was lot of corruption. In the eight months since the merger, the Government had been functioning against the interests of the common people. The Government, therefore, he said, had lost the confidence of the people.

Participating in the debate, the Chief Minister, Shri Goubert said that the replies to various charges levelled against his Government were given by the concerned Ministers. He felt that the Motion of No-confidence was brought without any proper reason. He further said that the Public Service Commission of Pondicherry had its own recruitment committee which selected persons for appointments and denied that any Minister or any other person had interfered in the matter.

Twenty-eight members participated in the debate lasting six hours. Thereafter, 11 members favoured the motion while 26 members opposed it. The motion was accordingly declared lost.

Second Legislative Assembly (1964-1968)

Elections to the Second Legislative Assembly were held in August 1964. In the 30-member House, the Congress Party got 22 seats and the Peoples' Front and Independents bagged four seats each. Shri V. Venkatasubba Reddiar, who was elected the Leader of the Pondicherry Congress Legislature Party, was sworn in as the Chief Minister along with three other Ministers by the Lt. Governor, Shri S.L. Silam on 11 September 1964.

Two Motions of No-confidence were admitted in the Second Legislative Assembly. However, only one motion was taken up by the House.

First Motion of No-confidence

On 14 March 1967, the Speaker, Shri M.O.H. Farook announced in the House of having received a notice of Motion of No-confidence from Shri V. Kailassa Soubbaya of the Peoples' Front against the Council of Ministers headed by Shri Reddiar. The reasons for bringing the motion was the non-fulfilment of the aspirations of the people, failure in protecting their interests and corruption in the Government.

However, one day before the motion was to come up before the House, the Chief Minister, Shri Reddiar tendered the resignation of his Ministry to the Lt. Governor, Shri S.L. Silam as two of his colleagues and some other members resigned from the Congress Party. Following their resignation, the party's strength in the Assembly fell from 20 to 13 in the 30-member House. The House, therefore, did not take up the Motion of No-confidence.

Meanwhile, on 20 March 1967, Shri M.O.H. Farook, Speaker of the Assembly, was unanimously elected Leader of the Congress Legislature Party in place of Shri Reddiar. Subsequently, on 26 March 1967, the Congress Legislature Party decided to

stake its claim to form the Government again as two members who had earlier resigned from the party had returned to its fold thereby increasing the party's strength to 15 in the 30-member House. However, another member of the Congress Party later shifted his loyalty to the Opposition.

On 9 April 1967, the Lt. Governor, Shri S.L. Silam administered the oath of office and secrecy to a five member Congress Ministry led by Shri Farook. Shri Farook resigned on 19 February 1968 and in his place a new Ministry led by Shri V.Venkatasubba Reddiar was sworn in on 6 March 1968.

Second Motion of No-confidence

Within a fortnight of assuming the office of Chief Minister, Shri Reddiar faced a Motion of No-confidence against his Ministry. The notice of the motion was given by Shri N. Gurusamy of the People's Front.

The reason for moving the Motion of No-confidence was that a similar motion, though admitted by the House earlier in March 1967, was not discussed. The Chief Minister had then resigned a day before the motion was to be taken up by the House. Hence, the Assembly had lost the confidence in the present Government as well, which included the same Ministers of the previous Government.

As fourteen members supported the motion, the leave of the House was granted on 19 March 1968 and it was fixed for debate on 27 March 1968 by the Deputy Speaker, Shri V.N. Purushothaman who was in the Chair.

Initiating the debate, Shri N. Gurusamy said that the present Government, instead of facing the Motion of No-confidence a year ago, had resigned a day before and again assumed power with the same Ministers. He said that the Government employees were facing a lot of difficulties as a proper deal was not given to those appointed before Independence. Shri Gurusamy pointed out that though the Chief Minister promised to bring important laws such as those relating to land ceiling and rent control, nothing had been done in this regard. He criticised the Government for not bringing in the Religious Endowment Act and for having instead brought some other Acts which paved the way for corruption in temple lands. Besides, he highlighted corruption in various Departments in the Government.

Taking part in the debate, the Chief Minister, Shri Reddiar told the House that they were preparing a new Act on the lines of the Hindu Religious Endowment Act and informed that information in this regard was being collected. Regarding the land reforms law, he assured the House that after completion of a survey, a Bill in this regard would be introduced. As regards the difficulties faced by employees who joined before Independence, the Chief Minister said that his Government had twice increased their salaries. Regarding implementation of Tamil as the official language, the Chief Minister said that Tamil was introduced as official language in pursuance

of the Act of 1966 in some Departments and this would be done gradually in other Departments as well. In all, 13 members participated in the debate lasting 4 hours. The motion was then put to vote and declared lost.

Subsequently, on 11 September 1968, the Chief Minister, Shri V. Venkatasubba Reddiar tendered the resignation of his Ministry to the Lt. Governor, Shri S.L. Silam, after having lost the majority in the Assembly due to shifting of party loyalties by some members. As in the opinion of the Governor, no other party was in a position to form a stable Government, President's Rule was imposed on 18 September 1968 and the Assembly was dissolved simultaneously.

Mid-term elections to the Third Assembly were held in March 1969. A DMK-CPI Coalition Government headed by Shri M.O.H. Farook was sworn in on 17 March 1969.

The Third and Fourth Legislative Assemblies did not take up any Motion of Confidence or No-confidence.

Fifth Legislative Assembly (1977-1978)

Elections to the Fifth Legislative Assembly were held in July 1977. Though no party could get an absolute majority on its own, the AIADMK emerged as the single largest party with 14 seats. The Janata Party won 7 seats and the remaining seats were secured by other parties, including three Independents.

A two-member AIADMK Ministry led by Shri S. Ramassamy was administered the oath of office and secrecy by the Lt. Governor, Shri B.T. Kulkarni on 2 July 1977.

One Motion of Confidence was taken up by the Fifth Legislative Assembly.

Motion of Confidence

The first ever Motion of Confidence was taken up by the Assembly in September 1978.

The need for taking up the motion arose as five ruling party members demanded that the Ministry should go. The dissident members had also given individual letters to the Lt. Governor stating that they were withdrawing their support to the Government, thereby reducing the Government to a minority.

Following this, the Lt. Governor summoned a Special Session to enable the Chief Minister to prove his strength on the floor of the House. Meanwhile, the Chief Minister challenged the order of the Lt. Governor summoning the Special Session in the Madras High Court. However, as per the Lt. Governor's directive, the Special Session was convened on 26 September 1978.

When the House met, there were noisy scenes as the Opposition members wanted to know as to whether the Madras High Court's finding on the writ petition filed by the Chief Minister would be binding on the proceedings of the House.

When the Chief Minister rose to move the motion seeking confidence of the House, a member Shri V. Subbiah (CPI) intervened and raised a point of order as to whether the proceedings of the House would be affected or not in case the High Court held that the Lt. Governor's order (summoning the House) was illegal. The Speaker, Shri K. Kanthi allowed the Chief Minister to speak and requested him to furnish a brief explanation for coming before the House to prove the majority. The Chief Minister Shri Ramassamy recalled his meeting with the Lt. Governor, withdrawal of support by five members and the subsequent revival of support by three of them. The Chief Minister then moved the motion seeking confidence in the Council of Ministers. In the midst of the din, the Speaker took up the motion and put it for voting. As 15 members voted in favour of the motion, the Speaker announced that it was carried.

However, when the members protested, he asked those supporting the motion to raise their hands.

In all, fifteen members - fourteen of the AIADMK and one CPI(M) member - raised their hands in support of the motion. No one from the Opposition raised their hands against the motion. The Motion of Confidence was accordingly declared carried.

The Sixth and Seventh Legislative Assemblies did not take up any Motion of Confidence or No-confidence.

Eighth Legislative Assembly (1990-1991)

In the elections to the Eighth Legislative Assembly held in February 1990, the Congress(I) got 11 seats, AIADMK won 3, DMK 9, Janata Dal 4 and CPI 2 seats; one seat was won by an Independent. A six-member Janata Dal-DMK coalition Ministry led by Shri D. Ramachandran of the DMK was sworn in on 8 March 1990.

The coalition Government did not last long; within one year, three members belonging to the Janata Dal withdrew their support to the Ministry.

Motion of Confidence

The Chief Minister, Shri. D. Ramachandran gave notice for moving a motion seeking the confidence of the House in his Council of Ministers; the motion was listed for 27 December 1990. However, on that day, no one from the Treasury Benches was present in the House. The Speaker then observed that there was no need to take up the motion as the Chief Minister was not present.

However, Shri M.O.H. Farook said that eighteen members from the Opposition parties had come to participate and to vote against the Confidence Motion which he wanted to be noted and recorded. He also requested the Speaker to permit the members to rise in their seats so that they could bring to his notice their expression of no-confidence in the Government. The Speaker agreed with the point made by Shri Farook.

The Chief Minister, Shri D. Ramachandran tendered his resignation to the Lt. Governor, Dr. Har Swarup Singh on 27 December 1990. Following his resignation, as no party was in a position to form a stable Government, President's Rule was imposed in the territory and the Assembly was suspended on 12 January 1991 which was subsequently dissolved on 4 March 1991. President's Rule was revoked on 4 July 1991 with the formation of a new Congress(I) Government headed by Shri V. Vaithilingam

Ninth Legislative Assembly (1991-1996)

The Congress(I) secured 15 seats in the elections to the Ninth Legislative Assembly and the AIADMK won 6 seats. The remaining seats were won by other parties and Independents.

A six-member Congress(I) Ministry headed by Shri V. Vaithilingam was administered the oath of office and secrecy by the Lt. Governor, Dr. Har Swarup Singh on 4 July 1991.

The Ninth Legislative Assembly took up five motions, *i.e.* three Motions of No-confidence and two Motions of Confidence, while another Motion of No-confidence did not get the leave of the House.

First Motion of Confidence

The first Motion of Confidence in the Ninth Legislative Assembly was taken up on 17 March 1993 and it was necessitated as the Opposition members demanded that the Government should prove its majority before discussing the Motion of Thanks to the Lt. Governor for his Address.

On 17 March 1993, the House met to take up the Confidence Motion. Being the First Session of the year and Budget Session, the House met after the Address by the Lt. Governor. However, one member, Shri V.M.C.V. Ganapathy (AIADMK) said that as they had brought a Motion of No-confidence, it should be taken up first. At this, another member, Shri R. Viswanathan (CPI) said the Government should first seek the confidence of the House and only after that the next step should be taken.

The Speaker, Shri P. Kannan, in his ruling, said that as per procedure, the House should take up the Motion of Thanks to the Lt. Governor for his Address after which the motion could be taken up. However, Shri R. Viswanathan insisted that the Government should first seek the confidence of the House and only then could other matters be taken up. Thereupon, the Speaker said that if the member wanted that the motion should be taken up first, the Chief Minister could bring in the Motion of Confidence first.

Following the Speaker's observation, the Chief Minister, Shri Vaithilingam moved the motion seeking the confidence of the House in the Council of Ministers.

The Speaker then put the motion to vote. 18 members stood in support of the motion. The Opposition DMK which did not participate in the voting walked out of

the House, while some other members belonging to the AIADMK, Communist Party of India and Janata Dal demanded secret voting.

However, the Speaker Shri Kannan declared that the Chief Minister had proved his majority and the motion had been adopted by the House.

First Motion of No-confidence

The Congress(I) Ministry led by Shri Vaithilingam faced a Motion of No-confidence in October 1993. The notice for the Motion of No-confidence against the Government for its failure to curb rise in prices of essential commodities, to solve the unemployment problem and to hold Panchayat elections was given by Shri R. Viswanathan of the CPI on 21 October 1993.

The Speaker Shri P. Kannan admitted the motion which was taken up by the House on the same day.

Initiating the debate, Shri Viswanathan criticised the Government for its failure in controlling the price rise and in solving the unemployment problem.

Replying to the debate, the Chief Minister, Shri Vaithilingam rebutted the charges levelled against his Government by the Opposition. He mentioned the measures taken by the Government on various fronts, including to confront the price rise and the unemployment problem. As regards the holding of Panchayat elections, he said all the formalities in that regard had been completed.

In all, 17 members participated in the debate spanning 3 hours. At the end, the Speaker, Shri P. Kannan called for a voice vote and announced that a majority of the members had voted against the motion and accordingly declared that the motion had been defeated.

Second Motion of Confidence

On 10 October 1994, a-motion seeking the Confidence of the House in the Council of Ministers was given by the Government. A notice of a No-confidence Motion was also before the House. The Government's motion was given precedence over the Opposition-sponsored No-confidence Motion.

When the House assembled, the Opposition members insisted that the Speaker, Shri Kannan should admit their Motion of No-confidence. The Speaker, however, said that a decision on their motion would be taken only after the Question Hour.

At this, the members of the Opposition belonging to the AIADMK, DMK, CPI and Janata Dal walked out of the House. They returned after some time and insisted on their demand for taking up the Motion of No-confidence.

Amidst noisy scenes, the Chief Minister sought the permission of the House to take up the vote of confidence tabled by him on 10 October 1994.

16 members took part in the debate lasting 2 hours and 50 minutes. The Deputy Speaker, Shri A. V. Subramanian, who was in the Chair, put the motion to voice vote and the motion was declared carried.

Second Motion of No-confidence

A Motion of No-confidence tabled by the Opposition AIADMK against the Congress(I)-led Ministry headed by Shri V. Vaithilingam was taken up by the House on 27 March 1995. The notice for the motion was given by six members belonging to the AIADMK and the lone CPI member, Shri R. Viswanathan. The motion was admitted and taken up for debate on the same day.

Initiating the debate, Shri V.M.C.V. Ganapathy said that he was proposing the No-confidence Motion as the general public, particularly Government servants, labourers, students, unemployed graduates and women, had lost confidence in this Government.

Participating in the debate, the Chief Minister, Shri Vaithilingam said that the No-confidence Motion was unwarranted as the Government had been implementing all welfare measures for the betterment of the people to their fullest satisfaction. He requested the House not to support the motion.

In the debate spread over 27 and 28 March 1995 and lasting seven hours, 19 members participated.

The Opposition demanded a division, following which voting was done by a show of hands as suggested by the Speaker, Shri P. Kannan. While 17 members (fourteen of the Congress(I) and 3 Independents) voted against the motion, all the 12 Opposition members voted in favour of it. The motion was declared defeated.

Third Motion of No-confidence

Two notices of Motion of No-confidence were received in September 1995 against the Congress(I) Ministry led by Shri Vaithilingam.

One notice was given by Shri V.M.C.V. Ganapathy of the AIADMK while the other notice was given by Shri R.V. Janakiraman of the DMK. The notice of motion given by Shri Janakiraman was not granted leave of the House as less than the requisite number of members rose in its support. The Deputy Speaker Shri A.V. Subramanian, who was in the Chair, admitted the motion given by Shri V.M.C.V. Ganapathy on 28 September 1995. It was taken up by the House on the same day.

Initiating the debate, Shri V.M.C.V. Ganapathy said that the Government had not implemented the assurances given by it to the public. He accused the Government of not having conducted the civic polls. He also stated that the Government had not approached the Central Government to appoint a Lt. Governor for the Union territory which was now being looked after by way of additional charge by the Governor of Tamilnadu.

Replying to the debate, the Chief Minister, Shri Vaithilingam listed some of the achievements of his four year old Government such as the increase in the number of house site *patas* and supply of rice to the poor. As regards pension for freedom fighters, Shri Vaithilingam said that 600 persons had already been given

such pension and only an equal number remained to be added to the list. He said that the Centre would be consulted before hiking the pension.

The Opposition members, however, were not satisfied saying that Chief Minister had not replied to all points raised by them.

In all, 15 members participated in the debate lasting 4 hours.

The Deputy Speaker Shri A.V. Subramanian, who was in the Chair, put the motion to vote which was defeated by voice vote.

Tenth Legislative Assembly (1996-2001)

In the elections to the 30-member Legislative Assembly held in April 1996, the ruling Congress(I) secured 9 seats, the DMK got 7, the TMC obtained 6, and the CPI won 2 seats. The remaining seats were won by other parties and an Independent.

The DMK, TMC and the CPI which together got 15 seats formed a coalition Government headed by Shri R.V. Janakiraman of the DMK who was sworn in as the Chief Minister on 27 May 1996.

The Tenth Legislative Assembly took up two Motions of Confidence - the first one on 22 December 1998 and the second on 27 March 2000 and both were adopted.

First Motion of Confidence

The DMK led Government tabled a motion seeking vote of confidence in the Council of Ministers headed by Shri. R.V. Janakiraman. The motion was moved on 22 December 1998 by the Chief Whip, Shri N. Kesavan and seconded by the Janata Dal's lone member, Shri R. Rajaraman

Earlier, the entire Opposition led by the Congress(I) assembled before the Speaker's podium and insisted that the Motion of No-confidence for which the Congress had given notice be taken up first. However, the Chief Minister, Shri Janakiraman countered the Opposition's argument saying that a similar instance occurred in 1994 during the Congress(I) regime when the Government's motion was given precedence by taking up the Confidence Motion first.

Following this, there were noisy scenes in the House with the disruption of proceedings by the Opposition. The Speaker then ordered the eviction of all the Opposition members. Thereafter, the motion was put to vote which was declared carried.

The Home Minister, Shri P. Kannan, however, wanted to know from the Chair the number of members supporting the motion. At this, the Speaker said that all the 19 members of the ruling party and its supporters voted for the motion.

On 22 July 1999, the CPI, which had two members in the Assembly and formed part of the ruling coalition, withdrew its support to the DMK led Government. Subsequently, the TMC, another partner in the coalition, also pulled out of the Ministry and finally withdrew its support on 16 March 2000.

With the Government reduced to a minority, the Chief Minister Shri R.V. Janakiraman tendered his resignation to the Lt. Governor on 18 March 2000.

The following day, Shri P. Shanmugam was elected Leader of the Congress(I) Legislature Party, and staked his claim to form the Government. He was administered the oath of office and secrecy by the Lt. Governor on 22 March 2000.

Second Motion of Confidence

On 27 March 2000, the Chief Minister, Shri Shanmugam moved the motion seeking the confidence of the House in the Council of Ministers as per the direction of the Lt. Governor. The Opposition parties brought a No-confidence Motion. The Motion of Confidence in the Council of Ministers given by the Chief Minister was then taken up by the House. There was no discussion on the motion. 19 members of the Secular Democratic Front comprising the Congress (I), TMC, AIADMK and CPI and the lone Independent member voted in favour of the motion and 13 members voted against it. The Deputy Speaker Shri M. Kandasamy, who was in the Chair, declared that the Chief Minister had won the vote of confidence.

Eleventh Legislative Assembly (2001-till date)

The elections to the Eleventh Legislative Assembly were held on 10 May 2001 in which the Congress(I) and allies won 13 seats, the DMK and allies got 12 seats, the AIADMK and allies won 3 seats and others bagged 2 seats.

The outgoing Chief Minister, Shri P. Shanmugam, who was earlier unanimously elected leader of the Congress(I) Legislature Party, was again sworn in as the Chief Minister on 24 May 2001. However, Shri Shanmugam tendered his resignation on 19 October 2001. In his place Shri N. Rangasamy, Minister for Public Works in the outgoing Ministry, was sworn in as the Chief Minister on 27 October 2001.

The Eleventh Legislative Assembly has witnessed one Motion of Confidence till date.

Motion of Confidence

Shortly after three weeks of assuming the office of Chief Minister, a Motion of Confidence was moved by Shri Rangasamy on 21 November 2001.

Soon after the motion was tabled, 19 members raised their hands in support of the motion. The motion was adopted without any debate.

Motions of Confidence and No-confidence in the Pondicherry Legislative Assembly - An Analysis

The Pondicherry Legislative Assembly has till date taken up eleven motions, of which five have been Motions of No-confidence and six Motions of Confidence. All the 5 Motions of No-confidence were negatived, while all the 6 Motions of Confidence were carried. Two other motions - one Motion of Confidence and one Motion of No-

confidence - were not taken up by the House.

Assembly-wise, the Ninth Legislative Assembly took up the highest number of 5 motions - 3 Motions of No-confidence and two Motions of Confidence, followed by the Tenth Legislative Assembly which took up 2 Motions of Confidence. Table 1 gives statistical details of the motions admitted/discussed in each Assembly.

Table 2 gives details of motions admitted/discussed during the tenures of different Speakers. The highest number of five motions - three Motions of No-confidence and two Motions of Confidence - were taken up during the tenure of Shri P. Kannan, of which debates on two were presided over by the Deputy Speaker Shri A. V. Subramanian. The tenures of Speakers Shri V.M.C. Sivakumar and M.D.R. Ramachandharan (till date) witnessed one Motion of Confidence each. The debate on the Motion of Confidence of 27 March 2000 was presided over by the Deputy Speaker Shri M. Kandasamy.

Table 3 gives an account of the Motions of Confidence and No-confidence debated during the tenure of different Councils of Ministers. Of the 11 motions, the highest number of five motions - three Motions of No-confidence and two Motions of Confidence - were taken up during the tenure of Shri V. Vaithilingam. Two Motions of No-confidence against the Council of Ministers headed by Shri Vaithilingam were moved by Shri V.M.C.V. Ganapathy and the third one was moved by Shri R. Viswanathan. Two Motions seeking Confidence of the House in his Ministry were moved by Shri Vaithilingam himself.

Table 4 deals with statistical information about the participation of members in the debates on various Motions of Confidence and No-confidence. It also depicts the time taken and the result of the division.

Participation by Members

Of the 11 motions which were taken up by the Legislative Assembly, the number of members who participated in the debate is not available in respect of two motions. Of the seven motions which were debated and of which the number of participants is available, the highest number of 28 members participated in the debate of 18 March 1964 when Shri E. Goubert faced the Motion of No-confidence and the lowest number of 13 members participated in the debate on the Motion of No-confidence moved against Shri V. Venkatasubba Reddiar on 27 March 1968. In all, 92 members took part in the debate on the five Motions of No-confidence while 30 members participated in the debate on the two Motions of Confidence.

Time taken

Of the eleven motions which were debated, the time taken is available only for eight motions - 5 Motions of No-confidence and 3 Motions of Confidence. The total time spent in respect of these eight motions comes to 27 hours and 30 minutes. The

total time spent on the five Motions of No-confidence came to 24 hours while the three Motions of Confidence were debated for three and a half hours.

Of the five Motions of No-confidence, the longest duration of seven hours was spent on the Motion of No-confidence of March 1995 followed by the Motion of No-confidence of March 1964, which was debated for six hours.

As regards the Motions of Confidence, while two hours and fifty minutes were spent on the Motion of Confidence of October 1994, fifteen minutes were spent on the Motion of Confidence of March 1993.

In all, twelve days were spent on the 11 motions. The Motion of No-confidence of March 1995 was debated for two days. The remaining ten motions were taken up and disposed of by the House on the same day.

Division

Of the 11 Motions, the fate of five Motions of Confidence and two Motions of No-confidence was decided by division, while that of three Motions of No-confidence and one Motion of Confidence was decided by voice vote.

As regards Motions of No-confidence, the widest margin was in respect of the one moved against Shri Goubert's Ministry in March 1964, which was negated by a margin of 15 votes. The second Motion of No-confidence against Shri Vaithilingam's Ministry in March 1995 was defeated by a margin of 5 votes.

The Motion of Confidence of November 2001 was adopted by the widest margin of 19 votes whereas the Motions of Confidence of December 1998 and March 2000 were adopted with the lowest margin of 6 votes.

INDEX

- Abdul Ghafoor 273, 274, 288
Abdul Kadir 492
Abdul Mannan 935, 936
Abdullah, Farooq 430, 431, 432, 433
Abdullah, Sheikh Mohammad 422, 430
Abedin, Zainal 235, 928, 929, 930, 931, 932, 933, 940
Aboo, K.K. 500
Acharya, Binayak 711
Acharya, Laxmi Narain 891
Acharya, Niranjan Nath 772
Achaw Singh, L. 607
Achuthanandan, V.S. 509
Advani, L.K. 79, 80, 82, 84, 104, 113, 281, 367, 955, 962
Agarwal, Brijmohan 297
Agarwal, Naresh 902, 903
Agarwal, Satish Chandra 761
Aggarwal, Fakir Chand 394, 397
Aggarwal, Ramanand 761
Agitok, Mohindra 644
Agrawal, L.N. 530
Agrawal, Naresh 902, 903
Ahmed, Mir Mustaq 956
Ahmed, Z.A. 884, 886
Ahore, Gopal Singh 772
Alemao, Churchill 329, 341
Alexander, P.C. 583, 585
Ali, Sadiq 580
Alimuddin, Mohammed 607, 608, 616, 617
All Nyishi Students Union 201
Aloke Kumar 959
Aman, Gopi Nath 942
Amar Singh 390
Ambedkar, Prakash 116
Ambika Prasad 275, 284
Amir Raza 764
Anand Mohan 107, 109
Anandanayaki, T.N. 817
Angami, T.N. 682, 683, 691
Angami, Vizol 686
Angou Singh, W. 162, 612, 616
Annadurai, C.N. 814, 815, 830
Ansari, Moulvi Iftikhar Hussain 431
Ansari, Phurkan 435
Antulay, A.R. 79, 153, 580, 581, 586
Apang, Gegong 149, 150, 153, 191, 200, 201, 202, 204, 205, 206
Arjun Singh 84, 85, 159, 538, 539, 540, 541, 542, 543, 549
Arora, Ujla 767
Arya, Kumbha Ram 763
Arya, Mewa Ram 958, 959
Ashok Kumar 397
Athawale, Ramdas 116
Ayyangar, M.A. 13, 22, 24, 27, 28, 29
Azad, Ghulam Nabi 85
Aziz, Abdul 955
Baalu, T.R. 115
Babudhon Singh, K. 616
Babu Gowda 465
Bachan Singh 732
Badal, Parkash Singh 736, 737, 738, 740
Bage, S.K. 263
Bagri, Mani Ram 14, 29
Bahl, Om Prakash 955
Bahuguna, H.N. 32, 38, 43, 45, 47, 49, 73, 74, 894, 908
Balakrishnan Committee 943
Balan, P. 508
Balanandan, E. 503,

- Balayogi, G.M.C. 22, 24, 27, 28, 103, 109
 Baldev Prakash 732
 Baliga, Vaikunta, 468
 Balwan Singh 886
 Banarsi Das 888, 895, 909
 Banatwalla, G.M. 107-08, 116
 Bandhu, Deep Chand 958, 959, 962, 963
 Bandodkar, Dayanand B. 140, 142, 153, 317,
 318, 319, 320, 322, 323, 324, 325, 339, 340
 Banerjee, A.N. 416
 Banerjee, Mamata 33, 101, 106, 114
 Banerjee, Pankaj 936, 937, 938, 939, 940, 941
 Banerjee, Sankar Das 925, 928, 940
 Banerji, S.K. 325
 Bang, Ramesh Chandra 583
 Bangarappa, S. 153, 461, 463, 464, 469
 Bansai Lal 153, 376, 387, 388, 390, 393, 397, 398
 Baokhohang 161
 Bapuli, Satya Ranjan 931
 Barbosa, Luis Proto 153, 328, 329, 330, 341
 Barnala, Surjit Singh 94, 102, 107, 735, 853, 859
 Barooh, Ramesh Chandra 241
 Barua, Dulal Chandra 222, 226, 228
 Baruah, Nagen 232, 233
 Baruah, Pulakesh 241
 Basnet, L.B. 789
 Basu, Anil 34
 Basu, Chitta 85, 92
 Basu, Jyoti 139, 156, 925, 926, 927, 928, 929, 931,
 932, 933, 934, 935, 936, 940, 941
 Basu, Keshab Chandra 926, 940
 Bavadekar, R.S. 571
 Bhabhra, Hari Shankar 159, 769-70, 772
 Bhadana, Kartar Singh 394
 Bhagat Singh 155, 156, 737, 738
 Bhagat, B.R. 22, 24, 27, 28
 Bhagwat, Vishnu 99, 105, 107
 Bhajan Lal 388, 389, 390, 391, 392, 393, 394, 397
 Bhandare, R.D. 571
 Bhandari, Nar Bahadur 149, 153, 778, 787, 788,
 789, 790
 Bhandari, Romesh 902, 903, 904
 Bhanuprakash Singh 331, 332
 Bhanupratap Singh 886
 Bharade, T.S. 140, 575, 586
 Bharadwaj, Ram Kishan 955
 Bhardwaj, Ramlal 297
 Bhargava, Gopi Chand 375
 Bharucha, Naushir C. 569, 570
 Bhati, Devi Singh 767
 Bhatt, Bipinchandra 358, 359
 Bhattacharjee, Buddhadeb 936, 937, 938, 939,
 940
 Bhattacharjee, Tarapada 223, 242
 Bhattacharyya, Ashok 846
 Bhattacharyya, Gaurisanar 225, 228, 229, 230,
 231, 242
 Bhattacharyya, Nani 84
 Bhavsinhji 343
 Bhikalal 886
 Bhim Singh 430
 Bhim Singh, Maharao 741
 Bhonsle, Babasaheb Anantrao 581
 Bhowmick, Manindralal 158, 843, 845, 851
 Bhutia, D.T. 789
 Biackchungnunga, K. 667
 Bidhuri, Ramvir Singh 958, 959, 960
 Biramani Singh, E. 616
 Birender Singh 394
 Bodh Chandra Singh, Maharaj Kumar 589
 Bommai, S.R. 281, 462
 Bora, Jiban 232
 Bora, Phani 222, 225, 226, 227, 242
 Bora, Premadhar 234, 235
 Borbora, Golap 232, 233, 235, 242, 243
 Border Roads Organisation (BRO) 391
 Border Security Force (BSF) 234
 Bordoloi, Gopinath 223
 Borobabu Singh, H. 153, 161, 162, 610, 612,
 616
 Bosu, Jyotirmoy 16, 22, 30, 31, 40, 45, 47, 49,
 51, 59, 64, 65, 66
 Brar, Gurnaib Singh 156, 737
 Brar, H.S. 713
 Bumsa, Khye 775
 Bundestag (Germany) 6

- Burman, Sudip Roy 850
 Burney, S.M.H. 846
 Business Advisory Committee
 Lok Sabha 18, 19
 Arunachal Pradesh 203
 Bihar 284, 285
 Goa 300
 Orissa 710
 Tripura 844
 Uttar Pradesh 900
 Business Advisory Council 143
 Bwiswmuthiary, S.K. 116
- Canadian, Darshan Singh 735
 Cardozo, Tomazinho 149, 158, 333, 334, 341
 Censure Motion
 Lok Sabha 15
 Assam 222
 Delhi Metropolitan Council 954-57,
 961-62
 Tami Nadu 811, 812, 815, 816, 817, 821,
 825-27
 France 5
 Central Bureau of Investigation (CBI) 94, 113,
 239, 509
 Central Reserve Police Force (CRPF) 234
 Central Vigilance Commission (CVC) 113, 114,
 115
 Centre-State Relations 77
 Chacko, P.T. 498
 Chakraborty, Ajoy 116
 Chakraborty, Nripendra 158, 833, 843, 844,
 845, 846, 847, 848, 851, 852
 Chakravarty, Renu 29
 Chakravorty, Debesh Chandra 241
 Chaliha, B.P. 222, 223, 224, 225, 227, 242
 Chand Rao, Chaudhary 387
 Chandra Shekhar 21, 22, 23, 24, 33, 36, 37, 39,
 41, 44, 46, 48, 50, 51, 80, 81, 82, 85, 89, 94,
 102, 107, 114
 Chandra, Jag Parvesh 954, 956, 957, 961-962
 Chandramani Singh, L. 607, 608, 613, 616, 617,
 618
 Chandravati 389, 390
 Chandre Gowda, D.B. 464, 465
 Chandy, K.M. 543
 Chanpuria 535
 Chaoba, Kh. 161, 606
 Chaoba Singh, Th. 609
 Charan Singh, Ch. 21, 23, 24, 31, 35, 37, 39, 40,
 44, 46, 47, 50, 52, 70, 71, 153, 888, 889,
 890, 891, 892, 894, 908, 910
 Chatrath, Gopal Krishan 738
 Chatterjee, Kripa Shankar 275, 278
 Chatterjee, N.C. 22, 29, 38, 40, 42, 47, 49, 51,
 55-56
 Chatterjee, Somnath 79, 80, 82, 86, 89, 92, 94,
 97, 101, 105
 Chattopadhyay, Sobhandeb 935
 Chaturvedi, Lalit Kishore 767
 Chaturvedi, Satish 584
 Chaudhari, Amarsinh 368, 369, 371, 372, 373,
 Chaudhary, Fateh Singh 960
 Chaudhary, Yashwant Kumar 272
 Chauhan, Chhattar Singh 394, 397
 Chauhan, Daulat Ram 411
 Chautala, Ajay Singh 116
 Chautala, Om Prakash 100, 153, 392, 393, 394,
 395, 396, 397, 398
 Chavan, S.B. 578, 581
 Chavan, Y.B. 31, 38, 40, 43, 45, 47, 49, 51, 63,
 65, 67, 68, 70, 570, 571, 572
 Chawngliana, Kenneth 670
 Chazhikattu, Joseph 156-57, 492, 493
 Cheema, Sarwan Singh 738
 Chellapandian, S. 829
 Chhunga, Ch. 657, 666, 670
 Chidambaram, P. 92, 97, 102, 107
 Chishi, K.L. 689
 Chongshen, C. 689
 Choubey, Lal Muni 278
 Choubey, Ravindra 297
 Choudhary, Mahendra Mohan 223, 225, 228,
 229, 241, 242
 Choudhary, Rajendra Singh 896, 909
 Choudhury, Nabakrushna 134, 142,

- Balayogi, G.M.C. 22, 24, 27, 28, 103, 109
 Baldev Prakash 732
 Baliga, Vaikunta, 468
 Balwan Singh 886
 Banarsi Das 888, 895, 909
 Banatwalla, G.M. 107-08, 116
 Bandhu, Deep Chand 958, 959, 962, 963
 Bandodkar, Dayanand B. 140, 142, 153, 317,
 318, 319, 320, 322, 323, 324, 325, 339, 340
 Banerjee, A.N. 416
 Banerjee, Mamata 33, 101, 106, 114
 Banerjee, Pankaj 936, 937, 938, 939, 940, 941
 Banerjee, Sankar Das 925, 928, 940
 Banerji, S.K. 325
 Bang, Ramesh Chandra 583
 Bangarappa, S. 153, 461, 463, 464, 469
 Banai Lal 153, 376, 387, 388, 390, 393, 397, 398
 Baokhohang 161
 Bapuli, Satya Ranjan 931
 Barbosa, Luis Proto 153, 328, 329, 330, 341
 Barnala, Surjit Singh 94, 102, 107, 735, 853, 859
 Barooh, Ramesh Chandra 241
 Barua, Dulal Chandra 222, 226, 228
 Baruah, Nagen 232, 233
 Baruah, Pulakesh 241
 Basnet, L.B. 789
 Basu, Anil 34
 Basu, Chitta 85, 92
 Basu, Jyoti 139, 156, 925, 926, 927, 928, 929, 931,
 932, 933, 934, 935, 936, 940, 941
 Basu, Keshab Chandra 926, 940
 Bavadekar, R.S. 571
 Bhabhra, Hari Shankar 159, 769-70, 772
 Bhadana, Kartar Singh 394
 Bhagat Singh 155, 156, 737, 738
 Bhagat, B.R. 22, 24, 27, 28
 Bhagwat, Vishnu 99, 105, 107
 Bhajan Lal 388, 389, 390, 391, 392, 393, 394, 397
 Bhandare, R.D. 571
 Bhandari, Nar Bahadur 149, 153, 778, 787, 788,
 789, 790
 Bhandari, Romesh 902, 903, 904
 Bhanuprakash Singh 331, 332
 Bhanupratap Singh 886
 Bharade, T.S. 140, 575, 586
 Bharadwaj, Ram Kishan 955
 Bhardwaj, Ramlal 297
 Bhargava, Gopi Chand 375
 Bharucha, Naushir C. 569, 570
 Bhati, Devi Singh 767
 Bhatt, Bipinchandra 358, 359
 Bhattacharjee, Buddhadeb 936, 937, 938, 939,
 940
 Bhattacharjee, Tarapada 223, 242
 Bhattacharyya, Ashok 846
 Bhattacharyya, Gaurisanar 225, 228, 229, 230,
 231, 242
 Bhattacharyya, Nani 84
 Bhavsinhji 343
 Bhikalal 886
 Bhim Singh 430
 Bhim Singh, Maharao 741
 Bhonsle, Babasaheb Anantrao 581
 Bhowmick, Manindralal 158, 843, 845, 851
 Bhutia, D.T. 789
 Biackchungnunga, K. 667
 Bidhuri, Ramvir Singh 958, 959, 960
 Biramani Singh, E. 616
 Birender Singh 394
 Bodh Chandra Singh, Maharaj Kumar 589
 Bommai, S.R. 281, 462
 Bora, Jiban 232
 Bora, Phani 222, 225, 226, 227, 242
 Bora, Premadhar 234, 235
 Borbora, Golap 232, 233, 235, 242, 243
 Border Roads Organisation (BRO) 391
 Border Security Force (BSF) 234
 Bordoloi, Gopinath 223
 Borobabu Singh, H. 153, 161, 162, 610, 612,
 616
 Bosu, Jyotirmoy 16, 22, 30, 31, 40, 45, 47, 49,
 51, 59, 64, 65, 66
 Brar, Gurtaib Singh 156, 737
 Brar, H.S. 713
 Bumsa, Khye 775
 Bundestag (Germany) 6

- Burman, Sudip Roy 850
 Burney, S.M.H. 846
 Business Advisory Committee
 Lok Sabha 18, 19
 Arunachal Pradesh 203
 Bihar 284, 285
 Goa 300
 Orissa 710
 Tripura 844
 Uttar Pradesh 900
 Business Advisory Council 143
 Bwiswmuthiary, S.K. 116
- Canadian, Darshan Singh 735
 Cardozo, Tomazinho 149, 158, 333, 334, 341
 Censure Motion
 Lok Sabha 15
 Assam 222
 Delhi Metropolitan Council 954-57,
 961-62
 Tami Nadu 811, 812, 815, 816, 817, 821,
 825-27
 France 5
 Central Bureau of Investigation (CBI) 94, 113,
 239, 509
 Central Reserve Police Force (CRPF) 234
 Central Vigilance Commission (CVC) 113, 114,
 115
 Centre-State Relations 77
 Chacko, P.T. 498
 Chakraborty, Ajoy 116
 Chakraborty, Nripendra 158, 833, 843, 844,
 845, 846, 847, 848, 851, 852
 Chakravarty, Renu 29
 Chakravorty, Debesh Chandra 241
 Chaliha, B.P. 222, 223, 224, 225, 227, 242
 Chand Rao, Chaudhary 387
 Chandra Shekhar 21, 22, 23, 24, 33, 36, 37, 39,
 41, 44, 46, 48, 50, 51, 80, 81, 82, 85, 89, 94,
 102, 107, 114
 Chandra, Jag Parvesh 954, 956, 957, 961-962
 Chandramani Singh, L. 607, 608, 613, 616, 617,
 618
 Chandravati 389, 390
 Chandre Gowda, D.B. 464, 465
 Chandy, K.M. 543
 Chanpuria 535
 Chaoba, Kh. 161, 606
 Chaoba Singh, Th. 609
 Charan Singh, Ch. 21, 23, 24, 31, 35, 37, 39, 40,
 44, 46, 47, 50, 52, 70, 71, 153, 888, 889,
 890, 891, 892, 894, 908, 910
 Chatrath, Gopal Krishan 738
 Chatterjee, Kripa Shankar 275, 278
 Chatterjee, N.C. 22, 29, 38, 40, 42, 47, 49, 51,
 55-56
 Chatterjee, Somnath 79, 80, 82, 86, 89, 92, 94,
 97, 101, 105
 Chattopadhyay, Sobhandeb 935
 Chaturvedi, Lalit Kishore 767
 Chaturvedi, Satish 584
 Chaudhari, Amarsinh 368, 369, 371, 372, 373,
 Chaudhary, Fateh Singh 960
 Chaudhary, Yashwant Kumar 272
 Chauhan, Chhattar Singh 394, 397
 Chauhan, Daulat Ram 411
 Chautala, Ajay Singh 116
 Chautala, Om Prakash 100, 153, 392, 393, 394,
 395, 396, 397, 398
 Chavan, S.B. 578, 581
 Chavan, Y.B. 31, 38, 40, 43, 45, 47, 49, 51, 63,
 65, 67, 68, 70, 570, 571, 572
 Chawngliana, Kenneth 670
 Chazhikattu, Joseph 156-57, 492, 493
 Cheema, Sarwan Singh 738
 Chellapandian, S. 829
 Chhunga, Ch. 657, 666, 670
 Chidambaram, P. 92, 97, 102, 107
 Chishi, K.L. 689
 Chongshen, C. 689
 Choubey, Lal Muni 278
 Choubey, Ravindra 297
 Choudhary, Mahendra Mohan 223, 225, 228,
 229, 241, 242
 Choudhary, Rajendra Singh 896, 909
 Choudhury, Nabakrushna 134, 142.

- 706, 707, 717, 718
 Choudhury, Samar 849
 Chowna Mein 202
 Collective Responsibility 3-7
 Australia 4-5
 Canada 4
 France 5
 Germany 6-7
 India 11-19, 20
 Japan 5-6
 United Kingdom 3-4
 Commonwealth Heads of
 Government Meeting (CHOGM) 326
 Composite Floor-Test 149, 151, 862, 902,
 903-05, 908, 909, 910
 Condpan, Silvius 239, 240, 242
 Constitution of India
 Article 51, 63
 Article 74, 118
 Article 75, 11, 14, 20, 118-19, 131
 Article 163, 119
 Article 164, 119, 131
 Article 179, 819
 Article 180, 819
 Article 208, 131, 164, 434
 Article 239, 964
 Article 333, 793
 Article 356, 93, 233, 271, 363
 Article 361, 893
 Article 370, 103
 Article 371(a), 671
 Eighth Schedule, 116
 de Sequeira, Jack 157, 158, 317, 318, 319, 320,
 321, 322, 323, 324, 339
 D'Souza, Simon Peter 328, 331
 D'Souza, Wilfred 153, 158, 331, 332, 333, 334,
 335, 336
 Dabi, Tako 200
 Dal Singh 387
 Damle, K.R. 320
 Dandavate, Madhu 32, 73, 82
 Dang, Satya Pal 735, 736
 Darbara Singh 153, 155, 156, 737, 738, 739, 740
 Das, Ashok Kumar 715, 716, 717
 Das, B.S. 776
 Das, Banamali 711
 Das, Hemen 235
 Das, Mohi Kanta 226, 241
 Das, Nanda Kishore, 717
 Das, Prafulla Kumar 159, 845, 852
 Das, Rabindra Mohan 711
 Das, Ram Sunder 275, 276, 277 288
 Das, Vishwanath 868
 Dash, Prasanna Kumar 709, 710, 712
 Dasmunsi, Priya Ranjan 94
 Daulat Ram 411
 Dave, P.K. 958
 Deb, Dasaratha 849, 852
 Deb, Sarat 714
 Debbarma, Rabindra 850, 851
 Demo, P. 612, 683
 Deo, P.K. 30
 Deopura, Heeralal 767, 772
 Departmentally Related Standing Committees
 93
 Desai, D.S. 580
 Desai, Dattaram 319
 Desai, Hitendrabhai 358, 359, 360, 361, 362, 373
 Desai, Makrand 365
 Desai, Morarji 21, 22, 23, 31, 35, 37, 38, 43, 47,
 51, 62, 63, 67, 68, 69, 70, 142, 553, 569,
 570, 588
 Deshmukh, D.A. 569
 Deshmukh, G.A. 578
 Deshmukh, Vilasrao 584, 585, 586, 588
 Deshpande, R.V. 465, 467, 469
 Deshprabhu, Jitendra 338
 Dev, Sontosh Mohan 85
 Deve Gowda, H.D. 21, 23, 24, 33, 35, 36, 37, 41,
 44, 46, 48, 50, 91, 92, 93, 94, 95, 96, 107,
 115, 465, 466, 469
 Devi Lal 80, 82, 387, 732
 Devi, Kartar 395
 Devi, Rama 417
 Devi, Shanno 733

- Dhabaria, Umrao Singh 761
 Dhananjoy Singh, S. 153, 614, 616
 Dharam Singh 896
 Dhillon, G.S. 16, 24, 27, 28, 30, 31, 64
 Dhool Singh 764
 Dhulup, K.N. 140, 571, 573, 574, 575, 576, 586
 Dhumal, Prem Kumar 153, 417, 418, 419, 420
 Dhuvana, Kapoor Chand 538, 539, 541, 542
 Diet (Japan) 5
 Dighe, Sharad 153
 Digvijay Singh 141, 546, 547, 548, 549
 Dikahit, Sheila 960, 961, 962
 Directive Principles of State Policy 63
 Divakaran, T.K. 494
 Dolo, Kameng 202
 Dorendra Singh, R.K. 161, 608, 609, 611
 Dorji, Kazi Lhendup 776
 Dubey, Bindehwari 279, 280, 288, 289
 Dubey, Kunji Lal 140, 528, 529, 549
 Dubey, Raja Yadavendra Dutt 880, 884, 885
 Dudani, S.N. 279
 Dutta, Gadadhar 709
 Dwivedy, S.N. 29, 38, 40, 42, 45, 47, 49, 55, 56

 Edmund, G.R. 823
 Election Commission 64, 233, 239
 Emergency (1975-1977) 66, 68, 364
 Ering, Ninong 204
 Ete, Tumpak 191
 Ezung, E.T. 691

 Faleiro, Luizinho 151, 326, 327, 335, 336, 337
 Farook, M.O.H. 979, 980, 981, 982
 Fateh Singh 955
 Fazal Mohammed 585
 Fernandes, Dominic 330
 Fernandes, George 30, 32, 33, 38, 40, 43, 45, 47,
 49, 68, 72, 73, 74, 89, 99, 101, 106, 114, 115,
 117
 Fernandes, Tony 318
 Fernandes, Victoria 335
 Fugro, N.S. 324

 Gaekwad, Maharaja Sayajirao 343
 Gamang, Giridhar 109
 Ganapathy, V.M.C.V. 983, 985, 988
 Gandhi, Indira 16, 21, 22, 23, 30, 32, 35, 37, 38,
 42, 43, 47, 58, 59, 60, 61, 62, 63, 64, 66, 72,
 74, 75, 76, 108, 388, 825
 Gandhi, Mahatma 360, 534
 Gandhi, Maneka 116
 Gandhi, Maneklal 363
 Gandhi, Rajiv 21, 23, 32, 33, 35, 37, 38, 43, 47,
 76, 77, 80, 98, 768, 769
 Gandhi, Sonia 34, 38, 40, 43, 45, 47, 49, 109,
 112, 113, 117
 Ganga Singh 742
 Gangadharan, V. 153
 Garg, R.S. 290
 Gaur, N.K.S. 904
 Gaya Prasad 886
 Genda Singh 884
 Ghia, Kantilal 362
 Ghosh, P.C. 925
 Gill, Pratap Singh 326
 Girdhari Lal 890
 Giri, V.V. 271, 496
 Girme, K.T. 574
 Gnanasigamoni, D. 473
 Goel, Charti Lal 958, 959, 962
 Gogoi, Bhadeshwar 225
 Gogoi, Bhadrakanta 222
 Gogoi, Jiba Kanta 237, 241
 Gogoi, Keshab Chandra 234, 235, 242, 243
 Gogoi, Pramode 232, 235, 238
 Gogoi, Tarun 240, 241, 242
 Golden Quadrilateral Project 115
 Gopal Singh 743
 Gore, Mrinal 581
 Goswami, Atul 222, 233, 234
 Goswami, Brindaban 240
 Goswami, Dineah 77
 Goswami, Hareswar 241
 Goswami, L.P. 222, 223
 Goubert, E. 966, 979, 988, 989
 Gouri, K.R. 500

- Govind Narain 461, 462
 Govindan, Pulavar K. 829
 Goyel, Purushottam 954, 962
 Gracias, Radharao 332
Green Revolution 77
 Guha, Samar 30
 Gujarathi, Arunlal 585, 586
 Gujral, I.K. 21, 23, 33, 36, 37, 39, 41, 44, 46, 48, 50, 96, 97, 98
 Gulam Sarwar 153, 281, 282, 288
 Gundu Rao, R. 461, 470
 Gupta, Chandra Bhanu 142, 879, 882, 883, 884, 885, 888, 889, 890, 908, 910
 Gupta, Indrajit 73, 80, 84, 86, 89, 94, 102, 106
 Gupta, K.L. 30, 31, 38, 40, 42, 45, 47, 49, 59, 61, 63, 64
 Gupta, Laxminarain 535
 Gupta, Om Prakash 770
 Gupta, Rajendra 960
 Gumam Singh 731, 732-733, 733, 734, 739, 740
 Gurucharan Singh 732
 Gurung, B.B. 778
 Gurusamy, N. 980
- Hadem, H. 642
 Haji, K. Moideenkutty 511
 Haji, Sheikh Hassan Haroon 153, 330, 331
 Haldipur, R.N. 191
 Halim, Hashim Abdul 140, 156, 928, 930, 931, 932, 936, 940
 Harbans Lal 733, 739
 Hathi, Jaisukhlal 388
 Havanur, L.G. 462
 Hayat, Sikander 375
 Hazarika, Jogendra Nath 232, 233, 242
 Hazarika, M.N. 222
 Hazela, K.S. 154, 758
 Hegde, K.S. 22, 24, 27, 28
 Hegde, Ramakrishna 102, 460, 462, 463, 467, 469, 470
 Hipei 670
 Hooda, Bhupinder Singh 396
 Hoover Hynniewta 224
- Horo, N.E. 276
 Hossain, Motahar 931
 House of Commons
 Canada 4
 U.K. 13
 House of Lords
 U.K. 4
 House of Representatives
 Australia 4
 Japan 5, 6
 Huda, Shamsul 222
 Hukam Singh 14, 15, 22, 24, 27, 28, 764
 Husain, Zakir 266
- Ibobi Singh, Okram 615, 617
 Ibohal Singh, M. 607
 Imchalemba Ao 682
 Imsong, Suzumar 682
 Inder Singh 411
 Indian Space Research Organisation (ISRO) 509
Indira Awas Yojna 287, 934
 Integrated Rural Development Programme (IRDP) 934
 International Monetary Fund (IMF) 74
 Ishwar Singh 392
 Ishwari Singh 743
 Itoo, Wali Mohd. 430, 431, 432
 Iyer, V.R. Krishna 808
- Jacob, J.F.R. 333, 336, 337
 Jacob, M.M. 647, 648
 Jadeja, Manoharsinhji 588
 Jadhav, Bhaskar 584
 Jaffer Sharief 466
 Jagadambika Pal 151, 152, 903, 904, 905, 909, 910
 Jagannath Prasad 908
 Jagdeo Prasad 268
 Jagdish Mukhi 960, 961, 962, 963
 Jagivan Ram 65, 66, 68
 Jagmohan 431, 956
 Jain Commission 98
 Jain, Pushpa 767

- Jaiswal, Anant Ram 891, 893
 Jakhar, Bal Ram 17, 22, 24, 27, 28, 32, 73
 Jamir, S.C. 686, 687, 688, 689, 690, 691
 Jamoh, Tobar 202
 Janakiraman, R.V. 986, 987
 Janardhanan, C.G. 496, 511, 512
 Janarthanan, K.M.R. 100
 Jasokie, J.B. 686, 687
 Jaswant Singh 33, 38, 40, 43, 45, 47, 49, 84, 85,
 89, 92, 93, 759
 Jatti, B.D. 444, 469
Jawahar Rojgar Yojna 934
 Jayalithaa, J. 99, 100, 105
 Jha, A.N. 955
 Jha, Binoda Nand 266, 267, 288
 Jha, Radha Nandan 277, 288
 Jha, Radhanath 707
 Jha, Raghu Nath 279, 281, 283, 284, 285
 Jha, S.C. 30
 Jha, Shiv Chandra 288
 Jhalmi, Kaashinath G. 327, 328, 329, 330, 331,
 332, 335
 Joga, Jangir Singh 732, 735
 Jogi, Ajit 290, 291, 295, 296, 297, 298
 John, A.J. 134, 148, 149, 153, 490, 491, 510
 John, Baby 505
 Joint Parliamentary Committee (JPC) 99
 Joint Working Group against Terrorism 113
 Jose, A.C. 142, 505, 511, 512
 Joshi, Shamsher Singh 735
 Joshi, Dau Dayal 767
 Joshi, Harideo 745, 768, 769, 770
 Joshi, Kailash 134, 536, 537, 538, 543, 544, 545,
 549
 Joshi, Manohar 22, 24, 27, 28, 112, 583, 586,
 588
 Joshi, Murlī Manohar 89, 102
 Joshi, Narottam Lal 154, 745, 772
 Joshi, S.M. 569
 Joy Singh, O. 610, 614, 616, 617
 Jugal Kishore 881
 Jung, Ali Yavar 577
 Kachwai, H.C. 30
 Kadian, Satbir Singh 397
 Kairon, Pratap Singh 375, 731, 732, 739, 740
 Kakodkar, Shashikala 325, 339
 Kaliita, Govinda 228
 Kalka Dass 957, 962
 Kalpnath Singh 893
 Kalyan Singh 151, 899, 900, 902, 903, 904, 905,
 908, 909
 Kamala Singh 886
 Kamaraj, K. 809, 811, 830
 Kamaraj Plan 267
 Kamat, Gopal Apa 153, 157, 321, 322, 324, 339
 Kanan, Motilal 272
 Kandasamy, M. 987, 988
 Kankeyan, A.S. 966
 Kannamwar, M.S. 572, 587, 588
 Kannan, P. 153, 983, 984, 985, 986, 988
 Kanthi, K. 982
 Kanthi, S.R. 444, 457
 Kanungo, Nityanand 269, 270
 Kanwal Singh 395
 Kapoor, Krishan 418
 Kar, Sarat Kumar 717
 Karan Singh 388, 422
 Karunakaran K. 142, 502, 503, 504, 505, 506,
 507, 509, 510, 511, 512
 Karunanidhi, M. 141, 150, 151, 153, 814, 815,
 816, 817, 818, 820, 821, 822, 823, 824, 825,
 826, 827, 830, 831
 Kasliwal, Gulab Chand 758
 Kataria, Gulab Chand 767
 Katju, K.N. 514, 528
 Kedar Nath 745, 768
 Keishang, Rishang 140, 149, 153, 160, 161, 162,
 609, 610, 612, 613, 616, 617, 618
 Kesri, Sitaram 86, 94
 Kesavan, C. 473, 490
 Kesavan, N. 986
 Kewal Krishan 735, 739
 Khaire, Chandrakant 115
 Khalap, Ramakant D. 326, 328, 329, 330, 332
 Khan, A. Rahman 829

- Khan, Aminuddin Ahmed 414
 Khan, Barkatullah 764, 765
 Khan, Khurshad Alam 329, 330
 Khan, Kunwar Mahmood Ali 545
 Khan, Mohammad Azam 907
 Khan, Shabir Ali 533
 Kharbuli, Upstar 621, 635
 Kharge, Mallikarjuna 468, 469
 Kharshiing, Robert 645
 Kher, A.G. 140, 880, 882, 883, 893, 908
 Kher, B.G. 553
 Khet Singh 767
 Khieya, K. 682
 Khonglam, F.A. 163, 651, 652
 Khongwir, S.D. 641
 Khurana, Madan Lal 954, 956, 958, 959, 962
 Khurana, S.L. 828
 Kidwai, A.R. 279
 Kirtikar, Gajanan 583
 Kito Sora 204
 Kohl, Helmut 7
 Kojam, Radhabinod 149, 614, 615, 617
 Koireng Singh, M. 140, 590, 606, 606-607, 615, 617
 Korbar Singh 641, 642, 643
 Koshiyari, Bhagat Singh 853
 Kothari, Hira Lai 743
 Kothawale 457
 Koujalagi, V.S. 465
 Kovai Chezhiyan 823, 824
 Koya, C.H. Mohammed 511
 Kripalani, J.B. 21, 22, 29, 38, 39, 40, 42, 45, 47, 49, 51, 53, 54
 Kripalani, Sucheta 141, 884, 885, 886, 887, 888, 908
 Krishan Kant 184
 Krishna, S.M. 153, 464-65, 468
 Krishnakumarsinhji 343
 Kull, Ramesh Mohan 235
 Kulkarni, B.T. 981
 Kumar Singh, M. 618
 Kumaramangalam, P.R. 103
 Kunju, P.K. 498
 Kunte, D.K. 569, 570
 Kurup, M. Narayana 807
 Kutum, Ganesh 239, 240, 241
 Kyndiah, P.R. 149, 151, 153, 643, 644, 645, 653, 654, 655
 Lakhani, Shashikant 373
 Lal Thanhawla 666, 667, 668, 669, 670
 Lal, Mukut Behari 761
 Laldenga 656, 667, 668, 670
 Lalhingthanga, 667, 669
 Laloo Prasad 102, 104, 153, 281, 282, 283, 284, 285, 286, 288, 289
 Laloo, R.C. 646
 Lanong, B.M. 641
 Lapang, D.D. 150, 151, 639, 640, 645, 646, 648, 649, 651, 652, 654
 Latchanna, Gouthu 165, 178, 181, 187, 188
 Latheef, M.A. 825
 Latif, I.H. 581
 Law Commission 11, 12
 Laxman Singh, Maharawal 761, 762, 763, 765, 766, 773, 774
 Leuva, Raghavji 372
 Limaye, Madhu 15, 16, 21, 30, 31, 38, 40, 42, 43, 45, 47, 49, 58, 59, 61, 62, 64
 Limboo, Sanchaman 787, 788, 789, 790
 Lodha, Guman Mal 745
 Lohia, Rammanohar 15
 Lone, A.G. 430
 Lyngdoh, A.H. Scott 646
 Lyngdoh, B.B. 140, 149, 151, 636, 637, 638, 639, 641, 643, 644, 645, 648, 649, 650, 653, 654
 Lyngdoh, Hopingstone 639, 643, 649
 Lyngdoh, R.G. 162, 651
 Lyngdoh, R.S. 621, 636, 637, 653
 Maderna, Parsh Ram 766, 771
 Madhok, Balraj 30, 38, 40, 42, 45, 47, 49, 59, 61, 62
 Mahabir Prasad 393
 Mahajan, Des Raj 400, 419

- Mahanta, P.K. 141, 235, 236, 237, 238, 239, 240, 242
 Mahapatra, Nityananda 709
 Maharashtra Elkikarana Samithi (MES) 467
 Mahato, Tekial 434
 Mahi Lal 892
 Mahipal Singh 366
 Mahtab, Harekrushna 706
 Mahtha, Rameshwar Prasad 264
 Mahto, Anand 276
 Mahto, Ghanashyam 276, 277
 Majaw, M.N. 635, 637, 638
 Majhi, Prithibi 242
 Majumdar, Apurbalal 940
 Majumdar, Manoranjan 847
 Majumdar, Sudhir Ranjan 846, 847, 848, 849, 851, 852
 Malhotra, V.K. 955, 962
 Mallick, Prahalad 713
 Mamani, C.M. 466
 Man Singh, Raja 759
 Mandal Comnisaion 80
 Mandal, Bindeshwari Prasad 267, 269, 270, 283, 288
 Mandal, Dhanik Lal 268, 288, 390
 Mandal, Ram Narain 271, 288
 Mandal, Sanat Kumar 116
 Mandloi, B.A. 529, 530
 Manihar Singh, Ch. 610
 Manjooran, John 502
 Manmohan Singh 85, 86
 Mann, Simranjit Singh 116
 Manohar Singh 745
 Mansingh 742
 Marak, C.B. 648
 Marak, Chamberlain 644
 Marak, Clifford R. 649
 Marak, E.D. 153, 162, 163, 648, 650, 651, 652, 653
 Marak, S.C. 153
 Marak, Salsang C. 646, 647, 648
 Maran, Murasoli 89, 105
 Marandi, Babulal 434, 435, 439
 Marandi, Stephen 435, 439
 Marbaniang, P.G. 653
 Marimuthu, A.R. 817, 822, 824
 Marwah, Ved Prakash 615
 Masani, M.R. 29, 38, 40, 42, 45, 47, 49, 55, 56, 57
 Mata Prasad 201
 Mathiazhagan, K.A. 811, 817, 818, 819, 829, 830
 Mathur, Mathura Das 766
 Mathur, N.P. 666
 Mathur, Shiv Charan 765
 Maurya, Swami Prasad 907
 Mavalankar, G.V. 22, 24, 27, 28
 Mawlong, E.K. 140, 142, 153, 162, 638, 642, 643, 644, 645, 647, 648, 649, 650, 651, 653, 654, 655
 Mayawati 106, 151, 153, 160, 900, 901, 902, 906, 907, 908, 910
 Mayekar, G.G. 321
 Mazumdar, Abdul Muhib 235, 236
 Medhi, Bishnu Ram 223
 Meena, Nandalal 767
 Meetha Lal 745
 Meghraj Tawad 767
 Meghwal, Kailash 771
 Mehra, Brij Bhushan 153, 155, 737, 739
 Mehra, O.P. 581, 768
 Mehrotra, Prakash 234, 640
 Mehta, Baidyanath 276
 Mehta, Balwantraj 357, 358, 373
 Mehta, Chhambaldas 369
 Mehta, Jivraj Narayan 344, 357, 373
 Mehta, Manohar Singh 764, 765
 Mehta, Rooplal 376, 398
 Mehta, Sureshchandra 367, 370
 Menon, C. Achutha 153, 473, 496, 497, 498, 499, 500, 501, 502, 503, 511, 512
 Menon, Panampilli Govinda 156, 490, 492, 493, 494, 495
 Meyer, Brahamdutt 886
 Mir Qasim 430
 Mirdha, Nathu Ram 768

- Mirdha, Ram Niwas 761, 768, 772
 Mishra, Chaturanan 275, 276, 277
 Mishra, D.P. 530, 531, 532, 533, 534, 549
 Mishra, Hari Nath 273, 288
 Mishra, Jagannath 274, 277, 278, 279, 282, 288
 Mishra, L.N. 65
 Mishra, Lok Nath 237
 Mishra, Rajmangal 277
 Mishra, Shripati 891, 896, 908, 909
 Mishra, Shyamnandan 16, 30, 68
 Misra, Nandakishore 711, 712, 717
 Mithi, Mukut 149, 200, 201, 202, 203, 204, 205, 206
 Mitra, Biren 155, 707, 709, 710, 718
 Mitra, V.K. 274
 Modi, Indra Nath 154, 745, 758, 759, 773
 Modi, Narendra 133, 372
 Modi, Sushil Kumar 282, 285, 287, 289
 Mody, Piloo 30
 Mohammad, Sheikh Chand 232, 233, 235, 241
 Mohámmad, Bakshi Ghulam 148, 422, 430, 432, 433
 Mohan Lal 731, 732
 Mohanty, Braj Mohan 712
 Mohanty, Satyapriya 713, 717
 Moideen Kunju 473
 Moily, Veerappa 465, 469
 Momin, B.G. 640, 641
 Momin, F.W. 650
 Mondal, A.T. 163, 651, 652, 653
 Montague-Chelmsford Reforms, 1919, 551, 619, 791
 Morley-Minto Reforms, 1909, 551
 Mukherjee, Ajoy Kumar 927, 940, 941
 Mukherjee, H.N. 29, 38, 40, 42, 45, 47, 49, 58, 59, 60
 Mukherjee, Samar 31, 32, 40, 45, 47, 64, 65, 72, 74
 Mukherjee, Subrata 929
 Mukherjee, Sunil 274
 Mukhopadhyay, Ajoy 22, 33, 38, 40, 43, 45, 47, 49, 51, 84, 86
 Mulani, Himmatlal 373
 Mullick, Asutoah 928
 Munde, Gopinath 582, 583
 Munu Adhi 825, 826, 829
 Muthaiah, S.R. 104
 Myllemngep, G. 642
 Nadar, Ponnappa 817
 Nagireddy, T. 165
 Nahar, Bijoy Singh 928
 Naidu, N. Chandrababu 151, 183, 184, 185, 187, 188
 Naidu, Padmaja 925
 Naik, Ali Mohammed 160, 431
 Naik, Anant N. 325
 Naik, Ravi 329, 330, 331, 332
 Naik, Sudhakarao 582
 Naik, V.P. 139, 572, 573, 574, 575, 576, 577, 578, 586, 587
 Nair, N. Sreekantan 490
 Nalawade, D.S. 586
 Nallasivam, K.R. 809
 Namboodiripad, E.M.S. 499, 500
 Namdhari, Inder Singh 278, 434
 Namgyal, Palden Thondup 775
 Namgyal, Phutsog 775
 Namgyal, Tashi 775
 Nanda, Gulzari Lal 35, 53, 55
 Nanjundaswamy, M.D. 465
 Naqvi, Mukhtar Abbas 105
 Narayanan, K.R. 98, 99, 109, 111, 285
 Narvekar, Dayanand G. 328
 Nath, Jyotirmoy 851
 National Assembly (France) 5
 National Commission to Review the Constitution 12
 National Thermal Power Corporation (NTPC) 392
 Natwar Singh, K. 107
 Nayak, Brundaban 713
 Nayak, Laxmi Naryan 537
 Nayanar, E.K. 504, 506, 507, 508, 511
 Nayar, V.K. 611
 Nedunchezhiyan, V.R. 813, 814, 818, 819, 828

- Neelam Thoram 202
 Negi, Jagmohan 886
 Negi, Thakur Sen 411, 412, 413, 419, 420
 Nehru, B.K. 229, 430, 683, 833
 Nehru, Jawaharlal 13, 21, 23, 29, 35, 37, 38, 42,
 47, 51, 53, 54, 56
 Neiba Nandang 690, 691
 Nevalkar, M.S. 537
 Ngulkhohao 609
 Ngullie, T.A. 684, 689
 Ngurdawla, Joe 667
 Nihal Ahmed 580
 Nijalingappa, S. 444, 457, 458, 459, 460, 469,
 890
 Nilangekar, Shivajirao Patil 581
 Nipamacha Singh, W. 153, 613, 614, 616, 617,
 618,
 Nitish Kumar 286, 288, 289
 Nizamuddin, Kazi 854, 858
 No-Day-Yet-Named Motions 15
 Noora 766
 North East Frontier Agency (NEFA) 54, 189
 Notung, Hari 203
 Nurul Hasan, S. 931
 Nyiahi Elite Society 201
- Ojha, D.P. 287
Operation Vijay 113
 Owaisi, Sultan Salahuddin 34, 116
 Oza, Ghanashyambhai 362
- Padmarajan, C.V. 506
 Pahadia, Jagannath 766, 767
 Paikray, Gangadhar 711, 712, 713
 Pal, Heera Singh 411
 Palaniswami, N.K. 823
 Palejwala, Fatehali 372-373
 Paliengar, S.M. 319
 Paliwal, Krishnadutt 879, 880, 883, 910
 Paliwal, Navneet Kumar 766
 Paliwal, Tikaram 134, 152, 154, 745, 758, 759,
 773
 Palkhiwala, Manubhai 373
- Panchsheel* 54
 Pande, B.D. 928
 Pandey, K.P. 549
 Pandey, Kedar 273, 288
 Pandey, Rajaram 902
 Pandey, Rajmangal 895, 909
 Pandey, V.C. 202, 204
 Pandian, P.H. 828, 829
 Panigrahi, Lingaraj 155, 707, 717
 Pant, Prakash 853
 Parambithara, Alexander 511
 Paras Ram 411
 Parijat, Ph. 609
 Parikh, Dilip 369, 370, 373, 374
 Parmar, Y.S. 400, 411, 412, 413
 Parrikar, Manohar 335, 337, 338
 Paswan, Ram Vilas 31, 73, 94, 116
 Patasker, H.V. 529
 Patel, Babubhai Jashbhai 363, 364, 374
 Patel, Bhailalbhai 357, 358, 360, 373
 Patel, C.D. 366, 367
 Patel, Chimanbhai 153, 362, 363, 366, 367, 373,
 374
 Patel, H.M. 30, 360, 361, 362, 373, 374
 Patel, Harihar 708, 709
 Patel, Harishchandra 368, 369, 373
 Patel, J.H. 141, 153, 465, 466, 467, 468, 469, 470
 Patel, Keshubhai 153, 367, 368, 370, 371, 373,
 374
 Patel, Vallabhbai 364
 Patil, D.B. 577, 586, 587
 Patil, Rohidas 585
 Patil, S.K. 60
 Patil, Shivraj V. 22, 24, 27, 28, 94
 Patil, Vasantrao B. 578, 579, 581
 Patil, Veerendra 461, 463, 469
 Patnaik, Biju 68, 154, 707, 708, 709, 717
 Patnaik, J.B. 714, 715, 716, 717
 Patnaik, Naveen 103, 108, 716
 Patwa, Sunderlal 159, 160, 538, 539, 540, 541,
 542, 545, 545, 546, 549
 Patwari, Prabhudas 824
 Pavate, D.C. 735

- Pawar, Sharad 89, 97, 101, 104, 579, 581, 582, 586, 587
- Pillai, J. Sivashanmugam 807, 829
- Pillai, K.P. Nilkantha 153, 510
- Pillai, Pattom Thanu 140, 153, 156, 492, 493, 494, 495, 496, 510, 511, 512
- Pillai, S.C.C. Anthony 809
- Pimenta, Enio 318
- Planning Commission 57, 238
- Pohrmen, J.D. 645, 646
- Poonacha, C.M. 714
- Potti, D. Damodaran 473, 500, 511
- Prabhakar, Hanuman Prasad 767
- Prabhat Kumar 434, 439
- Prabhunath Singh 105
- Prabodh Chandra 732, 733, 739
- Pradhan Mantri Gram Sadak Yojna* 115
- Pradhan, Amar Roy 116
- Pradhan, S.K. 787
- Pradhan, Suresh 712
- Pradhan, V.S. 534, 535
- Prakasam, T. 134, 140, 142, 165, 178, 186, 188
- Prem Singh, Choudhary 962
- Premachandran, N.K. 105
- President's Rule
- Assam 233, 234, 235
 - Bihar 270, 271, 285
 - Goa 330, 336
 - Gujarat 363, 369
 - Karnataka 463
 - Kerala 499, 500, 505
 - Madhya Pradesh 532
 - Manipur 607, 608, 609, 611, 615
 - Meghalaya 645
 - Nagaland 690
 - Pondicherry 981, 983
 - Rajasthan 61, 764
 - Sikkim 776-77
 - Uttar Pradesh 889, 892, 893, 901, 905, 907
- Public Accounts Committee 113, 114, 115
- Pugh, D.D. 149, 151, 637, 654
- Purushothaman, V.N. 980
- Purushothaman, Vakkom B. 511
- Purve, Rajkumar 277
- Puttaramaiah, B.K. 444, 457, 469
- Qureshi, Mohammed Shafi 546
- Rabi Ray 18, 22, 24, 27, 28, 33, 79
- Rabari Devi 149, 153, 283, 284, 285, 286, 287, 288, 289
- Rachaiah, B. 509
- Radhakrishnan, Varkala 511
- Raghavan, M.V. 506, 511
- Raghubir Singh 743
- Raghunathram 886
- Ragil Singh, S. 160, 431
- Rahangdale, P.D. 572, 587
- Rahim, A.A. 643
- Rai, Daroga Prasad 140, 270, 271, 272, 288
- Rai, Jharkhande 880, 886
- Rai, T.M. 788
- Raichura, Mohan 584
- Rajbongshi, Golok 236
- Raj Bahadur 767, 900
- Raj Narain 879, 880, 881, 882, 883, 909
- Raja, P.S. Kumaraswami 807
- Rajagopalachari, C. 148, 150, 152, 807, 808, 830, 831
- Rajaram, K. 829
- Rajaraman, R. 986
- Rajender Kumar 282
- Rajesh Pilot 101
- Rajesh Ranjan 116
- Rajkumar 738
- Rajkumar, T.L. 205
- Raju, Ashok Gajapathi 183, 185, 186
- Ram Chandra 412, 732, 733
- Ram Kishan 761
- Ram Lal 182
- Ram Singh 397, 742
- Rama Verma, Sri Moolam Thirunal 471
- Ramachandharan, M.D.R. 988
- Ramachandran, D. 982, 983
- Ramachandran, M.G. 141, 142
- Ramachandran, P. 507

- Ramakrishnudu, Y. 187
- Ramamurthy Committee 178
- Ramamurti, P. 30, 38, 40, 43, 45, 47, 49, 59, 61, 64, 808
- Ramassamy, S. 981, 982
- Ramaswami 493, 494
- Ramendra Kumar 279
- Ramesh Kumar 153, 466, 468
- Ran Singh 397
- Rana, Kultar Chand 419
- Ranbir Singh, R.K. 153, 161, 610, 613, 616, 617, 618
- Rane, Narayan 583, 584, 586
- Rane, Pratapsingh Raoji 140, 153, 317, 326, 327, 328, 329, 332, 333, 334, 339, 340, 341
- Ranga, N.G. 13
- Rangachariu, C. 441
- Rangad, T.H. 649
- Rangasamy, N. 987
- Rao, Ch. Vidyasagar 186
- Rao, C.V.K. 180, 187, 807
- Rao, K. Govind 180
- Rao, K. Vidyadhara 183, 188
- Rao, K.V. Krishna 689, 847
- Rao, N. Bhaskara 182
- Rao, N.T. Rama 182, 183, 184, 185, 186, 187, 188
- Rao, P.V. Narasimha 21, 22, 23, 24, 33, 35, 36, 37, 39, 41, 44, 46, 47, 48, 50, 51, 83, 84, 85, 86, 87, 92, 93, 108, 111, 332
- Rao, Prabhakar Kona 581
- Rao, U. Krishna 809, 829
- Rashid Alvi 115
- Rath, Somnath, 717
- Rattan Singh 734
- Ray, Siddhartha Shankar 927
- Red Cross 264
- Reddiar, V. Venkatasubba 965, 966, 979, 980, 981, 988
- Reddy, B. Gopala 890
- Reddy, B. Satyanarayan 898
- Reddy, B.V. Subba 186
- Reddy, Balarami 179
- Reddy, C. Madhav 32, 38, 40, 43, 45, 47, 49, 76
- Reddy, K. Brahmananda 178, 179, 180, 187
- Reddy, K. Vijayabhaskara 183, 184, 188
- Reddy, K.C. 532, 534
- Reddy, M. Channa 181, 182, 187, 188, 895
- Reddy, N. Janardhan 183
- Reddy, Neelam Sanjiva 15, 22, 27, 28, 69, 70, 71, 178, 233, 235, 356, 504, 580, 776
- Reddy, P. Janardhan 185
- Reddy, S. Jaipal 102, 115, 181, 188
- Reddy, Sudhakar 105
- Repeat Motion 16
- Reserve Bank of India (RBI) 765
- Rongpi, Jayanta 116
- Routray, Nilamani 710, 713, 714, 718
- Roy, Amlendra 928
- Roy, B.C. 265, 925, 926, 941
- Roy, Donkumar 644
- Roy, Saugata 935, 938, 939
- Rules of Procedure and Conduct of Business (Lok Sabha)
- Rule 25, 18
- Rule 184, 17, 18, 20, 120, 143
- Rules 185, 120
- Rule 186, 16, 120-21
- Rule 187, 121
- Rule 188, 121
- Rule 189, 122
- Rule 190, 18, 122
- Rule 191, 17, 20, 33, 122
- Rule 192, 122
- Rule 198, 13, 15, 17, 18, 20, 122-23
- Rule 338, 16, 17, 123
- Rule 339, 123
- Rule 340, 123
- Rule 341, 123-24
- Rule 342, 124
- Rule 388, 124
- Rule 389, 124
- Rules of Procedure and Conduct of Business in -
- Andhra Pradesh
- Rule 75, 164

Arunachal Pradesh	Rule 147(1), 190	Rule 149, 190	Rule 311, 589
Assam	Rule 133, 208		Meghalaya
Bihar	Rule 109, 245		Rule 133, 162, 620
Chhattisgarh	Rule 130, 291	Rule 143, 290	Mizoram
Delhi	Rule 251, 943		Rule 141, 656
Goa	Rule 241, 143	Rule 241(3), 300	Nagaland
	Rule 247, 299		Rules 136-138, 672
Gujarat	Rule 101, 344, 366	Rule 106, 343, 372	Rule 139, 672
	Rule 65, 375	Rule 78, 376	Orissa
Haryana	Rule 278, 399, 400		Rule 117, 694
Himachal Pradesh	Rule 213, 421		Pondicherry
Jammu and Kashmir	Rule 156, 434		Rule 257, 965
Jharkhand	Rule 167, 443, 444		Punjab
Karnataka	Rule 63, 472		Rule 58, 720
Kerala	Rule 143, 513		Rajasthan
Madhya Pradesh	Rule 23, 553	Rule 34, 553	Rule 132, 744, 761
	Rule 40, 569	Rule 76, 569	Sikkim
Maharashtra	Rule 95, 552		Rule 140, 777
			Rule 332, 143, 777
Manipur	Rule 12, 161	Rule 127, 590	Tamil Nadu
			Rule 72, 793
			Tripura
			Rule 107, 832
			Uttar Pradesh
			Rule 275, 861
			West Bengal
			Rule 185, 912
			Rule 199, 912
			Rymbai, J.D. 646, 647, 653
			Saadullah, Maulvi Saiyid Muhammad 152
			Sachar, Bhimsen 375
			Sachdev, M.R. 317
			Sadanand Singh 153, 287, 288
			Sadiq Pasha, S.J. 825, 826, 827, 830, 831
			Sadiq, G.M. 432
			Saha, Jawahar 850, 852
			Sahai, Dinesh Nandan 290
			Sahay, Bhagwan 884, 886
			Sahay, Krishna Ballabh 264, 266, 267, 268, 288
			Sahay, Sheetala 159, 539
			Sahay, Vishnu 682, 683
			Sahu, Narayan 711, 712

- Sai, Nand Kumar 291, 295, 296, 297, 298
 Saikia, Hiteswar 237, 238, 239, 242, 667
 Saino, Thenphunga 666, 667
 Sait, Ebrahim Sulaiman 86
 Sakhlecha, V.K. 530, 531, 532, 533, 537, 538
 Salim, Mohammad Yunus 281
 Samantara, Chintamani Dyan 717
 Sampat Singh 390, 391, 393, 395, 398
 Sampoomanand 862, 879, 880-, 881, 882, 883, 909
 Sandhu, Ajaib Singh 735
 Sangma, Mukul 652
 Sangma, P.A. 22, 23, 27, 28, 90, 98, 103, 104, 115, 642, 643, 654
 Sangma, Williamson 621, 635, 636, 638, 639, 640, 641, 642, 654
 Sangwan, Kishan Singh 107
 Sankar, R. 140, 496, 497, 498, 499, 511, 512
 Sankaranarayanan, K. 508
 Sankariah, N. 815
 Sankateshwar Singh 284
 Sardinha, Francisco 337, 338
 Sarkar, Jitendra 851
 Sarkar, Manik 850, 851
 Sarkaria Committee 943
 Sarma, Amarendra 847, 851
 Sarup Singh 368
 Sattar, Abdus 928, 929, 930
 Sayeed, Mufti Mohammad 103
 Schmidt, Helmut 7
 Secondary Education Board of Assam 236
 Sein, Mangal 387, 388, 389, 397
 Sema, Holsiahe 683, 684, 685, 686
 Sen, P.C. 926, 940, 941
 Sengupta, Sukhomoy 140, 141, 158, 833, 843, 844, 845, 851, 852
 Seth, B.C. 29
 Sethi, P.C. 536, 537, 550
 Setong Sena 204, 205
 Shaffe, K.M. 809
 Shah Commission 68
 Shah, Dhirubhai 373
 Shah, G.M. 160, 431, 432, 433
 Shah, Natwarlal 372
 Shah, Viren J. 936
 Shaiza, Yangmaso 608, 609, 610, 616
 Shanmugam, P. 987
 Shanmughadas, A.C. 504, 572
 Shanta Kumar 414, 415, 416, 419
 Sharma, Bhagwat Dayal 538
 Sharma, Mangat Ram 160, 431, 432
 Sharma, Nekram 886
 Sharma, Ram Bilas 390, 395
 Sharma, Ravishchandra 272
 Sharma, Shanker Dayal 88, 91, 95, 96, 182
 Sharma, Y.D. 159, 538, 540, 549
 Sharma, Zoi Nath 237, 243
 Shastri, Bhanu Kumar 745
 Shastri, Bhola Paswan 270, 271
 Shastri, Hira Lal 741
 Shastri, Lal Bahadur 21, 23, 35, 37, 38, 42, 47, 55, 56, 57
 Shastri, P.V. 30
 Shastri, Viahnu Kant 905, 907
 Shejwar, G.S. 548
 Shekhawat, Bhairon Singh 141, 142, 149, 150, 153, 159, 759, 760, 761, 762, 765, 766, 768, 769, 770, 771, 773, 774
 Shikhu 691
 Shilu Ao, P. 140, 155, 682, 683, 691, 692
 Shinde, Suahil Kumar 585, 586
 Shira, Miriam 644
 Shirodkar, P.P. 317, 319, 339
 Shiv Shanker, P. 102, 106
 Shivappa, S. 140, 457, 458, 459, 460, 461, 469
 Shrikant Singh 272
 Shrinagesh, S.M. 223
 Shrivastava, Suresh Chandra 907, 908
 Shukla, R.K. 549
 Shukla, Rajendra Prasad 296, 298
 Shukla, S.C. 533, 534, 535, 536, 545, 546, 549
 Shyam, S.S. 534
 Shylla, S.H. 644
 Shyopat Singh 766, 768
 Siangshai, Simon 644
 Silam, S.L. 979, 980, 981

- Singh Deo, R.N. 155, 707, 708, 709, 710, 711, 712, 713, 717, 718
- Singh, Bhanu Pratap 463
- Singh, Bhishma Narain 235
- Singh, Bholu Prasad 275, 276
- Singh, Braj Raj 13, 29
- Singh, C.P.N. 896, 897
- Singh, Deep Narayan 266
- Singh, Govind Narain 532, 533, 534, 550
- Singh, Har Swarup 983
- Singh, Hardev Prasad 275
- Singh, Harihar Prasad 270, 271, 272, 288
- Singh, K.B.N. 276
- Singh, Kamakhya Narayan 267
- Singh, Krishna Pal 159, 369, 370
- Singh, L.P. 232, 608, 637, 686, 845
- Singh, L.R.S. 966
- Singh, Nalini Rajan 279
- Singh, Naresh Chandra 534
- Singh, Raghavendra Pratap 884
- Singh, Raghuvansh Prasad 115-116
- Singh, Ram Jeevan 116
- Singh, Ramashankar 538, 539
- Singh, Ramashraya Prasad 282, 283
- Singh, Sharda Bhakta 886, 887, 909
- Singh, Suraj Narain 272
- Singh, T.N. 893
- Singh, Tripurari Prasad 288
- Singh, V.P. 955
- Singh, Vir Bahadur 897, 898, 908, 909
- Singh, Viahwanath Pratap 18, 19, 21, 23, 24, 33, 35, 37, 39, 41, 44, 46, 48, 50, 51, 78, 79, 80, 86, 367, 464, 770, 896
- Sinha, Atish Chandra 931, 934, 935, 939
- Sinha, Bimal 850
- Sinha, Mahamaya Prasad 140, 263, 264, 268, 269, 288, 289
- Sinha, Mahesh Prasad 268, 289
- Sinha, Sarat Chandra 229, 230, 231, 235, 243
- Sinha, Satyanarayan 537
- Sinha, Shri Krishna 263, 265, 266, 288
- Sinha, Yaahwant 104
- Sirpotdar, Madhukar 92, 107
- Sirsat, Surendra 329, 330, 331
- Sohan Pal, G.S. 930, 931, 935
- Solanki, Madhavsinh 364, 365, 373
- Soren, Shibu 279
- Soubbaya, V. Kailasea 966
- Soz, Saifuddin 109
- Sreenivasan, P. 819, 820, 829
- Sri Prakasa, 570, 807
- Srivastava, O.N. 612
- States Reorganisation Commission 244-45, 399, 942
- Stephen, C.M. 16, 31, 38, 40, 43, 45, 47, 49, 67, 68, 73, 74
- Subbiah, A.K. 816, 817
- Subbiah, V. 982
- Subramaniam, 580
- Subramaniam, A. 817, 823
- Subramaniam, C. 807, 808, 809, 810
- Subramanian Swamy 107
- Subrmanian, A.V. 984, 985, 986, 988
- Sudhanshu, Laxmi Narayan 288
- Sudheeran, V.M. 507, 511, 512
- Sukhadia, Mohan Lal 743, 759, 760, 761, 762, 763, 764, 772, 774
- Sundarayya, P. 181
- Supkar, Sradhakar 706, 707
- Surajanram 886
- Swain, Umesh 716
- Swaajal Dhara Yojna* 115
- Swami, Nityanand 853
- Swaraj, Sushma 92, 96, 102, 112, 115, 388
- Syiemiong, W. 153, 638, 641, 642, 653
- Tahiliani, R.H. 787, 788
- Taimur, Anwara 233, 234, 242, 243
- Tajen Ao 684, 685, 686, 691
- Tamaskar, V.Y.R. 514, 528
- Tamio Taga 203, 205
- Tamot, Gulab Chand 529
- Tapase, G.D. 895
- Tara Singh 397
- Tariang, R.L. 648
- Tayal, Balwant Rai 387

- Tembhare, T.L. 549
 Tewari, Shyam Narayan, 896
 Thakur, Gulab Singh 153
 Thakur, Karpoori 140, 266, 267, 269, 272, 273,
 275, 276, 277, 279, 280, 288, 289
 Thakur, Ram Lal 414, 415, 416, 419
 Thambi Durai, M. 100
 Thambou Singh, Longjam 161, 606, 615
 Thampi, P. Narayanan 496
 Thangamani, K.T.K. 817, 818, 821, 821, 824
 Thanghuama, J. 657, 666, 670
 Thankachan, P.P. 511
 Thansanga 670
 Thekong Tek 775
 The Administration of Orissa State Order,
 1948, 693
 The Andhra Pradesh and Madras (The
 Alteration of Boundaries) Act, 1959, 792
 The Andhra State Act 1953, 164
 The Armed Forces (Special Powers) Act, 1958,
 690
 The Assam Reorganisation (Meghalaya) Bill,
 1969, 619
 The Australian Constitution Act, 4
 The Bihar and West Bengal (Transfer of
 Territories) Act, 1956, 245
 The Bihar Press Bill, 75
 The Bihar Reorganisation Act, 2000, 245, 434
 The Bikaner Act 1947, 742
 The Bombay Reorganisation Act,
 1960, 343, 552
 The British North America Act, 1867, 4
 The Charter Act, 1833, 551, 791
 The Charter Act, 1853, 551
 The Constitution (Seventh Amendment) Act,
 1956, 942
 The Constitution (Twelfth Amendment) Act,
 1962, 299
 The Constitution (Fourteenth Amendment)
 Act, 1962, 964
 The Constitution (Twenty-second
 Amendment) Act, 1969, 619
 The Constitution (Thirty-fifth) Amendment
 Act, 1975, 776
 The Constitution (Thirty-sixth Amendment)
 Act, 1975, 776
 The Constitution (Thirty-seventh Amendment)
 Act, 1975, 189
 The Constitution (Fifty-third Amendment) Act,
 1986, 656
 The Constitution (Fifty-fifth Amendment) Act,
 1986, 190
 The Constitution (Sixty-ninth Amendment)
 Act, 1991, 943
 The Delhi Administration Act, 1966, 942, 954
 The Delhi Administration (Amendment) Act,
 1988, 943
 The Delhi Municipal Corporation Act,
 1957, 942
 The Extra-Provincial Jurisdiction Act,
 1947, 693
 The Foreign Jurisdiction Act, 1947, 964
 The Goa, Daman and Diu Reorganisation Act,
 1987, 299
 The Government of India (Constitution of
 Orissa) Order, 1936, 693
 The Government of India Act, 1912, 244
 The Government of India Act, 1916, 619
 The Government of India Act, 1919, 244, 551,
 619, 719, 791, 860, 911
 The Government of India Act, 1935, 244, 552,
 719, 791, 792, 860, 861, 911
 The Government of Mysore Act, 1940, 443
 The Government of Sikkim Bill, 1974, 775
 The Government of Sikkim Act, 1974, 776
 The Government of the Union Territory
 (Amendment) Act, 1971, 656
 The Government of Union Territories Act,
 1963, 299, 589, 964, 966
 The India (Provincial Constitution) Order,
 1947, 861
 The India (Provincial Legislatures) Order, 1947,
 207
 The Indian Councils Act, 1861, 619, 719, 791,
 860, 911

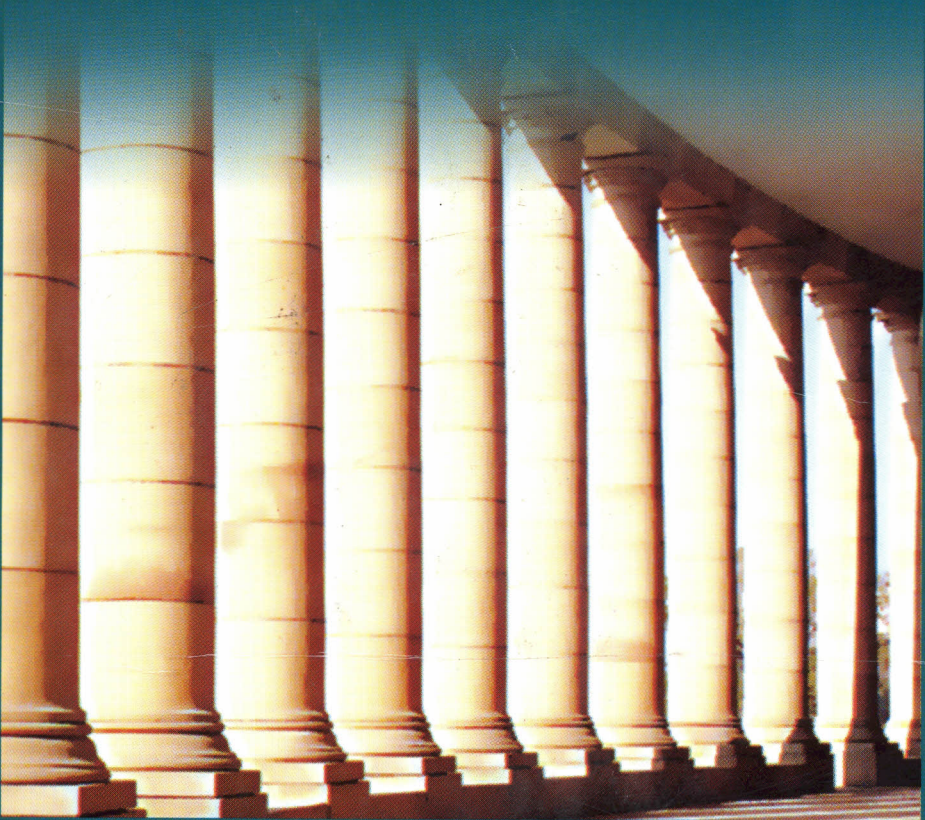
- The Indian Councils Act, 1892, 551, 860, 911
 The Indian Councils Act, 1909, 619, 791, 860, 911
 The Indian Independence Act, 1947, 552
 The Jaipur Government Act, 1944, 742
 The Madhya Pradesh Reorganisation Act, 2000, 290
 The Madras State (Alteration of Name) Act, 1968, 792
 The Maintenance of Internal Security Act (MISA) 364, 824
 The Manipur State Constitution Act, 1947, 589
 The Nagaland (Transitional Provisions) Regulations, 1961, 671
 The National Capital Territory Act, 1991, 943
 The National Security Act, 74
 The North-Eastern Areas (Reorganisation) Act, 1971, 189, 589, 620, 832
 The Pondicherry (Administration) Act, 1962, 964
 The Preventive Detention Act, 1950, 569
 The Punjab Reorganisation Act, 1986, 399
 The Regulating Act, 1773, 791
 The Representation of the People (Amendment) Act, 1979, 776
 The State of Himachal Pradesh Act, 1970, 399
 The State of Nagaland Act, 1962 671
 The States Reorganisation Act, 1956, 343, 768, 792
 The States' Merger (Governors' Province) Order, 1949, 693
 The Tamil Nadu Legislative Council (Abolition) Act, 1986, 792
 The Terrorist and Disruptive Activities (Prevention) Act (TADA) 369, 390
 The Union Territories (Laws) Act, 1950, 589
 The Uttar Pradesh Reorganisation Act, 2000, 853, 861
 The Women's Reservation Bill 108, 113
 Thekong Tek 775
 Thenucho 689, 691
 Thevar, T.L. Sasivarna 810
 Thomas, George 500
 Thomas, P.C. 108
 Thomas, T.V. 490, 491
 Thungon, P.K. 189, 191
 Tilak, Raghukul' 766
 Tirpude, N.K. 579
 Tiwana, Khizr Hayat Khan 375
 Tiwari, Janardhan 278
 Tiwari, Madan Lal 531
 Tiwari, Mahesh 296, 297
 Tiwari, Narayan Datt 77, 92, 114, 134, 854, 859, 895, 897, 899, 908
 Tiwari, Pramod 907
 Tiwari, Rama Nand 265, 267, 270, 272
 Tiwari, Shrinivasa 549
 Tombi Singh, S. 161, 606
 Tomo Riba 191, 205
 Trilok Singh 767
 Triloki Singh 879, 880, 881, 882
 Tripathi, Kamalapati 890, 893, 908
 Tripathi, Keshari Nath 149, 153, 902, 905, 907, 908
 Tripathi, Madhav Prasad 888, 893
 Tripathi, Ram Narain 881
 Tripathy, Sadasiva 711
 Tripura, Shyama Charan 846, 847
 Trivedi, R.K. 366
 Trivedi, U.M. 29, 38, 40, 42, 45, 47, 49, 58, 59, 60
 Tshering, Chamla 788
 Tyagi, Mahavir 13
 U.N. Security Council 113
 Udal 886
 Ugra Sen 884, 886
 Ujjal Singh 814
 Uma Bharati 115
 Umadhkar Singh 279
 Umanath, R. 825, 826, 827, 830
 Umed Singh 742
 Unnikrishnan, K.P. 32
 Urminda, M. Lima Leitao 317, 318
 Urs, Devaraj D. 461, 462, 469, 470

Index

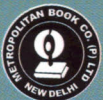
- Vadivel, S. 823
Vaghela, Ghumansinh 373
Vaghela, Shankarsinh 368, 369, 370, 374
Vaiko 105
Vaithilingam, V. 153, 983, 984, 985, 988, 989
Vaivenga 670
Vajpayee, Atal Bihari 21, 22, 23, 24, 30, 33, 34, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 58, 61, 84, 85, 86, 88, 89-90, 91, 92, 99, 100, 101, 103, 104, 105, 106, 108, 109, 111, 112, 114, 115, 116-17
Vajpayee, Ganesh Shankar 296-97
Vamuzo 687, 688, 689, 690, 691
Varghese, T.M. 473
Vartak, H.G. 576
Vasudeo Singh 894
Vedram 538
Veeraswami, N. 818, 819
Velip, Prakash Shankar 331
Venkatachellum, Jyothi 505
Venkataraman, R. 32, 74, 78, 79, 81, 83
Venkataratnam, N. 187
Venkatasamy, B. 821, 830
Venkateswariu, P. 178, 179, 187
Verender Singh 390
Verma, Barkhu Ram 160, 900
Verma, Bindeshwari Prasad 288
Verma, Dhaniram 160, 900
Verma, Jairam 893
Verma, Madan Mohan 886, 908
Verma, Mahender 542
Verma, Manikya Lal 741
Verma, Ramashray 900
Verma, Sahib Singh 958, 959, 960, 962
Verma, Upendra Prasad 285
Verma, Vikram 547
Vidyarthi, Ganesh Shankar 276, 277
Vijay Singh, Thakur 759
Virbhadra Singh 416, 417, 418, 419, 420
Virender Pratap 767
Vishnoi, Poonam Chand 767, 772
Vishnu Sahay 683
Vishwanatham, Tenneti 179
Vishwanathan, K.K. 363
Viswanathan, R. 983, 985, 988
Viswanathan, V. 501
Vitsonei K. 686, 691
Vora, Motilal 134, 543, 544, 899, 900
Vyasa, Jai Narayan 745, 758, 759
Vyasa, Murlidhar 761
Wanchoo, N.N. 537
Warrier, C.B.C. 501
Wilson, Harold 4
Wodeyar, Sri Chamarajendra 441
Yadav, Chandrajit 884, 886
Yadav, Deo Narayan 284, 285, 288
Yadav, Gyaneshwar 282
Yadav, Kailash Nath 898
Yadav, Mulayam Singh 92, 97, 101, 106, 114, 148, 897, 898, 899, 900, 901, 907, 908, 909, 910
Yadav, Ram Lakhan Singh 275, 276, 277
Yadav, Ram Naresh 895
Yadav, Ram Sevak 14, 29, 30
Yadav, Sharad 80
Yadavendu, Bhagwan Das 886
Yadunath Singh 767
Yaima Singh, Y. 607, 609, 616
Yash Pal 733
Yediyurappa, B.S. 465, 466
Yerrannaidu, K. 102, 107, 115
Yudhvir Singh 942
Zail Singh, Gianti 73, 735, 736, 739
Zalawma 657, 666
Zoramthanga 669, 670

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ISBN: 81-200-0400-0



Price: Rs. 1650