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## EDITORIAL NOTE

We, in India, opted for a parliamentary democratic system as it was considered best suited to our ethos and genius. Over the years, this system has struck deep roots in our soil. Through ten general elections to the Lok Sabha and many more elections to the State Legislatures and other representative bodies, the people of India have re-affirmed their commitment to a parliamentary polity. While the system as such has been working satisfactorily, we have, at different points of time, come across several attendant problems in its operational mechanics.

The need for decorum and discipline and orderly conduct of the business of the House can hardly be over-emphasised. In his article titled "Discipline and Decorum in Parliament and State Legislatures", veteran parliamentarian, former Union Minister of External Affairs and the present Leader of the Opposition in Lok Sabha, Shri Atal Bihari Vajpayee discusses in his inimitable style, the imperative need for an orderly functioning of the parliamentary polity. Emphasising the importance of Question Hour, he points out that interpellation indubitably is one of the most important parliamentary devices for ensuring the accountability of the Government. Drawing from his rich and varied experience, Shri Vajpayee observes that the Government should be more responsive and the Opposition more uproarious in a democracy and neither should create a situation whereby uproarious scenes are witnessed in the House. The efficient functioning of the Legislatures primarily involves the effective utilisation of the time of the House. He is of the opinion that the number of sittings of a Legislature should be for a period of 100-120 days in a year. Turning to another major issue, Shri Vajpayee deprecates the tendency to create disturbance during the President's/Governor's Address to the Parliament/Legislatures. Shri Vajpayee, with his characteristic candour, says that an honest appraisal of our parliamentary system reveals a general apprehension of falling standards. In order that the system functions unhindered, highest standards of discipline and decorum have to be maintained in the Legislatures, he concludes. All those who cherish parliamentary ideals need to take serious note of the timely advice proffered by Shri Vajpayee.

In a parliamentary democratic polity, the Parliament represents the sovereign will of the people. It is but natural then that the people at large should have the benefit of knowing for themselves how best their representatives are taking up their cause and shaping the destiny of the nation. Dissemination of information relating to parliamentary proceedings thus acquires utmost importance. In recent times, televising and broadcasting of parliamentary proceedings have generated considerable enthusiasm in all concerned circles on the efficacy of bringing Parliament nearer to the people.



Australia at the federal level was a pioneer in the radio broadcasting of the proceedings of Parliament, being the second national Parliament of the Commonwealth after New Zealand (in 1936) to introduce the broadcasting of proceedings of the House of Representatives on 10 June 1946. Visual recording, with or without accompanying sound, were permitted for the first time in the country in 1974. Since then, Australia has travelled a long way in telecasting of parliamentary proceedings.

In his article titled "Televising of Parliamentary Proceedings in Australia", the Editor discusses in depth, the history and evolution of broadcasting/televising of proceedings in the Australian Parliament. The Editor, who had occasion to study the technological and procedural aspects of televising of parliamentary proceedings in various countries, including Australia, UK, France and Germany, analyses at length the various aspects of these matters and related issues. Of particular interest is the extensive reference to the conditions for broadcasters and guidelines for camera operators in Australia which throw light on several problem areas. Needless to say, this well documented study would be of immense help to those Parliaments which are beginning to introduce televising/broadcasting of their proceedings and also to all those interested in the subject.

The 58th Conference of Presiding Officers of Legislative Bodies in India was held in the Tamil Nadu Legislative Assembly complex in Madras on 25-26 June 1993. The Conference had detailed discussions on various issues and problems faced by the Legislatures in the country. The Conference was opened by the Speaker, Lok Sabha, Shri Shivraj V. Patil on 25 May. In his highly illuminating Address, he spoke at length on several topical issues of utmost concern to our parliamentary democratic system, especially to the Presiding Officers. We include in this issue, the text of the Address by Shri Shivraj V. Patil.

The Conference was followed by a Symposium on 27 June 1993 on "How to raise the level of debate in the House" which was addressed by the Speaker, Lok Sabha, Shri Shivraj V. Patil and the Chief Minister of Tamil Nadu, Dr. J. Jayalalitha. The texts of the Addresses delivered by these dignitaries at the Symposium also find place in this issue of the *Journal*.

Our readers would recall that starting with the June 1993 issue (Vol. XXXIX, No. 2) two new Features were introduced in the *Journal*, viz. "Our Constituency and Constituents" and "Our Budding Parliamentarians." We continue these Features in this issue too. The Features "Our Constituency and Constituents" is based on a write-up by the Minister of State (Independent Charge) of the Ministry of Labour and deals with the Garo Hills of Meghalaya. The second Feature "Our Budding Parliamentarians" brings to the readers a profile of Shri Shraavan Kumar Patel M.P. and his views on different subjects of contemporary interest and items of business coming

up before Parliament. We would greatly welcome write-ups from our parliamentarians for these two new features which we have introduced in the *Journal*.

This issue of the *Journal* also carries the other regular features, viz. Parliamentary Events and Activities, Privilege Issues, Procedural Matters, Parliamentary and Constitutional Developments, Documents of Constitutional and Parliamentary Interest, Resume of Sessions of Lok Sabha, Rajya Sabha and State Legislatures, Book Summaries and Recent Literature of Parliamentary Interest.

It has been our constant endeavour to make the *Journal* more useful and informative. We would greatly welcome suggestions for its further improvement. We would also welcome practice and problem-oriented non-partisan articles in the field of parliamentary procedures and institutions from Members of Parliament and State Legislatures, scholars and others interested in the field of parliamentary political science.

Editor

—R.C. Bhardwaj

**ADDRESS BY SHRI SHIVRAJ V. PATIL, SPEAKER,  
LOK SABHA AT THE 58th CONFERENCE  
OF PRESIDING OFFICERS OF LEGISLATIVE  
BODIES IN INDIA, MADRAS, 25 JUNE 1993**

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The 58th Conference of Presiding Officers of Legislative Bodies in India was held in the Chamber of the Tamil Nadu Legislative Assembly in Madras on 25-26 June 1993. The Conference had detailed discussions on various issues and problems faced by the Legislatures in the country.

The Conference was followed by a Symposium on 27 June 1993 on "How to Raise the level of Debate in the House" which was addressed by the Speaker, Lok Sabha, Shri Shivraj V. Patil and the Chief Minister of Tamil Nadu, Dr. J. Jayalalitha.

We reproduce below the texts of the Opening Address delivered by Shri Shivraj V. Patil at the 58th Conference of Presiding Officers of Legislative Bodies in India on 25 June and the Addresses delivered by the Speaker, Lok Sabha, and the Chief Minister of Tamil Nadu at the Symposium held on 27 June.

*-Editor*

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*Honourable Speaker, Tamil Nadu Legislative Assembly, Mr. Muthiah, Honourable fellow Presiding Officers from different Legislatures, Honourable Legislators, Honourable Ministers, learned Secretaries-General of the Legislatures, Ladies and Gentlemen,*

I am delighted to be here in the midst of the fellow Presiding Officers assembled in this magnificent Chamber of the Tamil Nadu Legislative Assembly.

This historic, beautiful and lively city of Madras and indeed the whole of Tamil Nadu with a rich tradition of language, literature and culture provides the ideal environment for our deliberations.

This is the land of Shri Srinivasa Ramanujam and Shri C.V. Raman, of Shri Rajagopalachari and Dr. Radhakrishnan, of Shri Kamraj Nadar, Shri C.N. Annadurai and Shri M.G. Ramachandran, to name only a few, whose influence far surpassed the bonds of time and geography. Our former Head of State, Shri Ramaswamy Venkataraman, who steered the ship of the nation during the momentous years of independent India's history, today leads, in the serene surroundings of this city, a life, true to the best traditions of Indian Presidency.

Friends, before I proceed further, I have to make sad references to the passing away of some of our distinguished leaders and colleagues. Former Vice-President of India and Chairman of Rajya Sabha, Shri M. Hidayatullah, an illustrious son of India, a man of great learning and of very high legal acumen passed away on 18 September 1992 at Bombay. As Chairman, from 1979 to 1984, he conducted the proceedings of the House with wisdom, vision and insight and made remarkable contributions in upholding the high traditions of the office. We also mourn the passing away of our colleague, Shri Harcharan Singh Ajnala, the Speaker of Punjab Legislative Assembly on 9 June 1993. The untimely death of the esteemed and distinguished colleague who, till the other day, was an active member of our fraternity and whose sagacious words spoken at the Gandhinagar Conference are still echoing in our ears, is indeed a deep loss to all of us.

I have also to inform you of the passing away from our midst, of some of our other colleagues who, at one time or the other, belonged to this family of Presiding Officers. Shri Chakkeri Ahamed Kutty, who was the Speaker of Kerala Legislative Assembly from 1977 to 1980, expired on 1 October 1992. Shri Syed Mukassir Shah, who was the Chairman of Andhra Pradesh Legislative Council from 1981 to 1985, passed away on 20 October 1992. Brig. Ram Singh, who held the office of the Speaker of Haryana Vidhan Sabha twice from 1968 to 1972 and 1977 to 1978, passed away on 10 February 1993. Thiru S. Chellapandian, who held the office of the Speaker of Tamil Nadu Legislative Assembly from 1962 to 1967, left for the heavenly abode on 18 February 1993. Shri T.N. Ngullie, who held the office of the Speaker of Nagaland Legislative Assembly from 1989 to 1990 died on 9 March 1993.

I am also to inform you of the sad demise of Shri Sayyad Farooq Pasha Sayyad Magdoom Pasha who was the Deputy Speaker of Maharashtra Legislative Assembly from 1976 to 1977. He passed away on 16 December 1992.

All our colleagues here will join me in paying our respectful, affectionate homage to the memory of these departed souls. I will place formal resolutions before you later on.

A number of new friends have joined us and are with us today. They are Shri Debesh Chakraborty, who was earlier the Deputy Speaker of Assam Legislative Assembly and has since been elected as its Speaker; Shri D.B.Kalmankar, Chairman, Karnataka Legislative Council; Shri V.S. Kaujalgi, Speaker, Karnataka Legislative Assembly; Shri Neiba Ntang, Speaker, Nagaland Legislative Assembly; and Shri Bimal Singha, Speaker, Tripura Legislative Assembly.

We have some new friends among the Deputy Speakers as well. They are Shri Prithibi Majhi, Deputy Speaker, Assam Legislative Assembly; Shri Anjana Murthy, Deputy Speaker, Karnataka Legislative Assembly and Shri Niranjan Debbarma, Deputy Speaker, Tripura Legislative Assembly.

We extend a hearty welcome to each one of them as they join our fraternity.

I would now like to recapitulate the significant developments of parliamentary interest that have taken place since the Gandhinagar Conference in the Parliament.

The 89th Inter-Parliamentary Conference held in New Delhi from 12 to 17 April 1993 was one of the largest I.P.U. Conferences ever held with as many as 1100 delegates, observers, officials and their spouses from 119 countries of the world.

The Conference was inaugurated by the President of India, Dr. Shanker Dayal Sharma on 12 April at a solemn function in the historic Central Hall of Parliament. As the President of India Group of the IPU and Speaker, Lok Sabha, I had the honour of welcoming the distinguished gathering which was then addressed by the Vice-President of India and Chairman, Rajya Sabha, Shri K.R. Narayanan, Prime Minister, Shri P.V. Narasimha Rao and the President of the Inter-Parliamentary Council, Sir Michael Marshall. The Special Representative of the UN Secretary General, Ambassador Mr. Joseph Reed, read out on behalf of Dr. Boutros Boutros Ghali his Message for the Conference.

The IPU announced an Award posthumously to late Dr. G.S.Dhillon, former Speaker of Lok Sabha and the first Asian to be the President of Inter-Parliamentary Council during 1973-76, for his outstanding contribution to the ideals of the IPU.

The Women Parliamentarians' Meet, which has become a part of every IPU Conference since 1985, was earlier inaugurated by the Vice-President of India and Chairman, Rajya Sabha, Shri K.R. Narayanan, on 11 April at the Banquet Hall of Ashok Hotel. At the end of the weeklong deliberations that took place in Hotel Ashok the IPU adopted three Resolutions, viz. (i) Transparency in Arms Transfers through a Global Arms Register, notably as a means to check the growing use of violence to achieve political objectives; (ii) the implementation of Educational and Cultural Policies designed to foster greater respect for democratic values; and (iii) the need for urgent Action in the former Yugoslavia, particularly as regards the protection of Minorities and the prevention of further loss of life in order that peaceful co-existence and respect for Human Rights can be restored to all peoples.

The success of the event was an eloquent testimony of our collective endeavour and I would like to thank you all for your valuable cooperation.

From the point of view of the parliamentary system in general and our Committee system in particular, a long awaited development of a far reaching significance was the setting up of a full-fledged system of Standing Committees related to various Ministries.

On 29 March 1993, Lok Sabha adopted the Third Report of the Rules

Committee which paved the way for the setting up of 17 Departmentally related Standing Committees, covering under their jurisdiction all the Ministries/Departments of the Union Government. The formulation of such Committees was a long-felt need in order to ensure active and continuing participation of members in very important and crucial areas of scrutinizing the Demands for Grants, policies and programmes and their implementation by various Ministries.

It is heartening that the Members of Parliament have started taking keen interest in the work of these Committees. In a short span of about three weeks the Committees presented as many as twenty-one reports on the Demands for Grants of various Ministries/Departments and other important subjects.

Another landmark event in the annals of parliamentary history was the consideration of the first ever motion for the impeachment of a sitting judge of the Supreme Court of India.

The Rules of Procedure and Conduct of Business in Lok Sabha do not contain any provision regarding the procedure for discussion on such motions. This being the first case of its kind in the history of our Parliament, there was no precedent either.

The matter was discussed in the Business Advisory Committee and with Leaders of Parties and Groups in Lok Sabha on more than one occasion. With the cooperation and valuable suggestions of all sections of the House, the issue was decided upon in a smooth manner.

Friends, on 1 June 1993, I gave my decision under the Tenth Schedule of the Constitution, popularly known as the Anti-Defection Law. The issue has far-reaching legal, political and moral implications, involving not only the future of twenty Members of Parliament representing nearly two crore voters, but also having serious implications for parliamentary democracy in India.

In my opinion, which I have expressed in my said decision, the Tenth Schedule to the Constitution, while servicing to a great extent the purpose for which it has been brought into existence, does require a fresh look and debate at national level. The problems arising out of the Tenth Schedule have been pointed out from time to time not only by the constitutional and parliamentary experts, but also by the leaders of Parties and the Presiding Officers in their respective decisions. To consider all these issues comprehensively, I have suggested constitution of a Committee consisting of a few presiding officers, leaders of parties, jurists and legislators.

One of our challenges is to keep pace with the developments in modern technology and information and communications systems. Information is command and we have to keep modernising our information systems in legislatures and Parliament also.

In our Parliament, the computerised Parliamentary Library Information

System, popularly known as PARLIS, is at present catering to the information requirements of Members of Parliament by not only providing information in respect of books and journals added to the Library, but also other important areas of parliamentary activity such as Questions, Debates and Bills. PARLIS is presently linked with the domestic satellite based network, known as NICNET. This has facilitated the Parliament Library to exchange messages and other information with all the State Capitals and district headquarters in the country. Efforts are also currently underway to have an on-line link with the Legislatures of other countries and important Libraries of the world.

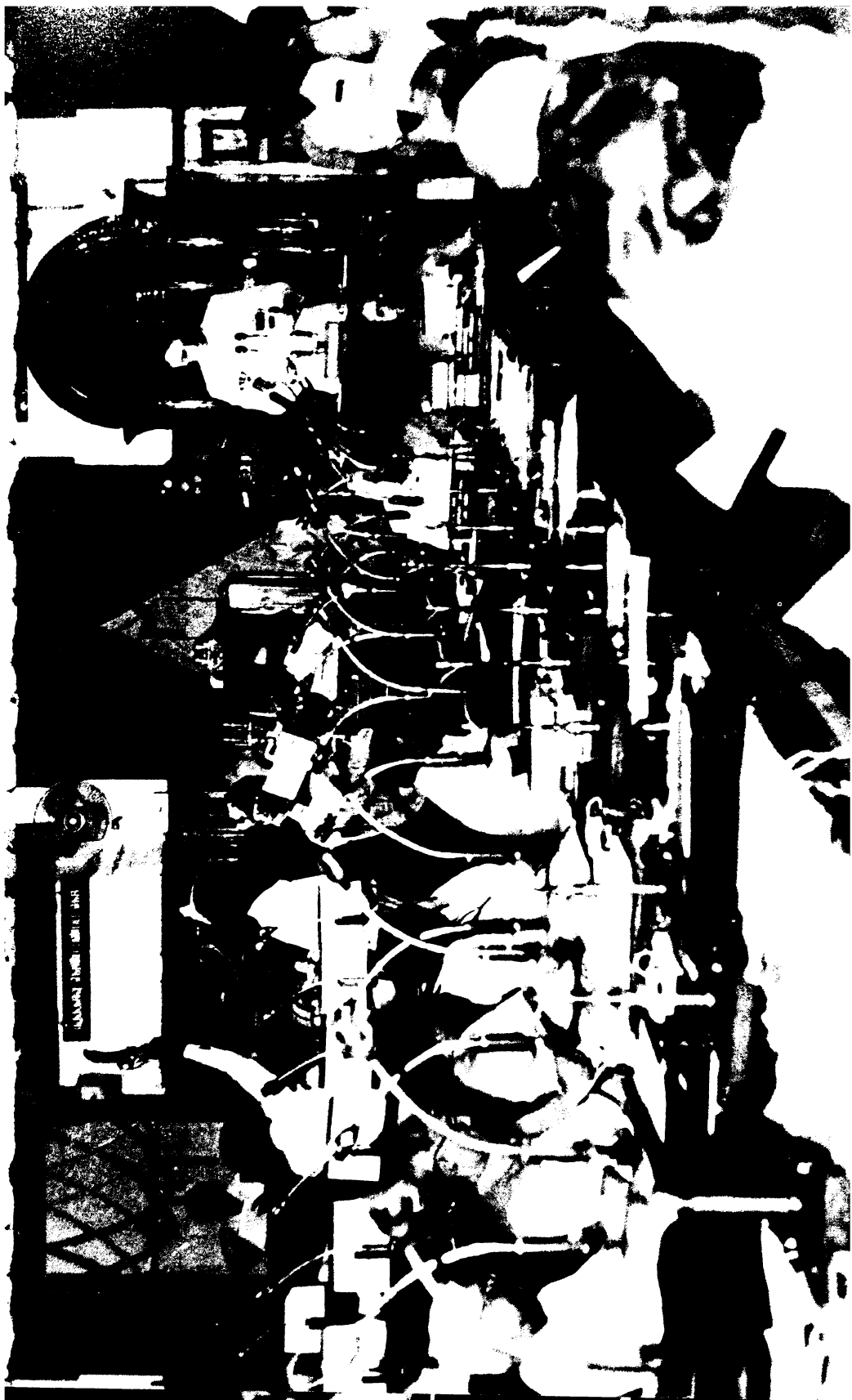
Apart from the Library Services, computerisation of various other services of Lok Sabha Secretariat, including the recently constituted Subject Committees, has also been undertaken.

A new venture for the benefit of all of us has been the preparation of video films on various parliamentary topics by the Bureau of Parliamentary Studies and Training. A set of video films on Private Members' Bills, Parliamentary Questions, Parliamentary Etiquette and Manners and Financial Committees was recently released and has been sent to you. Your suggestions are welcome in this regard.

Friends, at our previous meeting on the occasion of the New Delhi Conference on "Discipline and Decorum in Parliament and State Legislatures" held on 23 and 24 September last year, we had dwelt on many related aspects of the functioning of parliamentary institutions. The basic and unequivocal concern of the participants was : effective use of the time of the House, orderly conduct of the business of the House, ways and means to make the executive more responsive to the grievances of the people and efficacy of the Committee system. Irrespective of the shades of opinion and organisations a considerable amount of unanimity was seen in our efforts to seek improvement on the existing procedural and structural aspects of the functioning of parliamentary institutions in order to make the system more effective and responsive. We have to work hard in this direction in order to achieve the objective.

Today, I can well anticipate a lively, and fruitful discussion on the various items of agenda before us. The very first item for discussion in this Conference is "need to lay down constitutional limit for minimum number of sittings of Legislatures and minimum number of sessions." Time and again, we have expressed our sentiments on this important issue, particularly, because if a Legislature does not function for an adequate number of days so as to give opportunities to its members to discuss and debate, it could amount to a negation of our democratic structure. In our deliberations, we should like to ponder over the possibility of strengthening the Committee system in the States as a viable means of ensuring detailed examination of various programmes and their implementation.

The importance of the reports of the Comptroller and Auditor General

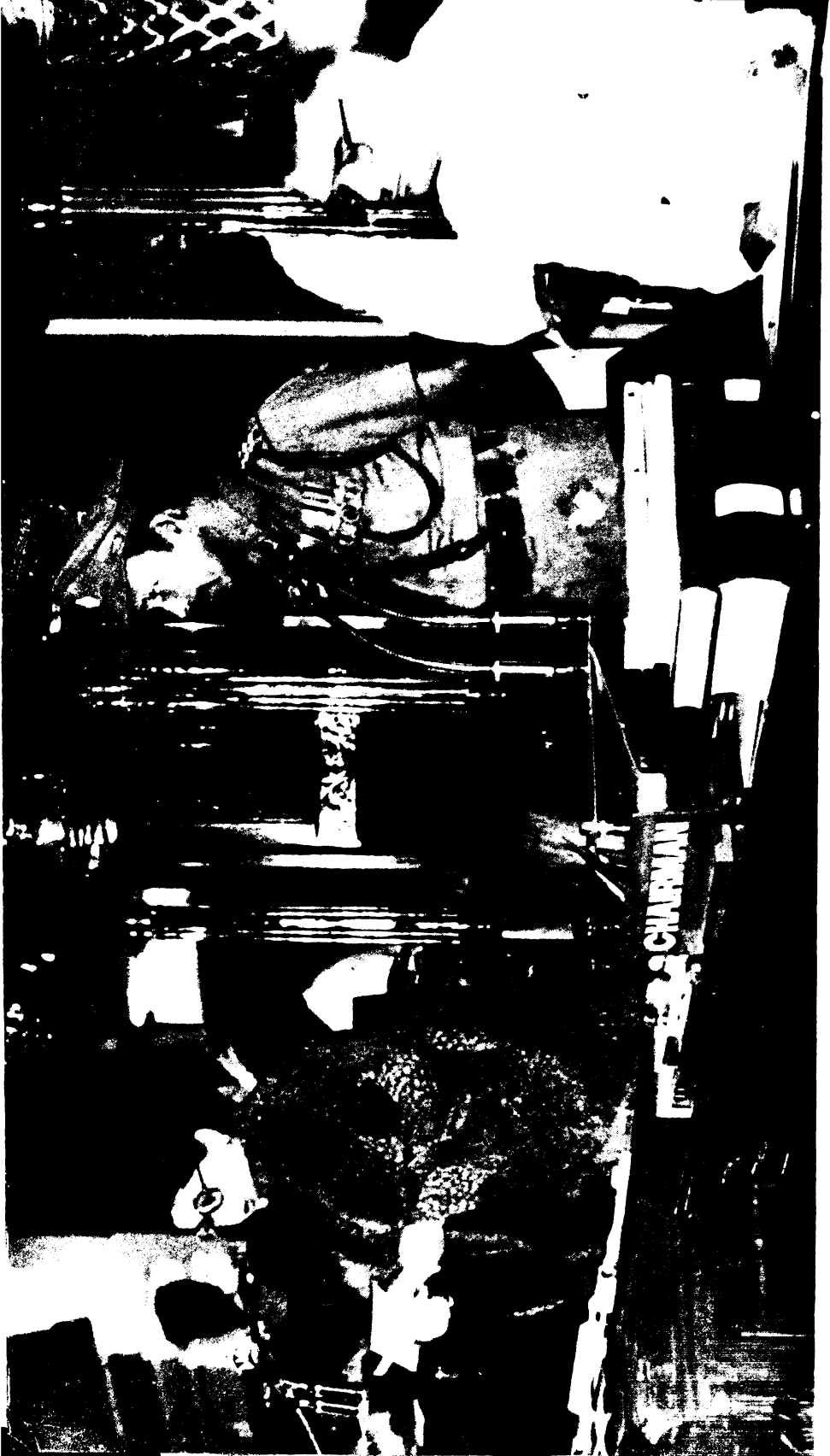






The 58th Conference of Presiding Officers of Legislative Bodies in India in progress.





The Chief Minister of Tamil Nadu, Dr. (Km.) J. Jayalalitha addressing the Symposium.  
Also seen in the picture is the Speaker, Lok Sabha, Shri Shivraj V. Patil.

on the accounts of the Union and the States can be hardly overemphasised. If the reports do not get the attention they deserve, financial accountability of the executive is undermined to a great extent. This matter deserves our fullest attention as the financial accountability of the executive is the very cornerstone of parliamentary democracy.

Friends, our country is passing through a momentous phase in its history. Significant changes are taking place in almost all spheres of our life. The body politic too has undergone stupendous change. This is truly reflected in the composition and character of our legislative bodies as well. In such circumstances, the role of Presiding Officers has become all the more complicated and very often we are faced with stresses and strains in regulating the business of the House. Yet, these are the facts of today's parliamentary life and all of us, together, should endeavour to see that representative institutions in this great country, continue to blossom and become more responsible and responsive to the people's aspirations.

With these words, I declare the Conference open. I would like to thank the Honourable Speaker of the Tamil Nadu Legislative Assembly and the officers and staff and the Government of Tamil Nadu for making these excellent arrangements for this Conference.

Thank you very much.

*Nanri, Vanakkam.*

**ADDRESS BY SHRI SHIVRAJ V. PATIL, SPEAKER, LOK SABHA  
AT THE SYMPOSIUM ON "HOW TO RAISE  
THE LEVEL OF DEBATE IN THE HOUSE"**

*Honourable Chief Minister, Jayalalitha ji, Honourable Speaker, Tamil Nadu Legislative Assembly, Shri Sedapatti R. Muthiah, Honourable Presiding Officers from different States, Honourable Ministers, Honourable Legislators, learned Secretaries-General, Ladies and Gentlemen,*

We are grateful to the Honourable Chief Minister, Jayalalithaji, for accepting to inaugurate this Symposium and speak to us.

With her cooperation and with that of her Government and with the cooperation of the Honourable Speaker of Tamil Nadu Legislative Assembly, the Conference could be held in a manner which can be called successful. In everything that was done for the Conference there was neatness, correctness, meaningfulness and aesthetic sense involved. We are grateful to our hosts.

I would like to extend a cordial welcome to the Honourable Chief Minister, Honourable Ministers, Honourable Legislators and other ladies and gentlemen to this Symposium.

Democracy is a government by, of and for the people. The 'by' and the 'of' means it is to function on the basis of the views of the people. Their views are ascertained in elections. They are expressed by their representatives in the Legislatures and outside also.

In a parliamentary system, the views of the majority are to be accepted, and acted upon, while respecting the views of the minority.

In a parliamentary system, on the floor of the House, views and opinions, ideas and concepts are voiced and opportunities are created to remove the angularities, and to arrive at the conclusions which can be acceptable to all concerned.

There are three functions which are performed in the Legislatures : one, that of passing the laws; two, that of approving the Budget; and three, that of holding the Government accountable. The Members of the Legislatures should pay equal attention to all these functions.

We have to pay enough attention to law-making and passing the Budget. The Budget touches upon the activities of the Government in all respects, for at least one year to come. If it is not examined carefully, mistakes may be made, and the people may suffer. The objectives to be achieved may remain unattained.

The laws once passed remain in vogue for many years. They have an impact on the lives of all the citizens. Every word and every comma, the sequence of the sections, and many such other things have great significance. They should be weighed and assessed, carefully and with long term views.

Under the Indian Constitution, the State Legislatures have their own domain and duties, and the Union Legislature has its own areas of activities. Of course, the residuary powers remain with the Union. There are grey areas, in which the States as well as the Union have powers. The powers of the Union in these areas prevail over those of the States. Therefore, it is important that the matters in the domain of the Union are raised in the Union Legislature and those in the domain of the State are raised in the State Legislatures. There is no point in raising the matters which are in the domain of the Union in the State Legislatures or vice versa. It is found that many a time this distinction is lost sight of and the issues are raised in the wrong forums.

On occasions, it is found that the matters which are to be dealt with at the village level, or at the taluka level or at the district level, are raised in the State Legislatures and sometimes in the Union Legislature. In order to see that the government machinery at the Union level and that at the State level are not over burdened, the government machinery at the village, taluka and district levels are created. In spite of that if all matters are raised at the State level or at the Union level, the only result of it is that the remedies sought to be provided are delayed and no effective action can be taken.

Raising the matters pertaining to the levels of city and town and the district and taluka, at the Union level, is more confusing and infructuous.

The representatives who come to the State Legislatures and the Union Legislature should, therefore, be very clear in their minds, about the jurisdictions enjoyed by the government machinery at different levels.

In order to facilitate the functioning in the Legislature, rules of procedure are made and used by all the Legislatures. If they are followed, I am sure, the members may get more time to speak; if they are flouted, the time available for them is going to be less.

However, enough attention is not paid to this cardinal principle and attempts are made by some Members, to bring the matters to the floor of the House, by using methods which are not legal. They, at times, try to obstruct the proceedings if they are not permitted to have their say as per their wishes. They rush to the well, and do many such other things. These ways of putting the issues before the House are counterproductive. In such cases, if one Member achieves his objectives, many other Members suffer. It is always productive and beneficial to use rules to make the submissions and points in the House.

In some Legislatures, the Zero Hour proceedings are allowed. It means the proceedings without following any rules are permitted. Many important issues are mentioned in the Zero Hour also. But, most of the time issues which are not of very great importance are also forced and discussed in Zero Hour. What happens in the Zero Hour is criticised by many. It becomes very tiring to sit and watch and conduct the proceedings in this Hour. All members say that something should be done to curb the Zero Hour activities. But the agreements arrived at in this respect are not really followed, and respected. The system has collected some bad odium around it because of Zero Hour. The remedy lies in arriving at an implementable solution to this ailment of the parliamentary system.

Justice Chagla once said that the way to success lies in distinguishing what is relevant from what is irrelevant. And this key can open the door of success.

Those who speak in the House, should remember this golden rule. If they follow the rule, their speeches, submissions, questions and replies can be very effective and productive. To understand what is relevant, and what is not, the Speakers have to study a lot and think a lot; cursory study and thinking will not help. Once the art of knowing what is pertinent from what is not, is acquired, it can be used in many fields of life and can lead to glorious achievements.

I think Shakespeare has said that brevity is the soul of wit.

Verbosity can confuse. Brevity can explain cogently. The time available in the House is always limited. Only those who know how to say them briefly succeed in making their points. The skill to say things briefly needs

to be cultivated. The need to be brief should be adequately impressed upon the minds of the speakers.

Wit and humour can raise the standard of debate, reduce tension in the House and it can make the argument less stereotyped and more absorbing. But wit and humour may not be everybody's cup of tea. Only a few fortunate ones have the eye, the ear and the tongue for it.

It can be cultivated also. Winston Churchill, they say, used to rehearse his speeches and used to think about anecdotes and the words and the wit and humour he used long before he delivered his speeches. Mr. Yashwantrao Chavan used to say that if he had to speak for one hour, he used to think, for one hour. But if he had to speak for ten minutes, he used to think for two hours—shorter the speech, greater the thinking required. Otherwise the gist of the thought could not be explained meaningfully and convincingly.

The talk can be done through the heart, through wit and humour too.

The words can create cosmos and just waste the time too. The effectiveness depends upon the user. The legislators should know how to use them.

The present day world has abundance of information. All the information that is available cannot be used. It is to be used in a selective manner. The skill to select is, therefore, necessary.

The information should be made available to the members in a manner which can be used by them easily. The libraries and information centres of the Legislature should be adequately equipped for the purpose. Collection and retrieval of information can easily be done through the computers, satellite links and other such modern methods.

The sooner we introduce these equipments in Legislatures, the better it is for us. The Legislatures are the bodies at the apex at Union and State levels. What is done by them influences all the concerned citizens. The impact of their activities remains in vogue for many years. They are also expected to cope with the situations developing in the world, therefore, the sooner they modernise the better it is for them.

The words in print are used to inform the Members of Legislatures. Now the time has come when the audios and videos should also be used to supply the information to, and train the Members.

The Legislatures have to provide for the future. If they are not ahead of their time, they are likely to lag behind. The vision of the future and the capacity to cope with the existing problems are the real assets of the Legislators.

They should pay more attention to these aspects. If they pay more attention to the small problems, they are not going to have enough time to deal with real, long term issues in an effective manner.

The debates in the Legislatures are at times very scintillating and enlightening. It is a pleasure to hear and follow them. At times, they are less rewarding. As to how we can make them all beneficial and up to the mark, has to be seen by us.

Your considered views on these points and the other points would be very useful. We invite you to express your considered views on this topic.

With these remarks, I would request the Honourable Chief Minister to give us the benefit of her views and inaugurate this Symposium.

Thank you.

#### ADDRESS BY DR. J. JAYALALITHA, CHIEF MINISTER OF TAMIL NADU

*Honourable Speaker of the Lok Sabha, Shri Shivraj Patilji, Honourable Speaker of the Tamil Nadu Legislative Assembly, Thiru Sedapatti Muthiah, Presiding Officers of the Legislative Bodies in India, Distinguished Guests, Ladies and Gentlemen*

I thank the Honourable Speaker of the Lok Sabha for giving me this opportunity to be with you, today, on the occasion of the inauguration of a Symposium organised in connection with the Conference of the Presiding Officers of Legislative Bodies in India. I am personally very happy that this prestigious Conference is taking place in this great city of Madras. I do hope your stay here will be comfortable and your discussions fruitful and constructive.

I also hope that during your stay here, you will have an opportunity of going through the archives of the Tamil Nadu Legislature, in order to have an idea of the traditions and the values that this Legislature has sought to preserve and uphold over the years. Distinguished Legislators and towering personalities have sat in this very Hall and have made significant contributions to the legislative history of our country. Eminent political leaders have helped to shape and mould sound democratic ethos by their participation in the proceedings of this august body. Men of vision with concern for the welfare of the people in their hearts, have utilised the opportunity of their membership here to help the Government to evolve policies for the economic and social betterment of the people. As the list of their names runs long, it is difficult for me to mention all of them. Mentioning only a few could invite the criticism that I am being discriminatory. Suffice it to say that in the history of the Legislatures of India, the Tamil Nadu Legislature will have a place of pride, for the quality of the contribution made by the many eminent persons who have taken their seats here. It is, therefore, appropriate that you should have chosen to meet at Madras, the modern capital of the land of the Tamil people, whose intellectual temper and pragmatic attitude have combined uniquely, to contribute to



the successful functioning of the Legislature in Tamil Nadu all these years.

The Legislature, be it the Parliament, or the Legislative Assembly or the Legislative Council, is the very centre of democracy. It is the heart and soul of democratic values and aspirations. It is the true miniature of the body politic, through which the Will of the People seeks to express itself, gets formulated into ideas and concretised as legislation and embodied in programmes of action. As Dr. S. Radhakrishnan said : "Parliament acts as the liaison between the people and the State. It is the place where we sense atmosphere and create it. The Legislators do not merely follow public opinion but lead it." The Legislature, therefore, provides splendid opportunities for the demonstration of the qualities of leadership and statesmanship. The Legislature has not only to concern itself with matters of immediate importance; it also has to devote itself to issues of far reaching implications, so that the future of society can be taken care of, as well as the needs of the present. The Legislature has to follow Harold Laski's dictum that it is not enough to have intensity of gaze; it is equally important to have a breadth of vision. It is this manner of functioning which will take the Legislature nearer its true concept.

The Legislature is an important institution that gives form and shape to the concept of democracy and helps to make it workable. But it is the Will of the People that is most important. The word "democracy" itself is derived from two Greek words meaning "people" and "power". It literally means "the rule of the people."

Abraham Lincoln aptly called it the "Government of the people, by the people and for the people"

In modern democracy, the Will of the People is expressed through the Legislature that they have elected, with the executive being answerable to the Legislature.

Democracy was widespread in ancient Greece. But democracy practiced in ancient times was fundamentally different from that of modern times. It was direct democracy in the sense that the representative system, as we know it today, was unknown then and the entire population was involved in the ancient democratic system of government, and this was made possible by the limited size of the State, which was generally confined to a city and its rural surroundings.

Today, the democratic idea expresses itself through the Legislature; in the system of representation of the people in the Legislature; through the proceedings and the conduct of the business of the Legislature; and through the performance of the Honourable Members. Running a democracy today, therefore, is a more complicated task. It involves not only the day-to-day conduct of the business of the Legislature; it also calls for an appropriate attitude towards the management of public affairs which reposes faith in the ultimate power of the people. It stipulates the observance of a certain way of life and conduct; all meant for channelling the energies of

society for the social and economic development of the people. It lays stress on the adoption of logic, reason, discussion and reasonableness, as the methods of approach in the settlement of problems. In short, democracy gives us a vision, a way of life, and asks us to accept certain ideals and norms or standards of behaviour.

Democracy envisages freedom of thought and expression. But this freedom has to be tempered with moderation, courtesy, and respect for the other person's thought, point of view and expression. This is fundamental to the success of democracy. Democracy cannot descend into a state of anarchy. Democracy should not also degenerate into a state of tyranny—either of the majority or of the minority. To me, it is the quality of performance, quality of thought and expression that counts, more than anything else, as the correct index of the functioning of democracy.

The democratic approach is that of persuasion, argument, and adjustment of conflicting values. DEBATE is the method by which Honourable Members must seek to influence their colleagues about the correctness of their stand, or the reasonableness of their view-point, or the relevance of their philosophy. The standard of debate must be such that it will compel thought, that it will persuade the listener to appreciate the points made and the arguments advanced. A good debate not only involves the display of skills or talents. It postulates the quality of decency and good behaviour.

In setting up our legislative bodies, we, in India, have derived our inspiration from the English Parliament, rightly regarded as the "Mother of Parliaments." The debate, as an expression of views, is a matter of utmost importance in the proceedings of the House of Commons of England. I learn that more than a third of the time of the House of Commons is spent in debates. Renowned political personalities like Gladstone, Disraeli, Winston Churchill and Attlee have made their impact on society by their legendary debating performances. A good and effective debate is much more than a ritual party-and-political-point-scoring exercise across the floor, with a preponderance of trading of insults. It represents a basic skill in analysing problems and comprehending the other person's view point and countering it effectively. The debate remains the prime means by which the Legislature fulfils its expressive function. In England, debates even used to express the national mood with telling effect at times of crisis. It is a well-known fact that Neville Chamberlain was forced to resign as the war-time Prime Minister, after two days of sustained criticism during the debate on the Norwegian campaign in May 1940. More recently, during the time of the invasion of the *Falkland Islands* on 2 April, 1982, the mood of the people revealed itself in the feelings expressed in the House of Commons. Mrs. Margaret Thatcher had to act for the expulsion of the Argentinian forces, following a stirring call by Mr. Michael Foot, the Leader of the Opposition.

"The Government must now prove by deeds—they will never be able to do it by words—that they (will ensure)

that foul and brutal aggression does not succeed in our world. If it does, there will be danger not merely to the Falkland Islands, but to people all over this dangerous planet."

Political reputations have been made or marred on the basis of their owners' debating capability in the House of Commons. The debate is a wonderful test of the Legislator's intellectual capacity and of his/her ability to persuade; the ability which is considered a crucial weapon in the armoury of an effective politician. The debate, therefore, has high value, not only as an instrument of deliberation but also for its impact upon government policy. A good debating performance, whether it is from the Treasury Benches or from the Opposition, may even persuade and oblige the Ministers to continuously rationalise and justify their policy and conduct, in the light of the arguments that might be advanced.

The legislature does not operate in a vacuum. The impact of the Legislature, therefore, depends on its relations with the people. Lloyd George said that "The House is a sounding board of the Nation; it both speaks for and speaks to the people."

Therefore, the legislative debate influences public opinion and is influenced by it. The success of the functioning of the Legislature is assured to the extent to which the Honourable Members use the debate as the means through which to fulfil their public responsibility.

We have to remember yet another important matter. The Legislative Bodies underline one essential characteristic of democracy, namely, the need for an ethical approach. By the debating process the Honourable Members of the Legislature accept the primacy of restraint and consent for the settlement of our problems. Dr. S. Radhakrishnan said :

We may emphasise the ethical character of democracy, we mean that every human being has an element of rationality, that it is possible for us to appeal to it. We must believe that we may not always be right, our opponents may sometimes be right. We should be modest enough to believe that there must be some virtue in our opponents also. It is this sense of humility, this sense of restraint, that democracy imposes on us. It is our duty to understand and come to a reasonable settlement with them. Democracy and violent action are inconsistent with each other.

The memorable words of Dr. S. Radhakrishnan underscore the basic civilised qualities that every Honourable Member of a Legislature ought to possess and display, in the course of a discussion in the Legislature. The Parliament and the Legislatures in India have, for many years, evolved and adopted procedures highlighting the dignity of the Honourable Member, his/her rights and duties and the conduct and behaviour expected of him/her in the performance of his/her duties. It is not necessary for me to cite

the rules pertaining to the conduct of the debates, since all of us are aware of them. It is enough for me to say that the content and quality of debate will, to a great extent, depend upon the extent of understanding by each Honourable Member, of the principles of democracy. That is the reason why I took your valuable time in explaining these principles. The Honourable Members of the Legislative Bodies ought to appreciate that, by their personal conduct, by their sterling performance, by their faith and conviction in the democratic process, they uphold and enhance the dignity and prestige of the Legislature. Many veteran parliamentarians in India have left their impress, the distinctive stamp, in our parliamentary annals, not only by the quality of their expositions and the clarity of their thoughts but also by their zeal and sincerity in preserving the traditions of the Legislature.

To be a good debater on the floor of the House, the Honourable member has to develop the requisite qualities through perseverance and hard work. One has to continuously nurture the art of deliberation and delve deep into the subject matter. It is both what you speak and how you speak that becomes vastly important for making an impact upon the listeners. An Honourable Member cannot convince other people unless he himself or she herself is thoroughly convinced and for this purpose, he or she will have to do his or her homework in depth and devote all the possible time and energy to his or her work as a parliamentarian.

Unfortunately, the volume of the business of the Legislatures has grown enormously in recent times. The subjects dealt with by the Legislatures have vast ramifications and affect different sections of society in different ways. The subject matters are becoming complicated, and, oftentimes, give the impression of having no connection with the needs of the people. Hence, there appears to be less and less time for the Honourable Members to study the various subjects and come prepared for the discussions. As a result, it appears that they take their task of parliamentary debate lightly without much seriousness. Many of them want to take part in the debates as ex-temporaneous speakers. There is less and less study of the subject matter of the debate. More and more time is taken for political wrangling and controversies which tend to be acrimonious. The political atmosphere outside the Legislature also contributes to the heat inside the House. The Honourable Member must utilise the opportunity for debate as a continuous and sustained process of self development. The Legislature is not an ordinary public speakers platform, but is a prestigious place of dignity and honour, where a lucky few who have been chosen by the people have been sent to echo their views and express their wishes, and bring about general improvement in their welfare. To the extent to which the Honourable Members do not properly utilise this valuable opportunity, using debate as the method, to that extent, there will be deterioration in the performance and general level of debate of the Legislature.

The Honourable Members should consider participation in the Debates

as their sacred and bounden duty. They must perform this task with utter selflessness and in the best interests of the people. By their thought, word and deed, they must uphold the dignity of the House. Whatever is said or done during the debate which is not in consonance with the standards of good behaviour, will not be in consonance with the dignity of the House. The language of the debate is a crucial indication of the personal culture of the Honourable Members. The language used in a debate should always be temperate and not provocative. It should promote a total sense of harmony and not wound the feelings of any person, both inside and outside the Legislature. The Honourable Member's sense of discipline and decorum lends grace and strength to the quality of the debate and ensures the success of parliamentary procedures. Great parliamentarians have always been extrasensitive about proper conduct during debates, in the interest of upholding the dignity of the House. An episode in the career of Pandit Jawaharlal Nehru is a pointer to this fact. He once used a word "lies" in the Parliament. It was objected to as being unparliamentary. Jawaharlal Nehru substituted it with the word "untruths". But, that was not all. Jawaharlal Nehru was filled with remorse for having uttered that unparliamentary word.

In a letter to the Chief Ministers dated 15 June 1951, he wrote :

"The Constitution (Amendment) Bill gave rise to heated and sometimes passionate debate and, I fear, tempers were frayed and hard words said. I am sorry to confess that I fell from grace on one occasion during this debate and used needlessly strong language. But the strain of two weeks of that debate and listening to constant accusations and denunciations was too much for my patience."

But, Jawaharlal Nehru went farther than this. In an address to the members of both the Houses of the Andhra Pradesh Legislature on 27 July 1963, he made certain observations which I quote *in extenso*, because they are prophetic and indicate how the decline in the standards of performance and norms of behaviour in the Legislatures could be a continuing trend, unless arrested consciously and as a sacred duty, for the survival of the Legislature as a democratic institution :

One rather unfortunate tendency that one sees gradually taking shape is a certain lack of decency in our public life. This is a very unfortunate thing. Apart from the fact that it reduces the level of our public work very greatly, it degrades us, our institutions, our Parliament, our Assemblies. In our Parliament and Assemblies, there are all kinds of rules to regulate the conduct of Members. They have to normally use certain courteous phraseology. All these are deliberately followed in order to keep the temper of the House low and not start cursing each other as sometimes we do. But all these conventional phrases and fine cus-

toms and the decorum which the Speaker seeks and is entitled to, are meant to discipline and conduct our business decently, even if it is an archaic way of doing it. Now some people ask why we should have all these formulae which have no meaning. The Speaker, for instance, may be forced to order out some Member.....If, you are in Parliament, you must listen to the Speaker, for otherwise, you cannot function. Otherwise, there would be confusion, chaos. That is exactly what is happening now. There is a certain chaotic tendency.....Outside the Legislature also, such behaviour is a bad thing and it is much more so in the Legislature. Democracy has failed in many countries in Europe because of such tendencies coming up. When one party behaves in a fascist way, it incites the other parties the same way, so all parties lower themselves and the prestige of the whole country is lowered and the democracy goes to pieces. Therefore, I would like you to be wary of such developments.

It appears that Nehru's words uttered in 1963 are relevant even in 1993. A certain measure of "give and take", "wit and witticism", not only enlivens the proceedings of the Legislature, but also contributes to elevating the standards of performance and draws the best out of each Honourable Member. Even when one has to take a stand on behalf of one's party, one could always say a word of praise and at the same time, put enough punch into the speech, so as to drive home the point. Honourable Thiru C. Rajagopalachariar, when he was the Premier of the Madras Presidency, once replied to the observations made earlier by Honourable Thiru V.S.Srinivasa Sastri, during the discussion on a Bill. That was in 1939. Rajaji's speech is worth recalling :

The Rt. Hon'ble Sastri said a great many things yesterday. But I must first unburden myself of what I have in my mind, namely, the extraordinary beauty and the extraordinary perfection, if I may say so, of the speech that he made yesterday. But, having said that, having appreciated it in full measure, I must say.....he must permit me to say.....that it was all too much like a beautiful lady's umbrella-a silken umbrella perfect in form, in beautiful symmetry, full of colour and beauty-which gave no protection either against sun or against wind or against rain (laughter)."

I am sure, you will agree that Rajaji made his point. The telling use of language, enlivens the proceedings, helps us to drive home a point and defuses tension at the same time.

The Great Anna, (the former Chief Minister C.N. Annadurai) was a master of language. He was a great parliamentarian. His understanding of

any subject was profound. He had an uncanny insight by which he understood a Member's point of view and replied to it effectively, demolishing his arguments but never giving the impression that he was, in fact, doing so. During a debate in the Tamil Nadu Legislative Assembly on 20 March 1968, he said :

"Thiru Vinayagam (senior member of the Opposition Congress Party) said : We shall not topple your Government"

"I am pleased to note that there are able people in the Congress like Vinayagam, to support us"

"I am repeatedly saying that if you topple our Government, the loss is not to us, on the contrary, it is to the country."

Anna was an unsurpassed master of the art of speechmaking and debating. He was a debator par excellence of all time. He argued with exceptional talent. He employed eloquent literary devices to give charm and colour, energy and effect, variety and vigour to his speeches.

On another occasion, Anna said :

When you go to a wedding reception, and the host sprinkles rose-water upon you, a drop falls in your eye and the eye experiences a burning sensation. But you do not find fault with the host for sprinkling rose water. The legislators from the Opposition Benches have spoken in a wounding manner but I have learnt to take it in my stride even as I would not blame the host at the wedding reception for sprinkling rose water on my eyes. particularly, when I recall the insults and infamies that have been heaped upon me during the 25 years of my public life, I feel that these speeches, however harsh they are, are not more than the cool breeze that is caressing my skin. I am grateful and deeply obliged to the Leader of the Opposition and other Honourable Members for their valuable contributions to the debate."

We have chosen the path of democracy. The real will of the People, which is the ultimate sovereign, is expressed in the Legislature. The Legislatures of India, therefore, truly represent this great Nation. As Legislators, we have to discharge our responsibility, rising above our ordinary selves, thinking of the great problems before us, in the widest, most talented and most effective manner. I see no alternative to discussions, good discussions, debates and effective debates, by which we can clarify the Nation's goals and re-affirm our faith in the democratic procedure. *Jawaharlal Nehru* once said :

"Words are magic things often enough. But even the magic of words sometimes cannot convey the magic of the human spirit and of a Nation's passion."

At the same time, it is by using words, proper words, dignified words

and words of wisdom, that we have to capture the spirit of democracy. I have no doubt that the Honourable Speakers, who carry heavy burdens of office upon their shoulders, will take part in a stimulating discussion on how the quality of debate in the Legislatures of India could be improved and how the role and importance of debate could be re-affirmed. I have only offered a few general thoughts for your consideration.

Let me once again, thank you for this wonderful opportunity.

Thank you.



## DISCIPLINE AND DECORUM IN PARLIAMENT AND STATE LEGISLATURES

ATAL BIHARI VAJPAYEE

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India, the world's largest democracy, adopted the parliamentary system of government after Independence. That this system is uniquely suited to Indian ethos is evident from the fact that our people understand the importance and power of the vote. They regularly and faithfully exercise their franchise and more than once have brought about a change of government at the Centre and in the States. The elected legislators, who are the representatives of the people, must in turn ask themselves whether they are fulfilling their obligations towards the electorate? Are they taking timely and adequate steps to strengthen democratic institutions in the country?

An honest appraisal of the working of the parliamentary system reveals a general apprehension of falling standards. Parliament and the State Legislatures are the fundamental props of the parliamentary system. Indeed they are the very citadels of democracy itself. In order that parliamentary democracy functions unhindered, parliamentary institutions must be allowed to function at the optimum level of efficacy. This can be possible only when the highest standards of discipline and decorum are maintained in the Legislatures.

It bears emphasising that there is, after all, no better system of government than democracy. In recent years, former communist countries have been compelled to bid farewell to the communist set up, and adopt the path of parliamentary democracy.

Parliament, it is rightly said, is a training field for leadership. However, Parliament and our Legislatures are often assailed by disorderly behaviour. Outsiders who witness the proceedings during the Question Hour in Lok Sabha, for example, may walk away with the impression that all is perhaps not well with the highest representative institution in the country. The reason, largely, is that often other issues are raised as a result of which the Question Hour is interrupted.

Since the Question Hour enables Members to elicit information from the Government through interpellation, there can be no doubt that it is one of the most important parliamentary devices for ensuring the accountability of the Government. That being so, an issue must be of the utmost importance for the Question Hour to be postponed on a particular day.

In the event of a great urgency, a Member may resort to the rule whereby, he may, with the consent of the Speaker, move that the business

scheduled for that period be suspended to take up the more pressing matter and if the motion is carried, the scheduled business shall be suspended for the time being.

Judging by the Press coverage of the frequent interruptions during the Question Hour and the so called Zero Hour, it seems that noisy scenes in the House are an easy shortcut to attracting publicity. It is indeed unfortunate if this takes precedence over personal efforts by a Member to make an effective speech. For the latter, a deep study of the subject is required, facts have to be collected, and arguments have to be substantiated. A speech should be prepared in such a manner that it could be read in the next session, in the other House and also by the next generation. Quite understandably, public representatives do desire to see their written or spoken words in print. The role of the Press and recently of Television in throwing light on parliamentary proceedings is well recognised. While it is incumbent upon the media to ensure responsible coverage, it, also behoves Members not to play to the gallery. They must be ever conscious of the kind of publicity their actions or speeches are likely to generate.

It needs to be emphasised in this connection that the Government should be more responsive and the Opposition more responsible in a democracy, and neither should create a situation whereby uproarious scenes are witnessed in the House. Opposition Members are often found to be complaining that it is the failure of the Government to give a satisfactory reply to the Members' questions that leads to disorderly conduct in the House. Adequate opportunities do need to be given to the Members to raise important subjects. Certainly, Ministers also can come prepared to the House, in anticipation of matters that might be raised on a particular day. This should be applicable not only to Members of the Union Cabinet but to all Ministers in the States as well. It is also essential that the Prime Minister and Chief Ministers must be present in their respective Houses to inspire and guide their Ministers.

The efficient functioning of the Legislatures primarily involves the effective utilisation of the time of the House. It is understandable that the time available to discuss the many subjects and topics that are sought to be raised on the floor of the House, is limited. Needless to say, as many members as possible should get an opportunity. It is therefore very necessary that speeches should be to the point and not exceed the allotted time. It is generally agreed that the time spent on legislative business in Legislatures has been dwindling. There seems to be no exhaustive discussion on subjects like health, education, urban development, and family planning because these are not issues which might trigger an animated discussion in Parliament. These are, however, not issues we can afford to ignore.

The situation in respect of discussion on Budget items is still worse because Demands for Grants to the tune of millions of rupees are voted without adequate discussion. Much adverse criticism has been levelled against the practice of guillotine resorted to every year when the Demands

for Grants are discussed by the Lok Sabha. This situation must be urgently rectified.

It is widely recognised that a strong committee system can exercise a thorough scrutiny of the Government's functioning. The introduction of 17 new departmentally related Standing Committees is a welcome step in this direction.

It is important that some thought be also given to the duration of sessions of the Legislatures. It is seen that the number of sittings of several State Legislatures is not sufficient for a proper discussion of important matters. It is desirable that the number of sittings of a Legislature should be for period of 100-120 days in a year. For effective functioning of the parliamentary system it is imperative that the House should be allowed to hold discussions on issues on which it so desires and opportunity should be provided for the purpose; discussions should not be obstructed or barred although they should be purposeful and meaningful.

Wastage of precious parliamentary time through disorderly conduct and obstruction of proceedings can in no way enhance the credibility of parliamentary institutions. The common man, especially the youth, may ask whether they have elected their representatives to squander precious money, and indeed such questions have begun to be raised.

Of late, serious note is being given to the need for a code of conduct for legislators. It may be asked why, when there are rules, there is any need to evolve a code? The reason simply is that rules do not cover all the circumstances. The example that most readily comes to mind is the interruptions which mar the solemn occasion of the Address by the President in Parliament or Governors in their respective State Legislatures. There is no rule which guards against interruptions or disrespectful behaviour during such an Address. In the absence of a written rule, a commonly acceptable code of conduct should be evolved. The President and the Governors in their respective capacities as Head of the Nation and Heads of the States discharge a solemn constitutional obligation when they address the Legislature. It is always necessary to protect their dignity and prestige.

A common complaint is that Addresses by Governors are not very interesting. It might be pertinent to ask what kind of interest the Governor's Address should generate. After all, a Governor delivers the Address drafted by the respective State Government. It is not possible that the Governor delivers his Address in contravention of what the Government has drafted for him as this will create a constitutional crisis.

In any case, it must be remembered that Members can express their difference of opinion or views during discussions on the Motion of Thanks on the Address in the House.

India's parliamentary system has spanned nearly five eventful decades. The time has certainly come at this juncture of our fruitful experiment

to take stock and to effect steps for the strengthening of the system that our founding fathers deemed to be the best for our nation. The important question undoubtedly is, whether political parties, today, can determine a uniform code of parliamentary conduct as can be applicable at the Union and the States so as to uphold the dignity of the Legislature.

Good conduct decrees that neither the ruling party nor the Opposition should behave in a manner which they do not expect of the other. Let it not be that while in Opposition one plays a different role, speaks a different language and talks in a different tone.

The principles of parliamentary etiquette should be binding on all. Parliamentary etiquette requires that a member who is speaking should be permitted to express his views in an uninterrupted manner. Another member wishing to make a point should seek the permission of the Chair and that of the member speaking.

Members are expected at all times to refrain from using unparliamentary language and expressions. It is also imperative that to uphold the dignity of the House, certain norms should be followed with respect to the points that are to be made on the floor of the House. Certain matters, for example, are not allowed to be raised on the floor of the House. These are, to mention some, matters which are *sub-judice*, or relate to State Legislatures, their Presiding Officers, and their proceedings, or refer to the conduct of high dignitaries, or are references of a derogatory nature about friendly foreign states and their dignitaries.

It may be reiterated that all indicators point to the necessity of a uniform code of conduct, applicable to all and to be followed by all. In this connection it may be noted that the annual Conference of Presiding Officers have in the past focussed attention on this issue. On 23 and 24 September 1993 a two-day All India-Conference of Presiding Officers, Leaders of Parties, Ministers of Parliamentary Affairs, Whips, Parliamentarians, Legislators and Senior Officers of Parliament and State Legislatures was held in the Central Hall of Parliament House, to deliberate on the issues of discipline and decorum in the Legislatures. The Conference, which was the first of its kind, was marked by timely and useful discussion, and it adopted a unanimous resolution on the urgent need and action for more meaningful, effective and orderly functioning of the Houses of Parliament and State Legislatures.

It was unanimously agreed, *inter alia*, that,

- (i) At the time of Address by the President to the Members of both Houses of Parliament and at the time of Address by the Governors to the Houses of Legislatures, decorum and dignity of the occasion be maintained fully and due respect be shown to the President and the Governor.
- (ii) The Question time should be utilised fully and effectively as a well-established device to ensure accountability of the

Administration and that the demand for the suspension of the Question Hour should not be made and acceded to except with the consensus in the House to discuss a matter of very urgent nature and exceptional importance;

- (iii) The Legislature should hold sufficient number of sittings in a year with a view to affording adequate opportunities to the Legislators to deliberate;
- (iv) Members should scrupulously observe the Rules of Procedure in order to maintain order and decorum in the House; and,
- (v) The Committee system be strengthened in the Parliament and State Legislatures in order to enable indepth study and closer scrutiny as well as to ensure accountability of the Executive to the Legislature.

The resolution also suggested that the political parties evolve a code of conduct for their Legislators and ensure its observance by them and urged that political parties, Governments at the Centre and in the States, the Press and others concerned should help create a climate conducive to the healthy growth of parliamentary system in the country.

It was also suggested during the course of the Conference that State Legislative Assemblies should organize regional Conferences so that State Legislators may have an opportunity to express their views. Subsequently, a Regional Conference of Presiding Officers, Ministers, Members of Legislatures and Parliament from Gujarat, Goa and Maharashtra was held in Bombay on 29 and 30 October 1992, where the issue was discussed. The Annual Conference of Presiding Officers of Legislative Bodies in India at Madras, in June 1993 also touched upon this all-important issue, among other things.

It is to be sincerely hoped that the momentum for change thus generated yields the best results. Legislators and indeed those who elect them, keenly anticipate an environment conducive to a healthy and unfettered functioning of the parliamentary system in our country.

## TELEVISION OF PARLIAMENTARY PROCEEDINGS IN AUSTRALIA

R.C. BHARDWAJ

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Australia at the federal level was a pioneer in the radio broadcasting of the proceedings of Parliament, being the second national Parliament of the Commonwealth, (after New Zealand in 1936), to introduce the broadcasting of proceedings of the House of Representatives on 10 June 1946. The Broadcasting Act of 1946 authorised the then Australian Broadcasting Commission, now the Australian Broadcasting Corporation (ABC), to make sound recordings of any proceedings of either House of Parliament.

### **Desirability of Televising Parliament Proceedings**

In a 1974 report, the Joint Committee on the Broadcasting of Parliamentary Proceedings, having been asked to inquire into the desirability of televising portion of debates and proceedings and related matters, concluded that 'conceptually, it is desirable to televise a portion of debates and proceedings of the Parliament' and recommended that a closed-circuit trial period of televising be undertaken before the Parliament makes a final decision. The Committee further recommended that ABC be obliged to telecast on a regular basis, two programmes produced by a Parliamentary Television unit under the Presiding Officer's control. These programmes would involve a telecast of Question Time from one House on each sitting day and a one-hour summary programme each weekend. It was also recommended that access to the Parliamentary Television Unit's video tapes be granted to any television network on specified conditions. The conditions were laid down in guidelines in the Committee's report. The guidelines framed were :

....to provide a means, in conformity with acceptable standards of dignity, propriety and decorum by which the proceedings of the Parliament should be made available to the people of Australia for their knowledge through accurate and impartial coverage of the debates of the Senate and the House of Representatives and public meetings of their committees.

This report of the Broadcasting Committee and its recommendations were not debated by either House.

### **Telecast of Joint Sitting of both Houses**

Visual recordings, with or without accompanying sound, were permitted for the first time in 1974 under an amendment to the Broadcasting Act.

However, this applied only to a joint sitting of both the Houses. The extensive telecasts of proceedings of the Parliament during the joint sitting of both Houses in 1974 were conducted by the ABC and these were carried out in accordance with the Broadcasting Act, as amended, and in accordance with determinations made by the Broadcasting Committee.

### **Telecasts of two major Budget Speeches**

Since 1984, the two major Budget speeches have been televised following the House's agreement authorising :

- the Speaker to make arrangements for the preliminary proceedings relating to the introduction of the Appropriation Bill (No.1)....., all or part of the second reading speech of the Treasurer, and all or part of the reply to that speech by the Leader of the Opposition to be filmed by the Australian Broadcasting Corporation;
- the direct, live, telecast of all or part of the film and accompanying sound of the proceedings by any television station provided that a station telecasts both speeches live and gives approximately equal time to both speeches; and
- the use by any television station of any part of the filmed proceedings and accompanying sound in subsequent news, current affairs and documentary programmes.

### **Guidelines for Televising**

The guidelines in effect for the televising of the 1988 Budget were quite detailed, and included requirements that the main coverage of cameras be on the Speaker or the Member with the call, although the coverage could include the occasional general, wide-angle picture of the Chamber and Galleries, returning gradually to focus back on the Member speaking. Medium range shots of Members listening to the speeches were allowed as was some panning of the Chamber. Reaction shots, for example, focussing on Ministers or shadow Ministers, were permitted but coverage of interjection or disruptions was not.\*

### **Televising of other major Statements**

Besides two major Budget speeches, additional authority has since been given to televise major statements by the Prime Minister, the Treasurer and the principal responder of the Opposition. For instance the House agreed to televise the debate on the Prime Minister's motion relating to the Gulf War in January 1991.

Another major occasion on which television broadcasting of proceedings occurs is in respect of the Governor General's speech and procedures associated with the opening of a new session of Parliament.

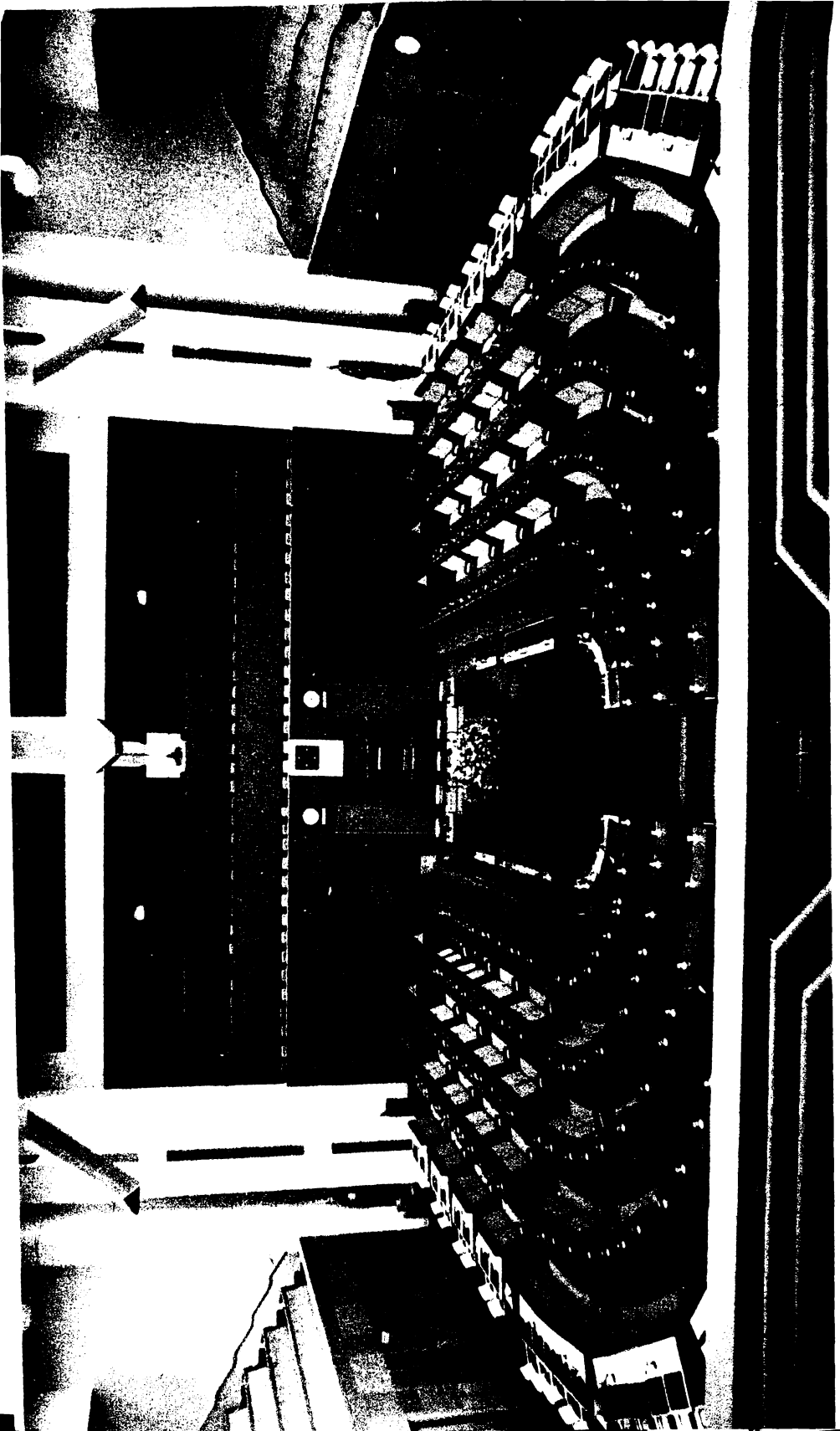
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\*For detailed guidelines subsequently proposed in 1991 by the Select Committee on Televising, see Annexures A and B.

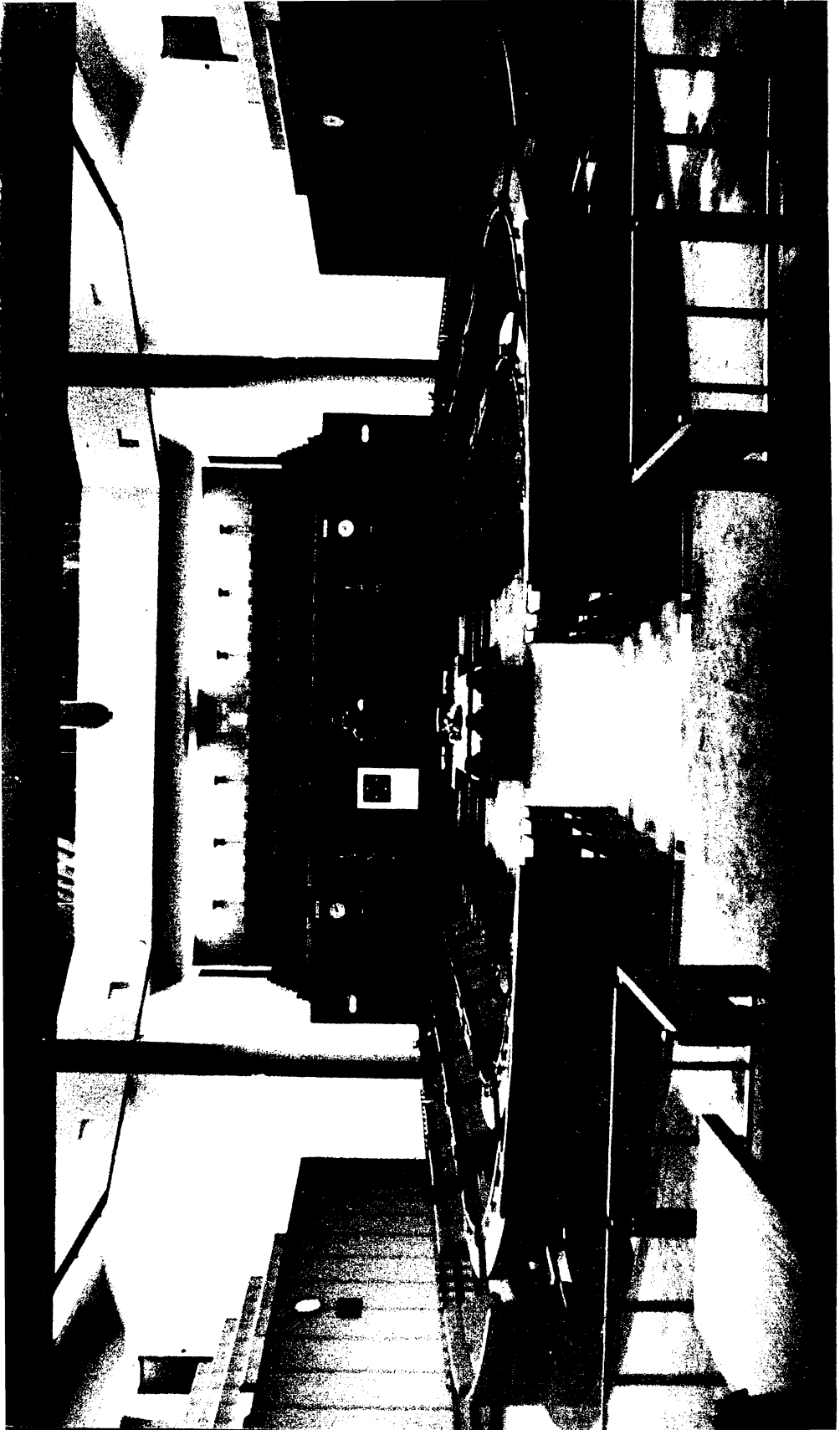


Production Control Room 3 (View of Monitor Wall), Vinten OP's Panel, Bosch Vision Mixer)

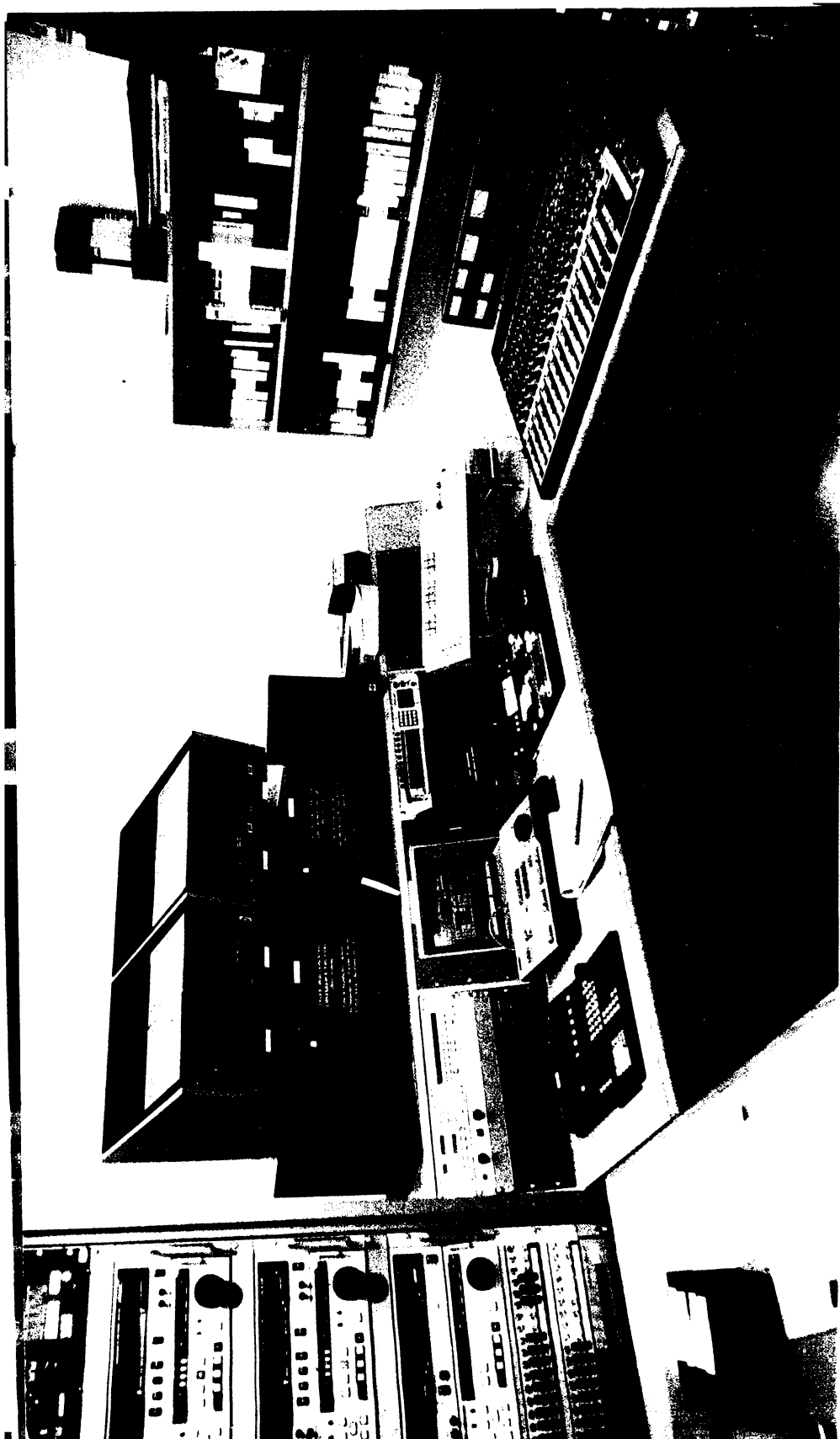




Representatives Chambers (View of 66 out of 8 cameras in the House)



Senate Chamber (View of 5 out of 8 cameras in the House)



Production Control Room-Edit Suite (View of Betacam, Videotape Machines, Monitors, Component Vision, Effects Unit, Component Vision Mixer, Sony Videotape Editor)

### **Telefilming in Chamber when House not sitting**

The Speaker has occasionally permitted filming in the Chamber, for television purposes, when the House has not been sitting, with strict control over the filming and over any future use of the film and sound record.

### **Closed-Circuit Televising of Proceedings**

The closed-circuit televising of proceedings was authorised by the Houses in May 1983. Cameras were subsequently installed in the Chamber to allow proceedings to be monitored from the offices of the Speaker, the Leader of the House, the manager of Opposition Business and the three party whips. From 1989 Members were able to view proceedings in their rooms through the monitoring system.

### **1986 Report**

The Joint Committee on the Broadcasting of Parliamentary Proceedings, in its report in June 1986 on televising and radio broadcasting, recommended *inter alia* that :

- (i) proceedings of both Houses be available for televising but that there be no compulsion to broadcast/telecass of proceedings on a continuous basis;
- (ii) the guidelines adopted for the televising of Budget speeches be endorsed as initial guidelines for television coverage; and these guidelines be monitored by the Broadcasting Committee;
- (iii) Where possible public proceedings of Committees in new Parliament House be available for televising and that edited audio-visual presentations of Committee proceedings be permitted.
- (iv) a Parliamentary Audio Visual Unit be established and key staff be appointed to it;
- (v) the television signal produced by the House monitoring system be made available for live or recorded transmission;
- (vi) absolute protection be conferred by legislation with respect to the radio and television signal made available by the Parliamentary Audio Visual Unit to media organisations and qualified protection be provided for the radio and television broadcasting of proceedings;
- (vii) control of access to the radio and television signal be vested in the Presiding Officers; and
- (viii) the opportunity be taken to revise completely the Parliamentary Proceedings Broadcasting Act, 1946.

### **Trial Period of Televising Senate and House of Representatives Proceedings :**

On 31 May 1990, the Senate agreed to a trial period of televising. The trial commenced on 21 August 1990. The Senate has since continued to televise its proceedings with some refinements of the guidelines.

The trial period of televising of the proceedings of the House of Representatives and its Committees commenced on 12 February 1991, during which the ABC televised House Question Time live on 23 occasions, with replays on the remaining 13 days of the 36 days of sitting. All coverage was produced by the Sound and Vision Office (SAVO) of the Department of the Parliamentary Reporting Staff which also makes the recordings available to commercial networks.

#### **Select Committee to conduct review of the trial**

On 6 June 1991, the Leader of the House moved to appoint a Select Committee of the House to conduct a review of the trial. The terms of reference of the Select Committee were as follows :

- (i) the impact of the trial period of televising from 12 February 1991;
- (ii) the reactions of Members and others to the trial period;
- (iii) the suitability of the conditions governing the televising of proceedings adopted for the trial period;
- (iv) the suitability of the guidelines for the camera operators;
- (v) difficulties encountered by the broadcasters in complying with the conditions; and
- (vi) any other matters relevant to this issues

The Hon. Leo Mcleay, MP was elected Chairman of the Committee. The Committee advertised in major newspapers, inviting interested persons or organisations to lodge submissions. The Committee also wrote to individuals and organisations with specific interest in the matter inviting submissions.

The impact of the trial period of televising was assessed by the Committee under various heads.

#### **Impact of the trial period of televising**

*Question Time* : Audience research data indicated that an average of 13.82% of viewers in major cities had seen the telecast of the House Question Time during the trial period.

*News and Current Affairs* : The greatest impact of the trial period of televising seems to have been in the increased use made by media networks of excerpts of parliamentary footage in their news and current affairs programmes, which enabled them to improve their coverage of the National Parliament.

The ABC submitted in evidence to the Committee that :

"the introduction of televised excerpts of the House proceedings from 12 February has had a significant impact upon the quality of television news and current affairs reporting from Parliament.....The ABC believes that the introduction of excerpting has.....provided millions of Australians with a clearer and more detailed perspective on House and Committee activities."

*Public Support* : All the submissions received from private citizens reflected support for the continuing broadcasting of proceedings.

An informal survey of 1255 visitors to Parliament House, conducted for the Committee by the Parliament House Guides, revealed that a total of 45% of visitors surveyed felt that the televised proceedings of the House of Representatives were interesting.

*Educational Organisations* : Educational organisations too indicated that the televising of proceedings has been of benefit. In the survey by the Parliament House Guides it was found that the awareness of school students was above that of other visitors. 53% of students had viewed Question Time compared with 38% of the general public. The proceedings of the House had been seen on current affairs programme by 83% of students compared with 75% of general public.

*Members' Reactions* : Members generally shared the view put forward by the Leader of the House, Hon. Kim Beazley, MP that "the trial period has generally worked well." The Manager of Opposition Business in the House the Hon. Wal Fife, MP referred to his previous statements in support of televising and suggested that the guidelines should be broadened rather than being further restricted.

#### **A Parliamentary Programme**

On the basis of a regular programme about the Australian Parliament on overseas networks, the Committee considered the question as to whether there should be a similar programme available to Australian networks.

The Select Committee recommended that SAVO should investigate the possibility of preparing a weekly programme of about one hour's duration on what happened in Parliament.

#### **Committee's conclusion**

There was sufficient evidence to indicate that the trial period of televising of proceedings had been successful in that it had increased an awareness of the Parliament and its people and its procedures. The Committee considered that the continuation of televised proceedings would assist the public to develop an even better knowledge and awareness of the work of the House of Representatives and the issues discussed there.

#### **Major Recommendations made by the Select Committee**

Some of the major recommendations made by the Committee were,

continuation of the live broadcast and rebroadcast of excerpts of House of Representatives proceedings; amendment of the Parliamentary Proceedings Broadcasting Act, 1946 to provide for televising of the proceedings of the Senate and the House of Representatives and their Committees; adoption of revised conditions for broadcasters and their further review prior to the end of the Autumn Sitting of the House in 1993; and also adoption of the revised guidelines for operators of the sound and vision equipment and their further review prior to the end of the Autumn Sitting of the House in 1993.

### **Televising, Filming and Tape-recording of Committee Proceedings**

There is no provision under statute or the standing orders of the House of Representatives for the televising or filming of Committee proceedings; nor is televising or filming expressly forbidden. However, it has been considered that a Committee should not permit the televising or filming with sound of its hearings without the authority of the House or both Houses, as the case may be. It has become reasonably common for some footage to be taken, without sound, at Committee meetings.

Most public hearings and inspections of the Joint Committee on the Australian Capital Territory were the subject of some filming without sound during the period 1980-87. Filming and sound recording of taking of evidence were expressly not permitted. In April and June 1968, the Joint Committee of Public Accounts authorised the Australian Broadcasting Commission to film the taking of evidence. In 1974, the Standing Committee on Aboriginal Affairs permitted Film Australia to film formal proceedings, without sound, and informal proceedings (the conduct of inspections), with sound. It was agreed that the Committee should have an opportunity to see the film before its release. In 1984, the Committee permitted televising with sound of the commencement of a public hearing. Witnesses answered a formal question about their organisation, but once the hearing was formally under way only filming without sound was permitted. Other Committees have permitted filming under similar conditions.

### **Legal aspects involved in televising/ filming of Committee Proceedings**

Important questions of principle arise in respect of televising and filming. These relate not only to the legal position of the parties involved but also, for example, to the rights and legitimate interests of witnesses and of third parties who may be the subject of comment in proceedings conducted under privilege.

People taking film, or still photographs, should have regard to the powers of each House to deal with any act which may be held to be a contempt or breach of the rules applying to the taking of photographs in Parliament House.

Any person permitted by a Committee to attend a hearing may tape record the proceedings. It is the responsibility of the person concerned to

ensure that the recording is not used improperly or in contravention of the parliamentary Proceedings Broadcasting Act, 1946 or any other statute. The laws of defamation, publication and so on, apply. Further such tape recording of proceedings has no standing in terms of the laws governing the broadcast of proceedings or the laws of parliamentary privilege.

#### **DEPARTMENT OF PARLIAMENTARY REPORTING STAFF**

Of the four Departments that support the Australian Parliament, the one concerned with televising of parliamentary proceedings is called "the Department of the Parliamentary Reporting Staff." The joint parliamentary heads of the Department are the two Presiding Officers of the Parliament—the President of the Senate and the Speaker of the House of Representatives.

The responsibilities of this Department are as under :

- (i) To record the proceedings of the Parliament, its Committees and selected other activities using print, electronic, visual, or sound media;
- (ii) To provide reports, transcripts, and radio and television coverage of the parliamentary proceedings for publication and broadcast; and
- (iii) To provide automated information processing and telecommunication services for the Parliament.

The three operational programmes of this Department are Hansard, Information Systems and Sound and Vision Systems.

#### **Sound and Vision Office (SAVO)**

The Sound and Vision Office initially created in 1988 and reformed in 1990 is responsible for the development, operation and maintenance of the television and sound systems and related electrical equipment within Parliament House and provides audio-visual support for specified functions.

SAVO is one of the largest producers of Australian content programming in the country, producing over 1,600 hours of television and radio broadcasts of parliamentary proceedings annually.

#### **Objectives :**

- (i) To maintain and operate efficiently the Parliament's television and radio broadcasting facilities and related technical services;
- (ii) To provide an authoritative source of advice on broadcasting, production and related technical matters to the Presiding Officers, Senators, Members and other parliamentary departments.

#### **Strategies :**

- (i) Monitor trends and developments in technology to ensure



that Parliament has efficient and cost effective broadcasting, communication and related electronic system.

- (ii) Maintain links with similar organisations to ensure that the quality of service provided and procedures followed meet industry best practice.
- (iii) Consult with the Presiding Officers, Senators, and Members to establish their requirements.
- (iv) Monitor systems performance to ensure reliability and compliance with relevant standards.
- (v) Operate an equitable cost recovery system for non-parliamentary work.

\* *Staffing Pattern* : In 1990, a review was commissioned to examine and report on the long term establishment and staffing requirements of SAVO.

The Review Team, adducing various reasons, opined that staffing of SAVO by contract employees is both inefficient and costly, and concluded that SAVO should have a permanent staffing establishment to enable it to develop and retain its own staff to ensure its continued operation.

#### **INFRASTRUCTURE**

SAVO which covers the proceedings of the House of Representatives, Chamber of Senate and 19 Committee Rooms, provides an efficient and reliable communication system in Parliament House. It has an elaborate infrastructure which involves over 15,000 kms. of cabling. It maintains 25 broadcast quality camera systems, 2 television production control rooms, 2 edit control rooms, 3 video tape edit systems, 86 outside broadcast points, 3 radio broadcast booths/studios, 14 Whips monitoring cameras, 500 television sets, 19 VCRs, 1900 radios, 1150 microphones, etc. SAVO is also responsible for operation of a 300 seat cinema theatre with full surround Dolby sound system and video projections.

##### **Camera System**

The Chambers of House of Representatives (H.O.R) and Senate have been provided with 8 Vinten type Hitachi SK-97 cameras. The rule followed in the placement of the cameras in each Chamber is that all Senators/ Members have equal picture framing potential, *i.e.* it is possible to provide every Member with the same type of shot and there is no discrimination between the front and the back benches in this respect.

##### **Lighting System**

In the Chambers of House of Representatives and the Senate good use has been made of natural light. To provide additional light in the two Chambers, 200 HQI Metal Vapour Discharge Luminaries, each of 150 W have been provided in each House.

##### **Audio System**

*Microphone System* : Each Chamber uses AKG CMS series con-

denser microphones fitted with CKI capsule. There are in all 140 microphones in the House of Representatives and 94 in Senate. Each Member has been provided with a separate microphone. There is arrangement for mimic display for identifying the speakers.

*Loud Speaker System* : To ensure that the proceedings in the Chamber are clearly heard by all within the House of Representatives, a total of eight omni directional loud speaker columns have been suspended approximately eight metres above the floor. Of these, one is sited over the Centre Table and the remainder are distributed over the body of the Members' seating configuration.

The Centre Table Column is used to provide for Mr. Speaker and all users of the Table thereby localising the origin of the sound enforcement for these users to this location. Mr. Speaker's access to this column is maintained at all times and he is given access to other columns for greater penetration during continuous periods.

#### **House Monitoring System**

The House Monitoring System (HMS) is a multi-channel radio and television cable system which provides information on parliamentary proceedings and other activities in the building. It also gives access to local radio and television services, parliamentary Library information services and videotext, Paritext and Austext services.

## **ANNEXURE-A**

### **CONDITIONS FOR BROADCASTERS**

#### **Authority to Broadcast**

The House authorises live broadcast and rebroadcast of the proceedings and excerpts of proceedings of the House of Representatives, including the adjournment debate, on television from 12 September 1991.

#### **Conditions**

Access to the proceedings of the House of Representatives for the televising of proceedings is subject to an undertaking to observe, and to comply with, the following conditions :

##### **1. Source of Recording**

Broadcast and rebroadcast may occur and recordings may only be made from the official and dedicated, composite vision and sound feed provided by the Sound and Vision Office.

##### **2. Fair and Accurate Reporting**

Televising shall be used only for the purposes of fair and accurate reports of proceedings, and shall not be used for :

- (i) political party advertising or election campaigns;
- (ii) satire or ridicule;
- (iii) commercial sponsorship or commercial advertising.

*Note :* Where excerpts are used on commercial networks, the station should try to ensure that advertising before and after excerpts is of an appropriate nature.

##### **3. Balanced Reporting**

Reports of proceedings shall be such as to provide a balanced presentation of differing views.

##### **4. Context**

Excerpts of proceedings are to be placed in context.

##### **5. Withdrawn Remarks**

Remarks in respect of which a Member claims misrepresentation or otherwise seeks withdrawal, and which are subsequently ordered to be withdrawn, or are voluntarily withdrawn, are not to be rebroadcast.

##### **6. Deletions from Hansard**

If the Speaker orders that a remark be deleted from Hansard, either at the time the remark was made or at a later time, the remark, the Speaker's direction and the proceedings relating to the matter, are not to be rebroadcast.

## **7. Points of Order**

Points of order, and matters claimed to be points of order, are not to be rebroadcast.

## **8. Technical Restrictions**

Footage must be broadcast at normal speed, with synchronised sound and vision.

## **9. Acknowledgement of Speaker's Gallery**

Events in the galleries are not a part of the proceedings and should not generally be covered. However, acknowledgement may be made of distinguished visitors in the Speaker's Gallery if the Speaker, or the Deputy Speaker, makes such a reference.

## **10. Privilege**

Subject to an appropriate amendment to the Broadcasting Act, absolute privilege is to apply to live broadcasts. Qualified privilege only shall apply to broadcasters in the use of excerpts and delayed broadcasting of proceedings.

## **11. Speakers' Instructions**

The instructions of the Speaker of the House of Representatives, or the Speaker's delegate, in respect of broadcasting, shall be observed.

## **12. Penalties**

Non-compliance with the guidelines listed above may incur the following penalties for the stations involved :

- (i) first breach—access to the broadcast service withdrawn for three sitting days;
- (ii) second breach—access to the broadcast service withdrawn for six sitting days;
- (iii) such other penalty as is agreed by the House members on the Joint Broadcasting Committee.

Breaches of the guidelines shall be considered and determined by the House members on the Joint Committee on the Broadcasting of Parliamentary Proceedings.

## **ANNEXURE-B**

### **GUIDELINES FOR CAMERA OPERATORS**

1. As a general principle cameras should focus on the Member with the call. Shots should be no closer than 'head and shoulders'.
2. Fine tuning or variations to depths of field at the discretion of the operator is acceptable.
3. Wide-angle shots of the Chamber may be used during Divisions and Question Time. Sparing use of the wide-angle shot may be used at other times.
4. Reaction shots of a Member are permitted :
  - When the Member has sought information which is being supplied by a Member having the call; or
  - when the Member is referred to in debate; and
  - if the Member is in the designated seat.
5. If an exchange between Members is too fast to permit normal camera switching, then a wider camera shot incorporating those involved in the exchange, including the Chair, is permitted.
6. Coverage of the Galleries and the advisers' seats is not generally permitted except when distinguished visitors are referred to by the Speaker or the Deputy Speaker. In this case, the camera may focus briefly on that section of the Speaker's Gallery where the distinguished visitors are located.
7. In the event of unparliamentary behaviour or disturbance by strangers on the floor of the House, the camera is to focus on the Chair or a slightly wider angle shot of the Chamber which incorporates the Chair and the despatch boxes area but which does not show the offending incident.
8. No panning along the Benches shall be permitted.
9. No split-screen shots shall be permitted.
10. No close-up shots of Members' papers shall be permitted.
11. Instructions from the Speaker, or the Speaker's delegate, in relation to the operation of the sound and vision equipment in the House of Representatives, shall be observed.

## OUR CONSTITUENCY AND CONSTITUENTS\*

P.A. SANGMA (TURA, WEST GARO HILLS)

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Garó hills forming the Western Region of Meghalaya is situated at the western end of Patkai Range of Assam between latitudes 25°9' and 26°1' North and longitude 89°9' and 91°2' East and has an area of approximately 8,167 sq.kms. It is bounded in the North and West by Goalpara District of Assam and in the East by Khasi Hills District of Meghalaya. The Garó Hills borders Bangladesh on the South and partly on the West. It is one of the two former Autonomous Hills districts of



Assam which presently constitute the State of Meghalaya, the other being the United Khasi and Jaintia Hills.

My Constituency, Tura, is the headquarters of West Garó Hills district of Meghalaya. Garó Hills, formerly known as Garowana, was constituted as an administrative unit with Tura as its headquarters as early as 1866 although Meghalaya became a full-fledged State only in 1972. The following write-up deals with not only Tura, but the entire Garó Hills region, of which it forms a part.

In order to bring the administration closer to the people and also to take up effective developmental work in the most backward rugged terrains, the composite Garó Hills district was bifurcated in 1976 into two districts, viz. East Garó Hills and West Garó Hills, with headquarters at Williamnagar and Tura, respectively. The Baghmara civil sub-division of West Garó Hills has been further carved out as a separate district, viz. South Garó Hills district in 1992.

About two-thirds of the area comprising the 3 districts is hilly. The physiography is characterised by a dense cluster of hills of low elevation. Most of these hills are less than 600 metres in altitude, except in the Arabella Range where the elevation reaches 960 metres and in the central ridge or the Tura range, which maintains a fairly even altitude of 1,200 metres. The highest peak is Nokrek which is about 1,396 metres high. The Kailas peak (1,125 metres) east of Someswari river and Balphakram (940

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\* This write-up is based on the material supplied by Shri P.A. Sangma, Minister of State (Independent Charge) of the Ministry of Labour.

metres) on the border of Khasi Hills are the other main peaks. Tura is at an elevation of 390 metres. Numerous rivers and streams originate in the higher hills and find their way down to the plains over narrow and rocky beds.

The total population of the composite Garo Hills is 6,67,000, according to the provisional Census of 1991, of which 1,89,000 is in East Garo Hills and 4,78,000 in composite West Garo Hills. The population of Scheduled Tribes and Scheduled Castes in Garo Hills is 3, 96,000 and 3, 965 respectively. Nearly 90.4% of the people live in rural areas.

Each of the three districts has Civil Sub-Divisions and Community and Rural Development Blocks as indicated below :

| District         | No. of Civil Sub-Divisions | No. of Community and Rural Development Blocks |
|------------------|----------------------------|---|
| East Garo Hills  | 1                          | 4   |
| West Garo Hills  | 2                          | 7   |
| South Garo Hills | -                          | 3   |

There is a Rural Development Agency, in each district, for implementation of the poverty alleviation programmes, viz. Integrated Rural Development Programmes, Jawahar Rozgar Yojana, development of women and children in rural areas, besides some other rural development programmes.

In each of the districts, a District Planning and Development Council has been set up with a Cabinet Minister as Chairman. The Council is entrusted with the responsibility of formulation of developmental plans for the district, taking into consideration the needs of the people and the local resources available.

All three districts fall under the jurisdiction of the Garo Hills Autonomous District Council constituted under the VIth Schedule of the Constitution of India, for the purposes of administration as well as maintenance and promotion of tribal culture and traditions.

The region enjoys a tropical climate characterised by high rainfall, high humidity, generally warm summer and moderately cold winter season. Garo Hills with its low population density, rich land and water resources, abundant forest wealth and a variety of mineral resources offers immense possibilities for agricultural, industrial and allied development.

The main occupation of the Garos who form the majority of the population is agriculture. The gross cropped area in 1991-92 under foodgrain production was 76,855 ha; under oil seeds 7,000 ha; under cash crops, 11,507 ha; and under horticultural crops 9,812 ha.

The soil of the region is rich in organic matter and nitrogen, but poor in phosphorous and medium in potash content. The foodgrains grown in the districts are mainly rice, wheat, maize and the oil seeds grown are sesamum, rape seed, mustard and soyabean. Horticultural crops are banana, pineapple, citrus and other temperate fruits.

The geography of the land does not permit the expansion of the area under cultivation. Instead, intensive cultivation practices need to be introduced along with the infrastructure for irrigation. Cultivation of fruit crops has wide scope provided the infrastructure for processing and marketing them is adequately organised.

It may be noted that the Minor Irrigation Wing of the Agriculture Department has already brought under irrigation cover an area of 2,944 ha. in East and South Garo Hills and 15,119 ha. in West Garo Hills. The Rongai Valley Irrigation Project, a medium irrigation project, is now underway. When completed, it will provide irrigation facilities to 3,880 ha. of existing cultivable area and bring an additional 3,490 ha. under cultivation.

Garo Hills is rich in forest resources. The forest area is demarcated for administrative purposes as state reserved and protected forests, under the administrative control of the State Forest Department, as well as forests under the administrative control of the Garo Hills District Council. The 16 reserved forest areas are among the richest forests in Meghalaya.

Although problems such as over-exploitation, encroachment, and deterioration of forest areas remain, regular plantation of Sal and Teak trees are continued on an average of 60-100 ha. annually, to replenish forest reserves. Especially under the programme of social forestry, large scale plantations have been undertaken in order to increase the forest cover in degraded forests.

The State Government has also been making continuous efforts to control the destructive practice of shifting cultivation, but with marginal success. It is estimated that about 1,793 villages practice shifting cultivation involving 37,812 families.

It may also be noted that the District has good potential for forest based industries. At present there are no such industries worth the name, except a few saw mills.

Garo Hills region is endowed with plentiful water resources, in the shape of rivers, streams, tanks, ponds, and lakes. There are about 2,000 kms of rivers and streams as well as about 373 ha. under beels and lakes and around 636 ha. under ponds and tanks. These water areas, if properly exploited for development of fisheries, would contribute to a great extent in improving the economy of the rural poor. At present there are six fish seed farms covering a total water area of 6,129 ha. which provide scope for pisciculture. There is ample scope for extending pisciculture over a larger area.



It is seen that resource constraints and lack of appropriate technical know-how stand in the way of effective utilisation of the water resources of this region. Also since the natural water areas of the districts are under the control of the Garo Hills Autonomous District Council, no fishery development work can be taken up without the Council's approval. To overcome this problem, it is proposed to take up fishery development work in coordination with the District Council. A Fish-Farmers Development Agency has also been established in 1992 in the State for taking up massive development of fisheries in the entire State. This would make available improved technology and extension services.

Garo Hills is rich in mineral resources. Coal, limestone fire-clay and light coloured sandstone are the major minerals found in the districts and are virtually untapped. Minor occurrences of sillimanite, glass-sand, iron-ore, gypsum, quartz-felspar and phosphates, have been reported. The vast mineral resources are yet to be exploited in a large scale. There are no major industries based on these mineral resources in the District. There is only one mini Cement Plant at Demas with a production capacity of 100 tonnes a day. Another major cement plant, viz. Siju Cement Plant is to be set up in the Joint Sector.

Thus, the Garo Hills region of Meghalaya represents a paradox of great natural wealth and developmental potential amid backwardness. There is ample scope for developing forestry, fisheries and mining. A major task is to provide shifting agriculturists adequate facilities for settled agriculture. This needs to be supported by people-oriented schemes such as small and village industries, livestock management and handicrafts promotion. Moreover, plantation of teak and other fast growing species, including rubber, must be given priority. It may be emphasised that agro-forestry based development activity would bring the economy on the road to sustainable development. At the same time it must be ensured that industrial development does not adversely affect the cultural heritage and environment of the region.

## OUR BUDDING PARLIAMENTARIANS\*

### SHRAVAN KUMAR PATEL (JABALPUR)

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Shri Shravan Kumar Patel, who was elected to the Tenth Lok Sabha in 1991 from the Jabalpur constituency, was born on 14 September 1945, in an illustrious family of Jabalpur which had played an active role in the freedom struggle. His father Shri Parmanandbhai Patel was actively associated with the national liberation movement. A prominent leader of Madhya Pradesh, Shri Parmanandbhai Patel had been a Cabinet Minister in the State for nearly three decades.



Young Shravan Kumar inherited from his father a deep sense of commitment to the cause of the nation. He graduated in Arts and Law, and towards the end of the 1970s was drawn into politics, having been earlier involved in service of the deprived, the destitute and the downtrodden. At a young age, he had organised drought relief camps, eye camps and immunization camps at Jabalpur which was frequently affected by drought, famine and epidemics.

Shri Shravan Kumar Patel was a member of the Madhya Pradesh Legislative Assembly during 1980-90. For the period 1984-85, he was Minister of Industries, Sports and Youth Welfare, and for the period 1988-89 served as Minister for Excise and Sales Tax, Science and Technology, Public Undertakings, Sports and Youth Welfare. Shri Patel is deeply involved in varied activities for the amelioration of the lot of the rural poor and tribals, having been actively associated with the implementation of the twenty-point programme of former Prime Ministers, Smt. Indira Gandhi and Shri Rajiv Gandhi. He also played a prominent role in the implementation of the five-point programme enunciated by late Shri Sanjay Gandhi.

Shri Patel firmly believes that no amount of economic planning or agriculture and industrial growth and development will be of any avail, unless population growth is curbed effectively, and a zero growth rate is achieved by the turn of the century. Rigorous steps must be enforced to curb population growth, including disincentives and tax penalties against non-compliance of small-family norms. Shri Patel has voiced his concern in this

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\* The write-up is based on information supplied by Shri Shravan Kumar Patel, M.P.

regard at every available opportunity, both inside and outside Parliament, through Questions and discussions.

Shri Patel is concerned over the abuse of religious, communal, caste and other sectarian sentiments for political ends. This, to him, appears to tear at the very fabric of Indian nationhood. He had, accordingly, introduced a Private Member's Bill (No. 207) in 1991, within a few months of being elected to the Lok Sabha, for the cancellation of registration of political parties which exploit religious, communal or sectarian feelings during election campaigns to gain political and electoral mileage.

Shri Shraavan Patel seeks the enforcement of the constitutional rights of women so as to redress the injustice perpetrated against them. Keen as he is to see that women are given their due, he is fully supportive of the recent measures taken to empower them and improve their education and health.

Shri Patel takes keen interest in the development of his constituency. He has consistently sought to find solutions to the different problems of his constituents. He has been stressing the importance of a well laid out underground drainage system for Jabalpur, as a step towards tackling malaria and cholera. He is actively involved in the development of agriculture and industry in the region.

An airport capable of handling Boeing aircraft is being constructed at Jabalpur. A superfast train between Jabalpur and New Delhi has been introduced from 1 July 1993, along the shortest route via Katni and Bina, the maiden run of which Shri Patel had the privilege to flag off. A 10 KW TV Transmission system is scheduled to be inaugurated in Jabalpur before the end of the year.

An active Congress member of Parliament, Shri Patel is a member of the Consultative Committee of the Ministry of Rural Development, the Standing Committee on Communication and Information and Broadcasting and the Committee on Subordinate Legislation of the Lok Sabha.

He was one of the members of Parliament included in the panel discussion on Doordarshan on 23 November 1992 on 'Issues before Parliament', a feature on the eve of a session of Parliament. Shri Shraavan Patel, alongwith Shri Somnath Chatterjee, MP also participated in a parliamentary film on "Financial Committees of Parliament" prepared by the Lok Sabha Secretariat.

He is also a member of the Joint Parliamentary Committee to enquire into the irregularities in the banking and securities transactions. Shri Patel was also one of the two members of Parliament in the Vice-President's delegation to Vietnam, in September 1993.

Shri Shraavan Patel has been an outstanding sportsman from his school days, having represented his State in the Ranji Trophy. He was adjudged the best batsman of Parliament for the year 1992-93. He continues to be the Vice-President of the Madhya Pradesh Cricket Association. He is a keen golfer and is also interested in swimming, photography and music.

## PARLIAMENTARY EVENTS AND ACTIVITIES

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### CONFERENCES AND SYMPOSIA

*89th Inter-Parliamentary Conference* : The 89th Inter-Parliamentary Conference was held in New Delhi from 12 to 17 April 1993\*.

*58th Conference of Presiding Officers of Legislative Bodies in India* : The 58th Conference of Presiding Officers of Legislative Bodies in India was held in Madras on 25 and 26 June 1993. Shri Shivraj V. Patil, Speaker, Lok Sabha and Chairman of the Conference, presided. The Conference, hosted by the Tamil Nadu Legislative Assembly, was attended by almost all the Presiding Officers of the Legislative Bodies in India. Shri S. Mallikarjunaiah, Deputy Speaker, Lok Sabha also attended. Shri N. Sivasubramanian, Deputy Comptroller and Auditor General of India was special invitee to the Conference.

The Conference discussed the following points on the Agenda :

- (i) Need to lay down constitutional limit for minimum number of sittings of Legislatures and minimum number of sessions.
- (ii) The need for a unanimous recommendation to the Government for making inbuilt provision in the law for exempting the Presiding Officers from appearance in the Courts.
- (iii) Shaktidher Committee Report on inadequate response of the State Government to the Audit Reports constituted by the C &AG.

As is customary, the Conference was preceded by the 38th Conference of Secretaries of the Legislative Bodies in India on 24 June 1993. The Conference was presided over by Shri C.K.Jain, Secretary-General, Lok Sabha. Secretaries of State/Union Territory Legislatures participated in the discussion.

The Conference of Presiding Officers was followed by a Symposium on "How to raise the level of debate in the House" on 27 June, 1993, which was inaugurated by Dr. (Ms.) J.Jayalalitha, Chief Minister of Tamil Nadu. Shri Shivraj V. Patil, Speaker, Lok Sabha, presided and delivered the

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\* For details, see article "The 89th Inter-Parliamentary Conference : An Overview", by Shri C.K.Jain, Secretary-General, Lok Sabha and Secretary-General of the Conference in the *Journal of Parliamentary Information*, Vol.XXXIX, No.2, June 1993.

opening Address. The Presiding Officers of Legislative Bodies in India and Members of Parliament from Tamil Nadu and Members of Tamil Nadu Legislative Assembly participated in the Symposium.

**Birth Anniversaries of National Leaders :** On the birth anniversary of those national leaders whose portraits adorn the Central Hall of Parliament, a brief function is organised under the auspices of the Indian parliamentary Group (IPG) at which floral tributes are paid to those leaders. The birth anniversaries of the following national leaders were thus celebrated during April to June 1993.

**Dr. B.R. Ambedkar :** On the occasion of the birth anniversary of Dr. B.R. Ambedkar, a function was held on 14 April 1993 in the Central Hall of Parliament House where his portrait is put up. Shri Shivraj V. Patil, Speaker, Lok Sabha; Shri B. Shankaranand, Minister of Health and Family Welfare; Dr. Manmohan Singh, Minister of Finance; Shri Sitaram Kesri, Minister of Welfare; Shri L.K. Advani, the then Leader of Opposition in Lok Sabha; Dr (Smt.) Najma Heptulla, Deputy Chairman, Rajya Sabha; Shri S. Mallikarjuniah, Deputy Speaker, Lok Sabha; Shri Tarun Gogol, Minister of State in the Ministry of Food Processing Industries; Shri M. Arunachalam, Minister of State in the Ministry of Industry; Kumari Selja, Deputy Minister in the Ministry of Human Resource Development; Members of Parliament; former Members of Parliament and others paid floral tributes to Dr. Ambedkar.

A booklet containing a profile of Dr. Ambedkar, prepared by the Research and Information Division of the Lok Sabha Secretariat, was also brought out on the occasion.

**Pandit Motilal Nehru :** On the occasion of the birth anniversary of Pandit Motilal Nehru, a function was held on 6 May 1993 in the Central Hall of Parliament House where his portrait is put up. Shri Shivraj V. Patil, Speaker, Lok Sabha; Shri Arjun Singh, Minister of Human Resource Development; Dr. Manmohan Singh, Minister of Finance; Dr. (Smt.) Najma Heptulla, Deputy Chairman, Rajya Sabha; Shri Mukul Wasnik, Minister of State in the Ministries of Human Resource Development and Parliamentary Affairs; Members of parliament; former Members of Parliament; Smt. Sonia Gandhi and Shri Naresh Kathju and others paid floral tributes to Pandit Motilal Nehru.

A booklet containing a profile of Pandit Motilal Nehru, prepared by the Research and Information Division of the Lok Sabha Secretariat, was also brought out on the occasion.

**Gurudev Rabindranath Tagore :** On the occasion of the birth anniversary of Gurudev Rabindranath Tagore, a function was held on 8 May 1993 in the Central Hall of Parliament House, where his portrait is put up. Shri Shivraj V. Patil, Speaker, Lok Sabha; Dr. Manmohan Singh, Minister of Finance; Shri L.K. Advani, the then Leader of Opposition in Lok Sabha; Shri Tarun Gogoi, Minister of State in the Ministry of Food Processing

industries; Shri M. Arunachalam, Minister of State in the Ministry of Industry; Shri R.L. Bhatia, Minister of State in the Ministry of External Affairs; Kumari Selja, Deputy Minister in the Ministry of Human Resource Development; Members of Parliament; former Members of Parliament and others paid floral tributes to the Gurudev.

A Booklet containing a profile of Rabindranath Tagore, prepared by the Research and Information Division of the Lok Sabha Secretariat, was also brought out on the occasion.

#### PARLIAMENTARY DELEGATION VISITING INDIA

*Botswana* : On the invitation of the Parliament of India, a 5-member Botswana Parliamentary Delegation led by Mr. M.P.K. Nwako, Speaker of the National Assembly visited India from 9 to 15 May 1993. The Delegation called on the Speaker, Lok Sabha Shri Shivraj V. Patil on 10 May. They called on the President, Dr. Shanker Dayal Sharma, the Minister of Parliamentary Affairs and Water Resources and the Minister of State for External Affairs on 11 May. The Speaker, Lok Sabha hosted a banquet in their honour on the same day.

Besides Delhi, the Delegation visited Bangalore and Mysore.

*Mexico* : On the invitation of the Parliament of India, a 12-member Mexican Parliamentary Delegation led by Senator Mr. Alfonso Martinez Dominguez visited India from 21 April to 25 April 1993. The Delegation called on the Vice-President and Chairman, Rajya Sabha, the Speaker, Lok Sabha, the Minister of Parliamentary Affairs and Water Resources and the Minister of State for External Affairs on 22 April. A meeting between the Delegation and Members of our Parliament was held on the same day. The Deputy Speaker, Lok Sabha, Shri S. Mallikarjuniah hosted a banquet on that day later in the evening.

Besides Delhi, the Delegation visited Jaipur.

*Nepal* : On the invitation of the Parliament of India, a 14-member Nepalese Parliamentary Delegation led by Mr. Daman Nath Dhungana, Speaker of the House of Representatives of Nepal visited India from 2 to 12 May 1993. The Delegation called on the President, Dr. Shanker Dayal Sharma; the Vice-President and Chairman, Rajya Sabha, Shri K.R. Narayanan; the Speaker, Lok Sabha, Shri Shivraj V. Patil; and the then Leader of the Opposition in Lok Sabha, Shri L.K. Advani and the Leader of Opposition, Rajya Sabha, Shri Sikander Bakht on 3 May. They called on the Minister of Parliamentary Affairs and Water Resources, Shri V.C. Shukla on 4 May. The Minister of State for External Affairs called on the Leader of the Delegation on the same day. A discussion between the Delegation and Members of the Indian Parliament was also held on the same day. The Speaker, Lok Sabha, Shri Shivraj V. Patil hosted a banquet in their honour on 5 May.

Besides Delhi, the Delegation visited Madras, Tirupati, Goa, Bombay and Varanasi.

**Suriname** : On the invitation of the Parliament of India, a 4-member Suriname Parliamentary Delegation, led by Mr. Jaggernath Lachmon, Speaker of the National Assembly of Suriname, visited India from 19 to 23 April 1993.

The Delegation called on the President Dr. Shanker Dayal Sharma; the Minister of Agriculture Dr. Bal Ram Jakhar; and the Minister of Commerce Shri Pranab Mukherjee on 19 April. They called on the Vice-President and Chairman, Rajya Sabha, Shri K.R. Narayanan; the Speaker, Lok Sabha, Shri Shivraj V. Patil; and Minister of External Affairs Shri Dinesh Singh on 20 April. A meeting between the Delegation and Members of our Parliament was held on 21 April. The Speaker, Lok Sabha, Shri Shivraj V. Patil hosted a banquet in their honour on the same day.

#### INDIAN PARLIAMETARY DELEGATIONS GOING ABROAD

**European Parliament** : A 9 member Indian Parliamentary Delegation led by Shri Vidya Charan Shukla, Minister of Parliamentary Affairs and Water Resources visited European Parliament from 25 to 28 May 1993. The other members of the Delegation were Shri Nirmal Kanti Chatterjee, Choudhary Hari Singh, Shri Digvijaya Singh, Shri Srikanta Jena, Shri Guman Mal Lodha, Shri G. Swaminathan, Shri K.H. Muniyappa, all Members. Shri Sudarshan Agarwal, Secretary-General, Rajya Sabha was Secretary to the Delegation.

**Romania and Bulgaria** : The Speaker, Lok Sabha, Shri Shivraj V. Patil, led a 6 member Indian Parliamentary Delegation to Romania from 4 to 9 June and to Bulgaria from 9 to 15 June 1993. The other members of the Delegation were Dr. (Smt.) Najma Heptulla, Deputy Chairman, Rajya Sabha, Smt. Kesharbai S. Kshirsagar, Shri Ramesh Chennithala, Shri Devendra Prasad Yadav, Shri Shrish Chandra Dikshit and Shri Gaya Singh, all Members. Shri G.L. Batra, Additional Secretary, Lok Sabha, Secretariat was Secretary to the Delegation.

**Inter-Parliamentary Symposium, Hungary** : An Indian Parliamentary Delegation, led by Shri Sharad Dighe, MP, attended the Inter-Parliamentary Symposium on "Parliament : Guardian of Human Rights" held in Budapest, Hungary from 19 to 22 May 1993. The other members of the Delegation were Shri M.A.A. Fatmi, MP, and Shri T.A. Mohammed Saqhy, MP.

#### BUREAU OF PARLIAMENTARY STUDIES AND TRAINING (BPST)

During the period 1 April to 30 June 1993, the following Programmes/Courses were organised by the BPST : At a special function held on 12 May 1993 in Parliament House Annexe, the Speaker, Lok Sabha, Shri Shivraj V. Patil, released the following Parliamentary Films produced by the Lok-Sabha Secretariat :

- (i) Private Members' Bills;
- (ii) Parliamentary Questions;

- (iii) Parliamentary Etiquette & Manners; and
- (iv) Financial Committees.

On the occasion, the Speaker honoured Sarvashri Ajit Kumar Panja, Ministry of Information and Broadcasting, Atal Bihari Vajpayee, Somnath Chatterjee, Shravan Kumar Patel, Smt. Deepika Topiwala, Smt. Rita Verma, MPs, and Dr. R.C. Bhardwaj, Additional Secretary and Shri Murari Lal, Director, presently Joint Secretary Lok Sabha Secretariat who had participated in these films.

*Appreciation Courses in Parliamentary processes and procedures for Probationers of All India/Central Services and Officers of Government of India. etc :* The following Appreciation Courses were organised : (i) for Indian Foreign Service; and (ii) P&T Accounts & Finance Service from 10 to 14 May 1993; (iii) for Officers of the rank of Desk/Section Officers to the Government of India and newly recruited/promoted Executive Officers and Senior Assistants of Lok Sabha Secretariat from 7 to 11 June 1993.

*In-Service Training Courses for Officials/Staff of Lok Sabha Secretariat:* The following courses for Officers and Staff of Lok Sabha Secretariat were organised by the BPST : (i) Lecture Session of "The Budget in Parliament" by Shri B.B. Pandit, Director, Lok Sabha Secretariat for officers working in Departmentally related Standing Committees, 5 April 1993; (ii) Lecture Session on "The Budget in Parliament" by Shri V. Balasubramanian Consultant, Ministry of Finance for Officers working in Departmentally(-)related Standing Committees, 13 April 1993; (iii) for Senior/Junior Clerks of Lok Sabha Secretariat from 17 to 21 May 1993; (iv) for eligible candidates appearing in the examination for Parliamentary Reporter Grade-II from 26 May to 15 June 1993; and (v) in Computer Appreciation for Officers and Staff of Lok Sabha Secretariat working in Committees and Question Branches from 31 May to 4 June 1993.

*Study Visits :* At the request of various training and educational institutions, eight Study Visits were organised during the period 1 April to 30 June by the BPST.



## PRIVILEGE ISSUES

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### LOK SABHA

*Notice to the Chairman, Standing Committee on External Affairs from the High Court of Madhya Pradesh in connection with a Miscellaneous Petition* : On 26 July 1993, the Speaker, Lok Sabha, observed as follows :

I have to inform the House that on 8 June 1993, a notice was received from the Deputy Registrar of the High Court of Madhya Pradesh, in the matter of Miscellaneous Petition No. 1132 of 1993, requiring the Chairman, Standing Committee on External Affairs, to appear before the High Court to show cause why an application seeking *ad interim* relief filed by the petitioner be not granted.

As per well established practice and convention of the House, the Chairman, Standing Committee on External Affairs, was asked not to respond to the notice. I had passed on the relevant papers to the Minister of Law, Justice and Company Affairs for taking such action as he might deem fit to apprise the High Court of the correct constitutional position and well established conventions of the House.

Subsequently, on 19 July 1993, another notice was received from the Deputy Registrar of the High Court of Madhya Pradesh, in the matter of Miscellaneous Petition No. 1132 of 1993, requiring the Chairman, Standing Committee on External Affairs, to appear before the High Court to show cause

## STATE LEGISLATURES

### GOA LEGISLATIVE ASSEMBLY

*Alleged misleading of the House by the Chief Minister* : On 29 July 1993, the Speaker observed that he had received a complaint dated 27 July 1993 from Dr. K.G. Jhalmi, a member, raising a question of privilege and contempt of the House against the Chief Minister for the reply given by him on 27 July 1993 to the Starred Question No. 999 regarding withdrawal of a case from the Court of Judicial Magistrate, First Class, Bicholim.

Dr. Jhalmi stated in his complaint that the matter regarding the land slide at Bicholim Mines belonging to M/s Dempo Mining Corporation was raised earlier in the House and a Committee consisting of Members of the House and one official was appointed by the Government to investigate and report. Accordingly the Committee had recommended to initiate legal proceedings against M/s Dempo.

The contention of Dr. Jhalmi was that the Government had instituted a case against M/s Dempo on the recommendation of the Committee but the Government had withdrawn the case in its discretion. He alleged that a breach of privilege and contempt of the House had been committed by the Chief Minister.

The Speaker observed that he had carefully gone through the reply given by the Chief Minister to the Starred Question No. 999 answered on 27 July 1993, the relevant verbatim proceedings of the debates on this and the report of the Committee. The Chief Minister had stated in his reply that the case was withdrawn by the Government through the Director of Prosecution/APP, Bicholim, in its discretion. During the course of discussion on the debates, the Chief Minister informed the House that the case was withdrawn by Government by its order dated 12 February 1992 as a matter of public policy and in the interest of fair play and equity as the affected parties were paid compensation. The Chief Minister had also stated that the compensation was paid to cultivators of paddy fields for 'sorod' as well 'vaingan' crop. However, it was also disclosed by the Chief Minister that the case was withdrawn by the APP on his own without referring the matter to the Government which was irregular. The Chief Minister had assured the House to re-examine the matter to see whether he could re-file the case if the member so felt.

The Speaker said that it was noticed from the Report of the Committee that the Government had appointed the Committee to enquire into the mining accident of Bicholim on 31 July, 1991.

The Committee had made certain recommendations, including the following :

The Mining Company should be properly directed, and penalised if they do not follow the direction, to desilt drains

and provide drains where there are none to see that the rain waters flow out of the mining area in a smooth and orderly manner without damaging the surrounding properties;

The Committee recommends DMC to be directed to remove all the debris in the fields and pay adequate compensation to the tenants/owners of the fields for the damage to their agricultural properties. Till the debris is removed the DMC should be directed to pay compensation for the loss of income from the land. The next of kin and the injured should also be properly compensated,

The Speaker pointed out that from reply given by the Chief Minister, it was seen that though the Government had initiated legal proceedings against M/sDempo, it was subsequently withdrawn by the Government in its discretion, through the Director/APP. However, the withdrawal of the case was done by the APP without referring the matter to the Government.

The Speaker then observed as under :

As regards the contention of Dr. Jhalmi, it may be stated that non-acceptance or non-implementation of the recommendation of the said Government Committee does not constitute breach of privilege and the contempt of the House and it is for the Government to implement the recommendations or not.

It is also relevant to make a mention of the fact that normally the recommendation of a Parliamentary Committee or House Committee of the Legislatures are accepted and implemented by the Government. If Government in regard to any recommendation holds a different view from that of the Committee, the Government has to apprise the Committee of the reasons that might have weighed with it in not accepting or implementing the recommendation. Where a difference of opinion between the Committee and the Government remains unsolved, the case is referred to the Speaker for guidance. This is the position in respect of Committees of the House.

As regards the recommendations of the Committee appointed by the Government, the Government is free to take its own decision whether to accept or partly accept or implement or stop implementation at any stage, as per justifiable reasons in its own wisdom, and this will not constitute a breach of privilege and contempt of the House. The Government has made efforts to see that the affected parties are paid compensation. I do not agree that there is a breach of privilege and contempt of the House by the Chief Minister. Moreover,

the Chief Minister has assured the House to re-examine the case and re-file the same if the member feels so. The Government is competent to take its own decision in this regard and I do not agree that there is a case of breach of privilege and contempt of the House involved in this matter. I, therefore, withhold my consent to the raising of the matter as a question of privilege and contempt of the House.

## HIMACHAL PRADESH LEGISLATIVE ASSEMBLY

*Alleged obstruction caused to a member by some Government servants from attending sitting of a Legislature Committee* : On 16 October 1990, Shri Ram Chand Bhatia, a member, gave notice of a question of privilege against Shri O.P. Bhardwaj and Shri K.N. Sharma, employees of the Himachal Pradesh Road Transport Corporation (HRTC) for allegedly causing obstructions to him from attending the sitting of the Estimates Committee held on 12 October 1990.

In his notice of question of privilege, Shri Bhatia alleged that on the said days, he was obstructed from attending the sitting of the Estimates Committee being held in the Legislative Assembly Secretariat by the employees of the Himachal Road Transport Corporation who, at the instigation of Shri O.P. Bhardwaj and Shri K.N. Sharma, *gheraoed* him at the Corporation Office and forced him to sign a memorandum in their favour. The member further alleged that he was abused and threatened by the agitators. He somehow managed to attend the sitting of the Estimates Committee only at the concluding stage and thus could not take part in the discussions held in the meeting. According to the member, this amounted to breach of privilege and contempt of the House.

On 24 October 1990, the Speaker referred the matter to the Committee of Privileges for examination, investigation and report.

The Committee of Privileges considered all the relevant documents and written submissions of Shri K.N. Sharma and Shri O.P. Bhardwaj, and after examining, in person, Shri Ram Chand Bhatia, member, Shri Mohan Lal, Chairman, Estimates Committee, Shri Ratan Lal Kapoor, Deputy General Manager (Administration) HRTC, Shri O.P. Bhardwaj and Shri K.N. Sharma as well as Shri Man Chand and Shri Puran Chand, witnesses for Shri Ram Chand Bhatia, member, the Committee in their Third Report presented to the House on 6 March 1992, reported *inter alia* that whenever any kind of external obstruction was caused in the transaction of business of the House or if any member was obstructed while participating in the proceedings of the House or its Committees by any individual or institution or organisation, it certainly amounted to breach of privilege. This also held good in the matter under examination. The Committee examined the Attendance Registers of the Headquarters of the HRTC. It was found from the registers of Budget, Banking and Planning Branch that Shri O.P. Bhard-

waj was present in the office on the day when the incidents took place. In their statement, Shri Man Chand and Shri Puran Chand who appeared before the Committee as witnesses for Shri Bhatia, stated that Shri K.N. Sharma and Shri O.P. Bhardwaj were not present at the place of the incident.

The Committee reported that it was a fact that the presence of Shri Bhardwaj and Shri Sharma at that particular place at the time of the incident could not be proved absolutely but it was also a fact that these two persons were leaders of the organisation which was launching anti-reservation agitation. Whenever a legislator or legislators *en masse* were obstructed and not allowed to participate in the proceedings of the House or its Committees, undoubtedly responsibility for such incidents lay with these leaders of the organisation who were spearheading such an agitation.

The Committee did not want to comment on the nature and the purpose of the agitation as this subject did not come under the purview of the Committee, but it was a fact that an agitation was going on and the agitators under the leadership of Shri Bhardwaj and Shri Sharma *gheraoed* Shri Ram Chand Bhatia, on 12 October 1990, in front of the Headquarters of HRTC as a result of which the member could not attend, in time, the sitting of the Estimates Committee fixed for that date.

It had also been proved that the agitators who had *gheraoed* Shri Ram Chand Bhatia were members of the anti-reservation organisation. Shri Bhardwaj and Shri Sharma were the leaders of this organisation and as a protest they had provoked the agitators to *gherao* the legislators. From the statements of the witnesses produced by Shri Ram Chand Bhatia before the Committee it was evident that though the member was *gheraoed*, the fact was that both the said officials were not present there. Shri Bhatia himself had accepted that "it is a fact that all the employees had *gheraoed* me but I know both of you (Shri O.P. Bhardwaj and Shri K.N. Sharma) personally and being the leaders of the employees you were responsible for that and hence I have given notices of question of privilege against both of you."

Shri O.P. Bhardwaj and Shri K.N. Sharma tendered their apology before the Committee on 23 September 1993 in the following words :

It is our submission before this Committee that the untoward incident that happened with Shri Ram Chand Bhatia was undesirable and involvement of any person therein is unfortunate. We certainly do not know the persons responsible for such an undesirable act but on their behalf and being a member of the organisation we apologise for that.

Keeping in view the unconditional apology tendered by Sarvashri Bhardwaj and Sharma, the Committee did not want to take any other action and came to the conclusion that Shri Ram Chand Bhatia was *gheraoed* in a planned manner, as a result of which he was unable to participate in the

proceedings of the Committee and undoubtedly it was a breach of privilege and contempt of the House.

The Committee recommended that in order to prevent recurrence of such incidents it was desirable that the agitationist leaders may prepare their code of conduct so that incidents of indecent behaviour, etc. did not happen with the elected representatives of the people and they were not obstructed in carrying out their constitutional duties.

The Committee felt that in a democratic system it was necessary for the employees to form organisations so that they could express their grievances but at the same time it was also necessary that the employees who were duty bound to implement the policies laid down by the people's representatives for the welfare of the people at large, should always show them due courtesy and regard.

Use of undesirable and humiliating language against the people's representatives was not only against their honour and dignity but also against the basic ideals of democracy.

The Committee recommended that the Government should make arrangement to convey the feelings of the Committee to all concerned individuals and organisations so that incidents of misbehaviour, etc. with the members would not recur.

#### ORISSA LEGISLATIVE ASSEMBLY

*Alleged casting of aspersions on a member by a newspaper* : On 27 March 1990, Shri Prasanna Kumar Patnaik, a member, gave notice of a question of privilege against the Editor, *Sambad*, an Oriya daily, for allegedly casting aspersions on him in a news item which was published in its issue dated 27 March 1990, under the caption "Charge of criminal assault against a Public Representative."

The same day, another notice for question of privilege was given by Shri Prasanna Kumar Patnaik, which was signed by 19 other members besides Shri Patnaik, against the Editor, *Sambad*, on the same subject.

Shri Prasanna Kumar Patnaik contended that the whole subject matter of the news was false, fabricated and concocted and was designed to defame him in the public eye and thereby to restrict his activities as an MLA. He further contended that the said newspaper, in connivance with some mischievous officers and his political rivals, had published similar news items in the past also.

On 28 March 1990, the Speaker observed as follows :

I have examined both the notices of question of privilege and the news item in question. According to the news item, a case has been registered against Shri Prasanna Kumar Pat-

naik and police investigation is continuing which is to be disposed of according to the law of the land. The news item does not reflect on the conduct of Shri Patnaik as a member of the House. If the honourable member feels that it is a false and baseless reporting he may go to the Court of law.

In view of the above, I withhold my consent to the raising of the matter as a question of privilege.

However, on 29 March 1990, the Speaker, after examining the submissions of some of the members that the matter attracted the provisions of privilege of a member and the House, referred to the Committee of privileges for examination, investigation and report.

The Committee of Privileges, after considering all relevant documents and examining in person Shri Prasanna Kumar Patnaik, Shri Aswini Kumar Patra, Shri B. Sethi Kumar Patnaik, Shri Suryanarayan Patra, Shri Surendranath Mishra, MLAs, and Shri Soumyaranjan Patnaik, Editor-in-Chief of *Sambad* newspaper, in their First Report presented to the House on 20 July 1993, reported *inter-alia* as follows :

In his statement before the Committee Shri Soumyaranjan Patnaik, Editor-in-Chief, *Sambad*, owned responsibility for the news item published and stated that after initiation of the privilege motion he enquired and got it confirmed that an FIR has been lodged and a case has been registered in the police station against Shri Prasanna Kumar Patnaik. He denied having published this news item with political motive.

The Committee have carefully considered the matter and find that no evidence has been adduced in support of the contention that the news item was fabricated and designed to defame Shri Prasanna Kumar Patnaik.

The news published is based on facts, viz., the FIR lodged and case registered in Dhenkanal Town Police Station. The Committee is of the opinion that publication of such a news cannot be considered as a breach of privilege of the member as this news was in no way connected with the member's activities in the House.

The Committee recommended that the matter be dropped as no further action was called for. The House adopted the Report of the Committee on 21 July 1993.

*Alleged casting of reflections on a member by an official of a voluntary organisation in connivance with a newspaper* : On 16 April 1992, Shri Akhile Saunta, a member, gave notice of a question of privilege against Shri Achut Das, Director *Aragami*, a voluntary organisation, Shri K. Raghunathan, Publisher, *Indian Express*, an English daily, Shri Vivek Goenka, Managing Editor, *Indian Express*, Vijayanagaram Edition and Shri K. Sudhakar

Patnaik, Correspondent, *Indian Express*, Koraput, for allegedly casting reflections on him in a news item which was published in the Vijayanagaram edition of the *Indian Express* dated 15 April 1992 under the caption "MLA coaxed to comment against *Aragami*."

Shri Saunta stated *inter alia* that the activities of *Aragami*, a voluntary organisation working in Kasipur, were under severe criticism in the House on 26 March, 1992, during supplementaries to this Starred Question relating to Harijan and Tribal Welfare Department. The Speaker, thereupon, directed the Committee on Welfare of Scheduled Castes and Scheduled Tribes of the Orissa Legislative Assembly to make an inquiry into the activities of *Aragami* and submit its report. According to the member, this was widely publicised in the newspapers. Shri Saunta alleged that to counter this publicity, Shri Achut Das, Director, *Aragami*, mobilised a lot of women at Kasipur against him. The member alleged that in connivance with the Editor and Publisher of the *Indian Express*, Vijayanagaram edition, the said news item was published on 15 April 1992, to defame him and to lower his prestige which, according to the member, amounted to breach of his privilege as a member of the Legislative Assembly.

On 9 July 1992, the Speaker referred the matter to the Committee of Privileges for examination, investigation and report.

The Committee of Privileges, after considering all the relevant documents and examining in person Shri Akhila Saunta, MLA, Shri K.V. Rao, News Editor of the *Indian Express*, Vijayanagaram Edition and Shri K. Raghunathan, Printer and Publisher of the *Indian Express*, Vijayanagaram Edition, in their Third Report presented to the House on 20 July 1993, reported *inter alia* that Shri Raghunathan admitted not having verified the contents of the news item before publication and relying on the correspondent, Shri K. Sudhakar Patnaik, and expressed regret for the publication made. He stated that the news item was published in good faith, believing it to be true and it was never their intention to tarnish the image of the MLA and it was never intended to affect the dignity of the House for which they had the greatest regard and respect.

Shri K.V. Rao expressed regret for the news item and sought to be excused for the lapses. He also assured that in future no news item relating to the character and conduct of a member of the Legislative Assembly would be published in their newspaper without proper verification.

In view of the regret expressed by the Printer and Publisher and the apology tendered by the News Editor for their lapses and in view of the assurances given by them, the Committee recommended that the matter would be very careful while publishing news items relating to the character and conduct of the members of the House, particularly when such conduct had a bearing on their performance inside the House.

The Committee found no material to proceed further against Shri Achut Das, Director, *Aragami*.



Shri K.S. Patnaik, Correspondent, who submitted the news item had since been removed by the management. His whereabouts were not known and the Committee was of the opinion that no useful purpose would be served by proceeding further with the enquiry against him.

The Committee recommended that the matter be closed.

The House adopted the Report of the Committee on 21 July 1993.

## PROCEDURAL MATTERS

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*Reference to the conduct of the Chief Election Commissioner on the floor of the House* : On 3 March 1993, after the Union Home Minister, Shri S.B. Chavan had made a statement regarding Tripura, a member (Shri George Fernandes) referred to the conduct of the Chief Election Commissioner. Thereupon, the Speaker observed that since the Chief Election Commissioner was a constitutional authority, members should follow proper procedure, laid down in the rules, for raising such matters.\*

On 10 May 1993 also, after the Question Hour, some Members referred to the conduct of the Election Commission, but the Speaker ordered expunction of all those references.

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*Rule 342 of the Rules of Procedure and Conduct of Business in Lok Sabha* : A motion that the policy or situation or statement or any 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.

*Rule 352* : A member while speaking shall not :

- (i) refer to any matter of fact on which a judicial decision is pending;
- (ii) make personal reference by way of making an allegation imputing a motive to or questioning the *bona fides* of any other member of the House unless it be imperatively necessary for the purpose of the debate being itself a matter in issue or relevant thereto;
- (iii) use offensive expressions about the conduct or proceedings of Parliament or any State Legislature;
- (iv) reflect on any determination of the House except on a motion for rescinding it;
- (v) reflect upon the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms;  
**Explanation** : The words 'persons in high authority' mean persons whose conduct can only be discussed on a substantive motion drawn in proper terms under the Constitution or such other persons whose conduct, in the opinion of the Speaker, should be discussed on a substantive motion drawn up in terms to be approved by him;
- (vi) use the President's name for the purpose of influencing the debate;
- (vii) utter treasonable, seditious or defamatory words;
- (viii) use his right of speech for the purpose of obstructing the business of the House;
- (ix) make any reference to the strangers in any of the galleries;
- (x) refer to Government officials by name; and
- (xi) read a written speech except with the previous permission of the Chair.

*Instance of the House being presided over by a member who was not on the panel of Chairman :* On 5 March 1993, during discussion on Motion of Thanks on the President's Address, the Deputy Speaker observed that there was a meeting of Panel of Chairman, which he was also to attend. He, therefore, with the permission of the House, requested Shri Inderjit Gupta to preside over the sitting. Thereupon, Shri Gupta presided till a member of the Panel of Chairman relieved him.

*Presiding Officer cannot preclude a member, appointed as Chief Minister in a State, from attending the House :* On 11 March 1993, when the Prime Minister was to reply to the discussion on the Motion of Thanks on the President's Address, a member (Shri Nitish Kumar) objected to the presence of Shri K. Vijaya Bhaskara Reddy, Chief Minister of Andhra Pradesh, in the House. Some other members were of the view that Shri Reddy who had not resigned from the membership of the House was not entitled to take part in the proceedings. The Speaker, thereupon, observed :

The Presiding Officer is not in a position to preclude Mr. K. Vijaya Bhaskara Reddy from attending this House or doing anything else which he can do as per the Constitution.

*The House does not take a decision on the specific question of vires of a Bill :* On 12 March 1993, when the combined discussion on the Motion for consideration of the National Thermal Power Corporation Limited, the National Hydro Electric Power Corporation Limited and the North Eastern Electric Power Corporation Limited (Acquisition and Transfer of Power Transmission Systems) Bill, 1993 and Statutory Resolution thereto was taken up, a member (Shri George Fernandes) on a point of order submitted that the House did not have competence to enact a legislation which, according to him, was tantamount to surrendering the sovereignty of the Union. Thereupon, the Deputy Speaker observed :

It is the accepted practice in Lok Sabha that the Speaker does not give any ruling on a point of order raised whether a Bill is constitutionally within the legislative competence of the House or not. The House also does not take a decision on the specific question of vires of a Bill. It is open to Members to express for and against the vires for the consideration of the House. The members take this aspect into account in voting on the motion for leave to introduce the Bill or on the subsequent motions on the Bill.

*Every Adjournment Motion is not necessarily a censure motion against the Government :* On 15 March 1993, as soon as the House met, several members demanded suspension of the Question Hour to discuss the situation arising out of the bomb explosion in Bombay on 12 March 1993. They also demanded a statement from the Government in that regard. The Speaker observed that the statement on the matter would be made after

the Question Hour. Some members demanded discussion on the Adjournment Motion, notices of which had already been given. The Minister of Parliamentary Affairs observed that if the adjournment motion did not carry an element of censure against the Government the discussion thereon could be held.

After Question Hour, Members again wanted to know about the admissibility of the adjournment motion. Thereafter, the Speaker observed :

I am aware of the fact that each and every Member in the House is deeply affected by what has happened in Bombay and is interested in discussing this matter. This matter can be discussed as an adjournment motion, it can be discussed as a matter under Rule 193 also.

The Speaker also referred to an earlier ruling in which it had been held that every adjournment motion was not a censure against the Government and the same could be admitted to discuss a matter of urgent public importance. After hearing various sections of the House and the Minister of Parliamentary Affairs, the Speaker observed :

I am incined to give consent to the adjournment motion. But, at the same time, I would like to bring to your notice that when matters of this kind happen in the country it is the bounden duty of all of us to criticise the Government where criticism is necessary, to guide the Government where the Government has to be guided and to join hands to see that these kinds of things are not allowed to happen later on.

Thereafter, Shri Somnath Chatterjee sought leave of the House to move the motion. As no objection was taken, the Speaker informed that the leave was granted and directed that the motion be taken up after the statement of Minister of Home Affairs on the subject. Thereafter, the Minister made the statement and the motion was discussed.

*(i) Members should not rely merely on the press reports for making allegations unless these are substantiated; (ii) It is not desirable to make allegations against a person who is not in a position to defend himself in the House :* On 5 March 1993, when the House re-assembled after lunch, a member (Shri Ram Vilas Paswan) raised a matter regarding the alleged involvement of the Prime Minister's son in the Securities' scam as reported in various newspapers and demanded a statement from the Government in this regard. Some other members also supported Shri Paswan, Thereafter, the Speaker, observed :

....According to rule 353 :

"No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given adequate advance notice to the Speaker...."

I am repeating, "adequate advance notice to the Speaker." "and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of a reply;

Provided that the Speaker may at any time prohibit any member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation."

I am reading Kaul and Shakhder. It says :

"As a rule, an allegation of a defamatory or incriminatory nature can be made by a member against any person unless the member has given previous intimation to the Speaker and taken his permission and has also informed the Minister concerned, so that the Minister could make an investigation into the matter for the purpose of a reply. Nevertheless, the Speaker may at any time prohibit a member from making any allegation if he is of opinion that such allegation is derogatory to the dignity of the House or that it does not serve any public interest."

It is little repetitive, but the most important thing is that the permission of the Speaker has to be obtained before raising such matters.

Further :

It was against the rules of parliamentary debate and decorum to make defamatory statement or allegations of incriminatory nature against any person and the position was rather worse if such allegation were made against persons who were not in a position to defend themselves on the floor of the House.

The person against whom you are making an allegation is not a Member of this House.

"....The House should not be made a forum where the conduct and character of persons should be brought into disrepute, as the person against whom allegations were made had no remedy against a speech made on the floor of the House which was privileged. In order to safeguard the honour of the people generally it was imperative that the members applied voluntary restraint and resorted to making allegations in cases of extreme necessity where there was an element of public interest. Even in such cases, it was necessary that reasonable opportunity should be given to the Minister concerned to investigate into the matter and to produce, if necessary, defence on behalf of the person concerned.

A member has to be careful while making an allegation. He has to satisfy himself that the source is reliable and the allegation is based on facts. In effect, he is required to make *prima facie* investigation into the matter.

I am repeating "he is required to make *prima facie* investigation into the matter before he writes to the Speaker or the Minister, and more so, before he speaks in the House. A notice relating to an allegation based on newspaper report is not allowed unless the member tabling it gives the Speaker substantial proof—it is not simple proof, it is substantial proof—that the allegation has some factual basis. In the notice to the Speaker a member is required to give brief details about the allegations which he propose to make against a person or another member, so that the Speaker could judge the matter before hand."

These are the decision given.

"The Member should, before making an allegation in the House satisfy himself after making enquiries that there is a basis for the allegation. The Member should be prepared to accept the responsibility for the allegations."

It is not necessary that he has to obtain the permission but it is necessary that he has to show that he has made a substantial enquiry and not only that he has not to depend on the newspaper reports but he has to investigate himself; not only that, he has to take the responsibility for making these allegations.

So, the Member should be prepared to substantiate the allegations, not only take the responsibility.

Therefore, it is utmost important, the allegations based on solid, tested and checked facts only should be made unless they are supported and fortified by strong adequate proofs to substantiate. Then, in cases, the Members making such allegations are challenged to substantiate them.

"Members should not rely merely on the press reports."

I am again and again repeating, the press is respected and we would like to respect them, but it is not enough that it appears in the Press.

"The Member has to take the responsibility, the Member has to be with the evidence to substantiate what he is saying. Only then, he will be allowed."

This is the rule.

"Members should not rely merely on press reports for making allegations in House and if they have to criticise any

Minister or Member or any other dignitary they should make further enquiries and satisfy themselves of correctness of facts before tabling notice under this rule."

"Speaker did not allow member to quote a newspaper report containing allegations of defamatory and incriminatory nature against a Minister saying that unless member satisfied him *prima facie*, he was not going to allow the Member to quote."

Why I have quoted all those things here is that, simply because, there is a dignitary and something is written against the relative of the dignitary, if you are raising this matter on the floor of the House, as I said yesterday, the same principle can be applicable to any person in the House. And please believe me that there are many things which are brought to my notice against many members but they are not brought on the floor of the House, simply because, if they are brought on the floor of the House, we would not be able to do anything else but only that.

Now, if you have the information, if you have made the enquiry, if you are ready to take the responsibility and if you have given the notice to the Speaker, obtained his permission, given the notice to the person against whom you are making the allegation and who can come before the House, you have every right to come here and do it."

*Reference to Speaker of a Legislative Assembly and its proceedings :* On 21 April 1993, after the Question Hour, a member (Shri Anna Joshi) raised the matter regarding an article published in the *Illustrated Weekly of India* about Chhatrapati Shivaji and Rani Laxmi Bai and referred to the remarks of the Speaker, Maharashtra Legislative Assembly, that the issue should be discussed in Lok Sabha. Another member (Shri Ram Naik) raised the same issue. Thereupon, the Speaker observed that members should neither refer to the Speaker of a Legislative Assembly nor to its proceedings.

*Issue relating to a State Legislative Assembly to be discussed on a substantive motion :* On 21 April 1993, after the Question Hour, a member (Shri P.G. Narayanan) raised the matter about alleged unauthorised entry of *Doordarshan* personnel inside the Tamil Nadu Assembly. Thereupon, the Deputy Speaker observed that if anyone entered the premises of the Assembly without seeking the permission of the Speaker, then suitable action was to be taken by the Legislature concerned but he also stated that such matters could not be raised in the House. Some other members also wanted to raise the same issue. The Minister of Parliamentary Affairs submitted that since the matter belonged to an Assembly, it could not be raised in Lok Sabha. Later, Shri M.R. Kadambur Janardhanan and some

members came to the well of the House raising the same issue; then the House was adjourned by the Deputy Speaker. When the House reassembled, the Minister of Parliamentary Affairs suggested that the members should submit a motion so that the matter could be discussed. Thereupon, the Deputy Speaker observed that a substantive motion could be brought the next day to discuss the issue.

*Members permitted to ask clarificatory questions after a statement made by a Minister :* On 26 April 1993, on a statement made by the Minister of State in the Ministry of Home Affairs on behalf of the Minister of Civil Aviation and Tourism regarding the hijacking of Indian Airlines (flight IC-427) on 24 April 1993, the Chairman (Shri Tara Singh) permitted members to ask clarifications and the Minister replied thereto.

On 27 April 1993 also, on a statement made by the Minister of Civil Aviation and Tourism regarding the crash of the Indian Airlines Boeing 737 aircraft near Aurangabad on 26 April 1993, the Chairman (Shri Sharad Dighe) permitted members to ask clarifications and the Minister replied thereto.

*Instance when a Minister was allowed to make a statement, interrupting the speech of a Member :* On 27 April 1993, when a member (Shri Chandrajit Yadav) was speaking during discussion on Demands for Grants of the Ministry of Defence, the Chairman (Shri Sharad Dighe) allowed the Minister of Civil Aviation and Tourism (Shri Ghulam Nabi Azad) to make a statement regarding the crash of the Indian Airlines Boeing 737 aircraft near Aurangabad on 26 April 1993. The Chairman also permitted members to ask clarifications and the Minister replied thereto. Thereafter, Shri Yadav resumed his speech.

*Expunction of allegatory remarks against Chief Minister of a State :* On 28 April 1993, during discussion on Demands for Grants of the Ministry of Home Affairs, a Member (Kumari Uma Bharti) made certain allegations against the Chief Minister of West Bengal (Shri Jyoti Basu). On objection being taken by some members, the Chairman (Shri Sharad Dighe) ordered expunction of such remarks.



## PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 April to 30 June 1993)

*Events covered in this Feature are based primarily on reports appearing in the daily newspapers and, as such, Lok Sabha Secretariat does not accept any responsibility for their accuracy, authenticity or veracity.*

—Editor

### INDIA

#### DEVELOPMENTS AT THE UNION

*By-election to Lok Sabha* : Congress (I) candidate Shri Umrao Singh was elected to the Lok Sabha from the Jalandhar constituency in a by-election held on 19 May 1993. In another by-election to the Lok Sabha, the Patna seat was won by the Janata Dal nominee, Shri Ram Kripal Yadav, when he defeated his nearest BJP rival Shri Shailendra Nath Shrivastava.

*Election to Rajya Sabha from Goa* : On 26 May, Congress (I) candidate Shri John Fernandes was to the Rajya Sabha from Goa defeating the MGP nominee Shri Gopal Tamba.

#### AROUND THE STATES

##### ANDHRA PRADESH

*By-election results* : Congress (I) nominee and Chief Minister, Shri K. Vijaya Bhaskara Reddy was elected to the State Legislative Assembly from Panayam constituency defeating his nearest Telugu Desam rival, Smt. Renuka Chowdhary by a margin of over 31,000 votes in a by-election held on 3 April 1993.

Congress (I) also retained the Rayachoty Assembly constituency when its candidate Shri M. Narayanan Reddy defeated his nearest Telugu Desam rival Shri S. Palkonda Rayudu by a margin of over 9,000 votes.

In the by-elections held on 19 May, Telugu Desam candidate Shri N. Prasanna Kumar Reddy won the Kovuur Assembly constituency defeating his nearest Congress (I) rival Shri P. Ramachandra Reddy by about 20,000 votes.

The Kaikular Assembly seat Shri Y. Raja Ramachander defeated his nearest Congress (I) rival Shri N. Venkatarama Raju by a margin of over

8,000 votes.

*Death of Minister* : The Minister for Fisheries and Backward Classes Welfare, Shri M. Chandrasekhar passed away on 7 May.

### ARUNACHAL PRADESH

*Resignation of Governor* : The Governor of Arunachal Pradesh, Shri Surendranath Dwivedy tendered his resignation on 14 June. His resignation was accepted by the President with effect from 1 July. The Governor of Meghalaya, Shri Madhukar Dighe was given additional charge as the Governor of Arunachal Pradesh.

### ASSAM

*Expulsion of MLAs from CLP (I)* : On 6 June, the Congress (I) Legislature Party expelled three MLAs, Sarvashri Joy Chandra Nagbanshi, L. Borgohain and Chitranjan Patwari, for anti-party activities.

### BIHAR

*By-election results* : In the by-elections to the State Legislative Assembly held on 19 May, the Janata Dal candidate Shri Girinath Singh won the Garhwa seat defeating his nearest BJP rival Shri Shyam Narayan Pandey by over 20,000 votes.

The Goh Assembly seat was won by the CPI candidate Shri Ramsharan Yadav defeating his nearest BJP rival Shri Awadh Kishore Sharma by over 18,000 votes.

*Split in IPF* : The Indian People's Front (IPF) split on 2 June with the formation of a new faction led by Shri Ravinder Singh. Two IPF MLAs, Shri Suryadav Singh and Shri Bhagwan Singh joined the new faction.

*Split in SJP* : On 25 June, the five-member, SJP Legislature Party (its members have 'Unattached' status in the Vidhan Sabha) split with two MLAs, Shri Parshunath Singh and Shri Rajiv Pratap Singh, joining Shri Anand Mohan, MLA to form a new Bihar People's Party.

### GOA

*Political developments* : On 14 May, the Goa Bench of the Bombay High Court rejected a writ petition challenging the disqualification order of the then Speaker, Shri Surendra Sirsat against Shri Ram Naik (presently Chief Minister). It also rejected the petitions of two Ministers—Sports Minister Shri Sanjay Bhandekar and Fisheries Minister Shri Ratnakar Chopdekar—challenging their disqualification. The Court ruled that its order was to become operational on 20 May. On 18 May, the Supreme Court granted ad-interim stay of operation of the Goa Bench's order regarding Shri Ram

Naik. It, however, 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.

Meanwhile, on 18 May, Shri Wilfred D'Souza was sworn in as the new Chief Minister along with ten other Ministers. Earlier, Shri Ram Naik resigned as Chief Minister following the High Court order. Shri D'Souza won a vote of confidence by 25 votes to 11 in the State Legislative Assembly on 26 May.

The new Ministers and their portfolios are as under :

Shri Francisco Sardinha : *Planning and Power* ; Shri Carmo Pegado : *Tourism, Environment and Protocol*; Shri Vasso Paica Gaokar : *Irrigation* : Shri Vinay Kumar Usgaonkar; *Education and Science and Technology* : Shri Pandurang Raut : *Social Welfare and Forests*; Shri Suresh Parulekar : *Industry and Housing*; Shri Luizinho Faleiro : *Law and Legislatue*; Shri Subhash Shirodkar : *Inland Waterways and Sports and Youth Affairs*; Shri Shankar Salgaokar ; *Civil Supplies*; and Shri Ashok Naik Salgaokar : *Labour and Emiloymnt*;

*Marger of GPP with Congress (I)* : On 3 June, the Goan People's Party (GPP) merged with the Congress (I) with five GPP MLAs being admitted into the ruling party.

## GUJARAT

*Death of Minister* : The Minister of State for Forest and Tribal Development; Shri Govindbhai Vasava passed away on 22 April.

*By-election result* : In a by-election held on 19 May, the Rapur Assembly seat was won by the BJP candidate Shri Babubhai Meghji Shah defeating his nearest Congress (I) rival Shri Chhaganlal Thakhar by over 5,000 votes.

## HARYANA

*By-election result* : SJP candidate Shri Om Prakash Chautala won the by-election to the State Legislative Assembly from the Narwana constituency held on 19 May defeating his nearest Congress (I) rival Shri R.S. Surjewala by over 18,000 votes.

## HIMACHAL PRADESH

*New Governor* : On 23 June, the former Speaker of the Madhya Pradesh Vidhan Sabha, Shri Gulsher Ahmed was appoined the Governor of Himachal Pradesh in succession to Shri B.R. Bhagat who was shifted to Rajasthan. Shri Gulsher Ahmed was sworn in as Governor on 30 June.

## KARNATAKA

*By-election result* : Congress (I) won the Yelahanka Assembly seat when its candidate Shri B. Prasanna defeated his nearest BJP rival Shri L. Shivalingaiah by a margin of over 500 votes in the by-election held on 19 May.

## MADHYA PRADESH

*Resignation of Governor* : The Governor of Madhya Pradesh Kunwar Mehmood Ali Khan resigned from office on 22 June. Following this, the Governor of Bihar, Mohammed Shafi Qureshi was given additional charge as Governor of Madhya Pradesh.

## MAHARASHTRA

*Election of MLA held void* : On 26 April, Justice S.N. Variava of the Bombay High Court declared null and void the election of Shiv Sena MLA Shri Manmohan Joshi to the State Legislative Assembly from the Dadar Assembly constituency and granted the petitioner's request to order a fresh election.

*By-election results* : In the by-elections to the State Legislative Assembly, held on 19 May, Congress (I) nominee Shri Ramachandra Ranashringara won the North Solapur seat defeating his Shiv Sena rival Shri Uttamprakash Khandara by over 16,000 votes. The Guhagar seat was won by the BJP nominee Shri Vinay Nato defeating his Congress (I) rival Shri Namachandra Bendal by over 12,000 votes. The Republican Party of India candidate Shri Bhimrao Keram won the Kirwat seat defeating his nearest rival Shri Uttamrao Rathod of the Congress (I) by over 18,000 votes.

*Death of MLC* : The Shiv Sena MLC, Shri Ramesh Shankar More was shot dead by unidentified assailants in Bombay on 29 May.

*Death of MLA* : BJP MLA from Khetwadi, Shri Prem Kumar Sharma was shot dead by an unidentified assailant in Bombay on 1 June.

## MEGHALAYA

*Expansion of Cabinet* : The State Cabinet was expanded on 1 May with the induction of two more Ministers, Shri A.C. Marak and Shri M. Kharchandi. Dr. R.C. Laloo was inducted as a Cabinet Minister on 17 June. The portfolios of the Ministers are as under ; Shri A.C. Marak : *Forests*; Shri M. Kharchandi : *Transport*; and Dr. R.C. Laloo : *Planning and Taxation*.

*Resignation of Speaker* : The Speaker of the Meghalaya Legislative Assembly, Dr. R.C. Laloo resigned from the post on 15 June 1993.

## ORISSA

*By-election result* : The Janata Dal candidate Smt. Pata Nayak was declared elected to the State Legislative Assembly from the Hindol constituency defeating her nearest rival of the Congress (I) Shri Maheswar Nayak in the by-election held on 19 May.

*New Governor* : Shri B. Satyanarayan Reddy was appointed the Governor of Orissa on 23 May. He was sworn in on 1 June.

## PUNJAB

*Move to revive Legislative Council* : On 7 April, the State Legislative Assembly passed by 87 votes to 19 with nine abstentions, a resolution seeking to revive the State Legislative Council.

*Death of Speaker* : The Speaker of the Punjab Vidhan Sabha, Sardar Harcharan Singh Ajnala passed away on 9 June.

## RAJASTHAN

*Gubernatorial changes* : On 23 May, the Governor of Rajasthan, Dr. M. Channa Reddy was shifted as Governor of Tamil Nadu. The Governor of Haryana, Shri Dhanik Lal Mandal was given temporary additional charge as Governor of Rajasthan. The Governor of Himachal Pradesh Shri Bali Ram Bhagat, who was appointed the new Governor of Rajasthan on 23 June, was sworn in on 30 June.

## TAMIL NADU

*Cabinet reshuffle* : On 16 May, the Chief Minister Dr. Jayalalitha effected a Cabinet reshuffle dropping three Ministers and inducting 12 others. Those dropped were: Shri C. Arunganayagam (Education); Shri G. Vishwanatham (Food); and Shri Alagu Thirunavukkarasu (Local Administration).

The following are the new Ministers and their portfolios.

Shri R.M. Veerappan : *Food and Civil Supplies*; Shri Durai Ramaswamy : *Small Scale Industries*; Shri D. Janardhanan : *Milk and Animal Husbandary*; Shri V. Satyamoorthy : *Commercial Taxes*; Shri M. Chinnaswamy : *Industries, Mines and Minerals*; Shri K. Lawrence : *Forests*; Shri M. Thennavan : *Information and Public Relations*; Shri K Ponnuswamy : *Education, Sports and Tamil Development*; Shri M. Paramasivam : *Labour and Employment Training*; Shri K.V. Pattabiraman : *Cooperation*; Shri Natesan Paulraj : *Hindu Religious and Charitable Endowments*; and P. Easwaramoorthy : *Khadi and Village Industries*.

*New Governor* : The Governor of Rajasthan, Dr. M. Channa Reddy was appointed the new Governor of Tamil Nadu on 23 May. He was sworn

in on 23<sup>rd</sup> May

in on 31 May.

### TRIPURA

**Election results :** The elections to the 60 member State Legislative Assembly was held on 3 April. The results were as under : CPI (M)-44; R.S.P.-2; Forward Block-1; Tripura Hill Peoples Party-1; Janata Dal;-1; Congress(I)-10; TUJS-1.

A Left Front Ministry, headed by Shri Dasarath Dev was sworn in on 10 April. The Ministers and their portfolios are as under :

Shri Dasarath Dev (Chief Minister) : *Home, Finance, Law and Par-chayat.*

**Cabinet Ministers :** Shri Baidyanath Mazumdar : *PWD, Irrigation, Labour and Welfare*; Shri Samar Choudhuri : *Revenue and Industry*; Shri Anil Sarkar : *Education, Information, Culture and Tourism*; Shri Aghore Debbarma : *Cooperative and Primitive Group Programme*; Shri Bajuban Reang : *Agriculture*; Shri Faizur Rehman : *Forest and Rural Development*; Shri Keshab Mazumdar : *Health, Power and Local Self-Government*; Shri Gopal Das : *Animal Husbandry and Jail*; and Shri Barjagopal Ray : *Food.*

**Ministers of State (Independent Charge) :** Shri Kartik Kaya Debbarma : *Social Welfare*; Shri Jitendra Choudhuri : *Youth Programme*; Shri Sukumar Burman : *Fisheries and Scheduled Caste Welfare*; and Shri Ranjit Devnath : *Labour and Employment.*

### UTTAR PRADESH

**New Governor :** Former Chief Minister of Madhya Pradesh Shri Motilal Vora was appointed the Governor of Uttar Pradesh on 23 May in place of Shri B. Satyanarayan Reddy who was shifted to Orissa. Shri Vora was sworn in as Governor on 26 May.

### WEST BENGAL

✓ **Defeat of no-confidence motion :** A Congress(I) sponsored no-confidence motion against the Left Front Government was rejected by 187 to 34 votes by the State Legislative Assembly on 14 June.

### DEVELOPMENTS ABROAD

#### AFGHANISTAN

**New PM :** Mr. Gulbuddin Hekmatyar was sworn in as the Prime Minister of Afghanistan on 17 June.

## AZERBAIJAN

*Political developments* : Following weeks of rebel attacks, President Mr. Abdulfaz Elachibey fled the Capital Baku on 18 June. Later, the Speaker of Parliament, Mr. Gaidar Aliyev took over as the acting President. On 25 June, the Parliament formally voted to oust Mr. Elachibey. The rebel leader Mr. S. Geseinov was approved by the Parliament as the new Prime Minister on 30 June.

## BOLIVIA

*Presidential elections* : The Revolutionary Nationalist Movement candidate Mr. Gonsalo Sanchez Lozada claimed victory winning at least 35 per cent votes in the 6 June Presidential elections.

## BURUNDI

*Presidential elections* : On 3 June, challenger Mr. Malchior Ndadaye was declared elected President of burundi defeating incumbent President Mr. Pierre Buyoya.

## CAMBODIA

*Political developments* : On 14 June, the newly elected multi-party Constituent Assembly passed a resolution vesting Prince Sihanouk with full powers. Later, Prince Norodom Rananiddh of the Funcinpec Party and the Cambodian Peoples Party of Prime Minister Hun Sen agreed to share power in the interim administration.

On 30 June, the Constituent Assembly elected former Prime Minister and Funcinpec Party leader Mr. Son San as its Chairman.

## CANADA

*New PM* : On 13 June, the Progressive Conservative Party elected Defence Minister Ms. Kim Campbell to be the new Prime Minister. She was sworn in on 25 June.

## ERITREA

*Eritrea secedes from Ethiopia* : On 23 May, Eritrea formally seceded from Ethiopia, after two years of *de facto* independence. Mr. Issai Afe-worki, who led the secessionist movement under the banner of the Eritrean People's Liberation Front, took over as the President.

## GUATEMALA

*Political developments* : On 2 June, the President Mr. Jorge Serrano

left the country after being forced out by the armed forces. Later, the vice-President Mr. Gustavo Espina assumed power with the support of the Defence Minister Gen. Jose Garcia Sarnayoa. Mr. Espina, however, could not muster support from the Congress and the military also retracted its support. On 6 June, a special emergency session of Parliament elected human rights activist Mr. Ramiro De Leon Carpio as the new President.

#### IRAN

*President re-elected* : Mr. Ali Akbar Hashemi Rafsanjani was re-elected President of Iran in the elections held on 11 June.

#### ISRAEL

*New President* : On 13 May, Mr. Ezer Weizman took over as the new President in succession to Mr. Chaim Herzog.

#### ITALY

*Political developments* : On 19 April, after two days of voting in a referendum, 83 per cent Italians approved a proposal for more direct elections. Accordingly, three-quarters of the Senate seats would now be directly elected. Following this, Prime Minister Mr. Giuliano Amato resigned from office. An interim Government headed by Mr. Carlo Azeglio Ciampi took over on 29 April. Mr. Ciampi won a vote of confidence in the Chamber of Deputies on 8 May.

#### JAPAN

*New Deputy Prime Minister* : Justice Minister Mr. Masaharu Gotoda took over as the new Deputy Prime Minister on 8 April succeeding Mr. Michio Watanabe who resigned as Deputy Prime Minister and Foreign Minister for health reasons.

*Political developments* : On 18 June, the Lower House of Parliament passed a no-confidence motion against the ruling Liberal Democratic Party Government of Prime Minister Mr. Kiichi Miyazawa. Mr. Miyazawa announced later that elections to the Parliament would be held on 18 July.

On 23 June, former Finance Minister Mr. T. Hata announced the formation of a new party by name "Soshinto" (Creative New Party).

#### MALI

*Political developments* : Prime Minister Mr. Younoussi Toure resigned on 10 April in the wake of largescale riots by students. On 13 April, President Mr. Alpha Oumar Konare appointed Mr. Abdoulaye Sekou Sow as the new Prime Minister.



## NIGERIA

*Political developments* : On 18 June, the National Election Commission suspended the announcement of the results of the 12 June Presidential elections following an order by the Abuja High Court. The Military Government, on 23 June, annulled the Presidential elections and suspended the Election Commission. The President Gen. Ibrahim Babangida announced on 27 June that a democratically elected President would be sworn in on 27 August 1993 at the expiry of his term of office.

## PAKISTAN

*Political developments* : On 6 April, Minister of State for Economic Affairs, Sardar Asseaf Ahmed Khan resigned from office. The Minister of State for Defence Production Mir Hazar Khan Bijarani submitted his resignation on 10 April. Mr. Jam Mashooq Ali, the Minister for Production, resigned on 12 April. President. Mr. Ghulam Ishaq Khan dismissed the Nawaz Sharif Government and dissolved the National Assembly on 18 April, simultaneously swearing in a three-member interim regime with Mr. Balkh Sher Nazari, a member of the dissolved national Assembly from southern Punjab as Prime Minister. The next day, the President announced that elections to the National Assembly would be held on 14 July. The Cabinet was expanded on 22 April.

In the State of Punjab, Chief Minister, Mr. Ghulam Haider Wyne was voted out of power on 25 April following the passing of a no-confidence motion against him.

On 26 May, the Supreme court, by a majority of ten to one, restored the dissolved National Assembly and reinstated Mr. Nawaz Sharif and his Cabinet holding that the Presidential order was unconstitutional. It also turned down a revision petition moved by the Caretaker Government seeking suspension of the Court's order.

On 27 May, reinstated Prime Minister Mr. Nawaz Sharif won a vote of confidence in the restored National Assembly.

On 29 May, Governor Mr. Altaf Hussain dissolved the Punjab Provincial Assembly on the recommendation of the Chief Minister Mr. M.A. Wattoo.

The North West Frontier Province Assembly was dissolved by the Governor Amir Gulistan Januja on 30 May on the advice of the Chief Minister Mir Afzal Khan.

On 28 June, the Lahore High Court passed an order restoring the Punjab Assembly holding the Provincial Governor's action of dissolving the House on 29 May as unlawful. Immediately after this, the Governor dissolved the House a second time. On 29 June, at a joint sitting of Parliament a resolution was passed imposing central rule in Punjab. The President Mr. Ghulam Ishaq Khan, however, declined to sign the order to this

effect.

#### PARAGUAY

*Election results* : Mr. Juan Carles Wasmosy was elected the President of Paraguay in the elections held on 10 May.

#### POLAND

*Political developments* : The Prime Minister Ms. Hanna Suchocka resigned on 28 May after the Parliament passed a no-confidence motion against her Government. On 29 May, the President Mr. Lech Walesa dissolved the Parliament and called for general elections.

#### RUSSIA

*Political developments* : On 25 April, over 50 per cent eligible Russians voted in a referendum in which President Yeltsin won a majority vote but failed to secure enough votes to push through fresh elections to the Legislature. According to the official results, President Yeltsin received 58.7 per cent votes and 52 per cent expressed support for his socio-economic policies. However, only about 30 per cent voted for early presidential elections and 43.1 per cent for early parliamentary polls.

On 6 May, President Yeltsin deprived the Vice-President Mr. Alexander Rutskoi of all powers and duties. Mr. Rutskoi, however, refused to resign.

On 8 May, a Parliamentary Commission entrusted with the task of drafting a new Constitution rejected President Yeltsin's proposals which called for an Executive Presidency and the replacement of the current Parliament with a smaller bicameral legislature.

On 11 May, President Yeltsin dropped Deputy Prime Minister Mr. Georgy Khizha and Head of the Security Council Mr. Yuri Skokov.

#### SPAIN

*Election results* : The Prime Minister Mr. Felipe Gonzalez and his ruling Socialist Party were returned to power in the elections held on 6 June.

#### SRI LANKA

*Opposition leader assassinated* : The leader of the Opposition Democratic United National Front, Mr. Lalith Athulathmudali was shot dead by an unidentified gunman on 23 April.

*President assassinated* : On 1 May, the President, Mr. Ranasinghe Premadasa was killed in a blast triggered by a suicide bomber. The Prime

Minister Mr. D.B. Wijetunge was later sworn in as the acting President. On 7 May, following his unanimous election by the Parliament, Mr. Wijetunge was sworn in as President.

#### TURKEY

*New President* : President Mr. Turgut Ozal passed away on 17 April. On 23 April, Prime Minister Mr. Suleyman Demirel was nominated to succeed as the new President. Mr. Demirel was formally elected as President on 16 May. The True Path Party, the major partner in the ruling coalition, elected Ms. Tansu Siller as the Prime Minister designate on 20 June.

#### UK

*Cabinet reshuffle* : On 27 May, following the resignation of incumbent Mr. Norman Lamont, the Home Secretary Mr. Kenneth Clarke was appointed the Chancellor of Exchequer. The Environment Secretary Mr. Michael Howard took over as the new Home Secretary.

#### UKRAINE

*Resignation of PM* : The Prime Minister Mr. Leonid Kuchma resigned on 20 May after the President Mr. Leonid Kravchuk proposed to rule by decree.

#### VENEZUELA

*Interim President* : On 6 June, Senator Mr. Ramon Valasquez was sworn in as interim President to serve out the last nine months of suspended President Carlos Andres Perez's term. Mr. Perez was on trial for alleged misuse and embezzlement of Government funds.

## DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST

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The National Commission for Backward Classes Bill, 1993 sought to replace the National Commission for Backward Classes Ordinance promulgated by the President on 1 February 1993 which required the Government of India to constitute a permanent body for entertaining, examining and recommending upon requests made to it for inclusion and complaints of over-inclusion and under-inclusion in the lists of backward classes of citizens. The permanent body must be empowered to examine complaints relating to such matters and pass appropriate orders, and its opinion should ordinarily be binding upon the government. The Bill was passed by Lok Sabha and Rajya Sabha on 22 and 26 March 1993, respectively, and received President's assent on 2 April 1993.

The SAARC Convention (Suppression of Terrorism) Bill, 1992 sought to give effect to the Convention on the Suppression of Terrorism which was signed at Kathmandu in 1987 by the member countries of SAARC. It also sought to give effect to the well established principle that no person committing a terroristic offence should escape punishment. The Bill was passed by Rajya Sabha and Lok Sabha on 26 November 1992 and 30 March 1993, respectively, and received President's assent on 26 April 1993.

The Terrorist and Disruptive Activities Prevention Amendment Bill, 1993 sought to extend the Terrorist and Disruptive Activities (Prevention) Act, 1985 (extended in 1987, 1989 and 1991) for a further period of two years upto 23 May 1995.

Terrorism which was initially confined to the States of Punjab, Jammu and Kashmir and the North East had spread its tentacles to the States of Uttar Pradesh, Madhya Pradesh, Himachal Pradesh, Maharashtra, Haryana, Delhi, Gujarat and West Bengal. Apart from that, sophisticated weapons, remote control devices, rocket launchers and professional training and international involvement had added a new dimension to the problem.

Keeping in view the above considerations, it was proposed to amplify some of the existing provisions so as to also concretize the agreement signed recently with the United Kingdom for mutual assistance in the investigation and prosecution of terrorist crimes and the tracing, restraint and confiscation of the proceeds and instruments of crime and terrorist funds. The Bill was passed by Rajya Sabha and Lok Sabha on 28 April and 14 May 1993, respectively, and received President's assent on 22 May 1993.

The Code of Criminal Procedure (Amendment) Bill, 1993 sought to give full effect to the agreement signed by the Government of India with the Government of United Kingdom of Great Britain and Northern Ireland for extending assistance in the investigation and prosecution of crime and the tracing, restraint and confiscation of the proceeds of the crime and terrorist funds with a view to checking the terrorist activities in India and the United Kingdom. The Bill was passed by Rajya Sabha and Lok Sabha on 28 April and 7 May 1993, respectively, and received President's assent on 18 May 1993.

The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1993 sought to increase the rate of road mileage allowance from three rupees per kilometre to five rupees per kilometre. It also proposed to increase the daily allowance from one hundred and fifty rupees per day to two hundred rupees per day; minimum pension from five hundred rupees per month to one thousand rupees; additional pension for each year in excess of five years from fifty rupees per month to two hundred and fifty rupees; and reduce the minimum eligibility period for drawal of the ex-Members to Parliament pension in addition to other pensions. The Bill also sought to provide that if a Member of parliament or any person desired to draw the salary, allowances, or Pension at a lesser rate or to avail of the facilities at a lower scale, he might exercise an option. The Bill which sought to achieve the above objects was passed by Lok Sabha and Rajya Sabha on 13 and 14 May 1993, respectively, and received President's assent on 9 June 1993.

We reproduce here the text of the above Acts.

—*Editor.*

**THE NATIONAL COMMISSION FOR BACKWARD CLASSES ACT, 1993**

*An Act to constitute a National Commission for Backward Classes other than the Scheduled Castes and the Scheduled Tribes and to provide for matters connected therewith or incidental thereto.*

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows :

**CHAPTER I  
PRELIMINARY**

1. *Short title extent and commencement.* (1) This Act may be called the National Commission for Backward Classes Act, 1993.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall be deemed to have come into force on the 1st day of February, 1993.

2. *Definitions.* In this Act, unless the context otherwise requires-

(a) "backward classes", for the purpose of this Act, means such backward classes of citizens other than the Scheduled Castes and the Scheduled Tribes as may be specified by the Central Government in the lists;

(b) "Commission" means the National Commission for Backward Classes constituted under section 3;

(c) "lists" means lists prepared by the Government of India from time to time for purposes of making provision for the reservation of appointments or posts in favour of backward classes of citizens which in the opinion of that Government, are not adequately represented in the services under the Government of India and any local or other authority within the territory of India or under the control of the Government of India;

(d) "Member" means a Member of the Commission and includes the Chairperson.

(e) "prescribed" means prescribed by rules made under this act.

**CHAPTER II**

**THE NATIONAL COMMISSION FOR BACKWARD CLASSES**

3. *Constitution of National Commission for Backward Classes.* (1) The Central Government shall constitute a body to be known as the National Commission for Backward Classes to exercise the powers conferred on and to perform the functions assigned to it under this Act.

(2) The Commission shall consist of the following Members nominated by the Central Government :

(a) a Chairperson who is or has been a Judge of the Supreme Court or of a High Court;

(b) a social scientist

(c) two persons who have special knowledge in matters relating to backward classes and;

(d) a Member-Secretary who is or has been an officer of the Central Government in the rank of a Secretary to the Government of India.

4. *Term of office and conditions of service of Chairperson and Members.* (1) Every Member shall hold office for a term of three years from the date he assumes office.

(2) A Member may, by writing under his hand addressed to the Central Government resign from the office of Chairperson or, as the case may be, of Member, at any time.

(3) The Central Government shall remove a person from the office of Member if that person-

(a) becomes an undischarged insolvent;

(b) is convicted and sentenced to imprisonment for an offence which, in the opinion of the Central Government, involves moral turpitude;

(c) becomes of unsound mind and stands so declared by a competent court;

(d) refuses to act or becomes incapable of acting;

(e) is, without obtaining leave of absence from the Commission, absent from three consecutive meetings of the Commission; or

(f) has, in the opinion of the Central Government, so abused the position of Chairperson or Member as to render that person's continuance in office detrimental to the interests of backward classes or the public interest :

Provided that no person shall be removed under this clause until that person has been given an opportunity of being heard in the matter;

(4) A vacancy caused under sub-section (2) or otherwise shall be filled by fresh nomination.

(5) The salaries and allowances payable to and the other terms and condition of service of the Chairperson and Members shall be such as may be prescribed.

5. *Officers and other employees the Commission.* (1) The Central Government shall provide the Commission with such officers and employees as may be necessary for the efficient performance of the functions of the Commission.

(2) The salaries and allowances payable to, and the other terms and conditions of service or, the officers and other employees appointed for the purpose of the Commission shall be such as may be prescribed.

6. *Salaries and allowances to be paid out of grants.* The salaries and allowances payable to the Chairperson and members and the administrative expenses, including salaries, allowances and pensions payable to the officers and other employees referred to in section 5, shall be paid out of the grants referred to in sub-section (1) of section 12.

7. *Vacancies, etc. not to invalidate proceedings of the Commission.* No act or proceeding of the Commission shall be invalid on the ground merely of the existence of any vacancy or defect in the constitution of the Commission.

8. *Procedure to be regulated by the Commission.* (1) The Commission shall meet as and when necessary at such time and place as the Chairperson may think fit.

(2) The Commission shall regulate its own procedure.

(3) All orders and decisions of the Commission shall be authenticated by the Member-Secretary or any other officer of the Commission duly authorised by the Member-Secretary in his behalf.

### CHAPTER III

#### FUNCTIONS AND POWERS OF THE COMMISSION

9. *Functions of the Commission.* (1) The Commission shall examine requests for inclusion of any class of citizens as a backward class in the lists and hear complaints of over-inclusion or under-inclusion of any backward class in such lists and tender such advice to the Central Government as it deems appropriate.

(2) The advice of the Commission shall ordinarily be binding upon the Central Government.

10. *Powers of the Commission.* The Commission shall, while performing its functions under sub-section (1) of section 9. have all the powers of a civil court trying a suit and in particular, in respect of the following matters, namely :

(a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;

(b) requiring the discovery and production of any document;

9c) receiving evidence on affidavits;

(d) requisitioning any public record or copy thereof from any court or office;

(e) issuing commissions for the examination of witnesses and documents; and



(f) any other matter which may be prescribed.

11. *Periodic revision of lists by the Central Government.* (1) The Central Government may at any time, and shall, at the expiration of ten years from the coming into force of this Act and every succeeding period of ten years thereafter, undertake revision of the lists with a view to excluding from such lists those classes who have ceased to be backward classes or for including in such lists new backward classes.

(2) The Central Government shall, while undertaking any revision referred to in sub-section (1), consult the Commission.

## CHAPTER IV

### FINANCE, ACCOUNTS AND AUDIT

12. *Grants by the Central Government.* (1) The Central Government shall, after due appropriation made by Parliament by law in this behalf, pay to the Commission by way of grants such sums of money as the Central Government may think fit for being utilised for the purposes of this Act.

(2) The Commission may spend such sums as it thinks fit for performing the functions under this Act, and such sums shall be treated as expenditure payable out of the grants referred to in sub-section (1).

13. *Accounts and audit.* (1) The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Commission shall be audited by the Comptroller and Auditor-General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Commission to the Comptroller and Auditor-General.

(3) The Comptroller and Auditor-General and any person appointed by him in connection with the audit of the accounts of the Commission under this Act shall have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Commission.

14. *Annual report.* The commission shall prepare, in such form and at such time, for each financial year, as may be prescribed, its annual report, giving a full account of its activities during the previous financial year and forward a copy thereof to the Central Government.

15. *Annual report and audit report to be laid before Parliament.* The Central Government shall cause the annual report, together with a memorandum of action taken on the advice tendered by the Commission under

section 9 and the reasons for the non-acceptance, if any, of any such advice, and the audit report to be laid as soon as may be after they are received before each House of Parliament.

## CHAPTER V MISCELLANEOUS

16. *Chairperson, Members and employees of the Commission to be public servants.* The Chairperson, Members and employees of the Commission shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

17. *Power to make rules.* (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely :

(a) salaries and allowances payable to and the other terms and conditions of service of, the Chairperson and Members under sub-section (5) of section 4 and of officers and other employees under sub-section (2) of section 5;

(b) the form in which the annual statement of accounts shall be maintained under sub-section (1) of section 13.

(c) the form in, and the time at, which the annual report shall be prepared under section 14;

(d) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

18. *Power to remove difficulties.* (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient, for removing the difficulty :

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall as soon as may be after it is made, be laid before each House of Parliament.

19. *Repeal and saving.* (1) The National Commission for Backward Classes Ordinance 1993 is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of this Act.

#### THE SAARC CONVENTION (SUPPRESSION OF TERRORISM) ACT, 1992

*An Act to give effect to the South Asian Association for Regional Cooperation Convention on Suppression of Terrorism and for matters connected therewith or incidental thereto.*

Whereas a Convention on the Suppression of Terrorism was signed on behalf of the Government of India at Kathmandu on the 4th day of November, 1987.

And whereas India, having ratified the said Convention, should make provisions for giving effect thereto and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows :

1. *Short title, extent and application.* (1) This Act may be called the SAARC Convention (Suppression of Terrorism) Act, 1992.

2. It extends to the whole of India and, subject to the provisions of section 6, it applies also to any offence under this Act committed outside India by any person.

2. *Definitions.* In this Act, unless the context otherwise requires,-

(a) "Convention" means the South Asian Association for Regional Cooperation Convention on Suppression of Terrorism signed at Kathmandu on the 4th day of November, 1987 as set out in the Schedule;

(b) "Convention country" means a country in which the Convention is for the time being in force.

3. *Application of the Convention.* Notwithstanding anything to the contrary contained in any other law, the provisions of Articles I to VIII of the Convention shall have the force of law in India.

4. *Hostage-taking.* (1) Whoever, by force or threat of force or by any other form of intimidation, seizes or detains any person and threatens to kill or injure that person with intent to cause a Convention country to do or abstain from doing any act as the means of avoiding the execution of such threat, commits the offence of hostage-taking.

2. Whoever commits the offence of hostage-taking shall be punished with imprisonment for a term which may extend to ten years, and shall also

be liable to fine.

5. *Provisions as to Extradition Act.* For the purposes of the Extradition Act, 1962, in relation to a Convention country, an offence under sub-section (1) of section 4 or any other offence specified in Article I of the Convention, shall not be considered to be an offence of a political character.

6. *Offences committed outside india.* (1) When an offence under sub-section (1) of section 4 or any other offence specified in Article I of the Convention is committed outside India,-

(a) by a citizen of India, whether on the high seas or elsewhere;

(b) by a person, not being such citizen, on any ship or aircraft registered in India; or

(c) by a person, not being such citizen, in a Convention country, he may be dealt with in respect of such offence as if it had been committed at any place within India at which he may be found.

(2) Notwithstanding anything contained in sub-section (1), the Central Government, may, by general or special order published in the Official Gazette, direct that the offence under sub-section (1) of section 4 or any other offence specified in Article I of the Convention may be inquired into or tried at any place within India.

7. *Previous sanction necessary for prosecution.* No prosecution for an offence under this Act shall be instituted except with the previous sanction of the Central Government and the sanction granted under this section shall be deemed to be a sanction granted under section 188 of the Code of Criminal Procedure, 1973.

8. *Protection of action taken in good faith.* (1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act.

(2) No suit or other legal proceeding shall lie against the Central Government for any damage caused or likely to be caused for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act.

#### THE TERRORIST AND DISRUPTIVE ACTIVITIES (PREVENTION) AMENDMENT ACT, 1993

*An Act further to amend the Terrorist and Disruptive Activities (Prevention) Act, 1987.*

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows :

1. *Short title.* This Act may be called the Terrorist and Disruptive Activities (Prevention) Amendment Act, 1993.

2. *Amendment of section 1.* In the Terrorist and Disruptive Activities (Prevention) Act, 1987 (hereinafter referred to as the principal Act), in section 1, in sub-section (4), for the words "six years", the words "eight years" shall be substituted.

3. *Amendment of section 2.* In section 2 of the principal Act, in sub-section (1), after clause (g), the following clause shall be inserted, namely :

'(gg) "property" means property and assets of every description, whether corporeal or incorporeal, movable or immovable, tangible or intangible and deeds and instruments evidencing title to or interest in, such property or assets, derived or obtained from the terrorist act and includes proceeds of terrorism;'

4. *Amendment of section 3.* In section 3 of the principal Act, after sub-section (4), the following sub-sections shall be inserted, namely :

"(5) Any person who is a member of a terrorists gang or a terrorists organisation, which is involved in terrorist acts, shall be punishable with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life and shall also be liable to fine.

(6) Whoever holds any property derived or obtained from commission of any terrorist act or has been acquired through the terrorist funds shall be punishable with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life and shall also be liable to fine."

5. *Insertion of new section 7A.* After section 7 of the principal Act, the following section shall be inserted, namely :

"7A. *Powers of investigating officers.* If an officer investigating an offence committed under this Act has reason to believe that any property in relation to which an investigation is being conducted is a property derived or obtained from the commission of any terrorist act and includes proceeds of terrorism he shall, with the approval of the superintendent of Police, make an order seizing such property and where it is not practicable to seize such property, he may make an order of attachment directing that such property shall not be transferred or otherwise dealt with except with the prior permission of the officer making such order, or of the Designated Court and a copy of such order shall be served on the persons concerned :

Provided that the investigating officer shall duly inform the Designated Court within forty-eight hours of the attachment of such property and the said court shall either confirm or revoke the order of attachment so issued."

6. *Amendment of section 15.* In section 15 of the principal Act,

(a) in sub-section (1), after the words "trial of such person", the words "or co-accused, abettor or conspirator" shall be inserted;

(b) after sub-section (1), the following proviso shall be inserted, namely :

"Provided that co-accused, abettor or conspirator is charged and tried in the same case together with the accused."

7. *Amendment of section 16.* In section 16 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely :

"(1) Notwithstanding anything contained in the Code, the proceedings under this Act may be held *in camera*, if the Designated Court so desires."

8. *Amendment of section 20.* In section 20 of the principal Act, in sub-section (4),

(a) in clause (b), for the words "one year", at both the places where they occur, the words "one hundred and eighty days" shall be substituted:

(b) after clause (b), the following clause shall be inserted, namely :

"(bb) in sub-section (2), after the proviso, the following proviso shall be inserted, namely :

"Provided further that, if it is not possible to complete the investigation within the said period of one hundred and eighty days, the Designated Court shall extend the said period up to one year, on the report of the Public Prosecutor indicating the progress of the investigation and the specific reasons for the detention of the accused beyond the said period of one hundred and eighty days."

9. *Insertion of new section 20A.* After section 20 of the principal Act, the following section shall be inserted, namely :

"20A. *Cognizance of offence.* (1) Notwithstanding anything contained in the Code, no information about the commission of an offence under this Act shall be recorded by the police without the prior approval of the District Superintendent of Police.

(2) No court shall take cognizance of any offence under this Act without the previous sanction of the Inspector-General of Police, or as the case may be, the Commissioner of Police."

10. *Amendment of section 21.* In section 21 of the principal Act, in sub-section (9), clauses (c) and (d) shall be omitted.

## THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) ACT, 1993

*An Act further to amend the Code of Criminal Procedure, 1973.*

be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows :

1. *Short title and commencement.* (1) This Act may be called the Code of Criminal Procedure (Amendment) Act, 1993.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Insertion of new Chapter VIIA.* In the Code of Criminal Procedure, 1973 after Chapter VII, the following Chapter shall be inserted, namely :

#### CHAPTER VII A

##### RECIPROCAL ARRANGEMENTS FOR ASSISTANCE IN CERTAIN MATTERS AND PROCEDURE FOR ATTACHMENT AND FORFEITURE OF PROPERTY

105A. *Definitions.* In this Chapter, unless the context otherwise requires

(a) "contracting State" means any country or place outside India in respect of which arrangements have been made by the Central Government with the Government of such country through a treaty or otherwise;

(b) "identifying" includes establishment of a proof that the property was derived from, used in, the commission of an offence;

(c) "proceeds of crime" means any property derived or obtained directly or indirectly, by any person as a result of criminal activity (including crime involving currency transfer) or the value of any such property;

(d) "property" means property and assets of every description whether corporeal or incorporeal, movable or immovable, tangible or intangible and deeds and instruments evidencing title to, or interest in, such property or assets derived or used in the commission of an offence and includes property obtained through proceeds of crime;

(e) "tracing" means determining the nature source, disposition, movement, title or ownership of property.

105B. *Assistance in securing transfer of persons.* (1) Where a Court in India, in relation to a criminal matter desires that a warrant for arrest of any person to attend or produce a document or other thing issued by it shall be executed in duplicate in such form to such Court, Judge or Magistrate through such authority, as the Central government may, by notification, specify in this behalf and that Court, Judge or Magistrate, as the case may be, shall cause the same to be executed.

(2) Notwithstanding anything contained in this Code, if, in the course of an investigation or any inquiry into an offence, an application is made by the investigatin officer or any officer superior in rank to the investigating officer that the attendance of a person who is in any place in a contracting State is required in connection with such investigation or inquiry and the court is satisfied that such attendance is so required, it shall issue a summons or warrant, in duplicate, against the said person to such Court, Judge or Magistrate, in such form as the Central Government may, by notification, specify in this behalf, to cause the same to be served or executed.

(3) Where a Court in India, in relation to a criminal matter, has received a warrant for arrest of any person requiring him to attend or attend and

produce a document or other thing in that Court or before any other investigating agency, issued by a Court, Judge or Magistrate in a contracting State, the same shall be executed as if it is the warrant received by it from another Court in India for execution within its local limits.

(4) Where a person transferred to a contracting State pursuant to sub-section (3) is a prisoner in India, the Court in India or the Central Government may impose such conditions as that Court or government deems fit.

(5) Where the person transferred to India pursuant to sub-section (1) or sub-section (2) is a prisoner in a contracting State, the Court in India shall ensure that the conditions subject to which the prisoner is transferred to India are complied with and such prisoner shall be kept in such custody subject to such conditions as the Central Government may direct in writing.

**105C. Assistance in relation to orders of attachment or forfeiture of property.** (1) Where a Court in India has reasonable grounds to believe that any property obtained by any person is derived or obtained, directly or indirectly, by such person from the commission of an offence, it may make an order of attachment or forfeiture of such property, as it may deem fit under the provisions of sections 105D to 105J (both inclusive).

(2) Where the Court has made an order for attachment or forfeiture of any property under sub-section (1), and such property is suspected to be in a contracting State the Court may issue a letter of request to a Court or an authority in the contracting State for execution of such order.

(3) Where a letter of request is received by the Central Government from a Court or an authority in a contracting State requesting attachment or forfeiture of the property in India, derived or obtained, directly or indirectly, by any person from the commission of an offence committed in that contracting State, the Central Government may forward such letter of request to the Court, as it thinks fit, for execution in accordance with the provisions of sections 105D to 105J (both inclusive) or as the case may be, any other law for the time being in force.

**105D. Identifying unlawfully acquired property.** (1) The Court shall under sub-section (1), or on receipt of a letter of request under sub-section (3) of section 105C, direct any police officer not below the rank of Sub-Inspector of Police to take all steps necessary for tracing and identifying such property.

(2) The steps referred to in sub-section (1) may include any inquiry, investigation or survey in respect of any person, place, property, assets, documents, books of account in any bank or public financial institutions or any other relevant matters.

(3) Any inquiry investigation or survey referred to in sub-section (2) shall be carried out by an officer mentioned in sub-section (1) in accordance with such directions issued by the said Court in this behalf.

**105E. Seizure or attachment or property.** (1) Where any officer con-



ducting an inquiry or investigation under section 105D has a reason to believe that any property in relation to which such inquiry or investigation is being conducted is likely to be concealed transferred or dealt with in any manner which will result in disposal of such property he may make an order for seizing such property and where it is not practicable to seize such property, he may make an order or attachment directing that such property shall not be transferred or otherwise dealt with, except with the prior permission of the officer making such order, and a copy of such order shall be served on the person concerned.

(2) Any order made under sub-section (1) shall have no effect unless the said order is confirmed by an order of the said Court, within a period of thirty days of its being made.

*105F. Management of properties seized or forfeited under this Chapter.*

(1) The Court may appoint the District Magistrate of the area where the property is situated, or any other officer that may be nominated by the District Magistrate, to perform the functions of an Administrator of such property.

(2) The Administrator appointed under sub-section (1) shall receive and manage the property in relation to which the order has been made under sub-section (1) of section 105E or under section 105H in such manner and subject to such conditions as may be specified by the Central Government.

(3) The Administrator shall also take such measures, as the Central Government may direct, to dispose of the property which is forfeited to the Central Government.

*105G. Notice of forfeiture of property.* (1) If as a result of the inquiry, investigation or survey under section 105D, the Court has reason to believe that all or any of such properties are proceeds of crime, it may serve a notice upon such person (hereinafter referred to as the person affected) calling upon him within a period of thirty days specified in the notice to indicate the source of income, earnings or assets, out of which or by means of which he has acquired such property, the evidence on which he relies and other relevant information and particulars, and to show cause why all or any of such properties, as the case may be, should not be declared to be proceeds of crime and forfeited to the Central Government.

(2) Where a notice under sub-section (1) to any person specifies any property as being held on behalf of such person by any other person, a copy of the notice shall also be served upon such other person.

*105H. Forfeiture of property in certain cases.* (1) The Court may, after considering the explanation, if any, to the show-cause notice issued under section 105G and the material available before it and after giving to the person affected (and in a case where the person affected holds any property specified in the notice through any other person, to such other person also) a reasonable opportunity of being heard, by order, record a finding

whether all or any of the properties in question are proceeds of crime :

provided that if the person affected (and in a case where the person affected holds any property specified in the notice through any other person such other person also) does not appear before the Court or represent his case before it within a period of thirty days specified in the show-cause notice, the Court may proceed to record a finding under this sub-section *ex parte* on the *basis* of evidence available before it.

(2) Where the Court is satisfied that some of the properties referred to in the show-cause notice are proceeds of crime but it is not possible to identify satisfactorily such properties, then it shall be lawful for the Court to specify the properties which, to the best of its judgment, are proceeds of crime and record a finding accordingly under sub-section(1).

(3) Where the Court records a finding under this section to the effect that any property is proceeds of crime, such property shall stand forfeited to the Central Government free from all encumbrances.

(4) Where any shares in a company stand forfeited to the Central Government under this section, then, the company shall, notwithstanding anything contained in the Companies Act, 1956 or the articles of association of the company, forthwith register the Central Government as the transferee of such shares.

105-I. *Fine in lieu of forfeiture.* (1) Where the Court makes a declaration that any property stands forfeited to the Central Government under section 105H and it is a case where the source of only a part of such property has not been proved to the satisfaction of the Court, it shall make an order giving an option to the person affected to pay in lieu of forfeiture, a fine equal to the market value of such part,

(2) Before making an order imposing a fine under sub-section (1), the person affected shall be given a reasonable opportunity of being heard.

(3) Where the person affected pays the fine due under sub-section(1), within such time as may be allowed in that behalf, the Court may by order revoke the declaration of forfeiture under section 105H and thereupon such property shall stand released.

105J. *Certain transfers to be null and void.* Where after the making of an order under sub-section (1) of section 105E or the issue of a notice under section 105G, any property referred to in the said order or notice is transferred by any mode whatsoever such transfers shall, for the purposes of the proceedings under this Chapter, be ignored and if such property subsequently forfeited to the Central Government under section 105H, then the transfer of such property shall be deemed to be null and void.

105K. *Procedure in respect of letter of request.* Every letter of request, summons or warrant, received by the Central Government from, and every letter of request, summons or warrant, to be transmitted to a contracting State under this Chapter shall be transmitted to a contracting State or, as

the case may be, sent to the concerned court in India in such form and in such manner as the Central Government may, by notification, specify in this behalf.

105L. *Application of this Chapter.* The Central Government may, by notification in the Official Gazette, direct that the application of this Chapter in relation to a contracting State with which reciprocal arrangements have been made, shall be subject to such conditions, exceptions or qualifications as are specified in the said notification.

#### THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF PARLIAMENT (AMENDMENT) ACT, 1993

*An Act further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954.*

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows :

1. *Short title* : This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1993.

2. *Amendment of section 3* : In section 3 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (hereinafter referred to as the principal Act),-

(i) for the words "one hundred and fifty rupees", the words "two hundred rupees" shall be substituted;

(ii) the following proviso shall be inserted at the end, namely :

"Provided that no member shall be entitled to the aforesaid allowance unless he signs the register, maintained for this purpose by the Secretariat of the House of the People or, as the case may be, Council of States, on the day of the session of the House for which allowances is claimed."

3. *Amendment of section 4* : In section 4 of the Principal Act, in sub-section (i), in clause (c), in sub-clause (ii), :

(a) for the portion beginning with the words "one rupee and thirty paise", and ending with the words "in respect of road journeys", the following shall be substituted, namely :

**"five rupees per kilometre";**

(b) after the existing proviso and before the Explanation, the following proviso shall be inserted, namely :

**"Provided further that where a member performs journey by road in Delhi from and to an aerodrome, he shall be paid a minimum amount of one hundred and twenty rupees for each such journey."**

4. *Amendment of section 8A* : In section 8A of the principal Act :

(a) in sub-section (L), :

(i) for the portion beginning with the words "With effect from the commencement of the Salaries and Allowances of Members of Parliament (Amendment) Act, 1976", and ending with the words "whether continuous or not", the following shall be substituted namely :

**"With effect from the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1993, there shall be paid a pension of one thousand and four hundred rupees per mensem to every person who has served for a period of four years, whether continuous or not";**

(ii) for the existing provisos, the following provisos shall be substituted, namely :

**"Provided that where any person has served as aforesaid for a period exceeding five years, there shall be paid to him an additional pension of two hundred and fifty rupees per mensem for every year in excess of five years :**

**Provided further that every person, who has served for any period as a member of the Provisional Parliament and who is not entitled to any pension under the foregoing provisions of this sub-section, shall, with effect from the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1993, be entitled to a pension of one thousand and four hundred rupees per mensem.;"**

(b) for sub-section (3), the following sub-section shall be substituted, namely :

**"(3) Where any person entitled to pension under sub-section (1) is also entitled to any other pension, such person shall be entitled to receive the pension under sub-section (1) in addition to such other pension."**

5. *Insertion of new section SAA* : After section 8A of the principal Act, the following section shall be inserted, namely :

**"8AA. Option to draw salary allowances or pension at lesser rate or to avail facilities at lower scale : Any member or other person entitled to any salary, allowance, pension or facility under this Act or any rule made thereunder may, if he so desires, exercise an option in writing to draw such salary, allowance or pension at a lesser rate, or to avail such facility at a lower scale, to be specified in such option and send the option to the Chairman of the Council of States or the Speaker of the House of the People, as the case may be, and there after the salary, allowance or pension shall be paid to such member or person at the rate specified in the option or, as the case may be, the facility shall be provided to such member or person in accordance with the scale specified by him in the option."**

## SESSIONAL REVIEW

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### TENTH LOK SABHA SIXTH SESSION

The Sixth (Budget) Session of the Tenth Lok Sabha commenced on 22 February 1993 and adjourned sine die on 14 May 1993. A brief resume of the important discussions held and other business transacted during the period 1 April to 13 May 1993 is given below\*.

#### DISCUSSIONS/STATEMENTS/ ANNOUNCEMENTS

*General Budget 1993-94* : The discussions on the General Budget took place on 20, 21, 22, 23, 26, 28, 29, 30 April and 3 and 4 May 1993. Participating in the discussions, Shri P. G. Narayanan\*\* said that on the eve of the Budget, the Government had announced increase in the administered prices of sugar, steel and coal. The Government would not be in a position to reduce inflation rate in the coming years so long as it continued the policy of administered price increase and failed to generate employment potential.

Shri Chitta Basu said that the Structural Adjustment Programme had resulted in colossal increase in unemployment in the country and had precipitated the already miserable standard of living of the working people. This had been compounded by further rise in the prices due to the elimina

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\*For resume of business transacted during the period 22 February to 31 March 1993, see Journal of Parliamentary Information, Vol. XXXIX No.-2, June 1993.

\*\*Other members who took part in the discussions were : Sarvaahri Jaswant Singh, M. V. V. S. Murthy, Prithviraj D. Chavan, Rajesh Kumar, Ram Nagina Mishra, B. Akber Pasha, Mohan Singh, Amal Datta, Peter G. Marbaniang, Bhogendra Jha, Madan Lal Khurana, Rup Chand Pal, Gopi Nath Gajapathi, Devendra Prasad Yadav, Tej Narayan Singh, Luxmi Narain Mani Tripathy, Bijoy Krishna Handique, H. D. Devegowda, Poshan Lal, Bolla Bulli Ramaiah, Yaima Singh Yunnam, Harish Narayan Prabhu Zantye, Sureshanand Swamy, Chand Lal Chandraker, Ramchandra Marotrao Ghangare, Sriballav Panigrahi, Brahmanand Mandal, Ankushrao Raosaheb Tope, Ramashray Prasad Singh, Manoranjan Bhakta, Vishwanath Shastri, Ram Tahal Choudhary, Kishan Dutt Sultanpuri, Rajendra Kumar Sharma, Laeta Umbrey, K. H. Muniyappa, Virendra Singh, K. Thulesiah Vandayar, Dattatraya Bandaru, Anand Ahirwar, Janardan Misra, Santosh Kumar Gangwar, Bhagwan Shankar Rawat, Nirmal Kanti Chatterjee, Sudhir Sawant, Shiva Sharan Sinha, Shyam Bihari Misra, Dr. Debi Prasad Pal, Dr. Ramesh Chand Tomar, Prof. Rasa Singh Rawat, Prof. K. Venkatagiri Gowda, Shrimati Santosh Chowdhary, Shrimati Sheela Gautam, Shrimati Saroj Dubey, Shrimati Pratibha Devi Singh Patil and Kumari Frida Topno.

tion or reduction of the subsidies and also by the increase of hike of the administrative prices during the last few years. The Budget had also led to deterioration of balance of payments position.

Participating in the debate on 26 April, the Union Finance Minister, Dr. Manmohan Singh said that the Budget should be judged against the background of various objectives which included fiscal discipline, need to step up rate of investment in the economy as well as the allocations for the vital anti-poverty programme and social services like education and health, industrial recovery, tax reform, self-reliance and adequate attention to agriculture and rural development. He said that globalisation did not mean surrendering of India's economic sovereignty. In a world of inter-dependence, India's full development potential could only be realised by pushing our exports. As regards dumping of foreign goods in our country, he said that provisions of anti-dumping laws would be used to ensure that the liberalised policy did not make our country a dumping ground for unwanted foreign goods. In deliberating the import duty structures, due care had been taken not to hurt Indian industry.

The improvement in the economic situation, in the balance of payments, on inflation front and on the production front was positive proof of the increasing success of the type of policy that the Government had pursued.

In the field of agriculture, India had harvested a record amount of food production of 180 million tonnes. The Minister pointed out that the banking system should be strengthened and said that the Government had no intention to denationalise the public sector banks. With regard to inflation and the growth of unemployment, he said that the problem could be dealt with on the basis of a high growth of economy, employment-intensive industrial growth and agricultural growth with agro-processing activities.

On 4 May, Demands for Grants relating to individual Ministries were taken up and all the Demands for Grants were voted in full.

*Dismissal of the Nawaz Sharif Government in Pakistan* : Making a statement in the House on 19 April 1993, The Minister of External Affairs, Shri Dinesh Singh said that the President of Pakistan, Mr. Ghulam Ishaq Khan dismissed the Nawaz Sharif Government and dissolved the National Assembly. Subsequently, the President inducted caretaker Government with Mr. Balakh Sher Mazari as the caretaker Prime Minister. Indications from the office of the President of Pakistan showed that elections would be held after two and half months. Shri Dinesh Singh said that though the developments in Pakistan were basically that country's internal affair, India could not remain indifferent as they would have implications for India both in general and security terms. In the prevailing situation where elected Governments had been repeatedly impeded from striking roots and gaining continuity in the policies, a phase of uncertainty in India's relations with Pakistan would not be ruled out. It was our hope that whichever Govern-

ment would be in power in Pakistan, the attitude of reason and moderation would animate their policies towards India, as having a good neighbourly working relationship with Pakistan remained a continuing objective of India's policies toward that country, he added.

**Bomb blasts in Bombay :** making a statement in the House on 21 April, the Union Home Minister, Shri S. B. Chavan said that investigation by the Bombay police had revealed that a conspiracy appeared to have been hatched by Pakistan in conjunction with Dawood Ibrahim, an underworld don based in Dubai and the Memon family of Bombay. Ibrahim Abdul Razak Memon, a key lieutenant of Dawood, along with other members of his family had emerged as the pivotal figure behind the blasts. Memon had visited Dubai thrice in the recent past to tie up arrangements with Dawood Ibrahim and Pakistan.

A huge consignment of arms and explosives was landed surreptitiously in district Raigarh of Maharashtra on 2/3 February 1993. The consignment, which was landed between Masla and Srivardhan, was received by Memon himself with the assistance of his trusted landing agents, all of whom had since been arrested.

As part of the planned operation, the arrival of the arms and explosives on the Western Coast was preceded by the visit of one of the landing agents, Daud Mohammad Phanse to Dubai during 19-22 January 1993 at the invitation of Memon. On 20 January, he was taken to meet Dawood Ibrahim. As per Phanse's disclosure, Dawood indicated his intention of sending consignment of 'Chemicals', a code name for explosives to India, and asked Phanse to arrange for its safe landing. The consignment which arrived in district Raigarh on 2/3 February was carried in a speed boat which had ownership links with Dawood Ibrahim Memon who also played a prominent role in recruiting and motivating the trainees for carrying out the blasts. While the explosives, arms and ammunition were obtained through Dawood Ibrahim, the training was arranged near Islamabad during February 1993. Memon met the operators at Dubai both before their departure for Islamabad and after their return. The operators were briefed specially to target shopping centers, bridges, car parking areas, crowded localities and temples.

The departure from Islamabad to Dubai on 1 March was again arranged without observing any Immigration formalities. While the group leaders had sought to destroy the passports of the trainees, a number of passports survived the precaution. The recovered passports bear an Entry stamp dated 18 February and an Exit stamp dated 20 February of the Immigration authorities at Dubai. Further there was an Entry stamp dated 1 March at Dubai Airport and an Exit stamp dated 2 March for Bombay. The significant absence of Arrival and Departure stampings of the Pakistan Immigration authorities, between 20 February and 1 March, were eloquent testimony of Pakistan's involvement.

Evidence was also available about the complicity of the Memon brothers in the Bombay blasts as a travel data input showed that 6 members of the Memon family left Dubai for Karachi by flight PK-214 on 17 March. A Maruti van containing AK-56 rifles and hand grenades, abandoned by some of the conspirators after the bomb blasts, was located in Worli area on 12 March. The ownership of the vehicle had been traced to Yakub Memon's wife.

The search of the Memon's house had led to the recovery, among other things, of the ignition key of a scooter, which was the key of one of the three unexploded scooter's detected near Naigaon area of Dadar. Empty cartons of explosives were recovered during the searches which seemed to have Lahore markings. The recovered grenades bore the markings 'ARGES' similar to those exploded by members of the group elsewhere in Bombay on 12 March. A large number of such grenades had been recovered during the investigation, which carried a registered Trade mark of an Austrian firm.

All the members of the Memon family left Bombay for Dubai between 10 and 12 March. The final touches to the ground level arrangements were entrusted by Tiger Memon, who was the last one to leave, to his trusted lieutenants, many of whom had planted bombs in thirteen localities. 31 empty cardboard cartons, suspected to have contained the explosives had been recovered from the Al-Hussain building, out of which two bore the stamping of a city in Pakistan.

Shri Chavan said that the Bombay police had so far arrested 80 persons, who were accomplices in the conspiracy, of whom 10 were trained in Pakistan. Subsequently, the Pakistani authorities were informed of the involvement of the Memon family in the bomb blasts as well as about details of their travels and that of their collaborators, between India and Pakistan through Dubai.

The reaction of the Pakistani authorities indicated that Pakistan would take all possible measures to ensure against the exposure of any information relating to Pakistani training for the conspirators.

The results of the inquiries so far indicated Pakistan's support and involvement in the planning and execution of the series of bomb blasts, the Minister added.

On 14 May 1993, Shri Ram Naik initiated a discussion\* under Rule 193 on the progress made in the investigation into and the ramification of international hand in the bomb blasts. The member said that the Union Home Minister Shri S. B. Chavan had made a statement on 13 March in

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\*Other members who took part in the discussion were : Sarvashri Sudhir Sawant, Ramchandra Marotrao Ghangare, Sharad Dighe, Ram Kapse, Mohan Rawle, Mohan Singh, Kamla Mishra Madhukar, A. Asokaraj, Lakshmi Narain Mani Tripathi, Dr. S. P. Yadav and Kumari Mamta Banerjee.



that regard in which he had assured the House that the Government of India as well as the Government of Maharashtra would do their best to bring the culprits to book as expeditiously as possible. The member wanted to know from the Government the precise steps taken by it in that regard.

Replying to the debate, Shri S. B. Chavan said that a conspiracy appeared to have been hatched by Pakistan in conjunction with Dawood Ibrahim and the Memon family. Total arrests in Bombay city and Raigarh District were 97 and 31, respectively. As regards the question of declaring Pakistan a terrorist country, Shri Chavan said that every effort was being made through diplomatic channels to take up the issue with all the Western powers.

*Setting up of the Rashtriya Mahila Kosh* : Making a statement in the House on 27 April 1993, the Minister of Human Resource Development Shri Arjun Singh announced the setting up of a national Credit Fund for women, called the Rashtriya Mahila Kosh. The Minister observed that institutional credit was known to be an important tool for social change; however, access to such credit had usually been quite limited for the poor, particularly for poor women. These women in the informal sector needed repeated doses of credit through informal grassroot mechanisms at minimum transaction costs. Since the formal banking structure was not always geared to respond to these needs, it was decided to set up the Rashtriya Mahila Kosh. The Minister expressed confidence that the Kosh would meet the long-standing demand for better funding of the credit needs of poor women in the informal sector.

The Kosh would be extending credit to non-governmental organisations (NGO) established in the field of credit and allied activities, and NGOs in return would be extending credit to poor women at the grassroot level. The Kosh would formulate suitable criteria for NGOs to be eligible to receive credit assistance under the scheme. The credit structure was kept on par with other soft lending schemes of the Government. The beneficiaries would be getting the credit at an interest rate of 12% per annum. An amount of Rs. 31 crore had been released in the year 1992-93 for the Kosh, which was expected to generate substantial lending during the next five to six years to benefit poor women. The Kosh had been set up as a registered society with a General Body and a Governing Board to manage its affairs. The Governing Board would have representatives from Government Departments, Ministers, NGOs and Professionals and experts in the field of credit. The Kosh would provide for the creation of a risk fund, extend credit education and ensure Group Insurance cover for the loanee women, the Minister added.

*Verma Commission of Inquiry* : making a statement in the House on 28 April 1993, the Union Home Minister, Shri S. B. Chavan invited attention of members to the report of the one-man Commission of Inquiry, headed by Justice J. S. Verma, along with a memorandum of Action taken, which was

tabled in Parliament on 23 December 1992. The Commission had held that the withdrawal of the Special Protection Group (SPG) cover to late Shri Rajiv Gandhi was a contributory lapse in the assassination of the former on Prime Minister. The commission had gone to the recommend that the threat perception to a person in public office would arise out of his actions while in offence and would remain undiminished after demitting offence and as such the security cover to him should continue indiminished thereafter.

Late Shri Rajiv Gandhi demitted office in November 1989 and the SPG cover continued to be available to him upto 31 January 1990. In terms of the decision taken around 1 February 1990, it was decided to withdraw the SPG cover from Shri Gandhi since the Act enabling such security to be provided did not cover ex-Prime Ministers. However, the non-availability of SPG cover to Shri Gandhi had resulted in some dilution in the quality of his proximate security arrangements.

The Minister said that the decicion was to continue the security to Shri Gandhi largely at the same scale while in Delhi by the Delhi Police and while in the States by the concerned State Government. A review of the arrangements after the Report was tabled in Parliament showed that the Intelligence Bureau were uneasy with the arrangements made, especially those relating to proximat security and continues to draw the attention of the Union and State Governments to lapses by the concerned agencies in regard to the security of Shri Gandhi.

Keeping in view the aforesaid recommendations of the Intelligence Bureau, the Government was of the view that the nature and scale of security which was made available to Shri Gandhi from February 1990, proved to be qualitatively inadequate to meet the envisaged requirements. The Governments had since amended the SPG Act to provide the required security cover to former Prime Ministers and their families.

Participating in a discussion\* under Rule 193 on the Verma Commission Report on 13 May 1993, Shri P. G. Narayanan said that the proximate cause of the assassination was the lapse of the police force to prevent human bomb access to the target. The documents made available to the Commission established that the Center's perception of the threat to Shri Gandhi was defective. The Commission's conclusions, especially paras dealing with the SPG, were clear proof that there was failure of the Union Government to provide Shri Gandhi a suitable alternative cover after the withdrawal of SPG.

Repying to the debate, the Union Home Minister Shri S. B. Chavan said that it was important that the lapses which permitted the tragedy to

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\* Other members took part in the discussion were : Sarvashri Mani Shankar Aiyar, Guman Mal Lodha, P. Chidambaram, Ram Jha, Ramesh Chennithala, Pawan Kumar Bansal, Kirip Chaliha, Inderjit, Saifuddin Choudhury, Chandra Jeet Yadav, Dr. Sudhir Ray, Shrimati Maragatham Chandrasekhar and Kumeri Mamta Banerjee.

take place in Sriperumbudur should not be allowed to recur. Those responsible should be identified and suitably dealt with. The Verma Commission of Inquiry had held that though the proximate cause of the assassination was the failure of the Tamil Nadu Police to enforce the access control measures strictly, the withdrawal of the SPG cover from Shri Gandhi was unjustified. The Government agreed with these findings. On the recommendations of the Verma Commission, the Minister said that he had already discussed the guidelines with the leaders of major political parties, which would help in maintaining orderliness in future. He assured the members that the Government was determined to take all necessary action on the findings and recommendation of the Verma Commission.

*Communal Violence in Manipur* : Making a statement in the House on 4 May 1993, the Union Home Minister Shri S. B. Chavan said that the communal situation in Manipur had generally been stable. In particular, the relations between the Meitei and the Muslim communities had been harmonious. However, on 3 May 1993 there was a sudden outbreak of communal clashes between the two communities in the Lalong Bazar Village of the Thoubal District following a minor dispute between two parties over a monetary transaction. The violence spread quickly to communally sensitive pockets in the Thoubal and Imphal districts. The State Government took action to contain the violence and the Army was put on alert. The State and the Central para-military forces were called out and deployed in the affected areas and subsequently curfew was also imposed in both the districts.

According to the report received from the State Government, 68 persons died and 78 persons suffered grievous injuries. About 700 women and children from the minority community had been given shelter in local schools. 109 anti-social elements had been arrested. The Minister added that all aspects of the situation having a bearing on the maintenance of public order in the State had been receiving continuous attention.

*Visit of Bangladesh Minister to the Chakma refugees' camps* : Making a statement in the House on 12 May 1993, the Minister of State in the Ministry of External Affairs, Shri Salman Khurshid said that the Bangladesh Minister for Communications, Col. (Retd.) Oli Ahmed paid a visit to India at the invitation of the Minister of Railways, Shri C. K. Jaffer Sharief. Both the Ministers held comprehensive and wide-ranging discussions on cooperation in the railway sector. Col. Oli Ahmed visited Tripura on 8-9 May 1993 to meet the representatives of Chakma refugees with a view to encouraging their early return to Bangladesh.

During the visit of the Prime Minister of Bangladesh to India in May 1992 it had been agreed to arrange the speedy repatriation of all Chakma refugees to Bangladesh in full safety and security. In that context Bangladesh had agreed to set up a Representative Political Level Committee which would encourage the refugees to return. India had assured full cooperation in the process of repatriation.

The issue of repatriation of Chakma and other tribal refugees was discussed during the Indian Foreign Secretary's Visit to Dhaka in August 1992 and the visit of the Foreign Minister of Bangladesh to India in November 1992. The issue was also discussed at bilateral meetings during the Seventh SAARC Summit held in Dhaka in April 1993.

Prior to his visit to Tripura, the Bangladesh Minister Col. Oli Ahmed held talks with the Home Minister as well as the Minister of State for External Affairs, Shri R. L. Bhatia on the subject. The two delegations had formal discussion on 8 May 1993 in Tripura. The Government agreed to accept all tribal Bangladeshi refugees from Chittagong Hill Tracts based on the available records of both sides and information furnished by the concerned village headmen and also agreed to ensure the return of land and homestead belonging to the refugees. The Bangladesh Government agreed to sustain by way of rations a refugee during his stay at the reception camp and also give him cash grant for construction of a House and other necessities for his rehabilitation. Shri Khursheed hoped that the repatriation of the Chakma refugees to Bangladesh would pave the way for the resolution of other outstanding issues between India and Bangladesh.

*Current situation in Jammu and Kashmir* : Making a statement in the House on 14 May 1993, the Minister of State in the Ministry of Home Affairs, Shri Rajesh Pilot said that large scale violence and terrorism had been unleashed in Jammu and Kashmir by Pakistan during the last three years. A large number of people, mostly the youth were lured, and in many cases were forced to go across the border for training and indoctrination. Although Pakistan was known to be under considerable pressure to desist from sponsoring cross-border terrorism there was no evidence to show any let-up in its activities on the ground.

During the recent months, as a result of sustained pressure and information and intelligence based operations, the Government had been able to apprehend or neutralise a large number of terrorists, including many important self-styled leaders of various terrorist outfits. Efforts were also being made to reactivate the political forces and restore normalcy in the State. The Minister further said that various initiatives taken so far had their impact. Whenever there was a movement towards any kind of activation among the political elements or response among the people, the militants and their mentors in Pakistan immediately redoubled their efforts to thwart the same.

In the wake of all these developments, the Government had also witnessed a sharp escalation of violence since the beginning of April. The focus of the propaganda was on the international audience as part of the attempts being made by Pakistan to internationalise the issue of Kashmir by spreading blatant disinformation. The Minister said that the positive side of all these developments in the State was that the common people had understood the designs of the militants and were increasingly getting away of them. The Government was determined to ensure that the security

environment in the State was improved and the situation was brought towards normalcy, he added.

*Statutory Resolutions re. Approval of the Continuance in force of the proclamations in respect to Uttar Pradesh, Madhya Pradesh, Himachal Pradesh and Rajasthan :* Moving the Resolutions on 12 May 1993, the Union Home Minister, Shri S. B. Chavan said that proclamations imposing President's Rule in the four states were approved by Rajya Sabha and Lok Sabha on 21 and 23 December 1992, respectively.

After making a careful and critical assessment of the situation prevalent in the four States to determine if elections could be held without any further extension of the period of the President's Rule, it was found that the internal security and law and order situation in those States, though under control, was still fragile. Following the imposition of President's Rule and the decision of the Union Government to ban certain communal organisations, the fall-out of the Ayodhya incident was contained by firm action against communal and fundamentalist elements from both communities. It was assessed that if elections were being held in those States, communal passions would inevitably be aroused leading to confrontation and clashes between the communities. The communal divide created by the riots had left deep scars on the psyche of the people.

The process of toning up of the administration and purging the administrative set up of certain communal elements which had taken roots had been initiated in the States and it would require some time to be completed. The process of normalisation and consolidation in those States should be not allowed to be affected midway by diverting popular attention to the electoral process.

Considering the situation prevalent in those four States, it was proposed to extend the period of President's Rule for a further period of six months with effect from 6 June 1993 in respect of Uttar Pradesh and 15 June 1993 in respect of the other three States.

Participating in the discussion\* Shri Chitta Basu said that basically his party was opposed to the idea of incorporation of Art. 356 in the Constitution. However, the situation in the country, particularly communal situation, did not permit to hold elections in a free and fair manner. Unless communalism was removed from the minds of the people and secular and democratic political atmosphere was allowed to return, holding of election might prove to be much more dangerous than not holding them. The Government should make necessary arrangements to hold elections at the earliest, he added.

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\*Others who took part in the discussion were : Sarvashri Sushil Chandra Verma, Bheru Lal Meena, Mohan Singh, Ajoy Mukhopadhyay, Aslam Sher Khan, Satya Deo Singh, Vishwanath Shastri, Vijay Naval Patil, Dau Dayal Joshi, R. Naidu Ramasamy, Krishan Dutt Sultanpuri, Chandra Jeet Yadav, Kamla Mishra Madhuker, Yaima Singh Yumnam, S. M. Laljan Basha, Mohammad Ali Ashraf Fatmi, Dr. Laxminarayan Pandeya and Prof. Prem Dhumal.

Replying to the debate, the Minister of Home Affairs, Shri S. B. Chavan made it clear that elections to all the four State Legislative Assemblies would be held simultaneously. The Resolutions were adopted.

## B. LEGISLATIVE BUSINESS

*Finance Bill, 1993* : Moving that the Bill be taken into consideration on 4 May, the Union Finance Minister, Dr. Manmohan Singh said that large number of representations had been received on behalf of some States requesting for inclusion of backward districts of those States for the purposes of section 80-1A. The Government would explore methods for enhancing fiscal support for new industrial undertakings in industrially backward districts of States which were not classified as backward.

As regards raising the exemption limit for personal income taxation, it was proposed to increase the limit further to Rs. 30, 000.

In order to encourage indigenous manufacture of certain telecom equipments, it was proposed to reduce the import duty on modules and sub-assemblies for their manufacture from 85% to 60% Import duty had also been reduced on certain other things in order to encourage indigenous manufacture.

The Government had proposed to enhance the limit for exemption from excise duty in respect of unregistered small scale units from Rs. 7.5 lakhs to Rs. 10 lakhs. It had also proposed to increase the limit to Rs. 30 lakhs, which would benefit large number of small scale units. The Government had also proposed to reduce the basic customs duty on certain life saving drugs and equipments.

Participating on the discussion\*, Shri P. G. Narayanan said that the salaried class should have been given much more relief in view of the inflation and increase in administered prices of various essential commodities several times a year. He also urged the Government to accept the recommendation of the Raja Chelliah Committee in respect of levying tax on cigarettes.

Taking part in the discussion, Shri Indrajit Gupta said that the advanced countries should be prevented from impinging upon the interests of Indian industries and indigenous materials.

Shri Somnath Chatterjee stated that it would be suicidal in the name of globalisation and liberalisation if a situation would be created where the Indian industries would have to face the most unequal competition.

\*Other Members took in the discussion were : Sarvaswari Shrawan Kumar Patel, Sandipan Bhagwan Thorat, Girdhari Lal Bhargava, M. R. Kadambur Janarthanan, Anandi Charan Des, Shyam Bihari Misra, Bhagwan Shankar Rawat, Harchand Singh, Oscar Fernandes, Balraj Passi, Rabi Ray, Murli Deora, Ram Naik, B. N. Reddy, Yalima Singh Yumnam, B. N. Reddy, George Fernandes, Nirmal Kanti Chatterjee, Dr. Laxmi Narayan Pandeya, Dr. S. P. Yadav, Dr. Kartikeswar Patra, Dr. G. L. Kanaujia, Prof. Suenta Chakraborty, Prof. Savithri Lakshmanan and Kumari Mamta Banerjee.

Replying to the debate on 5 May, the Union Minister of Finance, Dr. Manmohan Singh said that the Indian industry was fully prepared to meet the challenge of international competition and the Government had not done anything which would hurt indigenous industry.

The Bill, as amended, was passed.

*The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1993\** : Moving that the Bill be taken into consideration on 13 May 1993, the Minister of Water Resources and Parliamentary Affairs, Shri Vidyacharan Shukla said that after examining the recommendations of the Joint Committee on Salaries and Allowances of Members of Parliament, acceptance of the recommendations had been decided upon. The Bill sought to raise the daily allowance of Members from Rs. 150 to Rs. 200 subject to the condition that the Members signed the register on all the days of the session: to increase the road mileage from Rs. 3 to Rs. 5 per km. subject to the minimum of Rs. 120 from Delhi Airport to the residence in Delhi and vice-versa: and to increase the minimum amount of Pension for Ex-MPs from Rs. 500 to Rs. 1400 per month subject to the minimum period of eligibility for pension to four years or two terms whichever would be applicable. The Bill further sought to provide the member 7,200 units of electricity and 1,000 kls of water free instead of the present entitlement. It also intended to allow the members to adjust their excess telephone calls over and above the present entitlement of 50,000 free calls in the next year's quota.

Participating on the discussion\*, Shri Somanth Chatterjee said that a study should be made as to how these things were decided in other countries. A committee of the House should be constituted to give recommendations for a formal approval.

Shri Indrajit Gupta stated that all the members of the Committee should not be Members of Parliament, and the Bill should cover facilities, including travelling facilities in their constituencies. The Committee should also take into consideration all the different practices followed in different Parliaments all over world.

Replying to the discussion, the Minister of Water Resources and Parliamentary Affairs, Shri Vidyacharan Shukla said that the facilities were necessary for proper and effective functioning as Members of Parliament.

The Bill, as amended, was passed.

*Terrorists and Disruptive Activities (Prevention) Amendment Bill 1993 and Criminal Law (Amendment) Bill, 1993\*\** : On 14 May 1993, the Union Home Minister Shri S. B. Chavan\*\*\* said that Bills be taken into consideration. Replying to the discussion, the Minister said that the Bill sought to

\* Other members took part in the discussion were : Sarvashri Guman Mal Lodha, Mrutyunjaya Nayak, A Charles, Vijay Naval Patil, Inderjit, and Dr. Kartikeswar Patra.

\*\*The Bills, as passed by Rajya Sabha were laid on the Table of Lok Sabha, on 30 April 1993 and were moved by the Union Home Minister, Shri S. B. Chavan.

\*\*\*The Members who took part in the discussion were : Sarvashri Syed Shahabuddin, Bhagwan Shanker Rawat, Loknath Choudhury, Sudarsan Ray Choudhuri, Guman Mal Lodha, Ram Vilas Paswan, Girdhari Lal Bhargava and Jagmeet Singh Brar.

amend the Indian Penal Code to provide for deterrent punishment to persons committing heinous crimes. Clarifying the application of TADA, the Minister informed that the legislation was just an enabling provision and there were States which had not resorted to TADA at all. He observed that precautionary measures had been taken to see that Police Officers at the lower level should not misuse the Act. To the extent possible, it would be used against only those who would be creating a kind of disruptive activity and destabilising the country. Those elements would have to be dealt with severely.

The Bills were passed.

*The Code of Criminal Procedure (Amendment) Bill, 1993\**: Moving that the Bill be taken into consideration, the Union Home Minister, Shri S. B. Chavan\*\* said that there was an increasing realisation all over the world that acts of crime and terrorism were fast acquiring international complexion. The nexus across countries between the perpetrators and supporters of crime and terrorism could be destroyed and the guilty brought to book only if the widest measure of cooperation was established between the actions of law enforcing agencies of different countries. As a first step in the direction, an agreement between the Government of India and the Government of UK was signed to cooperate mutually in the investigation and prosecution of crime and the tracing, restraint and confiscation of the proceeds and instruments of crime and terrorist funds. The Bill sought to implement the above agreement.

Replying to the debate, Shri Chavan said that the Government would like to sign similar agreements with other countries. So far as this Bill was concerned, they were trying to confine themselves to terrorist activity and the funds flowing for terrorist activity.

The Bill was passed.

### C. THE QUESTION HOUR

During the Session, 34,943 notices of Questions (26,567 Started, 8,334 Unstarred and 42 Short Notice Questions) were received. Out of these, 1,020 Starred Questions, 8,662 Unstarred Questions and 1 Short Notice Question were admitted. 99 Unstarred Questions were deleted/postponed/transferred from one Ministry to another.

*Daily average of questions* : Each List of Starred Questions contained 20 questions. The average number of Starred Questions orally answered on the floor of the House during the Session was 3. The maximum number of Starred Questions answered on a day was on 30 April 1993 and the minimum number was three on 25 February and 2, 15, 16 and 23 March 1993.

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\*The Bill passed by Rajya Sabha, was laid on the Table of the Lok Sabha on 30 April 1993 and was moved by the Union Home Minister, Shri S. B. Chavan.

\*\*The members who took part in the discussion were : Sarvashri Rameshwar Patidar, Mohan Singh, Sriballav Panigrahi, M. Ramanna Rai, Tej Narayan Singh, Santosh Kumar Gangwar and Syed Shahabuddin.



The average number of questions in the Unstarred List was 170 against the prescribed limit of 230, the minimum being 72 questions on 15 April 1993 and maximum being 231 on 1, 10 and 15 March 1993.

*Half-an-Hour Discussion* : In all, 60 Notices of Half-an-Hour Discussion were received during the Session. Out of these, three notices were admitted and discussed on the floor of the House.

#### D. OBITUARY REFERENCES

During the period 22 February to 14 May 1993, the House made obituary references to the passing away of Shri Baldev Singh Arya (member, Provisional Parliament), Sarvashri Shraddhakar Supakar, Annasaheb P. Shinde, Raghavendrarrao Srinivasrao Diwan, Vaijanath Mahodaya, Bindeswari Dubey, Biren Roy, Raj Mangal Mishra, Bhagat Dayal Sharma, Bahadurbhai Kunthabhai Patel, Inder J. Malhotra, Suresh Chandra Mishra, Suraj Lal Verma, N.G. Goray, Dr. Mano Mohan Das (all former members) and Shri Ranasinghe-Premadasa (President of Shri Lanka).

### RAJYA SABHA

#### HUNDRED AND SIXTY-SEVENTH SESSION\*

The Rajya Sabha met for its Hundred and Sixty-Seventh Session on 26 April 1993 and adjourned *sine die* on 14 May 1993. A resume of some of the important discussions held and other business transacted during the Session is given below.

#### A. DISCUSSION

*The Budget (General), 1993-94\*\** : Discussion on the Budget (General) took place on 29 April and 4 and 5 May 1993. Initiating the discussion on 29 April, Shri E. Balanandan said that through the present Budget the Government of India was going to make India a powerhouse of world economy but the prices of sugar, wheat and other essential commodities had gone up over the preceding year's prices. The wholesale prices had also increased by 7 per cent over those of the preceding year. The member said that a claim was being made that making rupee freely convertible might increase foreign trade. But how that would be achieved was not clear. The full convertibility of the rupee in fact would have very dangerous consequences. A trade war condition was existing in the world. The import of petroleum and fertilisers would cost more and the fiscal and revenue deficit would also increase. Duty on import of capital goods and project imports in the primary sector like coal mining and on petroleum refinery

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\* Contributed by the Research and Library Section, Rajya Sabha Secretariat.

\*\* The Budget (General) was laid on the Table on 27 February 1993.

had been reduced. Those tariff concessions would enable the foreign nationals to penetrate into the vital sectors of Indian economy. The policy of liberalisation and customs duty concessions were going to affect India's independent development.

The member noted that India's oil wealth was sufficient to meet the need of the country, if properly utilised. However, when Government started depending on the World Bank and the I.M.F. for financial assistance, country's internal oil production started coming down.

The member suggested that India's national wealth had to be preserved at all costs. Iron ore, manganese, silver, gold and diamond, etc., should not be allowed to be taken over by the international market and the monopolists. Nation's interests should be uppermost in the mind of the Government.

Winding up his speech, the member said that the present Budget was taking the country backward. The Government wanted to establish supremacy of the foreign multinationals over the country, he added.

Replying to the discussion\* on 5 May, the Minister of Finance, Dr. Manmohan Singh said that since last year, there had been creditable improvement on the inflation front. The current year's fiscal deficit would be about 4.7 per cent of the GDP. Despite administered increase in the prices of fertilizers and increase in the prices of such essential commodities like coal, steel and petroleum product, the inflation rate was brought down.

Referring to the other aspects of the Budget, the Minister said that the Plan allocation for the agricultural sector had been increased by over 35 per cent. With remunerative prices for farm produce, the Government was in favour of removing various administrative restrictions which came in the way of Indian farmers.

Speaking about the problem of external debt, the Minister said that if India wanted to become truly self-reliant and reduce its dependence on the rest of the world, the only solution was a strong vibrant export growth. The process of gradual reduction of import duties had begun so that Indian industry could, over a period of time, be able to compete effectively in the international markets. The Government's policy was to rejuvenate and revitalise India's industry. The Minister said that at present a process of reducing import duties had begun in such a manner that Indian industry's capability and ability to reduce its cost of production and to become internationally competitive would become stronger. The Government would not allow the country to be used as a ground for dumping goods from abroad at artificially low prices.

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\* Other members who took part in the discussion were : Sarvashri Vishvijit P. Singh, Krishna Kumar Birla, Digvijay Singh, Chowdhry Hari Singh, Viduthalai Virumbi, Dayanand Sahay, Chaturanan Mishra, Hiphei, V. Narayanasamy, Tara Cheran Majumdar, Vithalrao Madhavrao Jadhav, Bhupinder Singh Mann, Inder Kumar Gujral, Dr. Murli Manohar Joshi, Dr. Yelamanchili Sivaji and Prof. Sourin Bhattacharya.

The Minister said that India's economy had come out of the crisis which prevailed in June 1991. Within a year, the Government brought inflation under control. So far as non-Plan expenditure of the Government was concerned, in the last 22 months attempts had been made to control it in a very significant way. The Minister added that with these policies, India would see a new phase of economic and industrial dynamism, in the coming years.

*Problems being faced by the Mills under the National Textile Corporation (NTC)* : On 4 May 1993, Shri Gurudas Das Gupta called the attention of the Minister of Textiles to the problems being faced by the Mills running under the National Textile Corporation and the action taken by the Government in that regard.

Replying to the Calling Attention, the Minister of State in the Ministry of Textiles, Shri G. Venkat Swamy said that the NTC had been incurring massive losses since its inception mainly due to old machinery, low productivity, surplus labour force, high raw material costs, low capacity utilisation and so on. The NTC had thus, accumulated a loss of Rs. 2300 crores upto 31 March 1993 of which Rs. 1800 crores had been reimbursed by the Government through loans. The Government had also waived/subsidised payment of interest amounting to Rs. 1163 crores on the loans given to the NTC. The burden imposed upon the national exchequer by the performance of the NTC called for new initiatives in order to ensure its continued survival.

The Government had, therefore, approved a strategy to turn around the mills of the NTC. The key elements of the strategy were selective modernisation, financial and managerial restructuring and rationalisation of surplus work force through voluntary retirement schemes and other relevant factors on their viability. Such a decision would only be taken after exhausting all other options and protecting the interest of the workers. The Government was accordingly willing to support any concrete and financially viable proposal for the co-operativisation of mills of NTC provided it had the consent of all the parties concerned.

The Minister said that seven of the nine subsidiary Corporations under the NTC had been referred to the Board for Industrial and Financial Reconstruction (BIFR). The BIFR was expected to determine and enforce measures for the revival of those companies with the consent and concurrence of all parties concerned.

*Revamping of procedure for recovery of income-tax* : Raising a half-an-hour discussion on 7 May, on points arising out of answer to Starred Question No. 103 given in the Rajya Sabha on 2 March 1993, Shri Pramod Mahajan wanted to know the basis of the total estimate of arrears of income tax inclusive of corporate tax, amounting to Rs. 6,517 crore, as intimated by the Government on 30 November 1992. The member said that tax evasion was becoming a national tendency, which was detrimental

to the country's economy. The Government should take stern and effective steps to remove such tendency. The member also wanted to know as to when the Government would set up the National Court for Direct Taxes. The Income Tax Act, 1961 did not appear to be adequate and fool-proof. The Government should also furnish the details regarding the cases of income tax pending in the Supreme Court and various High Courts.

Replying to the discussion, the Minister of State in the Ministry of Finance, Shri M.V. Chandrashekhara Murthy informed that the total amount of income-tax arrears that were outstanding as on 30 November 1992, was Rs. 6517 crore. The Minister agreed that huge amount was locked up in litigation. For expeditious settlement of the cases of litigation, the Government expected to bring forward a legislation to set up a national court for direct taxes. The Government would also have a better legislation for plugging the loopholes for speedy recovery of arrears and for speedy disposal of cases. The Government was taking stringent action against the tax defaulters. As regards stock brokers, the Joint Parliamentary Committee (JPC) on the securities scam was already investigating the issue, the Minister said.

*Current situation in Jammu and Kashmir* : On 12 May, Shri Murlidhar Chandrakant Bhandare called the attention of the Minister of Home Affairs to the current situation in Jammu and Kashmir.

Making a reply, the Minister of State in the Ministry of Home Affairs, Shri Rajesh Pilot said that largescale violence and terrorism had been unleashed in Jammu and Kashmir by Pakistan during the last three years. A large number of people, mostly youth, were lured, and in many cases forced to go across the border for training and indoctrination. They infiltrated back into the State with huge quantities of sophisticated arms and equipment. The scale and the volume of violence which continued unabated and the massive recoveries of weapon which included nearly 8000 AK series rifles, showed the dimension of what had been built up into a virtual 'proxy war' by Pakistan in the territory of India. The reprehensible atrocities also led to the migration of nearly 2,50,000 people from the Valley to other parts of the State and the country, the Minister informed.

Referring to various measures taken by the Government to contain terrorism in the State, the Minister said that while pressure on militants was being intensified, efforts were also being made to reactivate the political forces and restore normalcy in the State. Efforts were being made to step up development activity in the State. The Government was assessing the financial needs of the State in that context, and would provide the necessary support and assistance. Efforts were also being made to streamline the counter militancy operations so as to ensure that possible harassment of the civilian population could be minimised without compromising with security requirements. Screening Committees had been set up to review on a continuing basis the cases of those who might be arrested or de-

tained.

In spite of that, a sharp escalation of violence had been witnessed since the beginning of April 1993. The pattern of such violence had shown and attempt to proliferate attacks on the security forces, with increasing use of explosive devices. The aim was not only to try and inflict maximum casualties but, more importantly, to provoke reactions which could cause maximum damage to civilian life and property, and thereby try and heighten the feeling of alienation, the Minister stated.

Speaking further, the Minister said that efforts had been made by the terrorists to indulge in dramatic action, particularly in high profile urban location such as parts of Srinagar and Sopore. Renewed attempts had also been witnessed in the recent past to significantly step up violence in the Jammu region, particularly in the areas of Doda district. There had been a number of bomb blasts, cases of ambush of security forces, and targetted killings of individuals. The aim of the terrorists was to gain media attention, and to try and project that there was largescale violence and disorder, and to whip up largescale propaganda about excesses by the security forces.

The positive side of all those developments, however, was that the common people had understood the designs of the militants and were increasingly getting wary of them. The Minister assured that the Government was determined to improve the security environment in the State and would continue to put its best efforts to take help from each party and each member. He reiterated that on Kashmir issue, India could not be dictated by external force. Kashmir was and would remain an integral part of India, he added.

*The Report of Justice J.S. Verma Commission of Inquiry into Shri Rajiv Gandhi's assassination* : Initiating a short duration discussion on 14 May, Shri Suresh Pachouri said that as per the report of the Verma Commission of Inquiry the main cause of Shri Rajiv Gandhi's death was the withdrawal of the Special Protection Group (SPG). It was clear to the police officers that the arrangements for the security of Shri Rajiv Gandhi at the venue of the meeting in Sriperumbudur were quite unsatisfactory and they adopted a casual attitude in the performance of their duty unmindful of the consequences.

The member requested the Home Minister to disclose the names of those persons who went on foreign visits three months before and after the assassination of Shri Rajiv Gandhi. The erstwhile Government at the Centre and in the State of Tamil Nadu were equally responsible for the incident as they did not pay heed to the warnings given by various intelligence agencies. The securitymen and organisers of the meeting were equally responsible for the security lapse. The member demanded that severe punishment should be meted out to all those who were responsible for the ruthless murder of Shri Rajiv Gandhi.

Replying to the debate, the Union Home Minister Shri S.B. Chavan\* said that according to the SPG Act, 1988, the SPG security was not admissible to Shri Rajiv Gandhi after he ceased to be the Prime Minister. The Government had examined the available records relating to the replacement of the SPG to provide security cover to Shri Rajiv Gandhi. The Government had obtained the explanations of the officers for lapse or dereliction of duty on the observations of the Verma Commission. Those found guilty would not be spared. The responsibility for the lapse of the State Government was to be determined departmentally. The Minister informed that a High-Level Committee had been set up by the Government of Tamil Nadu to submit a report on the action to be taken by the State Government. He also assured the members that the Government was determined to take all necessary action on the finding and recommendations of the Verma Commission.

## B. LEGISLATIVE BUSINESS

*The Code of Criminal Procedure (Amendment) Bill 1993\*\** : Moving the motion for consideration of the Bill on 27 April, the Union Home Minister, Shri S.B. Chavan said that acts of crime and terrorism were fast acquiring international complexion. An agreement between the Government of India and the Government of United Kingdom of Great British and Northern Ireland was signed in London on 22 September 1992, to co-operated mutually in the investigation, prosecution, etc. of such crime. In order to implement that agreement it had become necessary to amend the Criminal Procedure Code.

The motion for consideration of the Bill and clauses, etc. were adopted and the Bill was passed on 28 April.

*The Terrorists and Disruptive Activities (Prevention) Amendment Bill 1993\*\*\** : Moving the motion for consideration of the Bill on 28 April, the Union Home Minister, Shri S.B. Chavan said that the Terrorism and Disruptive Activities (Prevention) Act, 1987 was enacted on 3 September 1987 to meet the extra-ordinary situation created by terrorist activities in many parts of the country. It was provided in the said Act that it would remain in force for a period of two years, *i.e.*, till 23 May, 1989. The life of the Act was further extended by two years each time, in 1989 and 1991. It was a fact that sometimes the provisions of the Act had been misused and that had created problems. Therefore, some important changes had been pro-

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\* Other members who took part in the discussion were : Sarvashri Ramdas Agarwal, S.S. Ahluwalia, S. Jaipal Reddy, V. Narayanasamy, Digvijay Singh, Vishvjit P. Singh, Dipen Ghosh, Shiv Pratap Mishra, Tindivanam G. Venkataraman, Som Pal, Sangh Priya Gautam and Shrimati Satya Bahin.

\* The Bill was introduced in the Rajya Sabha on 27 April 1993.

\*\* The Bill was introduced in the Rajya Sabha on 27 April 1993.

posed. Now, investigation could only commence when the Superintendent of Police authorised it and prosecutions launched only with the approval of the IG. *In camera* trial would be at the discretion of the Court. Amendments to the Act further concretized the agreement signed with the UK for mutual assistance in the investigation and prosecution of terrorist and the tracing, restraint and confiscation of the proceeds and instruments of crime and it was proposed to extend the Act for a further period of two years up to 23 May 1995.

The Motion for consideration of the Bill and clauses, etc. were adopted and the Bill was passed on the same day.

*The Criminal Law (Amendment) Bill 1992\** : Moving the motion for consideration of the Bill on 28 April 1993, the Union Home Minister, Shri S.B. Chavan said that kidnapping by terrorists for ransom, creating panic amongst the public and securing release of arrested associates had assumed serious dimensions. The existing provisions of the law were inadequate to meet the cases of kidnapping for ransom. There was no specific provision to deal with such cases. The Bill sought to amend the Indian Penal Code to provide for deterrent punishment to persons committing such heinous crimes.

The motion for consideration of the Bill and clauses, etc., as amended, were adopted and the Bill, was passed on the same day.

*The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1993\*\** : Moving the motion for consideration of the Bill on 14 May, the Minister of State in the Ministry of Finance, Dr. Abrar Ahmed said that the Joint Committee on Salaries and Allowances of Members of Parliament had been making recommendations for increasing allowances and pensions of members and ex-members of Parliament. The Bill sought to increase the rate of road mileage allowance from three rupees per kilometer to five rupees per kilometre. It also sought to increase the daily allowance from one hundred and fifty rupees per day to two hundred rupees per day. Besides it sought to increase the minimum pension to ex-members from five hundred rupees per month to one thousand and four hundred rupees per month.

The motion for consideration of the Bill and clauses, etc. were adopted and the Bill was passed on the same day.

### C. QUESTION HOUR

During the 167th Session of the Rajya Sabha, 4788 notices of Questions (4478 Starred and 310 Unstarred) were received. Out of these, 271 Starred Questions and 2166 Unstarred Questions were admitted. 4 Short

\* The Bill was introduced in the Rajya Sabha on 3 December 1992.

\*\* The Bill as passed by the Lok Sabha, was laid on the Table on 13 May 1993.

Notice Questions were received, none of them was admitted. After Lists of Questions were printed, 9 Starred and 50 Unstarred Questions were transferred from one Ministry to the other.

*Daily Average of Questions* : Each of the Lists of Starred Questions contained 18 to 21 Questions. On an average, 4 Questions were orally answered per sitting. The maximum number of Questions orally answered was 5 on 30 April and 4, 5 and 7 May 1993 and the minimum number of Questions orally answered was 3 on 26 and 28 April and 11 May 1993.

The minimum number of Questions admitted in Unstarred Lists was 68 on 26 April 1993 and their maximum number was 240 on 4 May 1993. Their average came to 155.

*Half-an-Hour Discussion* : 9 notices of Half-an-Hour Discussion were received and 2 of them were admitted.

*Statement correcting answers to Questions* : 3 Statements correcting answers to Questions answered in the House were made/laid by the Ministers concerned.

#### D. OBITUARY REFERENCES

During the Session, obituary references were made on the passing away of Shri Ranasinghe Premadasa, President of Sri Lanka and Shri Narayan Ganesh Goray and Shri Jayanthi Venketachela Kameswara Vallabharao, both former members. Members stood in silence for a while as a mark of respect to the deceased.

### STATE LEGISLATURES

#### ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY\*

The First Arunachal Pradesh Legislative Assembly, which commenced its Eighth Session (Budget Session) on 18 March 1993, was adjourned *sine die* on 22 March 1993 and was prorogued on the same day. There were four sittings in all.

*Governor's Address* : The Governor of Arunachal Pradesh addressed the House on the opening day. The Motion of Thanks on the Governor's Address was moved by Shri L. Wanglat, MLA, and seconded by Shri Rima Taipodia, MLA. The Motion was discussed on 20 March 1993 and unanimously adopted by the House.

*Legislative Business* : During the Session, four Bills, viz.

(a) The Arunachal Pradesh Appropriation Bill, 1993.

(b) The Arunachal Pradesh Appropriation (No.2) Bill, 1993;

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\* Material contributed by the Arunachal Pradesh Legislative Assembly Secretariat.



(c) The Arunachal Pradesh Armed Police Bill, 1993; and

(d) The Arunachal Pradesh Excise Bill, 1993 were introduced, considered and passed by the House.

**Financial Business :** The Demands for grants of the Government of Arunachal Pradesh for the year 1992-93 and the Annual Financial Statement for the year 1993-94 were presented to the House on 18 March 1993 by the Chief Minister, who is also in charge of Finance. The Demands for Grants for the year 1992-93 relating to various departments were moved by the concerned Ministers, including the Chief Minister, and were accepted in full on 22 March 1993. General discussion on the Budget also took place on that day. Thereafter, the Demands for Grants for the year 1993-94 relating to various Departments were moved by the concerned Ministers, including the Chief Minister, which were accepted in full. The relevant Appropriation Bills were introduced, considered and passed by the House.

#### ASSAM LEGISLATIVE ASSEMBLY\*

The Ninth Assam Legislative Assembly commenced its Sixth Session (Budget Session) on 15 March 1993 and was adjourned *sine die* on 8 April 1993. There were 18 sittings in all.

**Governor's Address :** The Governor of Assam, Shri Loknath Mishra addressed the House on 15 March 1993. The National Anthem was played before and after the Address of the Governor. The Motion of Thanks on the Governor's Address was moved on 16 March 1993 and the discussion on the Motion took place for four days, i.e. 16,17,18 and 20 March 1993. The Motion of Thanks on the Governor's Address was passed by the House on 20 March 1993.

**Election of Deputy Speaker :** Owing to the existence of the vacancy in the office of the Deputy Speaker, the date for election to the office was fixed on 23 March 1993 by the Speaker. There were three candidates who filed their nomination for election to the office of the Deputy Speaker. All nomination papers were found valid. Shri Prithibi Majhi, a Congress(I) nominee, was declared elected as the Deputy Speaker of Assam Legislative Assembly.

**Legislative Assembly :** During the Session, the following Bills, viz.

(a) The Assam General Sales Tax Bill, 1993; (b) The Assam Agricultural Income Tax (Amendment) Bill, 1993; (c) The Assam Professions, Trades, Callings and Employments Taxation (Amendment) Bill, 1993; (d) The Assam Fixation of ceiling on Land Holdings (Amendment) Bill, 1993; and (e) The Bodoland Autonomous Council Bill, 1993 were introduced, considered and passed by the House.

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\* Material contributed by the Assam Legislative Assembly Secretariat.

**Financial Business :** The Minister-in Charge of Finance presented the List of Supplementary Demands for Grants and the Supplementary Appropriation Bill for 1992-93. The Supplementary Demands for Grants were voted and passed by the House. The necessary Appropriation Bill, introduced by the Finance Minister, was passed by the House. The Minister-in-Charge of Finance presented the Annual Financial Statement (Budget Estimate) of the Government of Assam for the year 1993-94 on 22 March 1993. The general discussion on the Budget continued for two days and voting on Demand for individual Grants were taken up for discussion on 30 March 1993.

The Demands for Grants were passed and voted by the Assembly. Thereafter, the Minister-in-charge of Finance introduced the relevant Appropriation Bill, which was passed by the House after discussion.

**Obituary references :** During the Session respectful tributes were paid to several departed souls.

#### GUJARAT LEGISLATIVE ASSEMBLY\*

The Eighth Gujarat Legislative Assembly commenced its Ninth Session on 6 August 1993 and was prorogued by the governor on 20 August 1993 after the Assembly was adjourned *sine die*. The Assembly was first summoned to meet on 24 August 1993 but later on the Governor, in supersession of his earlier order, advanced the date and summoned the Assembly to meet on 6 August 1993. There were 10 sittings in all spreading over 47 hours and 34 minutes.

**Election of Deputy Speaker :** The Speaker, Gujarat Legislative Assembly, fixed 16 August 1993 as the day for the election of the Deputy Speaker since the seat was vacant. Three motions proposing two different candidates were received and admitted by the Speaker. As per the established convention, the post of the Deputy Speaker, goes to the Opposition. The main Opposition party, the BJP persisted for nomination of the same candidate whom they had proposed earlier also. This was not agreeable to the ruling Congress party. The motion proposing the Opposition party candidate, when moved in the House, was rejected by the House by a voice vote. The House then took up the other motion proposing an independent candidate Shri Mansinh K. Patel for the post of Deputy Speaker and passed the motion by a voice vote.

**Legislative Business :** During the Session, six bills, including 2 Bills replacing ordinances. were passed by the House. They are :

(a) The Bombay Civil Courts (Gujarat Amendment) Bill, 1993; (b) The Gujarat Panchayats (Second Amendment) Bill, 1993; (c) The Bombay Provincial Municipal Corporations (Amendment) Bill, 1993; (d) The Bombay

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\* Material contributed by the Gujarat Legislative Assembly Secretariat.

Provincial Municipal Corporations (Second Amendment) Bill, 1993; (e) The Gujarat Municipalities (Amendment) Bill, 1993, and (f) The Gujarat Panchayats Bill, 1993.

*Obituary references* : On 6 August 1993, the House made obituary references on the sad demise of Shri Govindbhai Vasava, Minister of State for Forest and Shri Janardan Parmar, a sitting member. Obituary references were also made during the session on the passing away of Shri Bhupatbhai Desai and Smt. Trilochanaben Dholakia, former members of Bombay Legislative Assembly and Sarvashri Kantibhai Patel, Hematbhai Madam, Bhailalbhair Patel, Kikalabhai Varali and Shrimati Mahashvetaben Chauhan, former members of Gujarat Legislative Assembly.

#### MANIPUR LEGISLATIVE ASSEMBLY\*

The fifth Manipur Legislative Assembly which commenced its Ninth Session (Budget Session) on 12 March 1993 was adjourned *sine die* on 19 March 1993. There were six sittings in all.

*Governor's Address* : The Governor of Manipur, Shri Chintamani Panigrahi addressed the House on the first day of the Session. The Motion of Thanks on the Governor's Address was moved and seconded on the same day. The Motion was taken up for discussion and was adopted by the House on 15 March 1993.

*Legislative Business* : During the Session, four Bills, viz.

(a) The Salaries and Allowances of the Members of the Legislative Assembly (Manipur) (Fourteenth Amendment) Bill, 1992; (b) The Manipur Nursing Homes and Private Clinics regulations Bill, 1992; (c) The Manipur Appropriation (No.1) Bill, 1993; and (d) The Manipur Appropriation (No.2) Bill, 1993, were considered and passed by the House.

*Financial Business* : The Supplementary Demands for Grants for 1992-93 and the Budget Estimates for 1993-94 were presented to the House. The Motion for Vote on Accounts, 1993-94 was moved by the Finance Minister, who made a detailed statement at the time of presentation and moving of the Motion. The Supplementary Demands for Grants 1992-93 and the vote on Accounts 1993-94 were discussed and passed on 16 March 1993.

#### ORISSA LEGISLATIVE ASSEMBLY\*\*

The Tenth Orissa Legislative Assembly commenced its Eleventh Session (Monsoon Session) on 14 July 1993 and was adjourned *sine die* on 24 July 1993. The Monsoon Session was held for the first time in the history of

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\* Material contributed by the Manipur Legislative Assembly Secretariat.

\*\* Material contributed by the Orissa Legislative Assembly Secretariat.

the Assembly. There were eight sittings in all, spread over 57 hours and 30 minutes.

**Legislative Business :** During the Session, eight Bill, viz.

(i) the Orissa Limitation of Expenditure on Marriages Bills, 1993; (ii) The Essential Commodities (Orissa Amendment) Bill, 1993; (iii) The Orissa Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) (Second Amendment) Bill, 1993; (iv) the Orissa Education (Amendment) Bill, 1993; (v) The Orisa State Commission for Backward Classes Bill, 1993; (vi) The Orissa State Commission for Women Bill, 1993; (vii) The Orisa Universities (Amendment) Bill, 1992. and (viii) The Orissa Zilla Parishad (Amendment) Bill, 1993 were considered and passed.

#### TRIPURA LEGISLATIVE ASSEMBLY\*

The Seventh Tripura Legislative Assembly, which commenced its First Session on 14 May 1993, was adjourned *sine die* on 17 May 1993. There were two sittings in all.

**Governor's Address :** The Governor of Tripura, Shri K.V. Raghunatha Reddy addressed the House on the opening day. The Motion of Thanks on the Governor's Address was moved by Shri Keshab Majumdar, Minister and Government Chief Whip on 14 May. The Motion was discussed and adopted by the House on 17 May.

**Election of the Speaker and the Deputy Speaker :** On 14 May, Shri Bimal Singha was elected as the Speaker of the Legislative Assembly uncontested as there was no other candidate. As soon as the Speaker protem declared Shri Singha elected as the Speaker of the new Assembly, he was conducted to his seat by the Chief Minister, Shri Dasarath Deb and some Opposition members. On 17 May 1993, the Speaker declared Shri Nirajan Deb Barma, elected uncontested as the Deputy Speaker of the new Assembly.

**Obituary references :** During the Session, obituary references were made on the demise of Shri N.G. Goray, veteran Socialist leader and Shri Debi Prasad Chakraborty, an eminent educationist and philosopher.

#### WEST BENGAL LEGISLATIVE ASSEMBLY\*\*

The Eleventh West Bengal Legislative Assembly, which commenced its Fourth Session (Budget Session) on 25 February 1993, was adjourned *sine die* on 8 April. The House was prorogued on 12 April. There were 26 sittings spread over 126 hours and 18 minutes.

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\* Material contributed by the Tripura Legislative Assembly Secretariat.

\*\* Material contributed by the West Bengal Legislative Assembly Secretariat.

*Governor's Address* : The Governor of West Bengal, Prof. Nurul Hassan, addressed the House on the opening day. The Motion of Thanks on the Governor's Address was moved on 25 February 1993 and the discussion on the Motion continued for four days, *i.e.* from 1 to 4 March. The Motion was adopted on 4 March.

*Legislative Business* : During the Session, thirteen Bills were introduced and 14 Bills, including one reported by the Select Committee, were passed by the House. Important among these were : (i) The West Bengal Marine Fishing Regulation Bill, 1993; (ii) The West Bengal Building (Regulation of Promotion of Construction and Transfer by Promoters) Bill, 1993; (iii) The West Bengal Commission for Backward Classes Bill, 1993; and (iv) The Ganges Printing Ink Factory Limited (Acquisition and Transfer of Assets) Bill, 1993.

*Financial Business* : The Minister-in-Charge of Finance Department, Dr. Asim Kumar Dasgupta, presented the Annual Financial Statement of the Government of West Bengal for the year 1993-94 on 18 March. The general discussion on the Budget continued from 19 March and concluded on 23 March 1993. The Motion for Vote on Account for the year 1993-94 was adopted by the House on 23 March. The Budgetary Demands for Grants of the different Departments of the Government of West Bengal for the year 1993-94 were moved by Dr. Asim Kumar Dasgupta. The Supplementary Demands for the year 1992-93 on 34 Demands were also moved on 29 March. After discussions the Supplementary Demands were voted by the House. Some Demands for Grants were passed before 8 April 1993, whereupon the House was adjourned for two months for the Budget-scrutiny of the different Demands for Grants by different Subject Committees of the House.

*Obituary references* : Obituary references were made on 4,12,16, 30 March and 8 April 1993 during the Session on the passing away of some eminent personalities.

## SUMMARIES OF BOOKS

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GRUDZINSKI, Przemyslaw and STASKIEWICZ, Wieslaw (eds.),

**Parliamentary Research Organization** (The Proceedings of the International Conference on Parliamentary Services in Central and Eastern Europe, June 21-23, 1992, Warsaw-Pultusk), (Sejm Publishing Office, Warsaw), 1992. Pages 250 (Price not mentioned).

The Chancellory of Sejm of the Republic of Poland organised an International Conference on Parliamentary Services in Central and Eastern Europe at the Castle of Pultusk near Warsaw during 21-23 June 1992. 70 participants and observers, including parliamentary research staff, managers and/or employees, from 18 countries attended the Conference in which a wide spectrum of opinions and ideas relating to the setting up and/or improving the organisation and efficiency of parliamentary staff as well as on how to better serve Parliaments, were presented.

The book, "*Parliamentary Research Organisation*" is basically a compilation of the papers presented and the discussions that took place during the Conference. Together with an account of the existing parliamentary research organisations of 18 countries including Poland, Canada, Albania, Lithuania, Bulgaria, Hungary, Latvia, Czech Republic, Belarus, Moldova, Romania, Estonia, Ukraine, Germany and China, which participated in the Conference, it brings out the lacunae of each country's research organisation, and suggests measures for their improvement.

A prominent theme throughout the book is the setting up of functional institutions which assist the work of Parliaments. The guiding goal is the provision of genuinely independent research in order to strengthen the independence of Parliament within the various institutions or frameworks, particularly vis-a-vis the Executive in the country concerned.

One of the most basic changes in the last few years has been the emergence of strong democratic parliamentary systems and the constitutional separation of powers between the Executive, Parliament and the Judiciary, most specifically in Eastern Europe. The dismantling of the existing system in this region has resulted in an upsurge of democratic thought in all spheres of life. This triumph of democracy has equally necessitated improvement of parliamentary research services.

Even in mature democracies, there exists at best a creative tension between the Parliament and the Executive. Hence, the need of parliamentary

research job is to exercise well-founded and scientifically-based constructive criticism of the Executive. The question is, how can parliamentary research organisations use the limited resources available to them to strengthen Parliaments ?

In 1991, a research service of the Sejm, called the Bureau of Research, was started for the first time in the Polish parliamentary system. Such a thing, unthinkable before 1989, was inevitable in the course of the great social experience of emergence of a new era of democracy in Poland. The change of political system which marked the beginning of a new chapter in the history of Polish parliamentary system also necessitated the provision of the required instruments of information to the Sejm.

The research organisation at the Sejm, as many other new institutions, was a sudden creation. For such an undertaking to succeed, a particular climate of institutional innovation was needed. Organisation of an efficient parliamentary research service requires legislative expertise as well as research training, objectiveness and a non-partisan approach. In this connection, the redefinition of functions of the Chancellery of Sejm and its operation, primarily led towards introduction of certain rules of political impartiality, full budgetary autonomy and so on.

The Bureau of Research was established with the aim of reducing inequality in access to information by legislative and executive bodies. The work of the experts at the Bureau is characterised by objectivity. Their principal role consists of providing written answers requested by the organs of the Sejm and the deputies. In addition, preparation of several series of publications, organization of seminars for the deputies and briefings form part of their job. The modern infrastructure of the Bureau consists of a well-equipped research library, databases and a computer network. In general, the existing structure is aimed at facilitating fulfilment of any request that conforms to the statutory activity. Being a flexible institution, it has ample scope to develop further.

The Research and Analysis Office of the Senate of the Republic of Poland aims to furnish Senators with objective and possibly most complete information, such as expert appraisements and specialists' opinions of draft legislative acts, as well as with various viewpoints on a subject in question. Since the Senate has only one month to prepare amendments to submitted bills, the Research and Analysis Office provides a more rapid access to independent data and information needed by Senators in this connection. The Office, however, does not provide special translations, papers, expert opinions or analyses at a Senator's individual request, but it performs such tasks at the request of Senate Committees. Its major task involves reporting on current stage reached by a bill, legislative history of individual legislative acts, current and future work of the Sejm and the Senate, presenting the legal position on a given subject and answering questions from legal, statistical, biographical and bibliographical areas through a computerised system.

As in Poland, innovations in parliamentary research in Albania came in the wake of the democratic elections of March 1992.

A radical reform has begun in the system of information support in the Supreme Soviet of the Republic of Belarus. In the Secretariat, special divisions have been organised, the functions of which include informative analytical work, processing of legal, socio-economic and political information, organisation of socio-economic researches, translation and systematisation of foreign sources as well as computer support. For efficient information servicing of the People's Deputies, Members of Committees and the Supreme Soviet staff, information is systematised by themes and trends in accordance with the classifier of the data collection.

With the fall of the Communist regime in Hungary, the importance of Parliament as a legislative body has increased greatly. As the responsibilities of Parliament have grown, the Library of parliament has taken an increasingly visible role in the development of information resources for Members of Parliament. The control of Library was transferred from the Ministry of Culture to the Parliament. New departments have been established to provide parliamentarians with comprehensive information, reference and research services on a thorough, objective, non-partisan and timely basis.

In the Czech and Slovak Republics, the Parliament Libraries have developed their Library and reference services and the Parliamentary Research Institute-an independent institution for research and analyses-caters exclusively to deputies' needs. The Parliament Library issues written information about new books and written exploration of facts dealing with specific problems. The Parliamentary Research Institute issues two kinds of written material, information background material and information studies. In the first case, focus is given to the analyses of statistical data and to commentaries on specific problems. The second type of material is complex and exhaustive in character.

In the United Kingdom, the Library research staff works close to Members, both physically, by working in the Parliament buildings, alongside the rest of the Library Department and operationally, by working largely in direct response to demands from Members. This greater proximity and availability to Members is closely connected with the character and function of the parliamentary research service. Apart from oral briefing, a large chunk of the output of this service takes the form of confidential written replies to Members, thus adding more to its popularity.

The Congressional Research Service (CRS) of the United State Library fo Congress operates as an information factory and policy consultant to the Legislature and Legislative Research Institute or "think tank" as it is known in the united States. Guided by a set of principles that include exclusive focus on Congress, objectivity, non-partisanship, timeliness, accuracy, authoritativeness, confidentiality and close involvement in the legislative proc-



ess, the CRS produces an impressive array of products, including in-depth policy analyses, information and reference tools, seminars for Members and staff, training programmes for staff, recorded programmes on audio and video tapes, television programmes for Congressional Cable TV System, on-line computer databases and a variety of products and services. These are all suitably designed to meet the needs of the US Congress. CRS maintains direct contact with Congressional Members. As a "think tank" the CRS provides basic research when needed and builds computerised policy simulation models too.

The Research Branch of Canada's Library of Parliament serves as a legislative counterbalance to the enormous resources and the large and expert staff available to the executive branch of government. Here, fifty per cent of the time of the professional staff of the Research branch is spent on providing high quality professional assistance to parliamentary Committees. Besides, the branch has several self-initiated programmes designed to provide Members with studies on current subjects and developing issues.

The German Bundestag has two "Specialised Research Service" Directorates providing information to members on a broad range of issues and supporting the work of the specialised committees, the committees of investigation and the study commissions.

The concept of providing a pool of non-partisan professionals to which all parliamentarians have equal access on a first-come, first-served basis, is a practical and effective method for members to obtain information tailored to their individual needs on an immediate basis. Therefore, parliamentary research organisations must ensure that legislators have immediate access to high quality professional assistance. With the increasing sophistication in the demands being made on them and the rapid changes in technology designed to facilitate the communication of information, a challenge exists today for these organisations. Only with objectivity, timeliness, accuracy, confidentiality and involvement, can these organisations meet this challenge successfully.

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**APPENDIX -I**  
**STATEMENT SHOWING THE WORK TRANSACTED**  
**DURING THE SIXTH SESSION OF THE**  
**TENTH LOK SABHA**

|  |                          |
|--|--------------------------|
| 1. Period of the Session   | 22 February to 14 May 93 |
| 2. Number of sittings held   | 45                       |
| 3. Total Number of sitting hours   | 313 hours and 23 minutes |
| 4. Number of divisions held  | 13                       |
| 5. GOVERNMENT BILLS  |                          |
| (i) Pending at the commencement of the Session                                       | 34                       |
| (ii) Introduced  | 33                       |
| (iii) Laid on the Table as passed by Rajya Sabha                                     | 14                       |
| (iv) Returned by Rajya Sabha with any amendment/recommendation and Laid on the Table | 1                        |
| (v) Referred to Select Committee   | Nil                      |
| (vi) Referred to Joint Committee   | Nil                      |
| (vii) Reported by Select Committee   | Nil                      |
| (viii) Reported by Joint Committee   | Nil                      |
| (ix) Discussed   | 46                       |
| (x) Passed   | 46                       |
| (xi) Withdrawn   | 8                        |
| (xii) Negatived  | Nil                      |
| (xiii) Part-discussed  | Nil                      |
| (xiv) Discussion Postponed   | Nil                      |
| (xv) Returned by Rajya sabha Without any recommendation                              | 18                       |
| (xvi) Motion for concourance to refer the bill to Joint Committee adopted            | Nil                      |
| (xvii) Pending at the end of the Session   | 28                       |
| 6. PRIVATE MEMBERS' BILLS  |                          |
| (i) Pending at the commencement of the Session                                       | 203                      |
| (ii) Introduced  | 42                       |
| (iii) Motion for leave to introduce negative   | Nil                      |
| (iv) Laid on the Table as passed by Rajya Sabha                                      | Nil                      |
| (v) Returned by Rajya Sabha with any amendment                                       | Nil                      |
| (vi) Reported by Select Committee  | Nil                      |
| (vii) Discussed  | 2                        |
| (viii) Passed  | Nil                      |
| (ix) Withdrawn   | 2                        |

|  |     |
|--|-----|
| (x) Negatived  | Nil |
| (xi) Circulated for eliciting opinion  | Nil |
| (xii) Part-discussed   | 1   |
| (xiii) Discussion Postponed  | Nil |
| (xiv) Motion for circulation of Bill negatived   | Nil |
| (xv) Referred to Select Committee  | Nil |
| (xvi) Removed from the Register of Pending Bills   | 9   |
| (xvii) Pending at the end of the Session   | 234 |
| 7. NUMBER OF DISCUSSIONS HELD UNDER RULE 193<br>(Matters of Urgent Public Importance )                     |     |
| (i) Notices received   | 250 |
| (ii) Admitted  | 7   |
| (iii) Discussion held  | 4   |
| (iv) Part discussed  | 1   |
| 8. NUMBER OF STATEMENTS MADE UNDER RULE 197<br>(Calling attention to matters of urgent Public Importance ) |     |
| Statement made by Minister   | Nil |
| 9. MOTION OF NO-CONFIDENCE IN COUNCIL OF MINISTERS   |     |
| (i) Notices received   | Nil |
| (ii) Admitted and discussed  | Nil |
| (iii) Barred   | Nil |
| (iv) Withdrawn   | Nil |
| 10. HALF-AN-HOUR DISCUSSIONS HELD  |     |
|  | 2   |
| 11. STATUTORY RESOLUTIONS  |     |
| (i) Notices received   | 239 |
| (ii) Admitted  | 29  |
| (iii) Moved  | 17  |
| (iv) Adopted   | 5   |
| (v) Negatived  | 11  |
| (vi) Withdrawn   | 1   |
| 12. GOVERNMENT RESOLUTIONS   |     |
| (i) Notices received   | 2   |
| (ii) Admitted  | 2   |
| (iii) Moved  | 1   |
| (iv) Adopted   | 1   |
| 13. PRIVATE MEMBERS' RESOLUTIONS   |     |
| (i) Received   | 7   |
| (ii) Admitted  | 6   |
| (iii) Discussed  | 2   |
| (iv) Adopted   | Nil |



|  |                             |
|--|-----------------------------|
| (v) Negatived  | 1                           |
| (vi) Withdrawn   | Nil                         |
| (vii) Part-discussed   | 1                           |
| (viii) Discussions postponed   | Nil                         |
| <b>14. GOVERNMENT MOTIONS</b>  |                             |
| (i) Notices received   | 4                           |
| (ii) Admitted  | 4                           |
| (iii) Discussed  | Nil                         |
| (iv) Adopted   | Nil                         |
| (v) Part-discussed   | Nil                         |
| <b>15. PRIVATE MEMBERS' MOTIONS</b>  |                             |
| (i) Notices received   | 480                         |
| (ii) Admitted  | 96                          |
| (iii) Moved  | Nil                         |
| (iv) Discussed   | Nil                         |
| (v) Adopted  | Nil                         |
| (vi) Negatived   | Nil                         |
| (vii) Withdrawn  | Nil                         |
| (viii) Part-discussed  | Nil                         |
| <b>16. MOTIONS RE : MODIFICATION OF STATUTORY RULE</b>                                       |                             |
| (i) Received   | 3                           |
| (ii) Admitted  | 3                           |
| (iii) Moved  | Nil                         |
| (iv) Discussed   | Nil                         |
| (v) Adopted  | Nil                         |
| (vi) Negatived   | Nil                         |
| (vii) Withdrawn  | Nil                         |
| (viii) Part Discussed  | Nil                         |
| <b>17. Number of Parliamentary Committees created, if any, during the session</b>            | <b>17</b>                   |
| <b>18. Total number of Visitor's passes issued during the session</b>                        | <b>19285</b>                |
| <b>19. Maximum number of Visitors' passes issued on single day, and date on which issued</b> | <b>739 on<br/>14.5.1993</b> |
| <b>20. NUMBER OF ADJOURNMENT MOTIONS</b>   |                             |
| (i) Brought before the House   | 13                          |
| (ii) Admitted  | 1                           |
| (iii) Barred in view of adjournment motion admitted on the subject                           | 12                          |
| (iv) Consent with held by Speaker outside the House  | 65                          |
| (v) Consent given by Speaker but leave not asked for by members concerned                    | Nil                         |

## 21. TOTAL NUMBER OF QUESTIONS ADMITTED

|                              |      |
|------------------------------|------|
| (i) Starred                  | 1020 |
| (ii) Unstarred               | 8662 |
| (iii) Short Notice Questions | 1    |

## 22. WORKING OF PARLIAMENTARY COMMITTEES:

| Sl.    | Name of the Committee   | No. of sittings held during the period 1 April to 30 June 1993 | No. of Reports presented to the House |
|--------|---|--|---------------------------------------|
| 1      | 2   | 3  | 4                                     |
| (i)    | Business Advisory Committee                                       | 2  | 2                                     |
| (ii)   | Committee of Absence of Members                                   | —  | —                                     |
| (iii)  | Committee on Public Undertakings                                  | 9  | 8                                     |
| (iv)   | Committee on Papers laid on the Table                             | 3  | 2                                     |
| (v)    | Committee on Petitions  | 4  | 2                                     |
| (vi)   | Committee on Private Members Bills and Resolutions                | 3  | 3                                     |
| (vii)  | Committee on the Welfare of Scheduled Castes and Scheduled Tribes | 5  | 9                                     |
| (viii) | Committee of Privileges   | 3  | —                                     |
| (ix)   | Committee on Government Assurances                                | 4  | 3                                     |
| (x)    | Committee on Subordinate Legislation                              | 4  | 1                                     |
| (xi)   | Estimates Committee   | 4  | 3                                     |
| (xii)  | General Purposes Committee  | —  | —                                     |
| (xiii) | House Committee   | 1  | -                                     |
| (a)    | Accommodation Sub-Committee                                       | 1  | -                                     |
| (b)    | Sub-Committee on Amenities  | 1  | -                                     |
| (c)    | Sub-Committee on Furnishing                                       | 1  | -                                     |
| (xiv)  | Public Accounts Committee   | 6  | 8                                     |
| (xv)   | Railway Convention Committee                                      | 6  | —                                     |
| (xvi)  | Rules Committee   | —  | —                                     |

## JOINT/SELECT COMMITTEES

|       |   |   |   |
|-------|---|---|---|
| (i)   | Joint Committee on Offices of Profit  | 3 | — |
| (ii)  | Joint Committee on Salaries and Allowances of Members of Parliament.                                | — | — |
| (iii) | Joint Committee on Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Bill, 1993 | — | — |
| (iv)  | Joint Committee on Constitution (Seventy-Third) Amendment Bill, 1991                                | — | — |

| 1                   | 2  | 3  | 4   |
|---------------------|--|----|-----|
| (v)                 | Joint Committee on the Copyright<br>(Second Amendment) Bill, 1992            | 4  | —   |
| (vi)                | Joint Committee on the Constitution<br>(Seventy-Second) Amendment Bill, 1992 | —  | —   |
| (vii)               | Select Committee on the Constitution<br>(Seventy-First) Amendment Bill, 1990 | —  | —   |
| STANDING COMMITTEES |  |    |     |
| (i)                 | Committee on Agriculture   | 8  | 1   |
| (ii)                | Committee on Communications  | 8  | 1   |
| (iii)               | Committee on Defence   | 6  | 1   |
| (iv)                | Committee on Energy  | 8  | 2   |
| (v)                 | Committee on External Affairs  | 10 | 1   |
| (vi)                | Committee on Finance   | 6  | 2   |
| (vii)               | Committee on Food, Civil Supplies and<br>Public Distribution                 | 9  | 1   |
| (viii)              | Committee on Labour and Welfare  | 5  | 1   |
| (ix)                | Committee on Petroleum and Chemicals   | 11 | 1   |
| (x)                 | Committee on Railways  | 6  | 1   |
| (xi)                | Committee on Urban and Rural Development                                     | 25 | 2   |
| 23.                 | NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE                                   |    | 5   |
| 24.                 | PETITIONS PRESENTED  |    | 6   |
| 25.                 | NUMBER OF NEW MEMBERS SWORN IN WITH DATE                                     |    | Nil |

## APPENDIX-II

**STATEMENT SHOWING THE WORK TRANSACTED  
DURING THE HUNDRED AND  
SIXTY-SEVENTH SESSION OF RAJYA SABHA**

|    |   |                         |
|----|---|-------------------------|
| 1. | PERIOD OF THE SESSION   | 26 APRIL TO 14 MAY 1993 |
| 2. | NUMBER OF SITTINGS HELD   | 14                      |
| 3. | TOTAL NUMBER OF SITTING HOURS                                       | 97 HOURS 15 MTS         |
| 4. | NUMBER OF DIVISIONS HELD  | NIL                     |
| 5. | GOVERNMENT BILLS  |                         |
|    | (i) Pending at the commencement of the Session.                     | 28                      |
|    | (ii) Introduced   | 3                       |
|    | (iii) Laid on the Table as passed by Lok Sabha                      | 6                       |
|    | (iv) Returned by Lok Sabha with any amendment                       | 1                       |
|    | (v) Referred to Select Committee by Rajya Sabha                     | Nil                     |
|    | (vi) Referred to Joint Committee by Rajya Sabha                     | Nil                     |
|    | (vii) Reported by Select Committee                                  | Nil                     |
|    | (viii) Reported by Joint Committee                                  | Nil                     |
|    | (ix) Discussed  | 13                      |
|    | (x) Passed  | 13                      |
|    | (xi) Withdrawn  | Nil                     |
|    | (xii) Negatived   | Nil                     |
|    | (xiii) Part-discussed   | Nil                     |
|    | (xiv) Returned by Rajya Sabha without any recommendation            | 3                       |
|    | (xv) Discussion Postponed   | Nil                     |
|    | (xvi) Pending at the end of the Session                             | 24                      |
| 6. | PRIVATE MEMBERS BILLS   |                         |
|    | (i) Pending at the commencement of the Session                      | 110                     |
|    | (ii) Introduced   | 9                       |
|    | (iii) Laid on the Table as passed by Lok Sabha                      | Nil                     |
|    | (iv) Returned by Lok Sabha with any amendment and laid on the Table | Nil                     |
|    | (v) Reported by Joint Committee                                     | Nil                     |
|    | (vi) Discussed  | 1                       |
|    | (vii) Withdrawn   | Nil                     |
|    | (viii) Passed   | Nil                     |
|    | (ix) Negatived  | Nil                     |
|    | (x) Circulated for eliciting opinion                                | Nil                     |
|    | (xi) Part-discussed   | 1                       |

|  |                    |
|--|--------------------|
| (xii) Discussion postponed   | Nil                |
| (xiii) Motion for circulation of Bill negatived  | Nil                |
| (xiv) Referred to Select Committee   | Nil                |
| (xv) Lapsed due to resignation of Member-in-charge of the Bill   | 5                  |
| (xvi) Pending at the end of the Session  | 114                |
| <b>7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176</b>  |                    |
| <b>(MATTERS OF URGENT PUBLIC IMPORTANCE).</b>  |                    |
| (i) Notices received   | 32                 |
| (ii) Admitted  | 2 (on one Subject) |
| (iii) Discussions held   | 1                  |
| <b>8. NUMBER OF STATEMENTS MADE UNDER RULE 180 (CALLING-ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE).</b> |                    |
| Statements made by Ministers   | 3                  |
| <b>9. HALF-AN-HOUR DISCUSSIONS HELD</b>  | 2                  |
| <b>10. STATUTORY RESOLUTIONS</b>   |                    |
| (i) Notices received   | 4                  |
| (ii) Admitted  | 4                  |
| (iii) Moved  | 4                  |
| (iv) Adopted   | 4                  |
| (v) Negatived  | Nil                |
| (vi) Withdrawn   | Nil                |
| <b>11. GOVERNMENT RESOLUTIONS</b>  |                    |
| (i) Notices received   | Nil                |
| (ii) Admitted  | Nil                |
| (iii) Moved  | Nil                |
| (iv) Adopted   | Nil                |
| <b>12. PRIVATE MEMBERS' RESOLUTIONS</b>  |                    |
| (i) Received   | 3                  |
| (ii) Admitted  | 3                  |
| (iii) Discussed  | 1                  |
| (iv) Withdrawn   | 1                  |
| (v) Negatived  | Nil                |
| (vi) Adopted   | Nil                |
| (vii) Part-discussed   | Nil                |
| (viii) Discussion postponed  | Nil                |
| <b>13. GOVERNMENT MOTIONS</b>  |                    |
| (i) Notices received   | 1                  |
| (ii) Admitted  | 1                  |
| (iii) Moved  | Nil                |
| (iv) Adopted   | Nil                |
| (v) Part-discussed   | Nil                |

|  |                   |
|--|-------------------|
| 14. PRIVATE MEMBERS' MOTIONS   |                   |
| (i) Received   | 39                |
| (ii) Admitted  | 39                |
| (iii) Moved  | Nil               |
| (iv) Adopted   | Nil               |
| (v) Part-discussed   | Nil               |
| (vi) Negatived   | Nil               |
| (vii) Withdrawn  | Nil               |
| 15. MOTIONS REGARDING MODIFICATION OF STATUTORY RULE   |                   |
| (i) Received   | 2                 |
| (ii) Admitted  | Nil               |
| (iii) Moved  | Nil               |
| (iv) Adopted   | Nil               |
| (v) Negatived  | Nil               |
| (vi) Withdrawn   | 1                 |
| (vii) Part-discussed   | Nil               |
| (vii) Lapsed   | 1                 |
| 16. NUMBER OF PARLIAMENTARY COMMITTEE CREATED, IF ANY,<br>DURING THE SESSION AND NAME OF CREATED COMMITTEE | Nil               |
| 17. TOTAL NUMBER OF VISITORS' PASSES ISSUED  | 991               |
| 18. TOTAL NUMBER OF PERSONS VISITED  | 1393              |
| 19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY<br>SINGLE DAY, AND DATE ON WHICH ISSUED               | 125 (ON 14.5. 93) |
| 20. MAXIMUM NUMBER PERSONS VISITED ON ANY SINGLE<br>DAY AND DATE/ON WHICH VISITED                          | 150 (on 13.5.93)  |
| 21. TOTAL NUMBER OF QUESTIONS ADMITTED   |                   |
| (i) Starred  | 271               |
| (ii) Unstarred   | 2166              |
| (iii) Short-Notice Questions   | Nil               |
| 22. DISCUSSION ON THE WORKING OF THE MINISTRIES  |                   |
| The working of the following Ministries were discussed during the 167th Session—                           | Nil               |
| (i) Ministry of Commerce.  |                   |
| (ii) Ministry of Industry.   |                   |
| 23. WORKING OF PARLIAMENTARY COMMITTEES  |                   |

| Name of Committee                         | No. of meetings held during the period 1 April to 30 June 1993 | No. of Reports presented during the 167th session |
|---|--|---|
| (i) Business Advisory Committee           | 2  | Nil   |
| (ii) Committee on Subordinate Legislation | 3  | Nil   |
| (iii) Committee on Petitions              | 11   | Nil   |

|        |   |     |     |
|--------|---|-----|-----|
| (iv)   | Committee on Privileges                         | 3   | Nil |
| (v)    | Committee on Rules                              | Nil | Nil |
| (vi)   | Committee on Government Assurances              | 15  | Nil |
| (vii)  | Committee on Papers Laid on the Table           | 3   | Nil |
| (viii) | Departmentally related Committee<br>on Commerce | 12  | 1   |
| (ix)   | Home Affairs                                    | 8   | 1   |
| (x)    | Human Resource Development                      | 11  | 1   |
| (xi)   | Industry  | 10  | 3   |
| (xii)  | Science and Technology, Environment & Forests   | 10  | 1   |
| (xiii) | Transport and Tourism                           | 6   | 1   |
| 24.    | NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE      |     | 3   |
| 25.    | PETITIONS PRESENTED                             |     | Nil |
| 26.    | NAME OF NEW MEMBERS SWORN/WITH DATES            |     |     |

| S. No.          | Name of Members<br>sworn-in | Date on which<br>sworn-in |
|-----------------|-----------------------------|---------------------------|
| 1               | 2                           | 3                         |
| ----- Nil ----- |                             |                           |

## 27. OBITUARY REFERENCES

| S. No. | Name  | Sitting Member<br>Ex-Member |
|--------|---|-----------------------------|
| 1.     | Shri Ranasinghe Premadasa                           | President, Sri Lanka        |
| 2.     | Shri Narayan Ganesh Goray                           | Ex-member                   |
| 3.     | Shri Jayanthi Venketachela<br>Kameswara Vallabharao | Ex-Member                   |

**APPENDIX III**  
**STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF STATES AND UNION TERRITORIES DURING THE PERIOD**

1 April to 30 June 93

| Legislature              | Duration           | Sittings | Govt. Bills | Private Bills | Starred Questions | Unstarred Questions | Short Notice Questions |
|--------------------------|--------------------|----------|-------------|---------------|-------------------|---------------------|------------------------|
| 1                        | 2                  | 3        | 4           | 5             | 6                 | 7                   | 8                      |
| <b>STATES</b>            |                    |          |             |               |                   |                     |                        |
| Andhra Pradesh L.A.      | —                  | —        | —           | —             | 161 (25)          | 31 (a)              | —                      |
| Arunachal Pradesh L.A.** | —                  | —        | —           | —             | —                 | —                   | —                      |
| Assam L.A.               | 15.3.93 to 8.4.93  | 6        | 1(5)        | —             | 460 (281)         | 109 (54)            | 3 (2)                  |
| Bihar L.A.**             | —                  | —        | —           | —             | —                 | —                   | —                      |
| Bihar L.C.**             | —                  | —        | —           | —             | —                 | —                   | —                      |
| Gujarat L.A.             | —                  | —        | —           | —             | —                 | 1045 (378)          | —                      |
| Goa L.A.                 | 26.5.93            | 1        | —           | —             | —                 | —                   | —                      |
| Haryana L.A.**           | —                  | —        | —           | —             | 81                | 30                  | —                      |
| Himachal Pradesh L.A.@   | —                  | —        | —           | —             | —                 | —                   | —                      |
| Jammu & Kashmir L.A@@    | —                  | —        | —           | —             | —                 | —                   | —                      |
| Jammu & Kashmir L.C      | —                  | —        | —           | —             | —                 | —                   | —                      |
| Karnataka L.A.           | 12.2.93 to 8.4.93  | 35       | 15(14)      | —             | —                 | —                   | —                      |
| Karnataka L.C.           | 12.2.93 to 13.4.93 | 39       | (14)        | —             | 1695              | 730                 | 1 (1)                  |
| Kerala L.A.              | 21.6.93***         | —        | —           | —             | —                 | —                   | —                      |
| Madhya Pradesh L.A.@     | —                  | —        | —           | —             | —                 | —                   | —                      |
| Maharashtra L.A.**       | —                  | —        | —           | —             | —                 | —                   | —                      |



| 1                        | 2                            | 3                  | 4       | 5 | 6         | 7         | 8     |
|--------------------------|------------------------------|--------------------|---------|---|-----------|-----------|-------|
|                          | Maharashtra L.C.**           | —                  | —       | — | —         | —         | —     |
|                          | Manipur L.A.*                | —                  | —       | — | —         | —         | —     |
|                          | Meghalaya L.A.               | 15.3.93 to 30.4.93 | 9 (8)   | — | 203 (203) | 110 (110) | 1 (1) |
|                          | Mizoram L.A.**               | —                  | —       | — | —         | —         | —     |
|                          | Nagaland L.A.**              | —                  | —       | — | —         | —         | —     |
|                          | Orissa L.A.*                 | —                  | —       | — | 12(11)    | 55(45)    | —     |
|                          | Punjab L.A.                  | —                  | —       | — | —         | —         | —     |
|                          | Rajasthan L.A.@              | —                  | —       | — | —         | —         | —     |
|                          | Sikkim L.A.*                 | —                  | —       | — | —         | —         | —     |
|                          | Tamil Nadu L.A.              | —                  | —       | — | 660 (80)  | (79)      | —     |
|                          | Tripura L.A.                 | 14.5.93 to 18.5.93 | 2       | — | 100 (40)  | 5 (5)     | —     |
|                          | Uttar Pradesh L.A@@@         | —                  | —       | — | —         | —         | —     |
|                          | Uttar Pradesh L.C.           | —                  | —       | — | —         | —         | —     |
|                          | West Bengal L.A.             | 11.6.93 to 26.7.93 | 14 (15) | — | 492 (283) | 78 (91)   | —     |
| <b>UNION TERRITORIES</b> |                              |                    |         |   |           |           |       |
|                          | Delhi Metropolitan Council † | —                  | —       | — | —         | —         | —     |
|                          | Pondicherry L.A.             | 1.4.93 to 24.4.93  | 5 (5)   | — | 634       | 199       | —     |

\* Information not received from the State/Union territory Legislatures.

\*\* Information received from the State Legislature contained Nil report.

\*\*\* Session Continuing.

@ Legislative Assembly was dissolved on 15.12.92

@@ During Governor's rule, the Assembly was dissolved on 19.2.90 and the State was brought under President's rule from 19.7.90.

@@@ The Uttar Pradesh Legislative Assembly was dissolved on 16.12.92

† The Delhi Metropolitan Council was dissolved on 13.1.90

#### Notes

(i) Figures in Cols. 4 and 5 indicate the number, respectively, of Government and Private Member's Bills introduced with the number of Bills passed in brackets.

(ii) Figures in Cols. 6, 7 and 8 indicate the number of notices received followed by the number of notices admitted in brackets.

(a) The figure 31 includes notices for Starred Questions admitted as Unstarred.

APPENDIX—III (Contd)  
Committees at Work/Number of Sittings held and number of Reports presented

|  | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24    |
|--|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|
| Business Advisory Committee.                         |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| Committee on Govt. Assurance.                        |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| Committee on Petitions.                              |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| Committee on Private Members' Bills and Resolutions. |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| Committee of Privileges.                             |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| Committee on Public Undertakings.                    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| Committee on Subordinate Legislation.                |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| Committee on the Welfare of SC and ST.               |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| Estimates Committee.                                 |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| General Purpose Committee.                           |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| House/Accommodation Committee.                       |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| Library Committee.                                   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| Public Accounts Committee.                           |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| Rules Committee.                                     |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| Joint/Select Committee.                              |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| Other Committees.                                    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
| STATES   | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24    |
| Andhra Pradesh L.A. --                               |   | 27 | -- | -- | 9  | 16 | 8  | 28 | 11 | -- | -- | 4  | 12 | 5  | -- | 20(a) |
| Arjunachal pradesh L.A.--                            |   | 1  | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | 2  | -- | -- | --    |



|                          | 9    | 10   | 11 | 12 | 13   | 14   | 15   | 16   | 17    | 18 | 19 | 20 | 21    | 22 | 23   | 24        |
|--------------------------|------|------|----|----|------|------|------|------|-------|----|----|----|-------|----|------|-----------|
| Sikkim L.A.*             | -    | -    | -  | -  | -    | -    | -    | -    | -     | -  | -  | -  | -     | -  | -    | -         |
| Tamil Nadu L.A.          | -    | 5    | 2  | -  | -    | 10   | 4    | -    | 4     | -  | 1  | -  | 6     | -  | -    | 10        |
| Tripura L.A.             | 1(1) | -    | -  | -  | -    | 1    | -    | 3    | 1     | -  | -  | 1  | 1(1)  | -  | -    | -         |
| Uttar Pradesh L.A.***    | -    | -    | -  | -  | -    | -    | -    | -    | -     | -  | -  | -  | -     | -  | -    | -         |
| Uttar Pradesh L.C.       | -    | -    | -  | -  | -    | -    | -    | -    | -     | -  | -  | -  | -     | -  | -    | -         |
| West Bengal L.A. 9 (9)   | 6(1) | 1(1) | -  | -  | 2(1) | 5(1) | 5(1) | 7(1) | 4(2)  | -  | 1  | -  | 4(2)  | -  | 1(1) | 77(15)(4) |
| <b>UNION TERRITORIES</b> |      |      |    |    |      |      |      |      |       |    |    |    |       |    |      |           |
| Delhi Metro-             | -    | -    | -  | -  | -    | -    | -    | -    | -     | -  | -  | -  | -     | -  | -    | -         |
| Pollan Council 6         | -    | -    | -  | -  | -    | -    | -    | -    | -     | -  | -  | -  | -     | -  | -    | -         |
| Pondicherry L.A.         | -    | -    | -  | -  | -    | -    | -    | -    | 21(2) | -  | -  | -  | 20(1) | -  | -    | -         |

\* Information not received from the State/Union territory Legislatures.

\*\* Information received from: the State Legislature contained Nil report.

② Dissolved since 15.12.92

②② Dissolved since 19.2.90

②②② Dissolved since 6.12.92

6 Dissolved since 13.1.90

(a) Committee on Backward Classes -19 sittings; and Amenities Committee- 1 sitting.

(b) Employment Review Committee -2 sittings and 2 reports; and Committee on Welfare of Other Backward Classes and More Other Backward Classes-2 sittings.

(c) Question and Call Attention Committee-215 sittings; Nivedan committee-43 sittings; and Zila Parishad and Panchayat Committee-34 sittings.

- (d) Question and Call Attention Committee-14 sittings; Committee on district Board and Panchayat Raj-13 sittings; Nivedan Committee-24 sittings; Implementation Committee-11 sittings; and Committee on Leprosy Control-10 sittings.
- (e) Committee on Welfare of Scheduled Castes-4 sittings; Member's Allowances Rules Committee-1 sitting; Committee on Welfare of Socially and Economically Backward Classes, Nomadic Tribes and Denotified Tribes-3 sittings; Committee on Panchayat Raj-4 sittings; Committee on Papers laid on the Table of the House-1 sitting; and Committee on Welfare of Scheduled Tribes-2 sittings.
- (f) Committee on Papers Laid on the Tables-5 sittings and 1 report; Backward Class Committee-9 sittings and 1 report.
- (g) Committee on the Welfare of Women and Children-7 sittings; Committee on Environment-8 sittings; Subject Committee (I)-4 sittings and 1 report; Subject Committee (II)-5 sitting and 1 report; Subject Committee (III)-4 sittings and 1 report; Subject Committee (IV)-3 sitting and 1 report; Subject Committee (V)-6 sittings and 1 report; Subject Committee (VI)-4 sittings and 1 report; Subject committee (VII)-5 sittings and 1 report; Subject Committee (viii)-6 sittings and 1 report; Subject Committee (IX)-4 sittings and 1 report and Subject committee (x)-4 sittings and 1 report.
- (h) Committee on Welfare of Scheduled Castes-10 sittings; Committee on Scheduled Tribes-7 sittings; Committee on Panchayat Raj-6 sittings; Vimukta Jatis, Nomadic Tribes Welfare Committee-3 sittings; Catering Committee-8 sittings; Committee on Leave of Absence from sittings of the House-2 sittings and 1 report; Committee on Employment Guarantee Scheme-3 sittings and 2 reports; and Committee on Jawahar Rozgar Yojna-3 sittings.
- (i) Committee on Papers Laid/ to be Laid on the Table-4 sittings.
- (j) Committee on Papers Laid on the Table-1 sitting.
- (k) Subject Committee on Health & Family Welfare-10 sittings and 1 report; Subject Committee on Environment-5 sittings and 1 report; Subject Committee on Panchayat-4 sittings and 1 report; Subject Committee on Education and Information and Cultural Affairs-6 sittings and 2 reports; Subject Committee on Transport-8 sittings and 1 report; Subject Committee on Irrigation and Waterways-7 sittings and 2 reports; Subject Committee on Welfare, Tourism and Sports and Youth Services-7 sittings and 2 reports; Subject Committee on Power and Commerce and Industries-13 sittings and 2 reports; Subject Committee on Agriculture, Food and Supplies-11 sittings and 2 reports; and Subject Committee on Public Works-6 sittings and 1 report.

## APPENDIX IV

**LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND  
ASSENTED TO BY THE PRESIDENT DURING THE PERIOD  
1 APRIL TO 30 JUNE 1993**

| S. No. | Title of the Bill   | Date of assent<br>by the President |
|--------|---|------------------------------------|
| 1.     | The Industrial Finance Corporation (Transfer of Undertaking and Repeal) Bill, 1993  | 2.4.1993                           |
| 2.     | The National Thermal Power Corporation Limited, the National Hydroelectric Power Corporation Limited and the North-Eastern Electric Power corporation Limited (Acquisition and Transfer of Power Transmission Systems) Bill, 1993 | 2.4.1992                           |
| 3.     | The Gold Bonds (Immunities and Exemption) Bill, 1993  | 2.4.1993                           |
| 4.     | The Wild Life (Protection) (Amendment) Bill, 1993   | 2.4.1993                           |
| 5.     | The National Commission for Backward Classes Bill, 1993   | 2.4.1993                           |
| 6.     | The Multimodal Transportation of Goods Bills, 1993  | 2.4.1993                           |
| 7.     | The Foreign Exchange Regulation (Amendment) Bill, 1993  | 3.4.1993                           |
| 8.     | The Dentists (Amendments) Bill, 1993  | 3.4.1993                           |
| 9.     | The Indian Medical Council (Amendment) Bill, 1993   | 3.4.1993                           |
| 10.    | The Interest on Delayed Payments to Small Scale and Ancillary Industrial Undertakings Bill, 1993  | 3.4.1993                           |
| 11.    | The Acquisition of Certain Areas of Ayodhya Bill, 1993  | 3.4.1993                           |
| 12.    | The Essential Commodities (Special Provision) Amendment Bill, 1993  | 3.4.1993                           |
| 13.    | The Passports (Amendment) Bill, 1993  | 13.4.1993                          |
| 14.    | The Constitution (Seventy-Third Amendment) Bill, 1992   | 20.4.1993                          |
| 15.    | The Constitution (Seventy-Fourth Amendment) Bill, 1992  | 20.4.1993                          |
| 16.    | The SAARC Convention (Suppression of Terrorism) Bill, 1992  | 26.4.1993                          |
| 17.    | The Cine-Workers Welfare Cess (Amendment) Bill, 1993  | 7.5.1993                           |
| 18.    | The Finance Bill, 1993  | 13.5.1993                          |
| 19.    | The Appropriation (No. 2) Bill, 1993  | 13.5.1993                          |
| 20.    | The Code of Criminal Procedure (Amendment) Bill 1993  | 18.5.1993                          |
| 21.    | The Beedi and Cigar Workers (Conditions of Employment) Amendment Bill 1993  | 22.5.1993                          |
| 22.    | The Criminal Law (Amendment) Bill, 1993   | 22.5.1993                          |
| 23.    | The Terrorist and Disruptive Activities (Prevention) Amendment Bill, 1993   | 22.5.1993                          |
| 24.    | The Central Laws (Extension to Arunachal Pradesh) Bill, 1993  | 27.5.1993                          |
| 25.    | The Tezpur University Bill, 1993  | 1.6.1993                           |
| 26.    | The Employment of Manual Scavengers and Constuction of Dry Latrines Latrines (Prohibition) Bill, 1993   | 5.6.1993                           |
| 27.    | The Coal Mines (Nationalisation) Amendment Bill, 1993   | 9.6.1993                           |
| 28.    | The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1993  | 9.6.1993                           |

**APPENDIX-V****LIST OF BILLS PASSED BY THE LEGISLATURES OF STATES AND  
UNION TERRITORIES LEGISLATURES DURING THE PERIOD****1 APRIL TO 30 JUNE 1993****KARNATAKA LEGISLATIVE ASSEMBLY**

1. The Karnataka Fishing Harbour Terminal Authority (Amendment) Bill, 1993
2. The Hyderabad-Karnataka Area Development Board (Amendment) Bill 1993.
3. The Karnataka Ligts (Amendment) Bill, 1993
4. The Karnataka Urban Water Supply and Drainage Board (Amendment) Bill, 1993
5. The Karnataka Land Revenue (Amendment) Bill, 1993.
6. The Karnataka Zilla Parishads, Taluk Panchayats Samithies, Mandal Panchayats and Nyaya Panchayats (Amendment) Bill, 1993.
7. The Karnataka Motor Vehicles Taxation (Amendment) Bill, 1993.
8. The Karnataka Taxation Laws (Amendment) Bill, 1993.
9. The Maland Area Development Board (Amendment) Bill, 1993.
10. The Karnataka Advocate Welfare Board (Amendment) Bill, 1993.
11. The Karnataka Appropriation (No. 2) Bill, 19923.
12. The Karnataka Appropriation (No. 3) Bill, 1993.
13. The Karnataka Panchayat Raj Bill, 1993.
14. The Renuka Yellamma Devasthanana (Administration) (Amendment) Bill, 1993.

**MEGHALAYA LEGISLATIVE ASSEMBLY**

1. Meghalaya Appropriation (No.1) Bill, 1993.
2. Meghalaya Appropriation (Vote on Account) Bill, 1993.
3. The Indian Stamp (Meghalaya Amendment) Bill, 1993.
4. The Court Fees (Amendment) Bill, 1993.
5. The Meghalaya State Housing Board (Amendment) Bill, 1993.
6. The Meghalaya State Council for Technical Education Bill, 1993.
7. The Meghalaya Nursing Homes (Licensing and Registration) Bill, 1993.

8. The Meghalaya Amusement and Betting Tax (Amendment) Bill, 1993.
9. The Meghalaya Appropriation (No. 11) Bill, 1993.

## WEST BENGAL LEGISLATIVE ASSEMBLY

- \*1. The Calcutta Municipality Corporation (Second Amendment) Bill, 1993.
- \*2. The West Bengal Public Libraries (Amendment) Bill, 1993.
- \*3. The Burdwan University (Amendment) Bill, 1993.
- \*4. The Bengal Natural History Society (Acquisition of the Natural History Museum) Bill, 1993.
- \*5. The Land Acquisition (West Bengal Amendment) Bill, 1993.
- \*6. The Calcutta Thika Tenancy (Acquisition and Regulation) (Amendment) Bill, 1993.
- \*7. The Payment of Gratuity (West Bengal Amendment) Bill, 1993.
- \*8. The Payment of Wages (West Bengal Amendment) Bill, 1993.
- \*9. The Indian Partnership (West Bengal Amendment) Bill, 1993.
- \*10. The West Bengal Government Land (Regulation of Transfer) Bill, 1993.
- \*11. The West Bengal Central Valuation Board (Amendment) Bill, 1993.
- \*12. The West Bengal Housing Board (Amendment) Bill, 1993.
- \*13. The West Bengal Appropriation (No. 2) Bill, 1993.
- \*14. The West Bengal Appropriation (Excess Expenditure, 1982-83, 1983-84, 1984-85) Bill, 1993.
- \*15. The West Bengal Municipal, Bill, 1993.

## PONDICHERRY LEGISLATIVE ASSEMBLY

- \*1. The Pondicherry Non-Agricultural Kudiyirupudars (Stay of Eviction Proceedings) Amendment Bill, 1993.
- \*2. The Pondicherry General Sales Tax (Second Amendment) Bill, 1993.
- \*3. The Indian Stamp (Pondicherry Amendment) Bill, 1993.
- \*4. The Pondicherry Motor Vehicles Taxation (Amendment) Bill, 1993.
- \*5. The Appropriation (No. II) Bill, 1993.

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\* Awaiting assent.



**APPENDIX—VI**  
**ORDINANCES PROMULGATED BY THE UNION AND STATE GOVERNMENTS DURING THE PERIOD**  
**1 APRIL TO 30 JUNE 1993**

| Sl. No.   | Title of the Ordinance  | Date of Promulgation | Date on which laid before the House | Date of Cessation | Remarks |
|---|---|----------------------|-------------------------------------|-------------------|---------|
| <b>UNION GOVERNMENT</b>                           |   |                      |                                     |                   |         |
| 1.  | The Consumer Protection (Amendment) Ordinance, 1992   | 18.6.1993            | —                                   | —                 | —       |
| 2.  | The Recovery of Debts Due to Banks and Financial Institutions Ordinance, 1993                               | 24.6.1993            | —                                   | —                 | —       |
| 3.  | The Conservation of Foreign Exchange, and Prevention of Smuggling Activities (Amendment) Ordinance, 1993    | 25.6.1993            | —                                   | —                 | —       |
| 4.  | The Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Amendment) Ordinance, 1993 | 30.6.1993            | —                                   | —                 | —       |
| <b>STATE GOVERNMENTS</b><br><b>ANDHRA PRADESH</b> |   |                      |                                     |                   |         |
| 1.  | The Andhra Pradesh University Acts (Amendment) Ordinance, 1993  | 27.5.1993            | —                                   | —                 | —       |

|     |   | BIHAR     |   |          |
|-----|---|-----------|---|----------|
| 1.  | The Bihar State University (Third Amendment) Ordinance, 1993  | 27.4.1993 | — | 5.7.1993 |
| 2.  | The Patna University (Third Amendment) Ordinance, 1993  | do        | — | do       |
| 3.  | The Bihar Panchayat Raj (Amendment & Validation) Second Ordinance, 1993   | do        | — | do       |
| 4.  | The State Commission for Backward Classes (Second Ordinance), 1993  | do        | — | do       |
| 5.  | The Reservation in vacancies for Bihar Posts and Services (Scheduled Casts, Scheduled Tribes and Backwards (Second Amendment) Ordinance, 1993 | do        | — | —        |
| 6.  | The Entry Tax on goods for sale and use of local area in Bihar (Ordinance), 1993  | 29.4.1993 | — | do       |
| 7.  | The Bihar Electricity Tariff (Amendment) Second Ordinance, 1993   | 29.4.1993 | — | do       |
| 8.  | The Bihar Contingency Fund (Amendment) Second Ordinance, 1993   | 8.5.1993  | — | do       |
| 9.  | The Bihar Taxation Fund (Amendment and Validation) Ordinance, 1993  | 12.6.1993 | — | do       |
| 10. | The Bihar Lottery Prohibition Ordinance, 1993   | 18.6.1993 | — | do       |



APPENDIX VII  
A. PARTY POSITION IN LOK SABHA (As on 6.12.1993)

| Name of State<br>Union Territories | Seats | Cong. | BJP | J.D. | CPI<br>(M) | JD (A) | CPI | AIADMK | TDP | OTHERS IND./<br>NOMINATED | TOTAL<br>NOMINATED | TOTAL<br>VACANCY |   |
|------------------------------------|-------|-------|-----|------|------------|--------|-----|--------|-----|---------------------------|--------------------|------------------|---|
|                                    |       |       |     |      |            |        |     |        |     |                           |                    |                  | 3 |
| <b>(f) STATES</b>                  |       |       |     |      |            |        |     |        |     |                           |                    |                  |   |
| Andhra Pradesh                     | 42    | 30    | 1   | —    | 1          | —      | 1   | —      | 7   | 1(e)                      | —                  | 41               | 1 |
| Anunachal Pradesh                  | 2     | 2     | —   | —    | —          | —      | —   | —      | —   | —                         | —                  | 2                | — |
| Assam                              | 14    | 8     | 2   | —    | 1          | —      | —   | —      | —   | 2(b)                      | 1                  | 14               | — |
| Bihar                              | 54    | 1     | 5   | 27   | 1          | 5      | 8   | —      | —   | 6(c)                      | —                  | 53               | 1 |
| Goa                                | 2     | 2     | —   | —    | —          | —      | —   | —      | —   | —                         | —                  | 2                | — |
| Gujarat                            | 28    | 6     | 20  | —    | —          | —      | —   | —      | —   | —                         | —                  | 28               | — |
| Haryana                            | 10    | 10    | —   | —    | —          | —      | —   | —      | —   | —                         | —                  | 10               | — |
| Himachal Pradesh                   | 4     | 2     | 2   | —    | —          | —      | —   | —      | —   | —                         | —                  | 4                | — |
| Karnataka                          | 28    | 23    | 4   | —    | —          | —      | —   | —      | —   | 1(d)                      | —                  | 28               | — |
| Kerala                             | 20    | 12    | —   | —    | 4          | —      | —   | —      | —   | 4(e)                      | —                  | 20               | — |
| Madhya Pradesh                     | 40    | 27    | 12  | —    | —          | —      | —   | —      | —   | 1(f)                      | —                  | 40               | — |
| Maharashtra                        | 48    | 38    | 5   | —    | 1          | —      | —   | —      | —   | 2(g)                      | —                  | 46               | 2 |
| Manipur                            | 2     | 1     | —   | —    | —          | —      | —   | —      | —   | 1(h)                      | —                  | 2                | — |
| Meghalaya                          | 2     | 2     | —   | —    | —          | —      | —   | —      | —   | —                         | —                  | 2                | — |
| Mizoram                            | 1     | 1     | —   | —    | —          | —      | —   | —      | —   | —                         | —                  | 1                | — |
| Nagaland                           | 1     | 1     | —   | —    | —          | —      | —   | —      | —   | —                         | —                  | 1                | — |
| Orissa                             | 21    | 12    | —   | 4    | 1          | 2      | 1   | —      | —   | —                         | —                  | 20               | 1 |
| Punjab                             | 13    | 12    | —   | —    | —          | —      | —   | —      | —   | 1(i)                      | —                  | 13               | — |
| Rajasthan                          | 25    | 13    | 12  | —    | —          | —      | —   | —      | —   | —                         | —                  | 25               | — |
| Sikkim                             | 1     | —     | —   | —    | —          | —      | —   | —      | —   | 1(j)                      | —                  | 1                | — |

|                               | 2          | 3           | 4          | 5         | 6         | 7         | 8         | 9         | 10       | 11        | 12       | 13         | 14       | 15 |
|-------------------------------|------------|-------------|------------|-----------|-----------|-----------|-----------|-----------|----------|-----------|----------|------------|----------|----|
| Tamil Nadu                    |            | 39          | 27         | —         | —         | —         | —         | —         | 12       | —         | —        | —          | 39       | —  |
| Tripura                       |            | 2           | 2          | —         | —         | —         | —         | —         | —        | —         | —        | —          | 2        | —  |
| Uttar Pradesh                 |            | 85          | 5          | 51        | 9         | —         | 13        | 1         | —        | —         | 5(K)     | —          | 84       | 1  |
| West Bengal                   |            | 42          | 5          | —         | —         | 27        | —         | 3         | —        | —         | 6(O)     | —          | 41       | 1  |
| <b>(II) UNION TERRITORIES</b> |            |             |            |           |           |           |           |           |          |           |          |            |          |    |
| Andaman & Nicobar             |            |             |            |           |           |           |           |           |          |           |          |            |          |    |
| Islands                       |            | 1           | 1          | —         | —         | —         | —         | —         | —        | —         | —        | —          | 1        | —  |
| Chandigarh                    |            | 1           | 1          | —         | —         | —         | —         | —         | —        | —         | —        | —          | 1        | —  |
| Dadra & Nagar<br>Haveli       |            | 1           | 1          | —         | —         | —         | —         | —         | —        | —         | —        | —          | 1        | —  |
| Daman & Diu                   |            | 1           | —          | 1         | —         | —         | —         | —         | —        | —         | —        | —          | 1        | —  |
| Delhi                         |            | 7           | 3          | 3         | —         | —         | —         | —         | 1        | —         | —        | —          | 6        | 1  |
| Lakshadweep                   |            | 1           | 1          | —         | —         | —         | —         | —         | —        | —         | —        | —          | 1        | —  |
| Pondicherry                   |            | 1           | 1          | —         | —         | —         | —         | —         | —        | —         | —        | —          | 1        | —  |
| Nominated                     |            | 2           | —          | —         | —         | —         | —         | —         | —        | —         | —        | 1          | 1        | 1  |
| <b>Total =</b>                | <b>539</b> | <b>250*</b> | <b>118</b> | <b>40</b> | <b>36</b> | <b>20</b> | <b>14</b> | <b>12</b> | <b>7</b> | <b>31</b> | <b>3</b> | <b>530</b> | <b>9</b> |    |

\* Including H.S.

- (e) All India Mejlis-Ittehad-UJ-Muallimeen-1.
- (b) A.S.D.C.-1; and Aom Gana Parishad-1.
- (c) Jharkhand Mukti Morcha-6.
- (d) Janata Party-1.
- (e) I.C(S)-1; Muslim League-2; and Kerala Congress (M)-1.
- (f) Bahujan Samaj Party-1.
- (g) Shiva Sena - 2.
- (b) Manipur Samaj Party-1
- (f) Bahujan Samaj Party-1.
- (f) Sikkim Sangr.: Parishad-1.
- (k) Janata Party-1; Samajwadi Party-3; and Bahujan Samaj Party-1.
- (f) All India Forward Bloc-3; and Revolutionary Socialist Party-3.



| 1                        | 2             | 3   | 4   | 5  | 6  | 7  | 8  | 9     | 10 | 11  | 12 |
|--------------------------|---------------|-----|-----|----|----|----|----|-------|----|-----|----|
| 20.                      | Rajasthan     | 10  | 4   | 1  | —  | 3  | 1  | —     | 1  | 10  | —  |
| 21.                      | Sikkim        | 1   | —   | —  | —  | —  | —  | 1(0)  | —  | 1   | —  |
| 22.                      | Tamil Nadu    | 18  | 2   | —  | 1  | —  | —  | 15(0) | —  | 18  | —  |
| 23.                      | Tripura       | 1   | 1   | —  | —  | —  | —  | —     | —  | 1   | —  |
| 24.                      | Uttar Pradesh | 34  | 11  | 4  | —  | 8  | 5  | 3(N)  | 2  | 33  | 1  |
| 25.                      | West Bengal   | 16  | —   | —  | 11 | —  | 1  | 4(1)  | —  | 16  | —  |
| <b>UNION TERRITORIES</b> |               |     |     |    |    |    |    |       |    |     |    |
|                          | Delhi         | 3   | —   | —  | —  | —  | —  | —     | —  | —   | 3  |
|                          | Pondicherry   | 1   | 1   | —  | —  | —  | —  | —     | —  | 1   | —  |
|                          | Nominatd      | 12  | 3   | —  | —  | —  | —  | —     | 4  | 7   | 5  |
|                          |               | 245 | 100 | 27 | 16 | 29 | 12 | 38    | 10 | 232 | 13 |

(a) Telugu Desam-5 and C.P.I.-1

(b) Asom Ganga Parishad-1

(c) C.P.I.-2

(d) National Conference-1

(e) M.L.-1 and C.P.I.-1

(f) Shiv Sena-1

(g) Hill State People's Council-1

(h) Nagaland People's Council-1

(i) Sikkim Sangram Parishad-1

(j) AIADMK-8 and DMK-9

(k) Janata Party-2; and C.P.I.-1

(l) Revolutionary Socialist Party-2; C.P.I.-1 and Forward Bloc-2







| States/Union Territories               | 2        | 3  | 4  | 5          | 6       | 7   | 8      | 9   | 10            | 11   | 12              |
|--|----------|----|----|------------|---------|-----|--------|-----|---------------|------|-----------------|
| Seats                                  | Cong.(I) |    |    | Janata Del | Lok Dal | BJP | CPI(M) | CPI | Other Parties | Ind. | Total Vacancies |
| Sikkim L.A.**<br>(As on )              | —        | —  | —  | —          | —       | —   | —      | —   | —             | —    | —               |
| Tamil Nadu L.A.<br>(As on 1.5.93)      | 235      | 61 | —  | —          | —       | 1   | 1      | 1   | 169(u)        | 1    | 233*            |
| Tripura L.A.<br>(As on 1.1.93)         | 60       | 10 | 1  | —          | —       | 44  | —      | —   | 5(r)          | —    | 60              |
| Uttar Pradesh L.A.@@@<br>(As on )      | —        | —  | —  | —          | —       | —   | —      | —   | —             | —    | —               |
| Uttar Pradesh L.C.<br>(As on 1.1.93)   | 106      | 33 | 13 | 1          | 14      | —   | 1      | 1   | 32(s)         | 12   | 58              |
| West Bengal L.A.<br>(As on 1.4.93)     | 295      | 42 | 1  | —          | —       | 187 | 6      | 6   | 54(t)         | 1    | 291             |
| <b>UNION TERRITORIES</b>               |          |    |    |            |         |     |        |     |               |      |                 |
| Delhi Metropolitan Council<br>(As on ) | —        | —  | —  | —          | —       | —   | —      | —   | —             | —    | —               |
| Pondicherry L.A.<br>(As on 1.4.93)     | 30       | 15 | 1  | —          | —       | —   | 1      | 1   | 10(u)         | 3    | 30              |

\* Excluding Speaker

\*\* Information not received from State Legislatures

@ Disolved since 15.12.92

@@ Disolved since 19.2.90

@@@ Disolved since 6.12.92

o Disolved since 13.1.90

- (e) Telugu Desam Party-74; All India Majlis Ittehad-Ul-Muallimeen-4; Marxist Communist Party of India-1; Democratic People's Front (Independent Group)-10; and Nominated-1.
- (f) Asom Gana Parishad-18; Natan Asom Gana Parishad-5; and Autonomous State Demand Committee-4.
- (g) Jharkhand Mukti Morcha (Soren Group)-9; Jharkhand Mukti Morcha (Marandi Group)-9; Indian People's Front-5; Socialist Party (Lohia)-1; Marxist Coordination Party-2; Jharkhand Party-1; Unattached-8; and Nominated-1.
- (h) Jharkhand Mukti Morcha-1; and Unattached-1.
- (i) Maharashtrawadi Gomantak Party-II; and Goan Peoples Party-1.
- (j) Lok Svaraj Manch-1; and Member elected on Janata Dal Ticket but whose petition against the decision of the Speaker regarding disqualification on ground of deflection is pending before the Supreme Court of India-1.
- (k) Janata Party-17; Haryana Vikas Party-11; Bahujan Samaj Party-1; and Unattached-1.
- (l) National Conference-2.
- (m) Janata Party-4.
- (n) Muallim League-19; Kerala Congress(M)-10; Congress(S)-3; Revolutionary Socialist Party-2; National Democratic Party-2; Kerala Congress(B)-2; Kerala Congress-1; and CMP-1.
- (o) Shiv Sena-35; Peasants and Workers Party-8; Republican Party of India-1; Republican Party of India (Khabragade)-1; Muallim League-1; and Nominated-1.
- (p) Republican Party of India-1; Peasants and Workers' Party-3; Republican Party (Gawai Group)-1; Unattached-2; and Shiv Sena-4.
- (q) United Meghalaya Parliamentary Front-39; HPU-11; Hill State People's Democratic Party-8; and PDI-C-2.
- (r) Mizo National Front-12; and Mizo National Front(D)-1.
- (s) Nagaland People's Council-17; and DLP-1.
- (t) Bahujan Samaj Party-9; Shiromani Akali Dal (Khalvi)-3; Bhartiya Janata Party (Punjab)-2; Indian People's Front-1; and United Communist Party of India-1.
- (u) All India Anna Dravida Munnetra Kazhagam-162; Dravida Munnetra Kazhagam-2; Pattail Makal Katchi-1; MGR Anna Dravida Munnetra Kazhagam-1; Unattached-2; and Nominated-1.
- (v) Revolutionary Socialist Party-2; Forward Bloc-1; Tripura Hills Peoples Party-1; and TUJS-1.
- (w) Samajwadi Party-15; Janata Party-5; Samajwadi Samuh-5; Janata Dal (Samajwadi)-1; and Shikshak Dal-6.
- (x) All India Forward Bloc-28; Revolutionary Socialist Party 18; Democratic Socialist Party-1; Marxist Forward Bloc-1; Socialist Unity Centre of India-2; Revolutionary Communist Party of India-1; Jharkhand Party-1; Unattached-1 and Nominated-1.
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