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EDITORIAL NOTE

We, in India, have for long been staunch votaries of democracy as our way of life. Till 1997, Independent India went to the polls eleven times to elect representatives to the Lok Sabha in what have been widely hailed as the largest electoral exercises anywhere in the world. Besides, the people of India have exercised their franchise regularly to elect their representatives to the State Legislative Assemblies and other representative bodies, further demonstrating our democratic credentials. The successful conduct of the General Elections held during February-March 1998 once again reaffirmed India's abiding faith in the representative form of government. On behalf of the *Journal of Parliamentary Information*, we extend a hearty welcome to all the newly-elected members of the Twelfth Lok Sabha which was constituted on 10 March 1998. This issue of the *Journal* carries a Short Note titled "The Twelfth Lok Sabha: A Historic Beginning", highlighting major developments since the General Elections were announced by the Election Commission.

One of the important and first tasks before any newly-constituted Lok Sabha is the election of the Speaker of the House. On 24 March 1998, Shri Ganti Mohana Chandra Balayogi was elected as the Speaker of the Twelfth Lok Sabha, the first one from the *dalit* community to occupy the august office. On his election, he was warmly felicitated by the Prime Minister, the Leader of the Opposition, Leaders of the Parties and Groups and several other members. Replying to the felicitations, Speaker Balayogi stressed that he would try his best to uphold the true democratic traditions and defend the privileges of the House and its members. On behalf of the *Journal of Parliamentary Information* and its worldwide readership, we extend our hearty felicitations to Shri Balayogi on his assuming the office of the Speaker of the largest democracy in the world. We include in this issue of the *Journal* a Short Note on the election of the Speaker.

The Constitution of India provides for an Address by the President to either House of Parliament or both the Houses assembled together. Under Art.86(1), the President may address either House of Parliament or both the Houses assembled together, and for that purpose require the attendance of members. Art.87(1) provides that at the commencement of the first Session after each General Election to the House of the People and at the commencement of the first Session of each year, the President shall address members of both the Houses of Parliament assembled together and inform Parliament of the causes of its summons.

On 25 March 1998, the President of India, Shri K.R. Narayanan addressed the members of the two Houses assembled together at the commencement of the First Session of Parliament after the General Elections to the Lok Sabha. We reproduce in this issue of the *Journal* the text of the Address by the President.

The Commonwealth Parliamentary Association (CPA), for over eight decades, has been in the vanguard of promoting parliamentary democracy, Rule of Law and basic human rights. India has been an active member of this Parliamentary Association and extending support to its varied endeavours. In April 1997, for the first time, a Regional Commonwealth Parliamentary Conference for the North-East Region of India was organised in Kohima, Nagaland. Encouraged by the positive response and success of this event, the Second North-East Regional Commonwealth Parliamentary Association Conference was held in Aizawl, Mizoram on 22-23 April, 1998. The Conference discussed two vital subjects of common concern, viz. 'Fifty years of India's Independence and its impact on the North-Eastern Region' and 'Privileges and Immunities of Legislators'. The text of the Inaugural Address delivered by the Speaker, Lok Sabha Shri G.M.C. Balayogi at the Conference on 22 April 1998 is reproduced in this issue of the *Journal*.

The Indian political system has undergone remarkable transformation in recent years. Party system itself has witnessed a metamorphosis with 1967 being a watershed year since when Opposition as an institution has been growing in strength. Over the years, regional political parties have come to the fore too and played an increasingly important role in national politics. Many major national parties had to contend with splits and break-ups as a result of which the complexion of the elected bodies has changed considerably. Of late, majoritarian governments have given way to coalition governments, in the process leading to repeated realignment of political parties. In such a scenario, ascertaining the confidence of the elected House by a government in power has become an important component of our parliamentary practice. We include in this issue of the *Journal* an article by Shri G.C. Malhotra, Additional Secretary, Lok Sabha Secretariat, titled "The Ten Motions of Confidence" wherein the author discusses the procedural and other aspects of the Confidence Motions which have been moved in the Lok Sabha. It might interest the readers to know that while the Rules of Procedure and Conduct of Business in Lok Sabha lay down the procedure for moving a Motion of No-Confidence in the Council of Ministers, there is no such specific provision relating to a Motion of Confidence. In the absence of any specific rule, the Motions of Confidence are entertained under the

category of Motions stipulated in Rule 184 which are meant for raising discussion on matters of public interest. The author, quoting facts and figures, points out that till now ten Confidence Motions have been admitted for discussion in the various Lok Sabhas, the notices for which were moved by seven different Prime Ministers. Six of these Motions were adopted while the rest resulted in the fall of four Governments. The article also gives a synoptic coverage of the ten Motions of Confidence moved by the seven Prime Ministers. In the present overall situation, the phenomenon of 'hung Parliaments' seem to be the order of the day. As a result, the governments in power are likely to be called upon more frequently than ever before to demonstrate majority support in the House whenever challenged by the Opposition or as required under Presidential directives, the author concludes.

Ethics in public life is a subject which has attracted much attention in recent times. Members of Parliament are expected to observe a certain standard of conduct within and outside the House so as to maintain the highest traditions in parliamentary life. No definitive code of conduct or aspects of standards have so far been laid down for members of Parliament and State Legislatures in India. However, there are ample provisions in the Rules for ensuring decorous and dignified conduct of members. Besides, over time, certain norms in respect of code of conduct for legislators have come to be established.

Recently, the issue of ethics has been deliberated upon in detail in various parliamentary fora, including at the Conference of Presiding Officers of Legislative Bodies in India. On 4 March 1997, the Rajya Sabha set up a nine-member Ethics Committee of the House. In the Lok Sabha, a Study Group of the Committee of Privileges was constituted on 31 January 1997 for undertaking a study of parliamentary privileges, ethics and related matters. The Group visited Australia, UK and USA to study the position pertaining to ethics, standards and conduct of members, etc. The Study Group held seven sittings, and its Report was placed before the Committee of Privileges for consideration at its sitting, held on 14 October 1997. On 7 November 1997, the Committee of Privileges adopted the Report of the Study Group, with some amendments. As the House was not in Session, the Chairman of the Committee of Privileges presented the Report to the Speaker of the Eleventh Lok Sabha on whose direction, copies of the Report were circulated to all members of the House. However, before the Report could be presented to the House, the Eleventh Lok Sabha was dissolved on 4 December 1997. On 28 March 1998, a copy of the Report of the Committee of Privileges (Eleventh Lok Sabha) on "Ethics, Standards in

Public Life, Privileges, Facilities to Members and Other Related Matters" was laid on the Table of the Lok Sabha. We include in this issue of the *Journal* a Short Note on the salient features of the Report, particularly its major recommendations.

Also included in this issue is a review by Shri Rabi Ray, former Speaker, Lok Sabha of the book *Motions of Confidence and No-Confidence*, authored by Shri G.C. Malhotra.

Besides, we carry in this issue of the *Journal* our other regular features; viz. Parliamentary Events and Activities, Procedural Matters, Parliamentary and Constitutional Developments, Sessional Review and Recent Literature of Parliamentary Interest.

We have been constantly endeavouring to make the *Journal* more useful and informative. We would greatly welcome suggestions for its further improvement. We also welcome practice and problem-oriented non-partisan articles in the realm of parliamentary procedures and institutions from members of Parliament and State Legislatures, scholars and others interested in the practice of parliamentary democracy.

—S. Gopalan
Editor

ADDRESS BY THE PRESIDENT TO PARLIAMENT

The Constitution of India provides for an Address by the President to either House of Parliament or both the Houses assembled together. The provision for an Address by the Head of State to Parliament goes back to the year 1921 when the Central Legislature was set up for the first time under the Government of India Act, 1919.

Under art. 86(1) of the Constitution, the President may address either House of Parliament or both the Houses assembled together, and for that purpose require the attendance of members. Art. 87(1) provides that at the commencement of the First Session after each General Election to the House of the People and at the commencement of the First Session of each year, the President shall address members of both the Houses of Parliament assembled together and inform Parliament of the causes of its summons.

The Address by the President is a statement of policy of the Government which is responsible for its contents. The Address contains a review of the activities and achievements of the Government during the previous year and sets out the policies which it wishes to pursue with regard to important national and international issues. It also indicates the main items of legislative business which are proposed to be brought during the Sessions to be held in that year.

On 25 March 1998, the President of India, Shri K.R. Narayanan addressed the members of the two Houses of Parliament assembled together in the Central Hall of Parliament House at the commencement of the First Session of Parliament after the General Elections held in February-March 1998.

We reproduce below the text of the Address.

—Editor

Honourable Members,

I have great pleasure in addressing this First Session of both Houses of Parliament after the Twelfth General Election to the Lok Sabha. I extend my warm felicitations to the members of the new Lok Sabha.

I thank the Election Commission of India for conducting the General Election with despatch and efficiency.

The just concluded mid-term election reflected the firm conviction of our people in democratic processes of change. Contrary to forecasts that the turn-out would be low, in fact, nearly 62 per cent of the electorate

exercised their franchise. The results are indicative of regional aspirations seeking a place in the national perspective. My Government will ensure the fulfilment of these aspirations even while looking after national interests.

Parliamentary arithmetic alone cannot provide the key to good governance. That key lies in the willingness of all to rise above notions of parliamentary majority and minority and work in a spirit of cooperation, conciliation and consensus. My Government, imbued with this spirit, will chart a new course in governance that seeks to unify and not divide—dialogue, debate and discussion will replace the narrow antagonisms of the past.

After the mid-term election, the nation now looks forward to a Government that will get down to business. This is precisely what the Government proposes to do. The most immediate tasks include the passage of the Supplementary Demands for 1997-98 and the Vote on Account for 1998-99. Thereafter, pending matters, including legislative business, will be taken up in right earnest.

Starting now, all our efforts will be directed at building a New India—an India free from the triple curse of insecurity, hunger and corruption; an India free from illiteracy and disease; an India where more and more people are gainfully employed; an India where every citizen, irrespective of his caste, creed or faith, feels proud to be an Indian.

Secularism is integral to India's traditions. My Government is unequivocally committed to upholding our secular values.

My Government's top priority will be to reach out to the underprivileged and the unempowered. More than a third of our people live below the poverty line. An even larger number does not have access to basic education and health care facilities. This vast multitude must be facilitated to obtain its meaningful share in national prosperity.

Government proposes to accomplish this through the three-fold strategy of ensuring food security to every household by better targeting of the Public Distribution System, accelerating generation of employment opportunities in every sector of the economy and providing shelter to the largest possible number.

One of the weaknesses of socio-economic policies so far has been the less than adequate attention to the social sector. The Government is pledged to investing larger resources in social infrastructure. The commitment to progressively step up spending on education to 6 per



The President, Shri K.R. Narayanan arriving in procession to address the members of the two Houses of Parliament in the Central Hall of Parliament House on 25 March 1998.

cent of Gross Domestic Product (GDP) will be fulfilled. Every effort shall be made to provide basic health facilities to all. Simultaneously, potable drinking water shall be made available in every village and habitat, within a specified time-frame.

Our population growth rate is a matter of grave concern. The Government will soon formulate a National Population Policy which will aim at stabilising the population growth through, among other things, incentives and disincentives.

In a civil society, children are born to be happy. Unfortunately, large numbers of children in our society are born only to toil in factories, workshops and fields. My Government believes that children should be in schools and playgrounds and not toiling away their childhood. Apart from implementing the constitutional provision of free and compulsory primary education, Government will introduce a National Charter for Children which, among other things, will ensure that no child goes to sleep hungry. Children have rights, and these will be upheld.

Special efforts will be made to remove gender disparities and injustice that exist, especially in access to education, employment opportunities and political representation. Government will provide free education to women up to graduation so that India can become an example of a developing country overcoming the handicap of poor female literacy. By investing in education for women, my Government will be investing in the future generations of Indians.

The pending legislation seeking to reserve 33 per cent seats for women in Parliament and State Assemblies will be taken up immediately. A Development Bank, the first of its kind, will be set up for women entrepreneurs.

By synergising legal, executive and societal efforts, the Government will strive for rapid social, economic and political empowerment and uplift of the Scheduled Castes, Scheduled Tribes, Backward Classes and Minorities. My Government will take all appropriate measures to uphold existing percentages of reservation in educational institutions at the State level. In keeping with its belief that governance must seek to unify rather than divide, Government will strive for social harmony and justice in place of social conflict and injustice.

Prosperity and economic well-being cannot be the privilege of a few; it must percolate to the last person in the last row. Hence, my Government will pursue the twin objectives of total eradication of poverty through generation of employment opportunities as well as sustaining a

higher GDP growth of 7 to 8 per cent. The central theme of my Government's national development plan will be *Berozgari Hatao*.

Shelter is a basic human necessity. The Government will evolve policies to accelerate the construction of housing units and facilitate the participation of private sector in order to ensure that housing for all becomes a reality.

Urgent measures will be taken to substantially step up investment in the infrastructure sectors, including power, roads and bridges, railways, inland waterways, sea ports, shipping, airports, telecommunications and information technology. Government will evolve a sound framework for fiscal and monetary policies.

The Government believes that India can and shall be built by Indians. No country that is largely or entirely dependent on resources from abroad can truly prosper. Hence, efforts will be made to increase national saving to 30 per cent of the GDP over the next five years. Foreign Direct Investment will be encouraged in the core sector of the economy and in physical infrastructure development.

About 40 per cent of our GDP comes from the unincorporated sector, which has so far been neglected. The Government proposes to evolve an appropriate policy framework for facilitating the growth of millions of small enterprises that exist in the country. For meeting the financial requirements of this crucial sector of the economy, which has a very high potential for growth and generation of employment opportunities, Government will consider the setting up of a dedicated Development Bank.

The Government will ensure to make labour an equal partner in national reconstruction. Special care will be taken to look after the interests of agricultural labour who are largely unorganised.

Agriculture has suffered on account of declining investment. Government will halt this decline and earmark up to 60 per cent of Plan funds for this crucial segment of our economy. Subsidies will continue but they will be better targeted. Government is committed to re-establish our farmers as a strong and self-confident community enjoying the fruits of prosperity.

Apart from setting into motion plans for all-round development of rural India, my Government will also cushion farmers from unforeseen natural calamities by introducing effective crop insurance policies. All efforts will be made for rapid rural industrialisation, with special emphasis on agro-based industry.

Since maintenance of ecological balance is crucial for our survival, the Government will initiate institutional measures to ensure that all development programmes are in conformity with the principles of sustainable development. Government firmly believes that science and technology have a vital role to play in the achievement of sustainable development and transforming India into a prosperous, strong and self-confident nation.

On Centre-State relations, my Government will immediately act on the Sarkaria Commission's recommendations as well as seek ways and means for greater devolution of powers up to the panchayat level. The Governor's office has often been the centre of unseemly controversy. Raj Bhavans will not be used for securing political objectives.

The Government will set up a Committee to study the feasibility of treating all the 18 languages included in Schedule VIII of the Constitution as official languages.

The Government will attend to the States' demand for higher allocation of resources. A Backward Areas Commission will be set up to identify those areas which need extra assistance so that they do not lag behind in development.

Government is committed to initiate action to carve out Uttaranchal in Uttar Pradesh, Jharkhand in Bihar and Chhatisgarh in Madhya Pradesh. Delhi will be given full Statehood.

A National Water Policy which will provide for effective and prompt settlement of disputes and their time-bound implementation will be evolved.

Security of the nation and its citizens is paramount. My Government will not compromise on this. The nation's sovereignty and territorial integrity will be protected at all costs. We will not bow to any pressure on this front. My Government joins the country in saluting the bravery of the personnel of our armed forces who are ever prepared to make sacrifices for the defence of the nation.

Every citizen has the right to feel secure and be free from fear. Government will strive to combat the menace of terrorism, subversion and insurgency that has come to haunt the common man. Violence has no place in a democracy. Differences should-and can-be resolved through dialogue and discussion.

My Government re-affirms India's commitment to peace among all nations, to the prosperity of the peoples of the world and to enhance its role in the international arena. We will strive for Asian solidarity and enhanced regional cooperation. Renewed efforts will be made to im-

prove bilateral relationships with neighbouring countries without any third party mediation or interference.

One of the urgent issues before the world community is the re-structuring of the United Nations and its organs in order to make it more democratic and more representative of the contemporary world. Our views on the re-structuring of the United Nations have been projected before the world community and we will pursue our objective with vigour. As a founder member of the Non-Aligned Movement, we, along with our fellow members, share the responsibility for ensuring a fair treatment for the developing countries and we will work together to attain this goal. Economic cooperation among developing countries is another priority of the Non-Aligned Movement which we will seek to promote.

The Government will evolve a National Media Policy which will integrate the advances in various visual, audio and print media in order to bring about a cohesiveness of purpose, keeping in view our societal needs and cultural values.

Fifty years after Independence, the time has come to rejuvenate our institutions so that they are strong enough to meet the challenges of the future. The Government proposes to do so, as well as appoint a Commission to review the Constitution and make recommendations so that anomalous experiences of the past are not repeated in the future.

Earlier, I have referred to the Government's solemn commitment to providing the people of India with good governance. This can be possible only when Government rests on the foundation of morality and ethics. All around us today we find increasing cynicism towards morality in politics and ethics in governance. This has severely eroded faith in the State.

The Government proposes to make all those who hold public office accountable by enacting the Lok Pal Bill. The Official Secrets Act will be reviewed so that we can put in place a right to information law that will enable transparency and integrity in decision-making without compromising national security.

One of the causes of corruption and corrosion of values in our polity, as well as criminalisation of politics, stems from flaws in the electoral process. To ensure free, fair and fearless elections and to prevent the use of money and muscle power, Government will introduce a comprehensive Electoral Reforms Bill for which considerable ground work has already been done.

Consensus-building is an essential part of nation-building. Coopera-

tion for the larger good of society has been the cornerstone of our civilisation. Ours is multi-party democracy in which constructive dialogue, consultation and cooperation between the ruling and the Opposition parties are essential for evolving a broad platform of national consensus.

The Government will, therefore, strive for evolving a consensus mode of governance as far as practicable. Some of the issues on which a national consensus is most urgently called for are electoral reforms; Centre-State relations; population policy; empowerment of women by legislating 33 per cent reservation for them in all elected bodies; resolution of inter-State water disputes; environmental protection; and effective institutional guarantee for the welfare of the weaker sections of society while pursuing economic reforms.

Honourable Members, you have the rare privilege of contributing constructively to this process of consensus-building on which the future of our great nation depends critically in the 21st century and the coming millennium.

This year is significant in more ways than one. It is the Golden Jubilee of our Independence. It also marks the 50th anniversary of the martyrdom of Mahatma Gandhi—one of the greatest men of this century. We are the inheritors of the fruits of the sacrifices made by the Mahatma and other freedom fighters. We have the responsibility to live up to their dreams and ideals.

My best wishes are with you in this momentous task.

JAI HIND

**INAUGURAL ADDRESS BY THE SPEAKER,
LOK SABHA, SHRI G.M.C. BALAYOGI AT THE
SECOND NORTH-EAST REGION COMMONWEALTH
PARLIAMENTARY ASSOCIATION CONFERENCE**

The Second North-East Region Commonwealth Parliamentary Association Conference was held in Aizawl, Mizoram on 22-23 April 1998. We reproduce below the text of the Inaugural Address delivered by the Speaker, Lok Sabha, Shri G.M.C. Balayogi on 22 April 1998 at the Conference.

—Editor

*Honourable Chief Minister of Mizoram, Shri Lalthanhawla,
Honourable Speaker of Mizoram Legislative Assembly,
Shri Vaivienga, Honourable Speakers of other State Legislative
Assemblies of the North-Eastern Region, Distinguished Delegates,
Ladies and Gentlemen:*

I am very pleased to be with all of you today in this beautiful part of our country. I also deeply appreciate the impeccable hospitality of the people here. My felicitations to the Commonwealth Parliamentary Association (CPA) for its continued initiative and interest in this region to strengthen the forces of democracy.

I find from the agenda of the Conference that two vital subjects are going to be discussed: 'Fifty Years of India's Independence and its impact on the North-Eastern Region' and 'Privileges and Immunities of Legislators'.

The overall picture of the economy in the States of the North-Eastern region does present a much lesser status of development than the all India average. High levels of population growth and dependence on agriculture, low levels of industrialisation, low levels of literacy (excepting in the States of Manipur, Mizoram, Nagaland and Tripura) and low per capita income are the characteristic features of the region. Literacy is significantly lower than the national average of 52 per cent in the States of Arunachal Pradesh and Meghalaya - 41 per cent and 48 per cent respectively. Population growth rate ranges from 2.6 per cent to nearly 4 per cent in the States of the region as against the

national average of 2.1 per cent. Per capita income at current prices ranges from about Rs. 2,900/- to Rs. 6,000/- against the national figure of over Rs. 9,000/-. Excepting in the case of Assam and Tripura, industrial development is of a rather low order, dependence on agriculture being nearly 90 per cent. The national average of people living below poverty lines is 36 per cent. Only Manipur and Mizoram are the States where the percentage of people living below poverty line is lesser than 36 per cent. In the other States of North-Eastern region, people living below poverty line range from 38 per cent to 41 per cent. This regional disparity in economic and human development is, of course, a matter of very serious concern which the legislators of the region should subject to serious analysis in this Conference.

The basic prerequisite for development is peace in the society. It is common knowledge that there are serious social tensions and conflicts in the North-Eastern region. This subject was discussed, I find, in the last CPA Regional Conference at Kohima. So, I shall desist from going into it in elaborate detail. However, I would emphasise that peace cannot be secured merely by military or police action; nor can it be purchased by flushing the region with money. For finding lasting solution to the problem of social tensions, the underlying causes have to be identified and addressed.

Migration of people of the cross-border and in-country varieties into the region has been one of the sources of social tension. The Home Ministry related Parliamentary Standing Committee, in this context, has recommended in its report in February, 1997 that measures to protect and safeguard the distinct identity and interests of the people of the region should be initiated.

Through the print and electronic media, it is also necessary to generate awareness about the life-styles, culture and problems of the people of the North-Eastern region amongst the people of the rest of India. I am making special mention about this because social and national cohesion is not a one-way process. It can come about only by a meaningful intermingling of the people themselves. There should be organised exchange between the North-Eastern region and the rest of India—exchange of students, of farmers, of civil servants, of legislators and representatives of non-Government institutions.

It would also be worthwhile to conduct a detailed study of the functioning of the special local self-government institutions which have been brought into existence under Part X and the Fifth and Sixth Schedules of the Constitution, particularly to understand how effective they

have been in safeguarding the interests of the local people. Modalities of making them more effective and vibrant institutions could also be looked into.

Development of agriculture, industries and infrastructure, creation of employment opportunities and holding out hope for the youth in a credible manner are indispensable to bring about greater social cohesion, to make the people have a sense of participation in national development. The North-East is a significant part of the federal polity that India is. So, the local identity of the region should be brought to be federation-friendly through the modality of development, through meaningful devolution of powers.

Apart from development, the process of development itself is important. The people of the region should be given a sense of feeling of participation in the development process itself. This would materialise only if the people of the region share in the fruits of development. Care should be taken to ensure that the people of the region do not feel that their natural resource endowments are only being exploited without themselves being sharers in the benefits of development.

The North-Eastern Council statutorily established by the Government of India has had over a quarter of a century of experience in trying to bring about development in the region. The former Prime Minister, Indira Gandhi, described the North-Eastern Council (NEC) as "a promising innovation in regional planning". According to the Eighth Five Year Plan document, since the year 1973-74 upto the year 1992-93, an outlay of over Rs. 2,600 crore was also provided for the North-Eastern Council. However, the performance of the Council all these years has been a subject matter of criticism from several quarters, including the member States, even though the Council-sponsored or Council-financed activities have made some important contributions in sectors like power, communications, surface transport infrastructure and human resource development, apart from agricultural marketing and preservation of traditional arts, crafts and culture. Upgradation of the performance of the NEC to be consistent with the expectations of Prime Minister Indira Gandhi should be investigated.

Probity and standards in public life is an issue exercising the minds of the legislators all over the world. In our country also, public expectations regarding rectitude of the holders of public office have become quite high, particularly in the context of access to political power having become very much more difficult than ever before because of competitive party politics. As all the participants in this Conference may be

aware, adjudication of the conduct of prominent political leaders has been taken recourse to through public litigation, including at the level of the Apex Court of the country. There have been repeated discussions on the subject in meetings of the Presiding Officers of Legislative Bodies as well. People at large and legislators themselves are not any longer sympathetic to refuge being taken by holders of public office under cover of Constitutional provisions relating to privileges and immunities. A group of the Privileges Committee of the Eleventh Lok Sabha has already prepared a report on Ethics amongst legislators. This has also been tabled in the Parliament. I am sure that this Conference will go deeply into the limits of immunities and privileges and into the issue of rationalising the regime of our laws so as to ensure probity and standards in public life.

In this context, I am reminded of an important initiative that Shri Ganesh Kutum, Honourable Speaker of the Assam Legislative Assembly, had taken for the training of legislators - that is, the initiative for establishing a North-Eastern Institute for Parliamentary Studies and Training, resources being partly raised from the allocations for M.P.s' Local Area Development Scheme. My predecessor, Shri P.A. Sangma had taken up the matter with the Ministry of Programme Implementation. In the mean time, because of the dissolution of the Lok Sabha, the matter could not be pursued. I shall follow up this important proposal as I believe that professional training of legislators is one of the surest ways of upgrading the standards of legislators and parliamentary and legislative business.

From the point of view of overall development of the region as well as maintaining standards in public life, a vital and relevant measure, in my opinion, would be the involvement of women in positions of political power. I say so because women in our society generally have been very sound managers of households. Their patience, their tolerance and their capabilities in discharging household responsibilities are qualities and attributes which need induction into the political world to make it conducive to development and to probity. For sometimes now, political participation of women in partnership with men has also come to be discussed all over the world, including in India. In the Eleventh Lok Sabha, a Bill was also introduced for reservation of seats in the Parliament for women. My reference is to the introduction of the 81st Constitutional Amendment. While there seemed to be an overall appreciation of the idea, differences on modalities of reservation were rather sharp. The North-Eastern States, with significantly lesser number of parliamentary constituencies, throw up their own special and peculiar

problems in the matter of reservation for women. These problems need to be addressed in this Conference so that appropriate policy inputs could be given to the Government of India if and when it pursues the issue of Constitutional Amendment.

With these words and with immense pleasure, I inaugurate this Conference. I wish the Conference all success. Thank you too for your kind attention.

THE TEN MOTIONS OF CONFIDENCE

G.C. MALHOTRA

On 28 March 1998, the Lok Sabha put its seal of confidence in the Council of Ministers headed by the Prime Minister, Shri Atal Bihari Vajpayee when he won the Confidence Motion moved by him a day earlier in the Lok Sabha as per the requirement of a Presidential directive.

Moving the motion in the Lok Sabha on 27 March 1998, Shri Vajpayee said that the country had suffered immensely because of instability during the previous 18 months and thus there was a need to install a stable, capable and honest government. In the absence of a clear mandate for any party, the mandate to rule was clear for the Bharatiya Janata Party (BJP) and its allies as the BJP had emerged as the single largest party in the House and their alliance as the largest one. The Prime Minister, *inter alia*, called for facing the challenges of the ensuing century collectively.

The Tenth Confidence Motion: Record of Sorts

The Confidence Motion moved on 27 March 1998 by Shri Atal Bihari Vajpayee was the tenth such motion admitted for discussion in the history of the Lok Sabha. It established many a record when compared with the earlier nine Confidence Motions. Shri Vajpayee's motion was debated for the longest duration of 17 hours and 56 minutes spread over two sittings of the House. A record number of 41 members participated in the debate. It was the most keenly contested Motion which was adopted by the narrowest margin of votes with 275 members voting in favour and 260 against it.

Hung Verdicts

The General Elections to the Twelfth Lok Sabha which was constituted on 10 March 1998, had given a hung verdict. Earlier, the Ninth, Tenth and Eleventh Lok Sabhas were also hung Houses. In the absence of any single political party being able to win a clear majority on its own, the system of coalition governments or minority governments with majority support which started in 1989 in the Ninth Lok Sabha continued in the succeeding Lok Sabhas as well.

Majority Support on the Floor of the House

Since December 1989, all the Prime Ministers starting from Shri V.P. Singh onwards, while being invited by the then Presidents to form the government, were asked to show their majority on the floor of the House within a given period ranging from a maximum of one month to the minimum of just one day. This requirement of demonstration of majority support on the floor of the House in fact goes a decade back to 1979 when Shri Charan Singh was invited, after the fall of Shri Morarji Desai's government, by the then President Dr. Neelam Sanjiva Reddy to form the Government. Shri Charan Singh was the leader of the 76 - member Janata (Secular) Party and was supported by other parties from outside. He was, for the first time in the history of the Lok Sabha, asked by the President to prove his majority in the House "at the earliest opportunity."

Collective Responsibility

Collective Ministerial responsibility in a parliamentary system demands that the Council of Ministers is always accountable to the Parliament. For governance and also for providing legitimacy to its authority, the Executive must, at all times, enjoy the confidence of the House. Article 75 (3) of the Constitution of India provides for collective Ministerial responsibility to the Lok Sabha. The Council of Ministers has to demonstrate its majority support, whenever required, either by winning a Confidence Motion or by defeating a No-confidence Motion moved against it. The loss of confidence of the Lok Sabha, shown either by a defeat of a vote of confidence or direct vote of want of confidence in the Council of Ministers, requires the Government to resign and facilitate installation of an alternative Government.

Rules of Procedure

While Rule 198 of the Rules of Procedure and Conduct of Business in Lok Sabha lays down the procedure for moving a Motion of No-confidence in the Council of Ministers, there is no specific provision in the Rules relating to a Motion of Confidence. When the Rules were framed in 1952, the necessity for a Motion seeking confidence of the Lok Sabha in the Council of Ministers at the direction of the President was, perhaps, not visualised. The need of raising debate through such a motion with the objective of demonstrating majority support in the Lok Sabha emerged in the late seventies with the advent of minority governments caused by split in parties and later due to the formation of coalition governments in the situation of a hung House.

In the absence of any specific rule, the Motions of Confidence have been entertained under the category of motions stipulated in Rule 184 which are meant for raising discussions on matters of public interest. Decisions on such motions are taken under Rule 191 by putting every question necessary to determine the decision of the House on the original question.

Unlike the No-confidence Motion under Rule 198, there is no requirement for seeking the leave of the House for moving a Confidence Motion. The one-line notice of a Confidence Motion that "this House expresses its confidence in the Council of Ministers" is given on a Presidential directive. When admitted by the Speaker, the date and time for its discussion are fixed by the Business Advisory Committee.

Though a Confidence Motion is worded in a language that is directly opposite to the wording of a No-confidence Motion, in effect, the objective of both is identical. In the event of receiving notices for both Confidence and No-confidence Motions, it is the former that gets precedence over the latter.

Outcome of Motions

During the last 46 years, commencing from the First Lok Sabha that was constituted on 17 April 1952 till the conclusion of the First Session of the Twelfth Lok Sabha on 31 March 1998, ten Motions of Confidence were admitted for discussion. The notices for these ten Motions were given by seven Prime Ministers. A synoptic view of these Motions is given in the Table I. Six of these ten Motions were adopted - three by voice vote and three by division. The other four Motions of Confidence, representing 40 per cent of the total, resulted in the fall of the Governments of Shri Charan Singh, Shri V.P. Singh, Shri Atal Bihari Vajpayee (first phase) and Shri H.D. Deve Gowda. In contrast, of the total of 25 No-confidence Motions debated during the entire lifespan of the Lok Sabha, 24 were negatived while one, accounting for only 4 per cent of the total, led to the resignation of Prime Minister Shri Morarji Desai. The total time taken by the Lok Sabha in debating the nine Confidence Motions came to 92 hours and 23 minutes. One motion that had been listed could not be moved as the Prime Minister had resigned. In all, 224 members participated in the discussion on these Motions.*

* For details, see G.C. Malhotra: *Motions of Confidence and No-confidence*, (Metropolitan, New Delhi) 1998.

TABLE I

THE TEN CONFIDENCE MOTIONS AT A GLANCE

S. No.	Mover PM;	Dates of swearing in/(withdrawal of support);/period for proving majority	Dates of (admission)/ discussion/	No. of members participated/ Time taken	Result
1.	Charan Singh	28.07.79; Earliest possible opportunity	(13.08.79)		Motion listed for 20.08.79 not moved
2.	V.P. Singh	02.12.89; 30 days	(18.12.89); 21.12.89;	17 members 05 hrs. 20 mts.	Adopted by voice vote
3.	V.P. Singh	23.10.90; by 07.11.90	(29.10.90); 07.11.90	23 members 11 hrs. 12 mts.	Negatived; Ayes - 152 Noes - 356
4.	Chandra Shekhar	10.11.90; by 20.11.90	(13.11.90); 16.11.90	16 members 06 hrs. 21 mts.	Adopted; Ayes - 280 Noes - 214
5.	Narasimha Rao	21.06.91; Four weeks	(08.07.91); 12.07.91, 15.07.91	18 members 07 hrs. 35 mts.	Adopted; Ayes - 240 Noes - 109
6.	A.B. Vajpayee- I Phase	16.05.96; by 31.05.96	(20.05.96); 27.05.96, 28.05.96	29 members 10 hrs. 43 mts.	Motion not put to vote
7.	Deve Gowda	01.06.96; by 12.06.96	(05.06.96); 11.06.96, 12.06.96	30 members 12 hrs. 28 mts.	Adopted by voice vote
8.	Deve Gowda	(30.03.97); by 11.04.97	(03.04.97); 11.04.97	26 members 11 hrs. 45 mts.	Negatived; Ayes - 190 Noes - 338
9.	I.K. Gujral	21.04.97; by 22.04.97	(21.04.97); 22.04.97	24 members 09 hrs. 03 mts.	Adopted by voice voted
10.	A.B. Vajpayee- II Phase	19.03.98 by 29.03.98	(24.03.98); 27.03.98, 28.03.98	41 members 17 hrs. 56 mts.	Adopted; Ayes - 275 Noes - 260

Motions in different Lok Sabhas

As the Congress Party enjoyed an absolute majority in the First to the Fifth Lok Sabhas (1952 - 1977), no need ever arose for any Prime Minister to table a notice of a Motion of Confidence. The necessity for giving the notice of a Motion of Confidence for the first time emerged in the Sixth Lok Sabha (1977 - 1980) when Shri Charan Singh, Leader of a split-away group of Janata Party was invited by the President to form the Government after the fall of the Janata Government headed by Shri Morarji Desai and was asked to prove his majority on the floor of the Lok Sabha. In the Seventh (1980 - 1984) and the Eighth Lok Sabhas (1984 - 89), no need was felt for the moving of any Confidence Motion as the Congress Party had again won the elections by a comfortable majority. Thereafter, the elections to all the later four Lok Sabhas, viz., Ninth (1989 - 91); Tenth (1991 - 96); Eleventh (1996 - 97) and Twelfth constituted in 1998, resulted in hung Houses and, therefore, each time while extending invitation for the formation of successive governments, the respective Presidents had asked the Prime Ministers-designate to prove their majority support in the Lok Sabha. The Ninth Lok Sabha witnessed debate on three Confidence Motions, while the Tenth and the Twelfth (till date) accounted for one each and the Eleventh for a record number of four Motions.

Motions by various Prime Ministers

Charan Singh: The first ever notice for a Motion of Confidence was given by Prime Minister Shri Charan Singh in 1979. Till then, the necessity of proving majority support in the Lok Sabha by way of a Confidence Motion had never arisen, although the majority support had been established earlier by successive Prime Ministers by defeating till then as many as 18 No-confidence Motions.

Following the fall of the Janata Government on 15 July 1979, a nine-member coalition Ministry headed by Shri Charan Singh of Janata (Secular) Party, which had only 76 members in the House but was supported by other political parties was sworn in. The President of India, Dr. N. Sanjiva Reddy, while inviting Shri Charan Singh to form the government, asked him to prove his majority support in the House "at the earliest opportunity." The Prime Minister accordingly gave a notice of a Confidence Motion which was admitted by the Speaker on 13 August 1979 for being moved on 20 August 1979. The motion slated for discussion could not be moved on 20 August since Shri Charan Singh tendered his resignation that day following the withdrawal of support to his Council of Ministers by the Congress (I) Party.

V.P. Singh: The next occasion for a Confidence Motion came after a decade in 1989 when no single party got a clear mandate in the General Elections to the Ninth Lok Sabha. The Congress (I) Party, the single largest party with 194 members, declined to stake its claim to form the government. On 1 December 1989, President Shri R. Venkataraman invited Shri V.P. Singh, the Leader of the National Front, which had only 144 members but was supported by the BJP (86 members) and the Left Front (55 members) from outside, to form the government. For the first time in its parliamentary history, India had a "minority government with a majority support". As Shri V.P. Singh did not have a clear majority on his own, he was asked by the President to prove majority within 30 days. The notice of the Motion of Confidence given by Shri V.P. Singh was admitted on 18 December 1989 and discussed on 21st December 1989. This was the first Confidence Motion which was actually discussed by the House for 5 hours and 20 minutes in which 17 members participated. The motion was adopted by a voice vote.

The V.P. Singh Government was reduced to a minority following the withdrawal of support by the BJP on 23 October 1990. The President Shri R. Venkataraman thereupon advised the Prime Minister to prove his majority by 7 November 1990. Shri V.P. Singh accordingly gave the notice of a Confidence Motion which was admitted on 29 October for discussion on 7 November 1990. Meanwhile, many notices of No-confidence Motions expressing want of confidence in the Council of Shri V.P. Singh were received. The Speaker Shri Rabi Ray, however, gave priority to the moving of the Confidence Motion by Shri V.P. Singh. The motion was debated on 7 November 1990 for 11 hours and 12 minutes in which 23 members participated. At the end of the debate, the motion was negatived by 152 to 356 votes leading to the fall of Shri V.P. Singh's Government.

Yet another occasion for debating a Confidence Motion arose in the Ninth Lok Sabha itself when after the fall of Shri V.P. Singh's Government, Shri Chandra Shekhar, Leader of the Janata Dal (Socialist) was sworn in as the next Prime Minister on 10 November 1990 and was asked by the President to prove his majority in the Lok Sabha "on or before 20 November 1990." Shri Chandra Shekhar had been invited to form the government after the Congress (I) Party had extended unconditional support to his party. The notice of a Confidence Motion given by Shri Chandra Shekhar was admitted on 13 November 1990 and discussed on 16 November 1990 for 6 hours and 21 minutes in which 16 members participated. The motion was adopted by 280 to 214 votes.

Narasimha Rao: The General Elections to the Tenth Lok Sabha also

resulted in a hung House. The Congress (I) Party was the single largest party, although short of an absolute majority. Its leader, Shri P.V. Narasimha Rao was invited by the President Shri R. Venkataraman to form the Government and prove his majority on the floor of the House within four weeks. He was sworn in as Prime Minister on 21 June 1991 and as directed by the President moved the Confidence Motion on 12 July 1991. The Motion was discussed for two days taking 7 hours and 35 minutes of the House in which 18 members participated. The motion was adopted on 15 July 1991 by 240 to 109 votes. Besides winning this Confidence Motion, Shri Rao later faced during his premiership three No-confidence Motions moved against his Council of Ministers, all of which were negated.

The people of India once again delivered a fractured verdict in the General Elections to the Eleventh Lok Sabha. In its brief tenure of about 18 months, as many as four Motions of Confidence were discussed. These Motions were moved on Presidential directives by three successive Prime Ministers, Shri Atal Bihari Vajpayee, Shri H.D. Deve Gowda (twice) and Shri Inder Kumar Gujral.

Vajpayee - First Phase: The Leader of the BJP, the single largest party in the Eleventh Lok Sabha, Shri Atal Bihari Vajpayee was invited by the President Dr. Shanker Dayal Sharma to form the government and prove his majority by 31 May 1996. Shri Vajpayee was sworn in on 16 May 1996. The Motion of Confidence moved by the Prime Minister on 27 May was discussed for 10 hours and 43 minutes on 27 and 28 May 1996 in which as many as 29 members participated. The motion, however, was not put to vote as the Prime Minister announced his resignation on the floor of the House.

Deve Gowda: Thereafter, Shri H.D. Deve Gowda, the Leader of the 13-party United Front which was supported by the Congress from outside, was sworn in on 1 June 1996 as the next Prime Minister. The President, Dr. Shanker Dayal Sharma asked him to prove his majority on the floor of the House by 12 June 1996. Shri Deve Gowda moved the Motion of Confidence in the Lok Sabha on 11 June which was adopted on 12 June 1996 by a voice vote. The Motion was discussed for 12 hours and 28 minutes involving participation by 30 members.

In another significant development, the ten-month-old United Front Government led by Shri Deve Gowda was reduced to a minority following the withdrawal of support by the Congress (I) on 30 March 1997. The President, Dr. Sharma asked the Prime Minister Shri Deve Gowda to prove his majority in the Lok Sabha by 11 April 1997. A Motion of

Confidence was accordingly moved and discussed on 11 April 1997 to seek the trust of the House. This time the Motion was negated by 190 members voting in favour and 338 against it, thus leading to the exit of Shri Deve Gowda's Government. In the debate that lasted 11 hours and 45 minutes, 26 members participated.

Gujral: The new leader of the United Front, Shri Inder Kumar Gujral, supported by the Congress (I) Party, was appointed by the President Dr. Shanker Dayal Sharma as the next Prime Minister on 21 April 1997 and asked to prove his majority by the next day, *i.e.* 22 April 1997. The Motion of Confidence moved by the new Prime Minister on 22 April was adopted by a voice vote after a discussion lasting 9 hours and 3 minutes in which 24 members participated. The Gujral Government also could not last long as the Congress withdrew support leading to the resignation of the Prime Minister on 28 November 1997 and the subsequent dissolution of the Eleventh Lok Sabha on 4 December 1997.

Vajpayee-Second Phase: The General Elections to the Twelfth Lok Sabha resulted in yet another fractured verdict. After having discussions with the leaders of all major political parties in Parliament, the President Shri K.R. Narayanan invited the leader of the BJP, the single largest party in the Lok Sabha, Shri Atal Bihari Vajpayee to form the Government. Shri Vajpayee was sworn in on 19 March 1998 and was asked to prove majority before 29 March 1998.

Shri Vajpayee gave the notice of the Motion of Confidence which was admitted on 24 March. It was moved in the Lok Sabha on 27 March and the discussion continued the next day on 28 March lasting 17 hours 56 minutes in which a record number of 41 members participated. The motion was adopted on 28 March 1998 by 275 votes to 260.

Conclusion

In the present political scenario, the phenomena of hung Parliaments seem to be the order of the day. As a result, the Governments in power are likely to be called upon more frequently than ever before to demonstrate majority support in the House whenever challenged by the Opposition or as required under Presidential directives.

THE TWELFTH LOK SABHA: A HISTORIC BEGINNING

The successful conduct of the General Elections held during February-March 1998 once again reaffirmed India's abiding faith in the representative form of government.

Dissolution of the Eleventh Lok Sabha: On 4 December 1997, the President, Shri K.R. Narayanan dissolved the Eleventh Lok Sabha.

Election Schedule: In pursuance of the notifications issued by the President of India, Shri K.R. Narayanan on 20, 21, 28 January 1998 and 10 February 1998 under sub-section (2) of section 14 of the Representation of the People Act, 1951, General Elections were held on 16, 22, and 28 February 1998 and 7 March 1998 for the purpose of constituting a new House of the People (the Twelfth Lok Sabha). Polling passed off peacefully barring stray incidents of violence.

Election results: As the election results started coming in, it became clear that no single party was going to get an absolute majority in the House. The Bharatiya Janata Party (BJP) emerged as the single largest party, followed by the Congress(I). (For party position in the Lok Sabha, see Table).

Constitution of the Twelfth Lok Sabha: On 10 March 1998, the Twelfth Lok Sabha was constituted with the Election Commission issuing a notification under Section 73 of the Representation of the People Act, 1951.

New Prime Minister: On 15 March 1998, the President Shri K.R. Narayanan invited the Leader of the single largest party in the Lok Sabha, Shri Atal Bihari Vajpayee of the BJP to form the Government. The President asked Shri Vajpayee to prove his majority in the Lok Sabha within ten days of his being sworn in. A 42-member Council of Ministers headed by Shri Atal Bihari Vajpayee was sworn in on 19 March 1998. The Council of Ministers and their portfolios are as under: Shri Atal Bihari Vajpayee: (*Prime Minister*); *External Affairs*; and the other Ministries/Departments not allocated to any other Cabinet Minister.

Cabinet Ministers: Shri Lal Krishna Advani: Home; Shri Ananth Kumar: Civil Aviation; Shri Sikander Bakht: Industry; Shri Surjit Singh Barnala:

Chemicals and Fertilizers; additional charge of Food; Shri George Fernandes: *Defence*; Shri Ram Jethmalani: *Urban Development*; Shri Madan Lal Khurana: *Parliamentary Affairs; additional charge of Tourism*; Shri Rangarajan Kumaramangalam: *Power*; Shri M. Thambi Durai: *Law Justice and Company Affairs*; Shri Nitish Kumar: *Railways*; Shri Naveen Patnaik: *Steel and Mines*; Shri Suresh Prabhu: *Environment and Forests*; Shri Kashi Ram Rana: *Textiles*; Shri R. Muthiah: *Surface Transport*; Shri Yashwant Sinha: *Finance*; Shri Buta Singh: *Communications*; Shri Ramakrishna Hegde: *Commerce*; Dr. Satyanarayan Jatiya: *Labour*; Dr. Murli Manohar Joshi: *Human Resource Development; additional charge of Science and Technology*; and Smt. Sushma Swaraj: *Information and Broadcasting*.

Ministers of State (Independent Charge): Shri Dalit Ezhilmalai: *Health and Family Welfare*; Shri Babagouda Patil: *Rural Development*; Shri Dilip Ray: *Coal*; and Smt. Maneka Gandhi: *Welfare*.

Ministers of State: Shri Omak Apang: *Tourism*; Shri Sukhbir Singh Badal: *Industry*; Shri Bandaru Dattatreya: *Urban Development*; Shri Ramesh Bains: *Steel and Mines*; Shri Santosh Kumar Gangwar: *Petroleum and Natural Gas*; Shri Mukhtar Abbas Naqvi: *Information and Broadcasting*; Shri Ram Naik: *Railways and Parliamentary Affairs*; Shri Debendra Pradhan: *Surface Transport*; Shri Kabindra Purkayastha: *Communications*; Shri Satyapal Singh Yadav: *Civil Supplies*; Shri R. Janarthanan: *Personnel, Public Grievances and Pensions*; Shri Babulal Marandi: *Environment and Forests*; Shri R.K. Kumar: *Finance; additional charge of Parliamentary Affairs*; Shri Som Pal: *Agriculture*; Dr. A.K. Patel: *Chemicals and Fertilisers*; Sushri Uma Bharti: *Human Resource Development*; and Smt. Vasundhara Raje: *External Affairs*.

Leader of the Opposition: The Leader of the Congress (I) in the Lok Sabha, Shri Sharad Pawar was recognised as the Leader of the Opposition in the Lok Sabha with effect from 19 March 1998.

Speaker Pro tem: On 20 March 1998, the President of India, Shri K.R. Narayanan appointed Shri Indrajit Gupta as Speaker *pro tem* in exercise of powers conferred upon him by clause(1) of article 95 of the Constitution of India. Shri Indrajit Gupta presided over sittings of the Lok Sabha on 23 and 24 March 1998 till the new Speaker was elected.

Vacation of Office by Former Speaker: Shri Purno Agitok Sangma vacated the office of Speaker of the Eleventh Lok Sabha on 23 March 1998 under the second proviso to article 94 of the Constitution of India.

First Session of the Twelfth Lok Sabha: The First Session of the Twelfth Lok Sabha commenced on 23 March 1998 with the Speaker *pro tem*, Shri Indrajit Gupta administering the oath or affirmation to the

newly-elected members. Shri Indrajit Gupta also announced that he had nominated Shri P.M. Sayeed, Shri K. Pradhani and Dr. Laxminarayan Pandey on the panel of Chairman before whom members could take oath.

Election of Speaker: On 24 March 1998, the Leader of the Opposition in the Lok Sabha, Shri Sharad Pawar moved that Shri P.A. Sangma be chosen as the Speaker of the Lok Sabha. Shri P. Shiv Shanker seconded the motion. The motion moved by Shri Sharad Pawar was put to vote of the House and was negatived.

Subsequently, the Prime Minister, Shri Atal Bihari Vajpayee moved that Shri Ganti Mohana Chandra Balayogi be chosen as the Speaker of the Lok Sabha. The Minister of Home Affairs, Shri L.K. Advani seconded the motion. The motion moved by Shri Atal Bihari Vajpayee was put to vote of the House and was adopted and Shri G.M.C. Balayogi was chosen as the Speaker.*

Nomination of Members: On 24 March 1998, Dr. (Mrs.) Beatrix D'Souza and Lt. Gen. (Retd.) N. Foley, were nominated to the Twelfth Lok Sabha by the President under article 331 of the Constitution to represent the Anglo-Indian Community.

Address by the President: On 25 March 1998, the President, Shri K.R. Narayanan addressed members of both the Houses of Parliament assembled together in the Central Hall of the Parliament House.

Confidence Motion: On 27 March 1998, the Prime Minister, Shri Atal Bihari Vajpayee moved the Motion of Confidence in the Council of Ministers. The Motion was adopted on 28 March 1998.

Panel of Chairmen: On 28 March 1998, the Speaker, Shri G.M.C. Balayogi announced that under Rule 9 of the Rules of Procedure and Conduct of Business in Lok Sabha, he had nominated Shri P.M. Sayeed, Shri K. Pradhani, Shri K. Yerranaidu, Shri V. Sathiamoorthy, Shri Basudeb Achariya, Dr. Laxminarayan Pandey and Prof. Rita Verma as members of the Panel of Chairmen.

Lok Sabha adjourned sine die: The First Session of the Twelfth Lok Sabha was adjourned *sine die* on 31 March 1998.

* For details of the election of the Speaker, see Short Note "Election of the Speaker of the Twelfth Lok Sabha", pp. 112 -119

TABLE
PARTY POSITION IN THE TWELFTH LOK SABHA
(as on 10 March 1998)

NAME OF THE PARTY	NO. OF SEATS
Bharatiya Janata Party	179
Indian National Congress	141
Communist Party of India (M)	32
Samajwadi Party	20
All India Anna Dravida Munnetra Kazhagam	18
Rashtriya Janata Dal	17
Samata Party	12
Telugu Desam Party	12
Biju Janata Dal	9
Communist Party of India	9
Shiromani Akali Dal	8
West Bengal Trinamool Congress	7
Janata Dal	6
Dravida Munnetra Kazhagam	6
Shiv Sena	6
Bahujan Samaj Party	5
Revolutionary Socialist Party	5
Republican Party of India	4
Pattali Makkal Katchi	4
Haryana Lok Dal (Rashtriya)	4
Marumalarchi Dravida Munnetra Kazhagam	3
Lok Shakti Party	3
Tamil Manila Congress (M)	3
All India Forward Bloc	2
Muslim League	2
Arunachal Congress	2
National Conference	2
Janata Party	1
Haryana Vikas Party	1
All India Rashtriya Janata Party	1
Kerala Congress (M)	1
Samajwadi Janata Party (Rashtriya)	1
Sikkim Democratic Front	1
Peasants and Workers Party	1
All India Indira Congress (Secular)	1
Autonomous State Demand Committee	1

All India Majlis-e-Ittehadul Muslimeen	1
United Minorities Front	1
Manipur State Congress Party	1
Independents	6
*Vacancies	4

Total 543

* Vacancies

- 1) Bihar (Patna) 1
- 2) Himachal Pradesh (Mandi) 1
- 3) Jammu and Kashmir (Ladakh/Udhampur) 2

THE ELECTION OF THE SPEAKER OF THE TWELFTH LOK SABHA

Under the provisions of art. 93 of the Constitution, the Lok Sabha chooses one of its members to be the Speaker thereof, in accordance with the procedure prescribed in Rule 7 of the Rules of Procedure and Conduct of Business in the Lok Sabha. The Speaker is elected by a simple majority of members present and voting in the House.

The Twelfth Lok Sabha was constituted on 10 March 1998. The newly constituted House met for the first time on 23 March 1998. The date for holding the election to the office of the Speaker was fixed as 24 March 1998. The members were accordingly informed of the procedure and programme thereof through the Lok Sabha *Bulletin Part-II* on 21 March 1998. Members were required to give notices of motions for the election in the prescribed form before noon on 23 March 1998.

Seventeen notices of motions were received by the prescribed time, fifteen of them proposing the name of Shri Purno Agitok Sangma, the Speaker of the Eleventh Lok Sabha. Of the remaining two, one motion proposed the name of Shri Kinjarapu Yerrannaidu and the other motion proposed the name of Shri Ganti Mohana Chandra Balayogi. All the motions were found to be in order and were included in the *List of Business* for 24 March 1998 in the order in which they were received in point of time. Ballot was held to determine *inter se* priority in respect of notices which were received at same point of time.

On 24 March 1998, when the item was taken up, the Speaker *pro tem*, Shri Indrajit Gupta, who was in the Chair, called upon the Leader of the Opposition, Shri Sharad Pawar to move the motion standing in his name. The motion was accordingly moved by Shri Pawar and seconded by Shri P. Shiv Shankar. The motion moved by Shri Sharad Pawar, "That Shri Purno Agitok Sangma, a member of this House be chosen as the Speaker of this House" was put to vote of the House and was negatived. Since Motion No. 1 proposing the name of Shri Purno Agitok Sangma was negatived, all other identical Motions Sl. No. 2 to 14, 16 and 18 were not put to vote of the House with the consensus of the House.

The Prime Minister, Shri Atal Bihari Vajpayee then moved the motion "That Shri Ganti Mohana Chandra Balayogi, a member of this House be chosen as the Speaker of this House". The Minister of Home Affairs, Shri L.K. Advani seconded the motion. The motion moved by Shri Vajpayee was put to vote of the House and was adopted and Shri G.M.C. Balayogi was chosen as the Speaker. The Speaker, *pro tem*, Shri Indrajit Gupta then invited Shri Balayogi to occupy the Chair. Subsequently, the Leader of the House and the Prime Minister, Shri Atal Bihari Vajpayee and the Leader of the Opposition in the Lok Sabha, Shri Sharad Pawar, conducted Shri Balayogi to the Chair.

Shri Balayogi was warmly felicitated on his election to the office of the Speaker by the Prime Minister, the Leader of the Opposition and the Leaders of Parties and Groups. At the end, the Speaker replied to felicitations.

Congratulating Shri Balayogi on his election to the office of Speaker, Lok Sabha, the Prime Minister, Shri Atal Bihari Vajpayee said that Shri Balayogi was not new to the Lok Sabha. His capability and contribution as a member of the Tenth Lok Sabha are well known. He has taken a special interest in rural development and agriculture. Before being elected to the Lok Sabha, he had been serving his constituency, State and the society through the Zila Parishad. It is a matter of great pride that in the fiftieth anniversary year of our Independence, an honourable member belonging to the Scheduled Castes has occupied the post of Speaker. As such, Shri Balayogi's election to the august office is symbolic of the changing era. Shri Vajpayee said that this House could help reducing the prevailing difficulties if it is conducted according to rules and the members maintained dignity in their conduct and speech. The Prime Minister assured the newly-elected Speaker of the fullest cooperation in protecting the rights of all members of the House.

Felicitating Shri Balayogi, the Leader of the Opposition in the Lok Sabha, Shri Sharad Pawar said that the office of the Speaker is most important in Indian democracy. Ours being the largest democracy, the Speaker, Lok Sabha, has a distinguished place among the large number of parliamentary institutions in different countries of the world as also among the international parliamentary institutions. The fractured mandate of the people of the country and the subsequent constitution of this House have added to our responsibilities. He felt sure that Shri Balayogi's experience of the last many years in public life would guide him in conducting the business of the House properly. Shri Pawar assured full cooperation to the new Speaker in conducting the business of the House.

Shri Somnath Chatterjee expressed the firm belief that Shri Balayogi would be able to discharge his very onerous duties with distinction. Shri Chatterjee wished him a brilliant tenure as the Speaker.

Extending his felicitations, the Speaker of the Eleventh Lok Sabha, Shri P.A. Sangma said that Shri Balayogi would be immensely guided by his youthful instinct and mindful and hearty wisdom. Shri Sangma hoped that Shri Balayogi's reflexes and decisions would be impacted by the wisdom flowing from his grassroot experience.

Congratulating the newly-elected Speaker, Kumari Mamata Banerjee assured him all cooperation and stressed that they would follow whatever guidance Shri Balayogi would be giving.

Conveying his greetings, Shri Ram Vilas Paswan hoped that Shri Balayogi would maintain the dignity of the House and that the office of Speaker would remain safe due to his simplicity, friendliness and soft spokenness.

Describing Shri Balayogi's election as a proof of the fact that a *dalit* would be capable of handling any task assigned to him, the Minister of Surface Transport, Shri R. Muthiah said that Shri Balayogi is fully thorough with parliamentary practice and rules.

Welcoming and congratulating Shri Balayogi on being elected to the highest post of the House, Shri Mulayam Singh Yadav expressed the belief that Shri Balayogi would uphold the traditions of the House and would protect members' rights and would give opportunity to the back benchers to raise their problems.

Shri Lalu Prasad congratulated Shri Balayogi on his election and assured him of full cooperation.

Shri K. Yerrannaidu conveyed his deepest felicitations and congratulations to Shri Balayogi and offered him unstinted cooperation in the proper conduct of the House. He also appealed to all members and political parties to cooperate with the Speaker in conducting the proceedings of the House in a dignified manner as envisaged in the Constitution.

The Minister of Steel and Mines, Shri Naveen Patnaik said that the House had found the most competent person in Shri Balayogi to preside over it and assured him full cooperation in the days to come.

Congratulating Shri Balayogi on his election, Shri Digvijay Singh said that the new Speaker had rich experience in diverse fields. Extending the fullest cooperation to Shri Balayogi in conducting the House, Shri Indrajit Gupta expressed his happiness on the election of a member of

the *dalit* community to the august office after fifty years of Independence. He requested the newly-elected Speaker to pay special attention to the question of the credibility of Parliament as the Speaker would have to play a very vital role in restoring the credibility of the House.

The Minister of Chemicals and Fertilizers with additional charge of the Ministry of Food, Shri Surjit Singh Barnala said that the fact that Shri Balayogi belonged to one of the regional parties was a matter of happiness and extended unstinted cooperation to him in maintaining due decorum in the House.

Shri Murasoli Maran expressed happiness over the fact that Shri Balayogi belongs to a regional party and also that he comes from the oppressed section of society.

Shri Shivraj V. Patil said that the situation in the House is such that unless every member cooperates with the Chair, the task of the Chair will become quite difficult. He expressed confidence that all sections of the House will cooperate with Shri Balayogi.

Shri Madhukar Sarpotar said he is happy that a representative of the backward community has to occupy the office of the Speaker in the 50th year of our Independence.

Shri Sanat Kumar Mandal assured Shri Balayogi of full cooperation regarding the conduct of business of the House. He requested that justice should be done to members of small parties. The Speaker should act impartially and judiciously in the extraordinary political scenario in order to uphold the high democratic values and the essence of the Constitution.

Shri P.C. Thomas assured Shri Balayogi cooperation in the conduct of the House and said that his general behaviour, common sense and awareness would enable him in presiding over the august assembly. He hoped that the new Speaker would understand the feelings of the smaller segments as well as the regional factions who would like to bring forth their feelings before the House.

Kumari Mayawati congratulated Shri Balayogi on his election to the highest post of the House.

Smt. Kailasho Devi expressed confidence that preserving the democratic fabric of India by upholding the dignity of Parliament would receive top priority in Shri Balayogi's hands.

Shri Ramkrushna Suryabhan Gawai extended his sincere congratulations to Shri Balayogi. He said that the Speaker is custodian of the

House; he also has to ensure that discussions relating to the problems of the Scheduled Castes, Scheduled Tribes, OBCs and minorities are facilitated in the House.

Shri G.M. Banatwalla urged the new Speaker that the dignity of the House should be maintained so that we could set an example before the whole world.

Extending his heartiest congratulations and felicitations to the new Speaker, Shri Vaiko said that he was confident that Shri Balayogi would protect the dignity, decorum and rich traditions of the House and also the rights of the members for a full term of five years.

Shri Amar Roy Pradhan said that Shri Balayogi is now the impartial custodian of the House and requested him to give due consideration to the backbenchers and smaller groups.

Shri P. Chidambaram felicitated Shri Balayogi and hoped that the new Speaker Shri Balayogi would safeguard the rights of the members and would also uphold the great traditions of the House.

Prof. Saifuddin Soz, felicitating the new Speaker called up on Shri Balayogi to make an effort to evolve a system of self-discipline.

Shri K. Bapi Raju requested Shri Balayogi to tread the path of his illustrious predecessors and uphold the dignity of the House.

Offering full cooperation to the newly-elected Speaker, Shri Sultan Salahuddin Owaisi hoped that Shri Balayogi would provide enough opportunity to raise the issues relating to minorities.

Shri B.M. Menasinakai urged the Speaker to guide the members properly and help them to maintain the prestige of the House.

Replying to the felicitations, the newly-elected Speaker, Shri G.M.C. Balayogi said:

Respected Members:

I take this opportunity to heartily congratulate all the respected members elected to the Twelfth Lok Sabha. I particularly compliment all of you for furthering the cause of democracy by participating in the elections with the true spirit of democracy. I also compliment all those who have contested in the elections but could not make it to this august House, for their contribution is no mean. It is time for all of us to leave behind the memories of the electoral contest and strive collectively to live up to the expectations of the people who have given us the mandate.

It is with a deep sense of gratitude and humility that I assume the Office of the Speaker of the Twelfth Lok Sabha. I sincerely thank the honourable members for this honour. I am hopeful that the demands of the duty will be made lighter by the active cooperation of all the honourable members.

I need not remind the honourable members of the socio-political transformation that our country is undergoing. Over the years, the composition of the august House is also changing, reflecting the socio-political transformation. This august House has always endeavoured sincerely to fulfill the mandate given to it through the honourable members. I am particularly conscious of the composition of the Twelfth Lok Sabha and the expectations that flow out of it. Our democracy has successfully faced several challenges. This august House has withstood the test of the time and emerged as a pioneering institution upholding the democratic and social values and the philosophy enshrined in the Constitution.

Dear members, the Twelfth Lok Sabha has got the people's mandate to launch our country into the next millennium. This is a unique responsibility bestowed on this august House. As a constituent of the Legislature for the Union and as its distinguished members, we have an important responsibility to shoulder at this crucial time. Since Independence, our country has made impressive gains and still there is much to be done. Legislature is an effective vehicle of change. Honourable members have a stellar role to perform in pioneering the process of change and guiding the destiny of our nation. We have a solemn responsibility of ensuring that the constructive energies of our people and the Government are effectively channelised towards fulfilling the aspirations of our nation.

Honourable members, I am conscious of the responsibility bestowed on me as the Presiding Officer of this august House. I have always believed in the concept of 'collective wisdom'. I shall always be guided by this faith in discharging my duties. The institution of 'Speaker' has acquired great character and strength over the years due to the significant contributions of my worthy predecessors. This institution has moved from strength to strength on the force of the conventions and the highest traditions, while at the same time addressing itself to the new challenges based on the collective wisdom of honourable members. I particularly recall the contribution of my worthy immediate predecessor Shri Sangmaji in this regard. His good will and counsel shall be a source of great strength to me.

In my view, the Presiding Officer is as important as the first and the last member of this House. This august House has the benefit of drawing upon the vast experience of its senior members and moulding and guiding the new. The spirit of co-operation for collective good is the essence of democracy. I shall endeavour to ensure that this spirit prevails all through. I shall do my best to uphold the true democratic traditions and defend the privileges of this august House and its honourable members. The Parliament is the conscience keeper of our nation and reflects the sovereign will of the people of India. As a constituent of the Parliament, the responsibilities of this august House and its honourable members are manifold. It shall be my utmost effort to ensure that these responsibilities are discharged in the best possible manner. The Presiding Officer is always guided by the sense of justice and fair play.

I am grateful to the honourable members for their warm expressions about me and for assuring me their cooperation. I particularly thank the *pro tem* Speaker Shri Indrajit Guptaji for conducting the proceedings of the august House for the last two days.

I earnestly solicit the co-operation of all the honourable members in upholding the dignity of this august House. I particularly seek the cooperation of the Leader of the House and Prime Minister, Shri Atal Bihari Vajpayeeji and the Leader of the Opposition, Shri Sharad Pawarji and all the members in the direction of this august House making a durable contribution to realise the ideals and goals enshrined in the Golden Jubilee Resolution adopted by the Parliament. Any institution is as good as its members choose to make it. We shall collectively endeavour to set new standards and reach higher levels of consciousness. I am confident that we will be able to live up to the expectations. Let us join our hands in heralding a new era and the new millennium.

SHRI G.M.C. BALAYOGI—A LIFE-SKETCH

Son of Shri Ganniyya Ganti, Shri Ganti Mohana Chandra Balayogi was born on 1 October 1951 at Yedurulanka in the East Godavari District of Andhra Pradesh. He was educated at the Andhra University, Visakhapatnam. He is a Post Graduate with a Degree in Law.

Shri Balayogi, who has worked as an Advocate, social worker, agriculturist and trade unionist, started his political career in 1987 as the Chairman of the Zilla Praja Parishad, East Godavari, Andhra Pradesh, a position he held till 1991.

Shri Balayogi's association with the Parliament began in 1991 when



Shri G.M.C. Balayogi Speaker, Lok Sabha

he was elected to the Tenth Lok Sabha from the Amalapuram constituency in Andhra Pradesh.

In 1996, Shri Balayogi was elected to the Andhra Pradesh Legislative Assembly. Later on, he was appointed the Minister for Higher Education in the Government of Andhra Pradesh.

Shri Balayogi was returned to the Lok Sabha in the General Elections in 1998 and was elected the Speaker of the Twelfth Lok Sabha on 24 March 1998.

Shri Balayogi has also held the position of District Munsif of Kakinada. He was the Vice-Chairman, Cooperative Town Bank, Kakinada, Andhra Pradesh in 1986-87. As Chairman of the District Selection Committee, he was instrumental in providing employment to teachers and legal heirs of deceased Government employees.

He has been closely associated with various social and cultural activities and has organised relief and medical camps for the poor and the cyclone affected. He has also worked for the uplift of the poor and the downtrodden. He has concentrated on developmental programmes and rural development. He has been actively involved in solving drinking water problem in villages, improving communication facilities and organising song and drama competitions among pupils in High Schools in Andhra Pradesh. He has also organised several sports meets at the District level in Andhra Pradesh.

Shri Balayogi is married to Smt. Vijaya Kumari Ganti. They have one son and three daughters.

REPORT ON ETHICS, STANDARDS IN PUBLIC LIFE, PRIVILEGES, FACILITIES TO MEMBERS AND OTHER RELATED MATTERS*

In order to maintain the highest traditions in parliamentary life, members of Parliament are expected to observe a certain standard of conduct, both inside the House and outside it. It is well recognised that the conduct of members should not be contrary to the Rules or derogatory to the dignity of the House or in any way inconsistent with the standards which Parliament is entitled to expect of its members.

Obligations of Members

An important facet of ethical practices is that of certain obligations which the members have towards the electorate. Members of Parliament, as representatives of the people, have a responsibility towards their constituents. People have great expectations from their representatives for raising their concerns on the floor of the Parliament and to work for their resolution. Moreover, participative deliberations during the proceedings of Parliament and its Committees, regular attendance during parliamentary and Committee deliberations, strict compliance of quorum and a basic commitment towards the electorate are imperative.

Position in India

In India, neither a definite code of conduct nor aspects of standards for members of Parliament and State Legislatures have been laid down so far. Even so, ample provisions have been made in the Rules of Procedure and Conduct of Business in Lok Sabha for ensuring decorous and dignified conduct of members. Over the years, there have come to be established certain norms in respect of code of conduct for legislators.

Some basic aspects of conduct, as laid down in the rules for members, are: (i) observance of rules of parliamentary etiquette; (ii) rules to be observed while speaking in the House; (iii) stipulation that questions are

* This Note is based on the Committee of Privileges' (Eleventh Lok Sabha) Report on "Ethics, Standards in Public Life, Privileges, Facilities to Members and Other Related Matters".

to be asked through the Chair; (iv) decorous conduct towards the Chair; and (v) procedure to be followed while making allegations.

The House has the right to punish its members for their misconduct. It exercises its jurisdiction of scrutiny over its members for their conduct whether it takes place inside the House or outside it. It has also the power to punish its members for disorderly conduct and other contempts, whether committed within the House or beyond its walls. In the case of misconduct or contempts committed by its members, the House can impose these punishments—admonition, reprimand, withdrawal from the House, suspension from the service of the House, imprisonment and expulsion from the House.

Ad hoc Committees to examine conduct of members

The House is empowered to appoint, from time to time, ad hoc Committees to consider and investigate the conduct of a member of the House and to find out whether such conduct was derogatory to the dignity of the House and inconsistent with the standards expected of members.

Pecuniary interests in matters before the House

A member having a personal pecuniary or direct interest in a matter before the House is required, while taking part in the proceedings on that matter, to declare the nature of that interest. It is expected of the member, as a matter of propriety, to declare for himself whether by casting his vote in a division in the House on that matter, his judgement is likely to be deflected from the straight line of public policy by that interest.

Furthermore, where a member of a Committee has a personal, pecuniary or direct interest in any matter which is to be considered by the Committee, it is required of him to state his interest therein to the Speaker through the Chairman of the Committee.

Initiatives in India towards constitution of Ethics Committees

At the Conference of Presiding Officers of Legislative Bodies in India, held in New Delhi in October 1996, the issue of ethics was gone into in detail. The Resolution adopted at the Conference noted *inter alia*:

Conduct of the legislators inside and outside the Houses has come to be considered as a matter of very serious concern by the people in general. This has very grave implications for the dignity of the Legislatures and the future of democracy. In this context, the constitution of Ethics Committees by Legislatures

for ensuring basic standards of probity of the members should be examined with special reference to the establishment of such institutions by legislative bodies elsewhere in the world.

Ethics Committee in the Rajya Sabha

On 4 March 1997, the Rajya Sabha constituted a nine-member Ethics Committee of the House under the Chairmanship of Shri S.B. Chavan to oversee the moral and ethical conduct of the members and to examine the cases referred to it. In all respects of procedure and other matters, the rules applicable to the Committee of Privileges are to apply to the Ethics Committee with such variations and modifications as the Chairman, Rajya Sabha may, from time to time, make.

Study Group on Ethics in the Lok Sabha

In the Lok Sabha too, steps have been initiated in this direction. The Committee of Privileges (Eleventh Lok Sabha), comprising fifteen members, was constituted by the Speaker, Lok Sabha on 13 September, 1996 with Dr. Mallikarjun as its Chairman. The Committee, during their initial deliberations, decided to take a wider perspective and deliberated upon the ambit and scope of parliamentary-privileges, obligations and responsibilities of members. The Committee took the view that the whole gamut of parliamentary privileges and related matters needed a review for upholding the pride and prestige of Parliament and its members.

On 31 January 1997, the Chairman of the Privileges Committee, Dr. Mallikarjun constituted a Study Group of eight members of the Committee with Shri P. Upendra as its Convenor. The Study Group undertook a comprehensive study of the obligations and responsibilities of members, thereby bringing the study within the realm of Ethics and Code of Conduct. The Study Group undertook in June-July 1997 Study Visits of Australia, the United Kingdom and the United States of America and held in-depth discussions on ethics related matters with various parliamentary functionaries.

Following the Conference of Presiding Officers of Legislative Bodies in India, a Symposium of Presiding Officers on the 'Need for Constitution of Ethics Committees in Legislatures' was held on 23 October, 1997 at Shimla. The members of the Committee of Privileges also attended the Symposium and Dr. Mallikarjun, Chairman, Sarvashri P. Upendra, Sat Mahajan, Satya Pal Jain, P. Kodandaramaiah, all members, put forth their considered views on the topic under deliberation. On the basis of the presentation by the Committee of Privileges and the views expressed by the Presiding Officers and legislators, the Symposium called upon the State Legislative Bodies to establish Ethics Committee.

In all, the Study Group of the Privileges Committee held seven sittings. At its last sitting held on 1 October 1997, the study Group finalised its Report covering, in detail, the various facets of parliamentary privileges and more particularly, ethical matters. The Report of the Study Group was placed before the Committee of Privileges for its consideration at its meeting held on 14 October 1997.

The Committee of Privileges, while considering the Report of the Study Group, made certain amendments, particularly in the Conclusions/Recommendations portion of the Report. The two main amendments to the Study Group's Report made by the Committee of Privileges were:

- (i) instead of constituting a Sub-Committee of the Committee on Ethics and Privileges for exclusively dealing with ethics related matters, all such matters may be dealt with by the Committee on Ethics and Privileges itself.
- (ii) cases of ethics related matters may be exclusively dealt with by the Committee on Ethics and Privileges. The Lokpal may be empowered to deal only with the complaints against members which fall under the provisions of the Prevention of Corruption Act, 1988.

In its second sitting held on 7 November 1997, the Committee of Privileges, after due deliberations, adopted the Report of the Study Group of the Committee of Privileges, as amended. As the Lok Sabha was not in Session, the Chairman of the Committee of Privileges presented the Report to the Speaker of the Eleventh Lok Sabha. As per the direction of the Speaker, copies of the Report were circulated to all members of the Lok Sabha. However, before the Report could be presented to the House, the Eleventh Lok Sabha was dissolved on 4 December 1997. On 28 March 1998, a copy of the said Report was laid on the Table of the Lok Sabha.

Conclusions/Recommendations

Based on the factual position and observations, the Study Group of the Committee of Privileges arrived at various conclusions/recommendations, broadly categorised under three headings, viz. Ethics/Standards; Obligations and Privileges; and Facilities. Some of the major recommendations of the Study Group *inter alia* include:

Ethics/Standards

In order to maintain high traditions in parliamentary life, members of Parliament are expected to observe a certain standard of conduct, both inside the House and outside it. It is in this context that the concept

of ethics and standards for legislators assumes relevance and significance. The Study Group was of the view that ethics related issues should be dealt with by a Parliamentary Committee in the Lok Sabha. Since privileges, obligations and ethics are all interrelated, it would be in the fitness of things if matters relating to these are dealt with by a single Committee. The Study Group, therefore, recommended that the Committee of Privileges may be renamed as the Committee on Ethics and Privileges. Members of the Committee may be appointed by the Speaker, Lok Sabha on the basis of their standing, experience, general reputation and suitability and not necessarily on the basis of the proportionate strength of the parties or on the basis of party nominations.

Procedure

The Study Group was of the view that the detailed rules of procedure for dealing with complaints relating to the unbecoming conduct of a member or his unethical behaviour, if any, may be laid down separately and incorporated in the Rules of Procedure and Conduct of Business in Lok Sabha. For this purpose, the Study Group recommended the following broad parameters on which the said rules may be based:

- (i) A complaint relating to the unethical conduct of a member may be addressed to the Speaker who may forward it to the Chairman, Committee on Ethics and Privileges.
- (ii) Any person may make such a complaint to the Speaker.
- (iii) It shall be incumbent upon the complainant to ensure that the complaint is not false, frivolous, vexatious and is made in good faith. An affidavit to this effect shall accompany the complaint.
- (iv) Complaints relating to unethical conduct of the Speaker may be made to the Deputy Speaker who may forward it to the Chairman of the Committee on Ethics and Privileges.
- (v) The House may also refer complaints relating to unethical conduct of members, on a motion, to the Committee on Ethics and Privileges for examination and report.
- (vi) The Committee may also *suo motu* take up for investigation matters relating to ethics and breach of privilege and contempt of the House, wherever felt necessary.
- (vii) The Committee shall examine all the matters referred to it and also those taken up by it *suo motu*.
- (viii) The procedure to be followed by the Committee for the purpose of examining complaints of unethical conduct of members may, as far as possible, be the same as the procedure for enquiry

and determination of any question as to breach of privilege of the House or a member.

Lokpal

In India, despite several efforts, it has so far not been possible to enact the requisite legislation paving the way for setting up the institution of Lokpal. In the Eleventh Lok Sabha, the Lokpal Bill, 1996 was introduced in September, 1996. As per the statement of objects and reasons of the Bill, the Lokpal was to inquire into complaints containing allegations that a public functionary, as defined in the Bill, had committed an offence punishable under the Prevention of Corruption Act, 1988 and the expression "public functionary" covered the Prime Minister, Ministers, Ministers of State, Deputy Ministers of the Union and members of Parliament.

It was the considered opinion of the Committee of Privileges that the Lokpal may be empowered to deal only with the complaints which fall under the provisions of the Prevention of Corruption Act, 1988.

The Committee recommended the following procedure for investigation of the above mentioned complaints under the Prevention of Corruption Act:

- (i) Lokpal may enquire into all cases against members of Parliament falling under the provisions of the Prevention of Corruption Act;
- (ii) Complaints may be filed with the Lokpal either directly or through the Committee on Ethics and Privileges or may be referred to the Committee by the Speaker/House;
- (iii) Where complaints under the Prevention of Corruption Act are filed with the Committee on Ethics and Privileges, the same may be straight away referred by the Chairman of the Committee to the Lokpal for investigation and report;
- (iv) After due investigation on all such complaints, the Lokpal may forward its report and findings to the Speaker, Lok Sabha;
- (v) The Speaker may refer all such reports to the Committee on Ethics and Privileges for suggesting requisite action;
- (vi) The Committee on Ethics and Privileges may report back to the Speaker with its suggestions for action on such matters; and
- (vii) The Speaker may then cause the Report of the Lokpal with due suggestions for action made thereon by the Committee on Ethics and Privileges, on the Table of the House.

In view of the above, the Committee of Privileges recommended that the Lokpal Bill, 1996 may be suitably amended. The Committee of Privileges also recommended that all other ethics related complaints may be solely dealt with by the Committee on Ethics and Privileges.

The Committee further recommended that the Committee on Ethics and Privileges may utilise the services of any investigating agency in connection with matters under its consideration, wherever felt necessary.

As regards elections, the Study Group of the Committee of Privileges was of the view that there was an urgent need for:

- (i) raising the ceiling limit of election expenses for members of Parliament to Rs. 15 lakh immediately and thereafter to revise the same every five years;
- (ii) insistence upon filing of accurate election returns and setting up machinery for verification of the same; and
- (iii) provision for mandatory declaration of all donations/financial assistance received by individual members from political parties and others at the time of election.

The Representation of People Act, 1951 may be amended for implementation of the above proposals.

Criminalisation of Politics

The Study Group expressed its deep concern over the incidence of criminalisation in the polity which was eating into the very vitals of the democratic system. Consequently, the very credibility of the democratic institutions was at stake which called for immediate corrective measures. Towards this end, the Study Group *inter alia* recommended:

- (i) There is an urgent need for comprehensive electoral reforms on the basis of all party discussions and consensus. The matter may be deliberated upon in depth by all political parties which may come up with concrete proposals for rooting out this malaise from our political system.
- (ii) The relevant provision in the Representation of People Act, 1951 may be suitably modified taking into view all the initiatives in this direction.

Anti-Defection Law

In the era of the hung Parliament/Assemblies and coalition and minority Governments, there are more and more occasions when Presiding

Officers are called upon to decide cases under the Anti-Defection Law. In the decade-long operation of the Anti-Defection Law, various lacunae and ambiguities in the law have come to the fore. The Study Group was of the view that under these circumstances, the need for removing various lacunae and suitably amending the Tenth Schedule had become more pronounced. These lacunae had been largely responsible for varied interpretation of various provisions of the law at the hands of Presiding Officers which had led to criticism and a demand for review of the Anti-Defection Law. One of the main areas of criticism is that while individual defections are punished, collective defections are condoned in the name of splits. Some of the other controversial issues are: time from which a split becomes operative; effecting a split for facilitating mergers; absence of provision of certain eventualities such as expulsions of members from political parties, etc.

The Study Group recommended that the Anti-Defection Law as it stands at present may be discussed threadbare by the Presiding Officers of Legislative Bodies in India and that the Government should take concrete measure for suitably amending the law.

Code of Conduct

The Study Group felt that a Code of Conduct for members of the Lok Sabha had to be agreed upon by the House with a view of giving it a mandatory effect and the proposed Committee on Ethics and Privileges could take cognizance of any violation of the code and complaints to that effect.

The Study Group, *inter alia*, recommended:

- (i) A definitive Code of Conduct for members may be finalised keeping in view the various existing provisions in the Rules of Procedure and Conduct of Business in Lok Sabha, well established norms of behaviour and conventions and also the Resolution* adopted at the Golden Jubilee Commemorative Session of the Lok Sabha.

The Resolution, *inter alia*, provides:

"That the prestige of the Parliament be preserved and enhanced, also by conscious and dignified conformity to the entire regime of Rules of Procedure and Conduct of Business of the Houses and Directions of the Presiding Officers relating to orderly conduct of business, more especially by—

Maintaining the inviolability of the Question Hour;

refraining from transgressing into the official areas of the House, or from any snouting of slogans, and

invariably desisting from any efforts at interruptions or interference with the Address of the President of the Republic."

- (ii) This Code may be placed before the House for deliberation and adopted.
- (iii) The Code of Conduct may also cover suggestions regarding:
 - (a) administering the Code; (b) complaints in respect of breach of the Code; and (c) sanctions for violation of the Code.

Declaration of Interests

Views have been aired with regard to transparency in respect of members' assets, private holdings, interests and acceptance of gifts and hospitality by members, which could go a long way in enhancement of members' dignity and dispelling false public perceptions. Hence, financial disclosures by members have become imperative. For achieving this objective, the Study Group recommended that:

- (i) It may be made mandatory for each member of the Lok Sabha to disclose his/her income, assets and liabilities. For this purpose, members may be required to file a financial disclosure statement immediately after their election to the Lok Sabha.
- (ii) Members may file revised forms whenever any change occurs and also at the end of each financial year.
- (iii) A Register of Members' Interests may be maintained in the Lok Sabha Secretariat and also with the Office of the Committee on Ethics and Privileges on the basis of information furnished by the members.
- (iv) Guidelines in respect of gifts, benefits and hospitality enjoyed by members may be formulated.
- (v) Rules may be framed specifically laying down the acts, commission or omission of which would constitute an unethical conduct.
- (vi) For giving effect to these proposals, definite guidelines may be framed in consultation with the Rule Committee.
- (viii) These guidelines may be incorporated in the Rules of Procedure and Conduct of Business in Lok Sabha, by way of an Appendix. This measure would give a mandatory effect to these guidelines without any recourse for a legislative enactment for this purpose.

Privileges and Facilities

Privileges and immunities are granted to members of Parliament for proper exercise of their parliamentary functions. Members can do justice to these functions only if they are able to perform these duties unfettered. The Study Group was, therefore, of the view that there was a need for provision of adequate facilities to members. The Study Group

recommended that the following proposals be considered for implementation:

- (i) periodical review of the existing salary, allowances and facilities and provision of latest communication/computer services of members;
- (ii) provision of office accommodation to members both in Delhi and in the constituency headquarters with personal staff, stationery, fax, photocopying, franking machine and other equipment;
- (iii) restoration of quotas of gas connections and telephones which was discontinued some time ago, as the Rajya Sabha continues to give these facilities to its members; and
- (iv) provision of transport facilities for members in their official tours in their constituencies as is being done in States like Karnataka, Maharashtra and Madhya Pradesh.

PARLIAMENTARY EVENTS AND ACTIVITIES

CONFERENCES AND SYMPOSIA

14th Conference of Commonwealth Speakers and Presiding Officers in Trinidad and Tobago: The 14th Conference of the Commonwealth Speakers and Presiding Officers was held in Port of Spain, Trinidad and Tobago from 5 to 11 January 1998. Due to the General Elections to the Twelfth Lok Sabha, no Delegate from the Parliament of India attended the Conference. The Speaker, West Bengal Legislative Assembly, Shri Hashim Abdul Halim attended the Conference as a special guest.

Meetings of the CPA Working Party on "CPA and Future Directions", New Delhi: The meetings of the CPA Working Party on "CPA and Future Directions" were held in New Delhi from 20 to 24 January 1998. The meetings were presided over by the Chairman of the CPA Executive Committee, Hon. Billie Miller, MP and were attended by the following members: the Leader of the House and the Minister for Parliamentary Affairs, Ghana, Mr. J. Henry Owusu-Acheampong; former Speaker, Lok Sabha, India, Shri Shivraj V. Patil, MP; the President of the Senate of Australia, Ms. Margaret Reid; the Treasurer of the CPA and member of the House of Commons, United Kingdom, Mr. Bowen Wells; Mr. Bob Speller, MP (Canada); the Minister of State for Public Enterprise, Office of the Deputy Prime Minister, The Bahamas, Mr. Anthony C. Rolle; Mr. Denis Marshall, MP (New Zealand); Mr. Ruhanie bin Ahmad, MP (Malaysia); and Prof. Peter Lyon of the Institute of Commonwealth Studies, University of London, United Kingdom.

The Secretary-General, CPA, Mr. Arthur R. Donahoe and four officers from the CPA were also present at the meetings.

The Working Party was established to review the objectives, organisation and activities of the CPA and to identify new policies, programmes and strategies. The Working Party considered the following specific areas:

- (i) The CPA's place and role in defining and promoting democratic principles in the Commonwealth and international community;
- (ii) What it means to be the Parliamentary Arm of the Commonwealth;

- (iii) The CPA's relationship with the Commonwealth Secretariat and the Commonwealth Heads of Government;
- (iv) What is the CPA's role in the professional education of its members and how can this role best be carried out?
- (v) The CPA's relationship with Commonwealth NGOs;
- (vi) Are the programmes now in place being delivered in the most effective manner and can new modes of programmes delivery be implemented?
- (vii) How can the CPA's publications and Information Services be expanded and improved to meet the evolving needs of today's members?
- (viii) The status and role of the Commonwealth Women Parliamentarians, including the method of electing their Regional Representatives and the role of women in the CPA;
- (ix) Are sufficient and effective means available to Branches and individual members to participate in CPA activities?
- (x) The structure and functions of the Executive Committee;
- (xi) The structure of the CPA Secretariat;
- (xii) Financing and governing of CPA of tomorrow;
- (xiii) The purpose, structure and format of the Annual Conference and Small Countries Conference; and
- (xiv) The current regional structure of the CPA and the means by which regional activities can be enhanced.

The members of the Working Party visited Agra.

47th Parliamentary Seminar on Parliamentary Practice and Procedure, Westminster: The 47th Parliamentary Seminar on Parliamentary Practice and Procedure was held in London, UK, from 3 to 14 March 1998 under the joint auspices of the UK CPA Branch and the CPA Secretariat. The following Delegates from the State Branches of the CPA in India attended the Seminar: the Speaker, Jammu and Kashmir Legislative Assembly, Shri. Ali Mohd. Naik; and Shri Rajpal Singh Sekhawat, MLA from Rajasthan.

The 99th Inter-Parliamentary Conference: The 99th Inter-Parliamentary Conference was held in Windhoek (Namibia) from 6 to 11 April 1998. The Indian Delegation to the Conference was led by the Speaker, Lok Sabha, Shri G.M.C. Balayogi. The other members of the Delegation were Sarvashri S.M. Krishna, S. Ajay Kumar, Ravi Mallu, Narain Prasad Gupta, K. Yerrannaidu and Capt. Jagatvir Singh Drona, all members of

Parliament; Shri S. Gopalan, Secretary-General, Lok Sabha, who was also the Secretary to the Delegation; and Shri R.C. Tripathi, Secretary-General, Rajya Sabha. The Conference mainly discussed and adopted Declarations/Resolutions on the following subjects:

- (i) The prevention of conflicts and the restoration of peace and trust in countries emerging from war; the return of refugees to their countries of origin, the strengthening of democratic processes and the hastening of reconstruction;
- (ii) Action to combat HIV/AIDS in view of its devastating human, economic and social impact;
- (iii) Foreign debt as a factor limiting the integration of the third world countries into the process of globalisation; and
- (iv) The situation in Kosovo—Measures to ensure a lasting and peaceful solution to the Crisis.

Besides, the Conference held the General Debate on the political, economic and social situation in the world in which 140 speakers took part.

During the Conference, India was associated with the Drafting Committee for the subject-Action to combat HIV/AIDS in view of its devastating human, economic and social impact.

BIRTH ANNIVERSARIES OF NATIONAL LEADERS

On the birth anniversaries of those national leaders whose portraits adorn the Central Hall of Parliament House, functions are organised under the auspices of the Indian Parliamentary Group (IPG) to pay tributes to the leaders. Booklets containing profiles of these leaders, prepared by the library and Reference, Research, Documentation and Information Service (LARRDIS) of the Lok Sabha Secretariat are also brought out on the occasion.

The birth anniversaries of the following leaders were celebrated during the period 1 January to 31 March 1998.

Netaji Subhas Chandra Bose: On the occasion of the birth anniversary of Netaji Subhas Chandra Bose, a function was held on 23 January 1998. The then Home Minister, Shri Indrajit Gupta; the Deputy Chairman, Rajya Sabha, Dr. (Smt.) Najma Heptulla; members of Parliament; and former members of Parliament and others paid floral tributes to Netaji.

Lala Lajpat Rai: On the occasion of the birth anniversary of Lala

Lajpat Rai, a function was held on 28 January 1998. The then Home Minister, Shri Indrajit Gupta; the Deputy Chairman, Rajya Sabha, Dr. (Smt.) Najma Heptulla; members of Parliament; and former members of Parliament and others paid floral tributes to Lala Lajpat Rai.

Smt. Sarojini Naidu: On the occasion of the birth anniversary of Smt. Sarojini Naidu, a function was held on 13 February 1998. Several dignitaries paid floral tributes to Smt. Sarojini Naidu.

Shri Morarji Desai: On the occasion of the birth anniversary of Shri Morarji Desai, a function was held on 28 February 1998. The then Prime Minister, Shri I.K. Gujral; members of Parliament; and former members of Parliament and others paid floral tributes to Shri Desai.

Dr. Rammanohar Lohia: On the occasion of the birth anniversary of Dr. Rammanohar Lohia, a function was held on 23 March 1998. The Prime Minister, Shri Atal Bihari Vajpayee; the Minister of Human Resource Development with additional charge of Science and Technology, Dr. Murlī Manohar Joshi; the Minister of Labour, Dr. Satyanarayan Jatiya; the Minister of Defence, Shri George Fernandes; the Minister of Railways, Shri Nitish Kumar; the Minister of Chemicals and Fertilizers with additional charge of Food, Shri Surjit Singh Barnala; the Minister of Steel and Mines, Shri Naveen Patnaik; the Minister of Information and Broadcasting with additional charge of Communications, Smt. Sushma Swaraj; the Minister of State in the Ministry of Tourism, Shri Omak Apang; the Minister of State in the Ministry of Industry, Shri Sukhbir Singh Badal; the Minister of State in the Ministry of Chemicals and Fertilizers, Dr. A.K. Patel; the Minister of State in the Ministry of External Affairs, Smt. Vasundhara Raje; members of Parliament; and former members of Parliament and others paid floral tributes to Dr. Lohia.

BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period 1 January to 31 March 1998, the Bureau of Parliamentary Studies and Training (BPST) organised the following Courses/ Programmes:

Orientation/Training Programmes for State Legislatures: An Orientation Programme on Committee System for members and officers of the Mizoram Legislative Assembly was organised under the joint auspices of the BPST and the Mizoram Legislative Assembly Secretariat at Aizawl from 19 to 21 January 1998. The Programme was inaugurated by the Speaker, Mizoram Legislative Assembly, Shri Vaivenga and was attended by twenty-three members of the Mizoram Legislative Assembly, including the Speaker, the Deputy Speaker and seven Ministers. In addition,

about thirty-five officers and staff of the Legislature Assembly Secretariat also participated in the programme.

A Training Programme on the Departmentally-related Standing Committees for officers of the Assam Legislative Assembly Secretariat and the Government of Assam was also organised jointly by the BPST and the Assam Legislative Assembly Secretariat at Dispur from 18 to 20 February 1998. Sixty-six officers of the Assam Legislative Assembly and seven officers of the Government of Assam attended the Programme.

Attachment Programmes: Three Attachment Programmes were organised for: (i) Officers of the Parliament of Sri Lanka (19 to 23 January 1998); (ii) foreign participants attending the Training Course at the Office of the Comptroller and Auditor-General of India (12 February 1998); and (iii) Parliamentary Fellows from the Institute of Constitutional and Parliamentary Studies, New Delhi (13 to 27 February 1998).

Appreciation Courses: Three Appreciation Courses in parliamentary processes and procedures were organised for Probationers of: (i) Indian Audit and Accounts Service and Indian Railway Stores Service (19 to 23 January 1998); (ii) Indian Administrative Service (23 to 27 February 1998); and (iii) Indian Revenue Service and Indian Railway Traffic Service (2 to 6 March 1998).

Training Programmes for Officers of the Lok Sabha Secretariat: A Computer Training Programme on UNIPLEX Software was organised by the BPST in collaboration with the National Informatics Centre (NIC) for the officers and staff of the Lok Sabha Secretariat from 23 to 27 February 1998.

A Refresher Course for Reporters of the Lok Sabha Secretariat was also organised from 17 to 27 February 1998 for upgrading their professional skills. The Programme consisted of practical exercises in parliamentary reporting and lecture sessions on various parliamentary topics.

Study Visits: Six Study Visits were organised for the participants from various leading training/educational institutions.

PROCEDURAL MATTERS

LOK SABHA

Instance when a member was allowed to ask clarificatory questions on behalf of another member: On 28 November 1996, a calling attention regarding the situation arising out of widespread dengue fever in Delhi, Haryana and other parts of the country was included, among others, in the name of Shri Om Prakash Jindal. On that day, Shri Jindal *vide* his letter requested the then Speaker, Shri P.A. Sangma, to allow Shri Surinder Singh to ask clarificatory question on the calling attention on his behalf since he was unable to be present in the House on that day. The Speaker agreed to his request.

Instance when telegraphic message was given to members regarding commencement of the Session: The summons for the First Session of the Twelfth Lok Sabha, which was to commence on 23 March 1998, were issued on 21 March 1998. As there was no sufficient time gap between the issue of the summons and the commencement of the Session, telegrams were also issued to members for information.

Instance when a member was not allowed to take oath in a language other than those specified in the Constitution: The First Session of the Twelfth Lok Sabha commenced on 23 March 1998. On that day, a member, Shri S.K. Bwismuthiary, elected from the Kokrajhar constituency in Assam, wrote to the Secretary-General, Lok Sabha, that he may be permitted to take oath in his mother tongue, *viz.* Bodo. The request of the member was not acceded to and the member was informed that he might take oath only in one of the languages specified in the Eighth Schedule of the Constitution. Accordingly, Shri Bwismuthiary took oath in English.

Instance when a member was permitted to make affirmation from a wheel chair: On 24 March 1998, Shri Bir Singh Mahato, who had fractured his leg, was brought in a wheel chair to the House. He was allowed by the Speaker, Shri G.M.C. Balayogi to make affirmation while seated in the wheel chair. He also signed the Roll of Members from his wheel chair.

Instance when the House sat on a closed holiday: On 25 March

1998, at a meeting of the Speaker, Shri G.M.C. Balayogi with the Leaders of Parties/Groups, it was decided that in order to provide sufficient time for the completion of essential Government business, the House might sit on Saturday, 28 March 1998. On 26 March 1998, the Chairman informed the House of that decision to which the House agreed. Information in this regard was published in Bulletin Part (II) and Official Memorandum was issued to all Ministries/Departments etc. Accordingly, the House sat on Saturday, 28 March 1998.

Increase in the number of matters to be raised under Rule 377: A decision to increase the number of matters to be raised under Rule 377 from 8 to 24 was taken at a meeting of the Speaker with the Leaders of Parties/Groups held on 18 November 1997. But the decision could not be put into practice during the Sixth Session of the Eleventh Lok Sabha since matters under Rule 377 were not raised during that Session. It was actually put into practice with effect from 26 March 1998, i.e. the First Session of the Twelfth Lok Sabha. As the Interim Railway and General Budgets for 1998-99 were to be passed on 26 March 1998 itself, matters under Rule 377 listed for that day were treated as laid on the Table of the House.

No derogatory remark can be made against a Chief Minister: On 30 March 1998, while speaking on the motion of thanks to the President for his Address, a member, Shri Vaiko referred to the Chief Minister of Tamil Nadu, Shri M. Karunanidhi. On objection being taken by some members, the Chairman, Shri Basudeb Acharia ruled that the Chief Minister's name could be mentioned but no derogatory remark could be made against him.

Members to behave properly in the House: On 31 March 1998, while the Minister of State in the Ministry of Agriculture, Shri Som Pal, was making a statement regarding the situation arising out of the thunder-squall in Orissa and West Bengal, a member, Shri Sunil Khan and some other members came and stood in the well of the House. Shri Sunil Khan also advanced towards the Minister. Thereafter, the Speaker, Shri G.M.C. Balayogi observed:

....This is with regard to the conduct of the hon. members of the House. It is very bad on the part of the member to have done so. The hon. member should behave well in the House. It was very bad on his part going to the hon. Minister and to the Treasury Benches side. It is not good on the part of the member to do so. I am going to name Shri Sunil Khan.

Thereupon, the member, Shri Khan expressed regret for the incident and the matter was closed.

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 January to 31 March 1998)

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

—Editor

INDIA

DEVELOPMENTS AT THE UNION

Resignation of Ministers: On 9 January 1998, the following Ministers belonging to the Rashtriya Janata Dal (RJD) resigned from the Union Council of Ministers headed by Shri I.K. Gujral: Shri Raghuvansh Prasad Singh: *Food and Consumer Affairs*; Capt. Jai Narayan Prasad Nishad: *Environment and Forests*; and Smt. Kanti Singh: *Coal*.

Twelfth General Elections: On 1 January 1998, the Election Commission announced the schedule for the Twelfth General Elections and elections to five State Legislative Assemblies and also bye-elections to several State Legislative Assemblies. The Lok Sabha elections were to be held on 16, 22, and 28 February 1998 and 7 March 1998. The President of India issued the notification for the elections in accordance with the provisions of the Representation of the People Act, 1951 on 20, 21, 28 January and 10 February 1998. Polling passed off peacefully in most parts of the country barring stray incidents of violence.

Election results: As the election results started coming in, it became clear that no single party was going to get an absolute majority in the House. The Bharatiya Janata Party (BJP) emerged as the single largest party, followed by the Congress (I).*

Constitution of the Twelfth Lok Sabha: On 10 March 1998, the

* For detailed party position, see. pp. 110–111

Twelfth Lok Sabha was constituted with the Election Commission issuing a notification under Section 73 of the Representation of the People Act, 1951.

New Prime Minister: On 15 March 1998, the President, Shri K.R. Narayanan invited the Leader of the single largest party in the Lok Sabha, Shri Atal Bihari Vajpayee of the BJP to form the Government. The President asked Shri Vajpayee to prove his majority in the Lok Sabha within ten days of his being sworn in. A 42-member Council of Ministers headed by Shri Atal Bihari Vajpayee was sworn in on 19 March 1998*.

Pro tem Speaker: On 20 March 1998, the President, Shri K.R. Narayanan appointed Shri Indrajit Gupta, as Speaker *pro tem*.

First Session of the Twelfth Lok Sabha: The First Session of the Twelfth Lok Sabha commenced on 23 March 1998 with the Speaker *pro tem*, Shri Indrajit Gupta administering the oath or affirmation to the newly-elected members. The House was adjourned *sine die* on 31 March 1998 and was prorogued by the President on 7 April 1998.

New Speaker of the Lōk Sabha: Shri G.M.C. Balayogi of the Telugu Desam Party (TDP) was elected the Speaker of the Twelfth Lok Sabha on 24 March 1998**

Nomination of members: On 24 March 1998, Dr. (Mrs.) Beatrix D'Souza and Lt. Gen. (Retd.) N. Foley, were nominated to the Twelfth Lok Sabha by the President under article 331 of the Constitution to represent the Anglo-Indian Community.

Address by the President: On 25 March 1998, the President, Shri K.R. Narayanan addressed members of both the Houses of Parliament assembled together in the Central Hall of the Parliament House.***

Leader of the Opposition: The Speaker, Shri G.M.C. Balayogi recognized the Leader of the Congress (I) in the Lok Sabha, Shri Sharad Pawar as the Leader of the Opposition in the Lok Sabha with effect from 19 March 1998.

Confidence Motion: On 27 March 1998, the Prime Minister, Shri Atal

* For details regarding the Council of Ministers and portfolios, see Short Note. "The Twelfth Lok Sabha: A Historic Beginning", pp. 107-8

** For details, see Short Note, "The Election of the Speaker of the Twelfth Lok Sabha". pp. 112-19

*** For the text of the Address by the President, see pp. 87-93

Bihari Vajpayee moved the Motion of Confidence in the Council of Ministers. The Motion was adopted on 28 March 1998.

Elections to the Rajya Sabha: On 20 March 1998, the following were elected unopposed to the Rajya Sabha:

Karnataka: Sarvashri M. Venkaiah Naidu (BJP); Oscar Fernandes (Cong-I); and S.R. Bommai and Javare Gowda (JD).

Nagaland: Shri C. Apok Jamir (Cong-I).

Punjab: Sarvashri Gurcharan Singh Tohra, Sukhdev Singh Dhindsa and Balwinder Singh Bhunder (Shiromani Akali Dal); Barjinder Singh Hamdard (Independent supported by Shiromani Akali Dal); and Lajpat Rai (BJP).

Tripura: Shri Khagen Das [CPI(M)].

On 27 March 1998, the following were elected to the Rajya Sabha:

Andhra Pradesh: Sarvashri P. Prabhakar Reddy, C. Ramachandraiah, R. Ramachandraiah, Y. Venkat Rao, K. K. Rao and D. Nagabhushan Rao (all TDP).

Assam: Sarvashri Arun Sharma (AGP) and Drupad Borgahin (CPI).

Himachal Pradesh: Shri Anil Sharma (BJP-HVC).

AROUND THE STATES

ANDHRA PRADESH

Resignation of Minister: On 29 March 1998, the Minister for Major Industries, Shri Basheeruddin Babu Khan resigned from the State Cabinet in protest against the Telugu Desam Party's decision to support the BJP Government in the Vote of Confidence in the Lok Sabha on 28 March 1998.

ASSAM

Resignation of Minister: On 20 February 1998, the Minister of State for Science, Technology and Environment, Shri Abdul Rout resigned from Office.

BIHAR

Resignation of Minister: On 27 January 1998, the Minister of Parliamentary Affairs and Agriculture, Shri Raghunath Jha resigned from the State Cabinet and the Rashtriya Janata Dal and joined the Samata Party.

DELHI

Resignation of MLA: On 22 March 1998, Shri Madan Lal Khurana resigned from the State Legislative Assembly following his election to the Lok Sabha from the Delhi Sadar parliamentary constituency.

GOA

New Governor: On 7 January 1998, Shri T.R. Satish Chandra was sworn in as the Governor of Goa.

GUJARAT

Resignation of Chief Minister: On 5 January 1998, the Chief Minister, Shri Dilip Parikh resigned from Office.

Election results: Elections to the Gujarat Legislative Assembly were held on 28 February 1998 in which the BJP secured an absolute majority. The party position is as under: Total seats: 182; BJP: 117; Congress(I): 52; RJP: 4; JD: 4; SP: 1; Independents: 4.

Shri Keshubhai Patel of the BJP was sworn in as the Chief Minister on 4 March 1998. The following is the list of Ministers and their portfolios:

Shri Keshubhai Patel (*Chief Minister*): *General Administration Department, Policy (Mines, Minerals Energy, Ports, Narmada, Industries), Planning and all other subjects not allotted to any other Minister.*

Cabinet Ministers: Shri Sureshchandra Mehta: *Industries (excluding Salt Industries), Parliamentary Affairs, Tourism, Civil Aviation;* Shri Vajubhai Vala: *Finance, Revenue and Petro-Chemicals;* Shri Ashok Bhatt: *Health and Social Welfare, Labour and Employment;* Shri Fakirbhai Vaghela: *Social Welfare (including Tribal Welfare), Salt Development Industries, Excise and Prohibition;* Shri Kanjibhai Patel: *Forest and Environment;* Shri Nitinbhai Patel: *Agriculture, Minor and Medium Irrigation;* Shri Jay Narayan Vyas: *Narmada, Major Irrigation;* Shri Narottambhai Patel: *Water supply, Mines and Minerals;* Shri Jashpal Singh: *Food and Civil Supplies and Consumer Affairs;* Shri Gabhaji Thakor: *Socially and Educationally Backward Classes, Jails;* and Shri Savjibhai Korat: *Roads and Buildings.*

Ministers of State (Independent Charge): Shri Kaushik Kumar Patel: *Energy, Urban Development;* Shri Mahendra Trivedi: *Youth Services and Cultural Activities, Sports;* Shri Haren Pandya: *Border Security, Home* Shri Dilipbhai Patel: *Panchayat;* Shri Mangubhai Patel: *Tribal Welfare and Cottage Industries;* Shri Ramanbhai Vora: *Cooperation;* Shri Hemantbhai

Chapatwala: *Law and Justice*; Shri Mulubhai Bera: *Adult Education, Revenue*; Shri Maganbhai Kasundra: *Urban and Rural Housing Development*; Shri Babubhai Bokhiriya: *Fisheries*; Shri Kiritsinh Rana: *Animal Husbandry*; Shri Bimal Shah: *Transport and Non-Conventional Energy Sources*; and Smt. Anandiben Patel: *Education (excluding Adult Education), Women and Child Welfare*.

Deputy Ministers: Shri Harjivanbhai Patel: *Water Supplies, Mines and Minerals*; Shri Khodabhai Patel: *Industries and Tourism*; Shri Prabhatsinh Chauhan: *Forests and Environment*; and Shri Purshottambhai Solanki: *Labour and Employment*.

Election of Speaker: On 19 March 1998, Shri Dhirubhai Shah of the BJP was unanimously elected the Speaker of the State Legislative Assembly.

HIMACHAL PRADESH

Political developments: The election to the 68-member State Legislative Assembly were held on 28 February 1998. No single party got an absolute majority. The Congress(I) emerged as the single largest party, followed by the BJP. The party position was as under: Congress (I): 31; BJP: 28; HVC: 4; Independents: 1; and vacancies: 4.

On 6 March 1998, the Governor, Smt. Rama Devi invited the Leader of the single largest party, Shri Virbhadra Singh of the Congress (I) to form the Government. Subsequently, on 7 March 1998, Shri Virbhadra Singh was sworn in as the Chief Minister along with seven Ministers of Cabinet rank. The Ministers and their portfolios are:

Cabinet Ministers: Shri Sant Ram: *Forest*; Shri J.B.L. Khachi: *P.W.D.*; Shri Rangila Ram Rao: *Industry*; Shri Chander Kumar: *Science and Technology*; Shri Ramesh Chand Chaudhury: *Irrigation and Public Health*; Shri Ganga Ram Musafir: *Rural Development*; Shri Gulab Singh Thakur: *Planning and Revenue*; and Shri Ram Lal Thakur: *Health and Family Welfare*.

On 9 March 1998, the Chief Minister, Shri Virbhadra Singh announced that he would seek a Vote of Confidence in the Legislative Assembly on 12 March 1998.

On 11 March 1998, the Himachal Vikas Congress split and two of its four MLAs- Shri Mansa Ram and Shri M.R. Prakash - joined the BJP.

Shri Thakur Ram Lal was sworn in as Speaker *pro tem* on 11 March 1998.

On 12 March 1998, the Governor, Smt. Rama Devi recommended

President's rule in the State keeping in view the position of both the Congress and the BJP tied at 32 seats each. Later in the day, the Chief Minister tendered his resignation which was accepted by the Governor the same day. Thereafter, the BJP-HVC alliance staked claim to form the Government.

On 22 March 1998, the Union Government advised the Governor to explore the possibility of installing a popular government in the State.

On 24 March 1998, the independent MLA, Shri Ramesh Chand Chaudhury withdrew support to the Congress-I and declared unconditional support to the BJP-HVC alliance.

The same day, Shri Prem Kumar Dhumal of the BJP was sworn in as the Chief Minister.

The following is the list of Ministers and their portfolios:

Shri Prem Kumar Dhumal (*Chief Minister*): *General Administration, Finance, Home, Personnel and all other Departments not allocated to any other Minister.*

Cabinet Ministers: Shri Pandit Sukh Ram: *Public works, Multiple Power Project and Power;* Shri Kishori Lal: *Industries, Labour and Employment and Fisheries;* Shri Mahender Singh: *Rural Development, Panchayati Raj and Excise and Taxation;* Shri Jagat Prakash Nadda: *Health and Family Welfare and Parliamentary Affairs;* Shri Kishan Kapoor: *Transport and Tribal Development;* Shri Ramesh Chand Chaudhury: *Irrigation and Public Health;* Shri Mansa Ram: *Food and Supplies and Social and Women's Welfare;* Shri Prakash Chaudhary: *Animal Husbandry;* Shri Roop Singh Thakur: *Forest;* Shri Vidya Sagar: *Agriculture;* Shri I.D. Dhiman: *Education;* Shri Karan Singh: *Primary Education;* and Shri Narendar Bragta: *Horticulture.*

Election of Speaker: On 30 March 1998, Shri Gulab Singh Thakur of the Congress(I) was elected the Speaker of the State Legislative Assembly.

Vote of Confidence: On 31 March 1998, the Chief Minister, Shri P.K. Dhumal won a Vote of Confidence in the Legislative Assembly.

KARNATAKA

Vote of Confidence: On 27 January 1998, the Chief Minister, Shri J.H. Patel won a Vote of Confidence in the State Legislative Assembly.

MANIPUR

Election of Deputy Speaker: On 9 January 1998, Shri K. Biren

Singh of the Manipur People's Party was elected unopposed as the Deputy Speaker of the Legislative Assembly.

MEGHALAYA

Political developments: Elections to the Meghalaya Legislative Assembly were held on 16 February 1998. No party secured a clear majority in the House.

The Congress(I) emerged as the single largest party, followed by the United Democratic Party. The party position was as under: Total seats: 60; Congress(I): 25; United Democratic Party (UDP): 20; Hill States People's Democratic Party (HSPDP): 3; People's Democratic Movement (PDM): 3; BJP: 3; Garo National Council (GNC): 1; and Independents: 5.

Subsequently, the Governor, Shri M.M. Jacob invited the Leader of the Congress(I) to form the Government and prove the majority on the floor of the House. On 27 February 1998, Shri S.C. Marak was sworn in as the Chief Minister along with five Ministers.

On 10 March 1998, Shri E.K. Mawlong was elected the Speaker of the Legislative Assembly.

The Chief Minister, Shri S.C. Marak submitted the resignation of his Government on 10 March 1998.

Following this, the Leader of the United Democratic Front, Shri B.B. Lyngdoh was sworn in as the Chief Minister the same day.

The following is the list of Ministers and their portfolios:

Shri B.B. Lyngdoh: (*Chief Minister*) *Cabinet Affairs, Personnel and Administrative Reforms, Re-organisation, Finance, Law Revenue and any other matters not allocated to any other Minister.*

Cabinet Ministers: Shri H.S. Lyngdoh: *Forest and Environment, District Council Affairs and Elections;* Shri A.H. Scott Lyngdoh: *Home (Police) and Planning;* Shri H.B. Dan: *Transport, GAD and Parliamentary Affairs;* Shri M.N. Mukhim: *Power, Border Area Development, Animal Husbandry and Veterinary and Dairy Development;* Shri C.R. Marak: *Agriculture, including Minor Irrigation;* Shri S. Siangshai: *P.W.D. (Buildings) and Housing;* Shri P.M. Syiem: *P.H.E. and Soil Conservation;* Shri S.S. Lyngdoh: *Taxation Sericulture and Weaving;* Shri K. Susngi: *Mining and Geology and Tourism;* Shri Sing Mulieh: *Industries and Labour;* Shri A.D. Marak: *Food and Civil Supplies and Consumer Affairs;* Shri T.H. Ryngad: *Science and Technology, Programme Implementation, Evaluation, Informa-*

tion and Public Relations; Shri T. Lyngdoh Nonglait: P.W.D. (Roads and Bridges), Printing and Stationery; Shri Nimarson Momin: Fishery, Civil Defence and Home Guards; Shri Bires Nongseij: Primary Education, including Literacy Mission and Adult Education; Dr. F.A. Khonglam: Health and Family Welfare and Excise; Dr. Donkumar Roy: Education (excluding Primary Education, Literacy Mission and Adult Education) and Trade, including Border Trade; Smt. M. War: Community and Rural Development; and Smt. R. Warjri: Urban Affairs and Social Welfare.

Ministers of State (Independent Charge): Shri P.T. Sawkmie: Planning and Public Health Engineering, Sports and Youth Affairs; Shri R.A. Lyngdoh: Home (Police) and P.W.D. (Roads and Bridges), Home (Passport and Jail); Shri D.P. langjuh: Community and Rural Development, Stamps and Registration; Shri R.L. Tariang: Finance and Revenue, Cooperation; Shri A.L. Hek: Communication; Shri A.T. Mandal: P.W.D. (Buildings) and Weights and Measures; Shri N.N. Simchang: Forests and Environment and Arts and Culture.

Vote of Confidence: On 23 March 1998, the Chief Minister, Shri B.B. Lyngdoh won a Vote of Confidence in the State Legislative Assembly.

MIZORAM

New Governor: On 7 January 1998, Shri P.R. Kyndiah resigned from the Office to contest the Lok Sabha elections.

Shri Arun Prasad Mukherjee was sworn in as the Governor of Mizoram on 29 January 1998.

NAGALAND

Political developments: On 29 January 1998, a delegation of the Naga Political Parties had a meeting with the Home Minister, Shri Indrajit Gupta. They apprised that the law and order situation in Nagaland was not conducive for holding the Assembly elections and their participation in the election was not feasible.

On 30 January 1998, the Union Government refused to endorse the unilateral decision of the Nagaland Socialist Council of Nagaland (NSCN-IM) to extend the prevailing ceasefire in the State by another three months. Instead, it sought an explanation from the NSCN(IM) regarding a serious violation of the ceasefire agreement when armed cadres of the militant outfit surrounded the heavily guarded motorcade of the Chief Minister, Shri S.C. Jamir.

On 31 January 1998, the Union Government announced the exten-

sion of the ceasefire by another three months after seeking an assurance from the NSCN(I-M) that its cadres would strictly adhere to the ground rules which prohibited the movement of the armed NSCN(I-M) cadres in the State.

On 7 February 1998, forty-three candidates belonging to the Congress(I) were declared elected unopposed to the State Legislative Assembly after the withdrawal of candidates. This was followed by the boycott of the Assembly election by the non-Congress parties and other outfits, including the Naga Ho-Ho, the apex body of the tribals.

Elections for the remaining 17 seats in the 60-member Assembly were held on 23 February 1998. The party position was as under: Total seats: 60; Congress(I): 53; and Independents: 7.

Shri S.C. Jamir of the Congress(I) was sworn in as the Chief Minister on 5 March 1998.

The following is the list of Ministers and their portfolios:

Shri S.C. Jamir: (*Chief Minister*): *Finance, Personnel and Administration Reforms.*

Cabinet Ministers: Shri Nerphiu Rio: *Home*; Shri H. Chuba Chang: *School Education*; Shri P. Enyie Konyak: *Supply*; Shri Imtisungit: *Planning and Coordination*; Shri Neiba Nidang: *Health and Family Welfare*; Shri K. Therie: *Power*; Shri I. Imkong: *Roads and Bridges*; Shri Nyamniye: *Agriculture*; Shri T.C.K. Lotha: *Tourism*; Shri Tokheho Yephthomi: *Public Health Engineering*; Shri Nungshizerba: *Soil and Water Conservation*; Shri Kiyezeh: *Housing*; Shri Zachilhu: *Rural Development*; Shri K. Yamakam: *Horticulture, Sericulture*; Shri K. Kormgam: *Rural Employment and Poverty*; Shri John Lotha: *Art, Culture, Printing and Stationery*; Shri Imtimeren: *Industries*; Shri I. Vikheshe: *Geology and Mining*; Shri Talinungsang: *Transport and Commerce*; Shri Nillo Rengma: *Law and Parliamentary Affairs and Labour and Employment*; Shri T.R. Zeliang: *Forest*; Shri T. Sentichuba: *Information and Public Relations*; Shri K.V. Pusa: *Veterinary and Animal Husbandry*; Shri Wangyuh Konyak: *Sports and Youth Resources and Village Guards*; and Prof. T. Chuba: *Health, Education and Science and Technology.*

Ministers of State: Shri B. Phongshak Phom: *Excise and Fire Services*; Shri Sethricho: *Cooperative and Jails*; Shri Sedem Khaming: *Irrigation and Land Revenue*; Shri Kakheto: *Fishery and Home Guards*; Shri Rokonicha: *Local Self Government and Wastelands*; and Shri Seyiekolie: *Civil Administrative Works Department and Economics and Statistics.*

RAJASTHAN

Resignation of Speaker: On 18 March 1998, the Speaker of the State Legislative Assembly, Shri Shanti Lal Chaplot representing the Mavli constituency resigned following his election to the Lok Sabha from the Udaipur constituency.

Resignation of MLAs: On 13 March 1998, Shri Ghasiram Yadav, an MLA belonging to the Congress(I) resigned from the State Legislative Assembly following his election to the Lok Sabha from Alwar.

On 18 March 1998, Shri Ram Narain Meena, an MLA belonging to the Congress(I) resigned from the State Legislative Assembly following his election to the Lok Sabha from the Kota constituency.

TRIPURA

Election results: Elections to the 60-member Tripura Legislative Assembly were held on 16 February 1998. The CPI(M) led Left Front alliance secured an absolute majority. The party position was as under: Total seats: 60; CPI(M): 38; Congress(I): 13; TUJS: 4; RSP: 2; CPI: 1; TNV: 1; Independent: 1. -

The Left Front Ministry headed by Shri Manik Sarkar of the CPI(M) was sworn in on 11 March 1998.

The following is the list of Ministers and their portfolios:

Shri Manik Sarkar (*Chief Minister*): Home Planning and Coordination Law, Confidential and Cabinet, Administrative Reforms, Appointment and Services, Political Secretariat Administration, Power, Statistics, Refugee Relief and Rehabilitation, Election, and other Departments not allocated to any Minister; Shri Anil Sarkar: Education, Welfare of Scheduled Castes and OBCs, etc.; Shri Badal Choudhary: Finance and Public Works; Shri Aghore Deb Barma: Tribal Welfare (including Tripura Tribal Autonomous District Council Tribal Rehabilitation in Plantations and Primitive Group Programme, Agriculture (excluding Horticulture and Soil Conservation); Shri Narayan Rupini: Forest and Animal Resources Development; Shri Keshab Majumdar: Revenue, Labour and Parliamentary Affairs; Shri Bimal Singha: Health and Family Welfare and Urban Development; Shri Subodh Das: Panchayat; Shri Niranjan Deb Barma: Cooperation; Shri Jitendra Choudhury: Education (Social Welfare and Social Education and Sports and Youth Affairs), Science, Technology and Environment, Information, Cultural Affairs and Tourism; Shri Fayzur Rahman: Agriculture (Horticulture and Soil Conservation); Shri Sukumar Barman: Fisheries and Transport; Shri Gopal Das: Food and Civil Supplies; Shri Durbajoy Reang:

Jail; Shri Pabitra Kar: *Industries and Commerce (excluding Handloom, Handicrafts and Sericulture)*; Shri Ananta Pal: *Rural Development*; and Shri Ramendra Debnath: *Industries and Commerce (Handloom, Handicrafts and Sericulture) and Printing and Stationery*.

Election of Speaker: On 23 March 1998, Shri Jitendra Sarkar was elected the Speaker of the Legislative Assembly.

UTTAR PRADESH

Political developments: On 21 February 1998, the Governor, Shri Romesh Bhandari dismissed the Kalyan Singh Government after the Loktantrik Congress and the Janata Dal (Raja Ram Group) withdrew support from it. Subsequently, Shri Jagdambika Pal was sworn in as the Chief Minister and Shri Naresh Chand Agarwal as the Deputy Chief Minister. Besides the Loktantrik Congress and the Janata Dal (Raja Ram Group), the new Government got unconditional support from the Samajwadi Party and the Bahujan Samaj Party.

The Chief Minister, Shri Jagdambika Pal was asked by the Governor to prove the majority on the floor of the House on 24 February 1998.

On 23 February 1998, in an interim order, a Division Bench of the Allahabad High Court directed the restoration of the Kalyan Singh Government and a trial of strength on the floor of the House. The Court ordered that if Shri Kalyan Singh failed to prove majority in the House, the Governor may take appropriate action.

Subsequently, the Loktantrik Congress leader, Shri Naresh Agarwal expelled Shri Jagdambika Pal, Shri Harishankar Tiwari and Shri Rakesh Tyagi from the party and announced that all the Loktantrik Congress MLAs barring those expelled would now support the Kalyan Singh Government.

On 24 February 1998, a three-Judge Bench of the Supreme Court directed a composite floor test at a specially convened Session of the State Legislative Assembly on 26 February 1998 and declined to stay the Allahabad High Court order reinstating the BJP Government.

On 26 February 1998, Shri Kalyan Singh won a vote of Confidence by 225 votes to 196.

On 27 February 1998, the Chief Minister, Shri Kalyan Singh dropped three Ministers Sarvashri Jagdambika Pal, Raj Rai Singh and Puran Singh Bundela from his Cabinet.

The following is the list of Ministers and their portfolios:

Cabinet Ministers: Shri Kalraj Mishra: *PWD and Tourism*; Shri Lalji Tandon: *Housing and Urban Development*; Shri Om Prakash Singh: *Irrigation and Sugarcane Development*; Shri Harishchandra Srivastav: *Social Welfare and Scheduled Castes, Scheduled Tribes and Backward Classes Welfare*; Shri Naresh Agarwal: *Energy*; Shri Diwakar Vikram Singh: *Agriculture*; Shri Ramapati Shastri: *Medical Health and Medical Education*; Shri Markandey Chand: *Minor Irrigation and Rural Development*; Shri Raghubar Dayal Sharma: *Forest*; Shri Surya Pratap Shahi: *Aabkari and Prohibition*; Shri Ram Kumar Varma: *Cooperatives*; Shri Sardar Singh: *Textile Industry*; Shri Radheyshyam Gupta: *Institutional Finance*; Shri Baburam: *Small Industry and Export Promotion*; Shri Hukum Singh: *Registration, Entertainment Tax, Stamp and Judicial Tax*; Shri Ejaz Rizvi: *Food and Ration*; Shri Bachha Pathak: *Environment and Energy*; Shri Virendra Singh Sirohi: *Revenue*; Shri Harishankar Tiwari: *Science and Technology*; Shri Mandleshwar Singh: *Regional Development*; Shri Shayam Sundar Varma: *Sports and Youth Welfare*; Shri Shivakant Ojha: *Medical Education*; Shri Saraswati Pratap Singh: *Home Guards, Political Pension and Citizens Security*; Shri Phagu Chauhan: *Cultural and Religious Freedom*; Shri Raja Ram Pandey: *Khadi and Village Industries*; Raja Raghuraj Pratap Singh: *Programme Implementation*; Raja Mahendra Aridaman Singh: *National Integration and Electronics*; Choudhury Laxmi Narayan: *Horticulture*; Dr. Narendra Kumar Singh Gaur: *Higher Education and Primary Education*; Dr. Nepal Singh: *Secondary Education and Language*; Smt. Prem Lata Katiyar: *Women's Welfare, Child Development and Nutrition*; and Smt. Prabha Devi: *Labour*.

Ministers of State (Independent Charge): Shri Sunder Singh Baghel: *Dairy Development*; Shri Ravindra Shukla: *Basic Education*; Shri Gorakh Prasad Nishad: *Animal Husbandry and Fisheries*; Shri Mahendra Nath Pandey: *Planning*; Shri Dharampal Singh: *Panchayati Raj*; Sri Jaipal Singh: *Flood Control*; Shri Devendra Singh: *Family Welfare and Child Welfare*; Shri Ashok Yadav: *Rehabilitation*; Shri Radhey Shyam Kori: *Ambedkar Village Development*; and Raja Gazanfar Ali: *Minority Welfare Muslim Wakf and Haj*.

Ministers of State: Shri Baleshwar Tyagi: *Finance*; Shri Fateh Bahadur Singh: *Industrial Development*; Shri Ram Prasad Kamal: *Public Works*; Shri Lallu Singh Chauhan: *Tourism*; Shri Suresh Kumar Khanna: *Housing*; Shri Satish Mahana: *Municipal Development*; Shri Dhanraj Yadav: *Irrigation*; Shri Mangal Singh Naini: *Sugarcane Development and Sugar Mills*; Shri Dal Bahadur Kori: *Social Welfare*; Shri Ram Asrey Kushwaha: *Scheduled Castes and Scheduled Tribes Welfare*; Shri Ranganath Mishra: *Energy*; Shri Bhagwan Singh Shakya: *Agriculture*; Shri Virender Singh:

Agricultural Education; Shri Rakeshdhar Tripathy: *Higher Education*; Shri Yashwant Singh: *Technical Education*; Shri Shivendra Singh: *Village Development*; Shri Vansh Narayan Singh Patel: *Village Development*; Shri Sukhpal Pandey: *Transport*; Shri Ram Asrey Paswan: *Small Irrigation*; Shri Chandra Kishore: *Secondary Education*; Shri Vikramajit Maurya: *Excise*; Shri Ramchandra Valmiki: *Cooperatives*; Shri Prem Prakash Singh: *Textile and Industry*; Shri Bahoranlal Maurya: *Institutional Finance*; Shri Biharilal Arya: *Small Industry*; Shri Rakesh Tyagi: *Registration, Entertainment Tax and Stamp*; Shri Hari Narayan Rajbhar: *Jails*; Shri Vivek Kumar Singh: *Environment*; Shri Rampal Rajvanshi: *Energy*; Shri Shivshankar Singh: *Revenue*; Shri Satish Verma: *Science and Technology*; Shri Sangram Singh: *Regional Development*; Shri Sriram Sonkar: *National Integration*; Shri Matbar Singh Kandari: *Uttaranchal Development*; Shri Bansidhar Bhagat: *Uttaranchal Development*; Shri Narayan Ramdas: *Uttaranchal Development*; Shri Puran Singh Bundela: *Horticulture*; Shri Dalbir Singh: *Sports*; Shri Amarmani Tripathy: *Youth Welfare*; Shri Gangabaksh Singh: *Medical Education*; Shri Vinay Pandey: *Homeguards*; Shri Jitender Kumar Jaiswal: *Culture*; Shri Ramlakhan Pasi: *Khadi and Village Industries*; Dr. Arvind Kumar Jain: *Medical and Health*; and Smt. Gulabo Devi: *Womens Welfare*.

On 10 March 1998, the Chief Minister, Shri Kalyan Singh expanded the State Cabinet by inducting five more Ministers. They are: *Cabinet Minister*: Shri Jai Narain Tiwari; *Minister of State*: Sarvashri Munna Lal Maurya, Ved Prakash, Rajendra Singh Patel and Shiv Ganesh Lodhi.

Resignation of Governor: On 16 March 1998, Shri Romesh Bhandari resigned from Office.

On 17 March 1998, Shri Mohammed Shafi Qureshi was sworn in as the Governor of Uttar Pradesh in addition to his duties as the Governor of Madhya Pradesh.

DEVELOPMENTS ABROAD

CHINA

President re-elected: On 16 March 1998, Mr. Jiang Zemin was re-elected the President.

New Prime Minister: On 17 March 1998, Mr. Zhu Rongji was elected the Prime Minister at the Ninth National People's Congress (NPC).

Council of Ministers: On 18 March 1998, the Prime Minister, Mr. Zhu Rongji announced his Council of Ministers.

The new Vice-Premiers are; Mr. Li Lanqing, Mr. Qian Qichen, Mr. Wu Bangguo, and Mr. Wen Jiabao.

The State Councillors are; Mr. Chi Haotian, Mr. Luo Gan, Mr. Wu Yi, Mr. Ismail Amat and Mr. Wang Zhongyu. Mr. Wang Zhongyu was made the Secretary-General of the State Council.

The new Ministers are; Mr. Tang Jiaxuan: *Foreign Affairs*; Mr. Chi Haotian: *National Defence*; Mr. Zen Payan: *State Development Planning Commission*; Mr. Sheng Huaren: *State Economic and Trade Commission*; Mr. Chen Zhili: *Education*; Mr. Zhu Lilan: *Science and Technology*; Mr. Liu Jibin: *Commission of Science, Technology and Industry for National Defence*; Mr. Li Dezhu: *State Ethnic Affairs Commission*; Mr. Jia Chunwang: *Public Security*; Mr. Xu Yongyue: *State Security*; Mr. He Yong: *Supervision*; Mr. Doje Cering: *Civil Affairs*; Mr. Gao Changli: *Justice*; Mr. Xiang Huaicheng: *Finance*; Mr. Song Defu: *Personnel*; Mr. Zhang Zuoji: *Labour and Social Security*; Mr. Zhou Yongkang: *Land and Natural Resources*; Mr. Yu Zhengsheng: *Construction*; Mr. Fu Zhihuan: *Railways*; Mr. Huang Zhendong: *Communications*; Mr. Wu Jichuan: *Information Industry*; Mr. Niu Maosheng: *Water Resources*; Mr. Chen Sheng: *Agriculture*; Mr. Sun Jiazheng: *Culture*; Mr. Zhang Wenkang: *Health*; and Mr. Zhang Weiging: *State Family Planning Commission*.

COSTA RICA

New President: On February 1998, Mr. Miguel Angel Rodriguez was elected the President of Costa Rica.

CUBA

President re-elected: On 25 February 1998, Mr. Fidel Castro was re-elected to Office.

CYPRUS

President re-elected: On 16 February 1998, Mr. Glafcos Clerides was re-elected President of Cyprus.

CZECH REPUBLIC

New Government: On 2 January 1998, the President, Mr. Vaclav Havel appointed an 18-member Cabinet to be headed by the Prime Minister, Mr. Josef Trosovsky.

INDONESIA

President re-elected: On 10 March 1998, Mr. Suharto was re-elected the President of Indonesia.

ISRAEL

New President: On 4 March 1998, Mr. Ezer Weizman was re-elected by Parliament for a second term.

KENYA

New President: On 5 January 1998, Mr. Daniel Arap Moi was re-elected the President of Kenya.

LAOS

New President and Prime Minister: On 24 February 1998, Mr. Khamtay Siphandove and Mr. Sisavath Keobounphanh were elected the President and the Prime Minister, respectively.

LITHUANIA

New President: On 26 February 1998, Mr. Valdas Adamkus was sworn in as the President of Lithuania.

MOROCCO

New Government: On 15 March 1998, Morocco's first Centre-Left Government was sworn in by King Hassan II in Rabat. The new socialist Prime Minister, Mr. Abd Ar-Rahman Youssouf, would lead the new Government of 31 Ministers and 10 State Secretaries. The Government was formed after six weeks of negotiations with the monarch and the seven parties joining the Coalition Government.

SOUTH KOREA

New President: On 25 February 1998, Mr. Kim Dae-Jung was sworn in as the President of South Korea.

SESSIONAL REVIEW

TWELFTH LOK SABHA**FIRST SESSION****A. DISCUSSIONS/STATEMENTS**

The First Session of the Twelfth Lok Sabha, which commenced on 23 March 1998, was adjourned on 31 March 1998. The House was prorogued by the President of India on 7 April, 1998. A resume of some of the important discussions held and other business transacted during the period is given below. (There was no Question Hour during this period).

*Election of the Speaker**: Shri G.M.C. Balayogi was elected as the Speaker of the Twelfth Lok Sabha on 24 March, 1998.

Motion of Thanks to the President for his Address to members of Parliament: On 25 March 1998, the President of India, Shri K.R. Narayanan addressed** the members of the two Houses of Parliament assembled together in the Central Hall of Parliament House at the commencement of the First Session of the Twelfth Lok Sabha. The Motion of Thanks to the President for his Address was moved by Shri Shanta Kumar on 30 March 1998.

The discussion on the motion took place on 30 and 31 March 1998. Moving the motion, Shri Shanta Kumar said that the main thrust in the Address by the President was on solving the problems of the country with cooperation and consensus. The BJP had emerged as the single largest party after people had given their mandate. The need of the hour was to follow the politics of consensus so as to solve the basic problems of the country. Secularism was the latent spirit of the Indian tradition. The Address by the President resolved to take the country out of the mire of hunger, fear and corruption. The country had made remarkable developments in some spheres like science and technology.

* See Feature "The Election of the Speaker of the Twelfth Lok Sabha", pp.112-119

** For the text of Address, see pp. 87-93

India needed to get rid of the State of fear which had arisen due to terrorism, he added.

Participating in the discussion, Shri Vaiko said that after spending crores and crores of rupees on Five Year Plans and Annual Plans, people were still dying of hunger, disease and lack of medical care. The nation had made commendable strides in industrial development. The country had got self-sufficiency in foodgrains. However, agriculture had suffered on account of decline in investment. The Government would halt that decline and earmark upto 60 per cent of the Plan funds for crucial segments of the economy. Subsidies should be better targeted and the farmers were to be re-established as a strong and self-confident community.

Shri Vaiko said that regional aspirations had come to play a dominant role in the formulation of policies and programmes of the country. Regional aspirations should not be viewed as parochialism. The Government had come forward to attend the demands of the States for higher allocation of resources. The twin challenges of alarming population growth and the problem of unemployment should be looked into. The Government had made a commitment that the pending legislation for reserving 33 per cent of seats for women would be taken up immediately. In order to bring about social justice, the reservation for the backward classes, the scheduled castes and the scheduled tribes and also the minorities should be protected and guaranteed.

Supporting the motion, the Minister of Home Affairs, Shri L.K. Advani said that all would have to understand the culture of coalition Governments. The BJP and its allies had contested elections on their respective election manifestoes but the Government had included only those items in the National Agenda on which there was consensus. The Sarkaria Commission had made 247 recommendations ten years ago but none of them had so far been implemented. It would be the endeavour of the Government to take steps in that regard. The Government would provide more powers to the States and assign them more responsibilities. The Government would enact a law on the right to information so as to bring transparency in its functioning. Fifty years had passed since Independence but the country had not been able to remove poverty, unemployment and corruption. The Constitution should not be held responsible for those lapses. Secularism had been a part of the culture and tradition of the country. The Constitution could never be theocratic. He further stated that potable drinking water would have to be provided to every village and every citizen would have to be provided education and at least two square meals a day. The Government would make all efforts

to build a new India free from fear, hunger and corruption.

Opposing the Motion, Shri Ram Vilas Paswan said that the Government was silent on the issue of constitutional amendment. He stated that the Prime Minister had mentioned about the setting up of a Commission which would review the Constitution. It should be clarified whether the entire Constitution or only certain parts of it would be reviewed. While implementing the Mandal Commission Report, a para was added to the relevant orders scrapping reservation in promotion. He submitted that the reservation in promotion should be restored as early as possible.

Replying to the discussion,* the Prime Minister, Shri Atal Bihari Vajpayee said that the Government had made a promise to provide potable drinking water to every village of the country. The Government wanted to translate the promises into action. The promises could be fulfilled if the resources could be mobilised with a determined effort and a strong political will.

As regards India's foreign relations, the Prime Minister said that the crux of foreign policy was the strength to take independent decisions. The Government would not succumb to any pressure in economic matters and in matters of national security. The Government would have to change with the changing circumstances with regard to foreign policy. He assured the House that there would be no change in the basic structure of the Constitution. The proposal to constitute a Commission for reviewing the Constitution had needlessly become a matter of dispute. The Commission would only make recommendations which would be placed before Parliament. Almost fifty years had lapsed since the Constitution came into being and a number of amendments had been made. India had followed the path of democracy and would never become a theocratic state. The process of decentralisation had been set in motion and the Government at the Centre would spare some of its rights and resources and give more authority and financial resources to the States, the Prime Minister added.

The motion was adopted.

Motion of Confidence in the Council of Ministers: On 27 March 1998,

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- * Others who took part in the discussion were: Sarvashri Jagmohan, Suresh Kurup, Beni Prasad Verma, Nedurumalli Janardhana Reddy, Chinmayanand, K. Natwar Singh, C. Sreenivasan, Bashist Narayan Singh, Madhavrao Scindia, E. Ahmed, G. Ganga Reddy, S.S. Palaniamanickam, Prabhat Kumar Samantaray, Subrata Mukherjee, Paty Ripley Kyndiah, Arif Mohammad Khan, Pramotes Mukherjee, Yashwant Prakash Ambedkar, Sansuma Khunggur Bwismuthiary, Samar Choudhury, N. Dennis, Maj. Gen. Bhuwan Chandra Khanduri, Capt. Jai Narayan Prasad Nishad, Dr. Balram Jhakar, Dr. Bikram Sarkar, Prof. Prem Singh Chandumajra, Smt. Sukhda Mishra, Smt. Kailasho Devi and Kumari Kim Gange.

moving the motion that the House expresses its Confidence in the Council of Ministers, the Prime Minister, Shri Atal Bihari Vajpayee said that the issue that was agitating the mind of a common citizen was that the country had been engulfed in a state of political uncertainty which should be stopped. The popular mandate was in favour of the BJP and its allies who had entered into an alliance prior to the elections and not after that. It would be wrong to assume that the alliance had been forged as a means to grab power. The Government had chalked out a programme of all-round development of the nation. States would be granted more autonomy. The allocation of resources should be such that the States would not have to depend on the Centre in the discharge of their responsibilities of development. The Government would take every section of the society along with them. The task could be undertaken on the basis of a consensus.

Opposing the motion, Shri Sharad Pawar said that the policies and the ideologies of the Government were replete with contradictions. If the country would move ahead sacrificing the very basic principles underlying its foundation, then a heavy price would have to be paid for that.

Shri Somnath Chatterjee said that there should not be any compromise on the question of democracy and secularism in the country and the unity and integrity of the country should not be destroyed.

Participating in the discussion, Shri Mulayam Singh Yadav said that so far as the question of farmers was concerned, their plight was pathetic. The Government had promised to ameliorate their conditions but nothing of the sort had so far been done.

Supporting the motion, the Minister of Defence, Shri George Fernandes said that so far as the concept of 'Swadeshi' was concerned, Mahatma Gandhi had said that whenever the Government wanted to adopt a welfare measure it must keep in mind the face of a poor man in order to ensure whether such a measure was going to benefit him or not. If a particular measure of the Government was detrimental to the interest of the poor man, that would not be in the national interest. It would be the endeavour of the Government to follow Gandhiji's concept of 'Swadeshi'.

Supporting the motion, Kumari Mamata Banerjee said that the Election Commission should be strengthened to curb rigging during elections. The electoral reforms Bill should be introduced in the Parliament as early as possible. The Lokpal Bill should be passed immediately. There should be a comprehensive plan of action to deal with the problem of unemployment and to safeguard the interests of the minorities.

Supporting the motion, the Minister of Chemicals and Fertilizers with additional charge of the Ministry of Food, Shri Surjeet Singh Barnala suggested that just as the term of the Rajya Sabha had been fixed for six year, the term of the Lok Sabha should also be fixed for five years. There should evolve a consensus to bring forward a constitutional amendment in that regard.

Opposing the motion, Kumari Mayawati said that the BJP had adopted the method of political pressure to garner the support of the BSP.

Supporting the motion, Shri Vaiko said that in a country with different religions, languages, ethnic groups, traditions and customs, the concept of unity in diversity had to be accepted.

Opposing the motion, Shri P. Chidambaram said that there was no mention about an alliance between the national parties and the regional parties in the manifesto of the BJP. Their National Agenda said that foreign direct investment would be welcome in core industries and would not be allowed in non-priority sector. He pointed out that the Address by the President and the Finance Minister's speech introducing the Interim Budget did not throw adequate light on this matter.

Participating in the discussion, the Minister of Information and Broadcasting with additional charge of the Ministry of Communications, Smt. Sushma Swaraj appealed to all the members of the Opposition to come forth and join in the endeavour to re-build the nation, not be motivated by feelings of hatred. The country had been waiting for 'Swaraj' and efficient governance.

Supporting the motion, Shri Kishan Singh said that the fluid political situation and the composition of the Lok Sabha would stand testimony to the fact that the electorate had attached sufficient significance to the regional parties.

Taking part in the discussion, the Minister of State in the Ministry of Information and Broadcasting, Shri Mukhtar Abbas Naqvi said that the need of the hour was to strengthen nationalism.

The Minister of Commerce, Shri Ramakrishna Hegde said that the Indian polity was being gradually polarised. The ruling coalition together did have the highest measure of mandate which could not be questioned. The people of the country had already expressed their confidence in the coalition.

Participating in the discussion, Shri Laloo Prasad Yadav suggested that the office of the Governor should be abolished altogether.

The Minister of Human Resource Development with additional charge

of Science and Technology, Dr. Murli Manohar Joshi said that the Government would bring the GDP growth rate to 7-8 per cent and would strive to develop national consensus on all major issues confronting the nation by eliciting cooperation and involving the Opposition parties and all sections of the society. He appealed to the House to give an opportunity to the Government to work for making India great and for its all-round development on the basis of consensus.

Opposing the motion, Shri Chandra Shekhar said that if regional disparity could not be removed and special schemes chalked out for the backward areas, the country would disintegrate.

Shri Kinjarapu Yerrannaidu said that the BJP had emerged as the single largest party. Not only the people's votes but the public sentiment seemed to be favouring the BJP as the ruling side and the Telugu Desam had no intentions of coming in their way.

Opposing the motion, Shri Indrajit Gupta said that there should be a categorical statement from the Prime Minister as to the BJP's stand and the latest official stand regarding the question of exercising the nuclear option.

The Minister of Steel and Mines, Shri Naveen Patnaik said that the State of Orissa had four enemies-cyclone, flood, drought and neglect. The BJD was committed to do what would be humanly possible in order to deal with these and they were convinced that the Government would work for achieving all the goals set forth in the National Agenda.

Participating in the discussion, Shri Amar Roy Pradhan expressed the view that the Prime Minister's statement that Uttaranchal, Vananchal and Chattisgarh would be made separate States and Delhi would also be given full statehood would lead to similar demands from several other quarters.

Dr. Jayanta Rongpi said that the Government should review its North-East policy in the backdrop of five decades of extremist disturbances there.

Opposing the motion, Shri Sultan Salahuddin Owaisai expressed the view that the policy of the Government was to implement the Common Civil Code and to abrogate Article 370 of the Constitution which was not desirable.

Shri Anand Mohan said that the Government had come out with a national agenda wherein everything had been promised. Dual standards should not be followed in the matter of corruption.

Participating in the discussion, Prof. Saifuddin Soz said that only if the people of Jammu and Kashmir expressed their consent, could article 370 be abrogated.

Shri P.C. Thomas said that the major party leading the coalition could not claim to be secular. The farmers of Kerala, especially the rubber farmers, were in the doldrums and the Government should take some action on that.

Shri Surendra Singh supported the motion.

Replying to the discussion*, the Prime Minister, Shri Atal Bihari Vajpayee said that the Government had long been talking about exercising the nuclear option for the sake of the security of the country. The Government would not take unilateral decisions. The House would be supreme. There was a strong opinion that a Commission should be constituted to go into the question as to whether the Constitution required to be amended. The National Agenda sought to constitute a Commission to make a review of the Constitution. Inferences should not be drawn on that basis to the effect that the present Constitution would be scrapped.

The motion was adopted.

Statement on the situation arising from Natural Calamity in West Bengal and Orissa: Making a Statement in the House on 25 March 1998, the Prime Minister, Shri Atal Bihari Vajpayee said that the devastation caused by a severe local weather phenomenon known as 'Kal Baisakhi' hit the coastal areas of West Bengal and Orissa. About 100 persons, including children, had lost their lives and a large number of people had been rendered homeless. Considering the gravity of the calamity, a high-level team consisting of the Minister of State for Agriculture, Shri Som Pal and two members of Parliament was deputed to tour the affected areas for getting a first hand report. An amount of rupees one crore was released out of the Prime Minister's Relief Fund for providing immediate relief to the families of those who had lost their lives and suffered injuries. The Government was making advance release of Rs. 10.20 crore to Orissa and Rs. 10.60 crore to West Bengal towards the Central Government share of the Calamity Relief Fund (CRF).

On 31 March 1998, the Minister of State in the Ministry of Agricul-

* Others who took part in the discussion were: Sarvashri Ajit P.K. Jogi, V. Sathiamoorthy, Sansuma Khungur Bwiswmuthiary, Ram Das Athawale, N.K. Premachandran, Ramanand Singh, Anant Gangaram Geete, P. Shiv Shanker, S. Jaipal R'ddy, T.R. Baalu, Mohammad Sayeed and P.A. Sangma.

ture, Shri Som Pal made another Statement on the situation and the relief and rehabilitation measures taken by the Government. According to the reports of the Government of Orissa, three villages in the Jaleswar tehsil in the district of Balasore were hit by thunder-squalls affecting about 5,000 people, 20,000 houses and four educational institutions, besides causing loss of 22 human lives, including 13 children; 97 persons had been injured; and about 17 cattle heads had been killed and 396 injured. Similarly, in West Bengal, 18 villages in three blocks of Midnapore district were hit affecting about 30,000 persons, 5,702 houses and 2,569 hectares of cropped areas, besides causing loss of 48 human lives and 1,583 cattle heads; about 1,200 persons had been injured.

As per the existing system, the State Governments were responsible for undertaking relief and rehabilitation measures in the wake of natural calamities out of the corpus of the CRF. The Government of India and the State Governments contribute to the CRF in the ratio of 3:1. According to the reports received from the State Governments, an amount of Rs. 8.12 crore was available as unspent with the Government of West Bengal. The Government of India had released in advance the Central share of the first quarterly instalment of 1998-99 of CRF of Orissa and West Bengal to augment their resources for extending relief to the affected areas.

Keeping in view the long term perspective, the State Governments were required to incorporate mitigation and preventive measures in their plan schemes. The Central Government was implementing various programmes and schemes for long term mitigation and prevention of natural disasters like the Drought Prone Areas Programme, Desert Development Programme, Technology Mission on Drinking Water, Catchment of Flood Prone Rivers, etc. The Minister said that no effort would be spared to assist the people of the affected areas.

B. LEGISLATIVE BUSINESS

During the Session, the following Bills were introduced in the House and later considered and passed: (i) The Appropriation (Railways) (Vote on Account), Bill, 1998; (ii) The Appropriation (Railways) Bill, 1998; (iii) The Appropriation (Vote on Account) Bill, 1998; (iv) The Appropriation Bill, 1998; (v) The Contingency Fund of India (Amendment) Bill, 1998; (vi) The Income-Tax (Amendment) Bill, 1998; and (vii) The Finance Bill, 1998.

C. OBITUARY REFERENCES

During the Session, obituary references were made on 25 March,

1998 to the passing away of former Prime Minister, Shri Gulzari Lal Nanda; freedom fighter, Communist leader and former Chief Minister of Kerala, Shri E.M.S. Namboodiripad; and Sarvashri Shrikrishna Vajinath Dhamankar, Mohinder Singh Sayianwala, Chakleshwar Singh, Tridib Chaudhuri, Nurul Islam Mohammed Idris Ali, Bimalkanti Ghosh, Vaidya Dau Dayal Joshi and Bhola Nath Sen and Smt. Vimla Deshmukh, all former members of the Lok Sabha and Shri M.A. Sreenivasan, member of the Constituent Assembly.

Obituary references were also made on the same day to the loss of several lives and property on account of the tragedy caused due to the tornado which hit the States of West Bengal and Orissa on 24 March 1998.

On 27 March 1998, obituary references were made to the passing away of Sarvashri M. Nageshwararao and V.K. Ramaswamy, former members of the Lok Sabha.

Members stood in silence for a short while as a mark of respect to the memory of the deceased.

RAJYA SABHA

ONE HUNDRED AND EIGHTY-THIRD SESSION*

The Rajya Sabha, which met for its one Hundred and Eighty-third Session 25 March 1998, was adjourned *sine die* on 2 April 1998. The House was then prorogued on 6 April 1998. A resume of some of the important discussions held and other business transacted during the period is given below. There was no Question Hour during this period.

A. DISCUSSIONS

Motion of Thanks on the Address by the President: The discussion on the Motion of Thanks on the Address** by the President to the members of Parliament took place on 30 and 31 March and 1 and 2 April 1998.

Initiating the discussion on 30 March 1998, Shri Sunder Singh Bhandari said that the Government would confine its commitment to the National Agenda on the basis of which the alliance parties would be able to serve the country. The thrust would be on providing basic necessities to the common citizen, making efforts for economic advancement and preserving the integrity and security of the country. He said that the

* Contributed by the Research and Library Section, Rajya Sabha Secretariat.

** For the text of the Address, see pp. 87-93

sharing of money collected through the Voluntary Disclosure of Income Scheme (VDIS) with the States would improve the Centre-State relations. The Public Distribution System (PDS), had to be made more efficient and effective. Rural industrialization, horticulture, animal husbandry and dairy farming, etc. could play a major role in providing employment to the villagers.

The member said that free education at primary level was essential. Free education to girls upto graduation level and a Development Bank for women entrepreneurs were welcome measures. Identification of neglected areas, participation of private sector in housing sector and foreign investment in the infrastructural sector had to be given importance. He suggested the setting up of an organisation on the lines of OPEC for getting remunerative prices for export items. He also stressed the need to bring about transparency and honesty without compromising with national security. The Government's commitment to pass the Lokpal Bill would restore the confidence of the people. The evils of corruption, criminalisation of politics and defection could be done away with electoral reforms, he added.

Replying to the debate* on 2 April 1998, the Prime Minister, Shri Atal Bihari Vajpayee said that the Government would strive for evolving a consensus mode of governance as far as practicable. Some of the issues which needed national consensus urgently were electoral reforms; Centre-State relations; population policy; empowerment of women by legislating 33 per cent reservation in all elected bodies; resolution of inter-State water disputes; environment protection; and effective institutional guarantees for the welfare of the weaker sections of the society while pursuing economic reforms. With regard to foreign policy, the Prime Minister said that the Government would strive for the improvement of relations with the SAARC countries, the ASEAN and the Asia Pacific while keeping the national interest in mind.

The Motion was adopted.

* Others who took part in the discussions were: Sarvashri Narendra Mohan, Ram Jethmalani, Sanatan Bisi, Lakkhiram Agarwal, Khan Ghufan Zahidi, S. Peter Alphonse, O.P. Kohli, Pranab Mukherjee, Janeshwar Misra, Ram Deo Bhandari, Moolchand Meena, Onkar Singh Lakhawat, S.B. Chavan, Somappa R. Bommai, Maheshwar Singh, Virendra Kataria, M.A. Baby, Triloki Nath Chaturvedi, Gurudas Das Gupta, Surinder Kumar Singla, Solipeta Ramachandra Reddy, Gandhi Azad, S.S. Surjewala, Balwant Singh Ramoowalia, Tara Charan Majumdar, Mohd. Masud Khan, Wasim Ahmed, Yoginder K. Alagh, Jalaludin Ansari, W. Angou Singh, V.P. Duraisamy, Brahmakumar Bhatt, S. Muthu Mani, Mohd. Azam Khan, Dr. Manmohan Singh, Dr. Biplab Das Gupta, Dr. Karan Singh, Dr. B.B. Dutta, Prof. Naunihal Singh, Shrimati Margaret Alva, Shrimati Jayaprada Nahata, Shrimati Malti Sharma, Shrimati Jayanthi Natarajan, Shrimati Shabana Azmi and Kumari Saroj Khaparde.

Interim Budget (Railways) 1998-99: The discussion on the Interim Budget (Railways) 1998-99 took place on 27 March 1998.

Initiating the discussion, Prof. Vijay Kumar Malhotra expressed the need for a Metro Railway in every city having a population of more than 20 lakh. He said that up-to-date technological developments had to be given priority to check railway accidents. He also drew attention to the unauthorised occupation of Railway land which could otherwise be utilised by the Railway to earn profit. The member suggested that the task of maintaining Railway platforms could be given to private hands. He said that provision of Railway facilities to hilly, backward and tribal areas would be important for their development. The member also expressed concern over the increase in the incidents of dacoity, theft and killings in trains which could be checked by a better coordination between the Railway police and the State police.

Replying to the debate* on the same day, the Minister of Railways, Shri Nitish Kumar said that though the Railways was running in profit, it needed a lot of financial assistance for its on-going and new projects. It needed more budgetary assistance to fulfil its social obligations. Whatever assistance it received from the general exchequer, it paid dividend on the same. Efforts would be made by the Railways to increase its internal resources by controlling all unnecessary expenditure and by adopting austerity measures. Efforts would also be made to improve rail services by maintaining punctuality in operation of trains, review the Railway Recruitment Board and to complete all on-going projects. As regards development of the Railway network, the Minister pointed out that an integrated policy and uniform norms for the whole country would be adopted.

Statement on situation arising from thunder-squalls in Orissa and West Bengal: On 1 April 1998, the Minister of State in the Ministry of Agriculture, Shri Sompal made a statement on the situation arising from thunder-squalls in Orissa and West Bengal on 24 March 1998 and the relief and rehabilitation measures taken by the Government. According to the reports of the Government of Orissa, three villages in Jaleswar tehsil in the District of Balasore were hit by thunder-squalls affecting about 5,000 people, 2,000 houses and four educational institutions, besides causing loss of 22 human lives, including that of 13 children.

* Others who took part in the discussion were: Sarvashri Nilotpal Basu, S. Muthu Mani, Moolchand Meena, Narain Prasad Gupta, Sanatan Bisi, Prem Chand Gupta, C.P. Thirunavukkarasu, Bangaru Laxman, S.S. Surjewala, Gandhi Azad, Naresh Yadav, Parag Chaliha, N. Thalavai Sundaram, J. Chitharanjan, Shrimati Margaret Alva and Shrimati Urmilaben Chimanbhai Patel.

Ninety seven persons had been injured, 17 cattle heads had been killed and 396 injured. Similarly, in West Bengal, 18 villages in 3 blocks of Midnapore district were hit affecting about 30,000 persons, 5,702 houses and 2,569 hectares of cropped area, besides causing loss of 48 human lives and 1,583 cattle heads, About 1,200 persons had been injured.

The Minister pointed out that the Central Government only supplemented the relief measures of the State Government by providing additional resources in accordance with the recommendations of the Finance Commissions appointed from time to time. On the recommendations of the Tenth Finance Commission, a National Fund for Calamity Relief (NFCR) had been constituted in 1995-96, with an allocation of funds managed by a National Calamity Relief Committee (NCRC) for providing assistance to States in the wake of calamities of rare severity.

Replaying to the points raised by the members, the Minister said that the Central Government was concerned only with the emergent situation which had been caused by the calamity. A decision on the extent of the Central Government's assistance would be taken after further receipt of reports from the respective States. Providing medical relief would depend on the State Government, the amount for which had already been released to both States. Poverty alleviation programmes and loans did not fall under emergent measures, he clarified.

Statement on the killing of a Minister of the Government of Tripura: On 1 April 1998, the Minister of Home Affairs, Shri L.K. Advani made a Statement on the killing of the Minister for Health and Family Welfare, Government of Tripura, Shri Bimal Singha, and his younger brother Shri Bidyut Singha who were shot dead by the National Liberation Front of Tripura (NLFT) on 31 March 1998 at Abhanga in the Kamalpur subdivision of Dhalai district.

Replying to the points raised by members, the Minister stated that the National Security Act (NSA) would not be used although the Act was intended to deal with insurgents who were arrested. However, he said that the State Government and the Central Government had a joint responsibility to see that insurgency was dealt with firmly. There had to be a national consensus and a national determination to prevent illegal infiltration all along the border. After reviewing the security situation in Tripura, additional security forces were being sent to the State and the security vigil intensified. An agreement for the maintenance of peace and tranquility in border areas had been signed with the Government of Myanmar in 1994 at New Delhi. He said that similar initiatives had also

been taken for obtaining cooperation of the Government of Thailand.

B. LEGISLATIVE BUSINESS

The Income Tax (Amendment) Bill, 1998*: Moving the motion for consideration of the Bill on 2 April 1998, the Minister of State in the Ministries of Finance and Parliamentary Affairs, Shri R.K. Kumar said that the Bill sought to replace the Income-Tax (Amendment) Ordinance (No. 28 of 1997) promulgated on 26 December 1997 and to further amend the Income Tax Act, 1961 mainly to provide certain tax incentives to the industrial undertakings engaged in the business of power generation, commercial production of mineral oil and construction of highway infrastructure. The Bill had been passed by the Lok Sabha on 30 March 1998.

The Motion for consideration of the Bill and the clauses, etc. were adopted and the Bill was returned to the Lok Sabha on the same day.

C. OBITUARY REFERENCES

During the Session, obituary references were made to the passing away of former Prime Minister, Shri Gulzarilal Nanda; freedom fighter and Communist leader, Shri E.M.S. Namboodiripad; a sitting member of Rajya Sabha, Shri Tridib Chaudhari; and Sarvashi T.V. Kamalashwamy, M.S. Ramachandra, B. Krishna Mohan and Shrimati Vimal Punjab Deshmukh, all former members of the Rajya Sabha. Members stood in silence for a short while as a mark of respect to the memory of the deceased.

STATE LEGISLATURES

HIMACHAL PRADESH VIDHAN SABHA**

The Eighth Himachal Pradesh Vidhan Sabha, which commenced its Thirteenth Session on 18 August 1997, was adjourned *sine die* on 22 August 1997. The House was prorogued on 23 August 1997. There were five sittings in all.

Obituary references: During the Session, obituary references were made to the passing away of former Deputy Speaker, Shri Lakh Ram Thakur and former members of the Legislative Assembly, Shri Ram Pratap Chandel and Shri Gauri Shankar.

* The Bill, as passed by the Lok Sabha, was laid on the Table on 30 March 1998.

** Material contributed by the Himachal Pradesh Vidhan Sabha Secretariat

KARNATAKA LEGISLATIVE ASSEMBLY*

The Tenth Karnataka Legislative Assembly, which commenced its Seventh Session on 9 March 1998, was adjourned *sine die* on 27 March 1998. The House had fifteen sittings in all.

Address by the Governor: The Governor of Karnataka addressed the House on 9 March 1998. The Motion of Thanks to the Governor for his Address was adopted by the House after discussion and a reply by the Government on 17 March 1998.

Legislative business: During the Session, ten Bills were introduced of which eight were considered and passed by the House.

Financial business: On 18 March 1998, the Deputy Chief Minister presented the Budget for the year 1998-99. The Supplementary Estimates (Final Instalment) for the year 1997-98 were presented on 24 March 1998. The Demands for Grants (Vote on Account for three months) were passed after discussion on 26 March 1998.

Obituary references: During the Session, obituary references were made to the passing away of six eminent persons.

MADHYA PRADESH VIDHAN SABHA**

The Tenth Madhya Pradesh Vidhan Sabha which met for its Thirteenth Session on 3 November 1997 was adjourned *sine die* on 21 November 1997. There were fourteen sittings in all.

Legislative business: During the Session, eight Government Bills were introduced in the House which were considered and passed.

Financial business: On 13 November 1997, the Finance Minister, Shri Ajai Mishran introduced the second Supplementary Demands for the year 1997-98 which were granted by the House on 18 November 1997.

Obituary references: During the Session, obituary references were made to the passing away of 'Bharat Ratna' Mother Teresa; Union Minister of State, Shri N.V.N. Somu; former Union Minister of State, Shri Satish Agrawal; former Chief Justice of India, Shri E.S. Venkataramaiah and Sarvashri Dharampal Singh Gupta, Jwala Prasad Jyotishi, Baboolal Kamal, Chintaram Masram, Satyanarain Singh, Mohan Lal Shishir, Basantrao Uike, Harisevak Mishra, Smt. Kumaridevi Choubey and Smt. Lalitadevi, all former members of the House. Obituary references were also made

* Material contributed by the Karnataka Legislature

** Material contributed by the Madhya Pradesh Vidhan Sabha Secretariat

to the passing away of veteran freedom fighter and a Communist leader Shri M. Faruqi, wellknown journalist and Hindi writer Dr. Dharamveer Bharti and also to those who lost their lives in a train accident near Champa in district Bilaspur and to those killed in the devastating floods in district Rewa.

NAGALAND LEGISLATIVE ASSEMBLY*

The Ninth Nagaland Legislative Assembly, which commenced its First Session on 23 March 1998, was adjourned on 26 March 1998. There were three sittings in all.

Address by the Governor: The Governor of Nagaland, Shri O.P. Sharma addressed the House on 23 March 1998. The Motion of Thanks to the Governor for his Address, which was moved by Shri Joshua Sumi and seconded by Shri Doshehe Y. Sema, was adopted on 24 March 1998.

Election of the Speaker: Shri Zhovehu Lohe was unanimously elected the Speaker.

Legislative business: During the Session the following six Bills were introduced in the House on 26 March 1998 and were passed by the House the same day: (i) The Nagaland Appropriation Bill (No. 1), 1998; (ii) The Nagaland Appropriation Bill (No. 2), 1998; (iii) The Nagaland Appropriation Bill (No. 3), 1998; (iv) The Nagaland Appropriation Bill (No. 4), 1998; (v) The Nagaland Appropriation Bill (No. 5), 1998; and (vi) The Nagaland Appropriation Bill (No. 6), 1998.

Financial business: On 24 March 1998, the Chief Minister, Shri S.S. Jamir, who also holds the Finance Portfolio, presented the Supplementary Demands for Grants for regularization of excess expenditure incurred during the years 1985-86, 1986-87, 1988-89 and 1989-90. The Supplementary Demands for Grants for the year 1997-98 were also presented. The Chief Minister presented the Vote on Account for the year 1998-99 the same day. The discussion and voting on the Demands and Vote on Account took place on 26 March 1998.

Obituary references: During the Session, obituary references were made to the passing away of former Prime Minister, Shri Gulzarilal Nanda, a former Minister of Nagaland, Shri Longyiem Konyak and a former member of the Legislative Assembly, Shri Soyie Doule.

* Material contributed by the Nagaland Legislative Assembly Secretariat

RAJASTHAN LEGISLATIVE ASSEMBLY*

The Rajasthan Legislative Assembly, which met for its Tenth Session on 9 March 1998, was adjourned *sine die* on 18 March 1998. The House was prorogued on 31 March 1998. There were six sittings in all.

Address by the Governor: The Governor of Rajasthan, Shri Bali Ram Bhagat addressed the House on 9 March 1998. The Motion of Thanks to the Governor for his Address was discussed for three days and was adopted by the House on 18 March 1998.

Legislative business: During the Session, the following Bills were passed by the House: (i) The Rajasthan Appropriation (No. 1) Bill, 1998; (ii) The Rajasthan Appropriation (Vote-on-Account) (No. 2) Bill, 1998; (iii) The Rajasthan Universities Teachers and Officers (Section for Appointment) (Amendment) Bill, 1998; (iv) The Rajasthan Ministers Salaries (Amendment) Bill, 1998; and (v) The Rajasthan Legislative Assembly (Officers and Members Emoluments and Pension) (Amendment) Bill, 1998.

Financial business: On 10 March 1998, the Finance Minister, Shri H.S. Bhabhra presented the budget. A motion for Vote-on-Account for the next four months was moved and passed on the same day. Shri Bhabhra also presented the List of Supplementary Demands for Grant for the year 1997-98 which were passed by the House on 17 March 1998.

Obituary references: During the Session, obituary references were made to the passing away of 14 leading personalities and the Secretary, Rajasthan Legislative Assembly, Shri Bansi Lal Gupta.

TRIPURA LEGISLATIVE ASSEMBLY**

The Seventh Tripura Legislative Assembly, in its Twelfth Session, met for a day on 26 February 1998 and was adjourned *sine die* the same day. In the history of the Tripura Legislative Assembly, it was the first time that a Session was convened after the elections to the State Assembly but before the results were announced. The Session had to be convened as per Constitutional requirement under art.174 of the Constitution which says that six months shall not intervene between its last sitting in one Session and the date appointed for its first sitting of the next Session. The last sitting of the Assembly was held on

* Material contributed by the Rajasthan Legislative Assembly Secretariat

** Material contributed by the Tripura Legislative Assembly Secretariat

8 September 1997. As such, the one-day sitting of 26 February 1998 was a "Lame-Duck" Session.

Address by the Governor: The Governor of Tripura, Prof. Siddheshwar Prasad addressed the House on 26 February 1998. The Government Chief Whip and Minister, Shri Keshab Majumdar moved the Motion of Thanks to the Governor for his Address and Shri Samar Choudhury seconded it. Thereafter, the Motion was adopted by the House.

Obituary references: During the Session, obituary references were made to the passing away of thirteen distinguished persons, including former Prime Minister, Shri Gulzarilal Nanda; former Union Minister, Shri Triguna Sen; renowned Parliamentarian, Shri Chitta Basu; and eminent parliamentarian and freedom fighter, Shri Tridib Choudhury.

The Eighth Tripura Legislative Assembly commenced its First Session on 23 March 1998 which was concluded on 27 March 1998.

Address by the Governor: The Governor of Tripura, Prof. Siddheshwar Prasad addressed the House on 23 March 1998. The Motion of Thanks to the Governor for his Address was moved by the Minister for Revenue, Land Reforms, Labour and Parliamentary Affairs, Shri Keshab Majumdar the same day and was seconded by the Minister for Industries and Commerce, Shri Pabitra Kar. The Motion was discussed for two days and was adopted by the House without any amendments on 24 March 1998.

✓ *Election of Speaker:* Shri Jitendra Sarker was elected as the new Speaker of the Legislative Assembly on 23 March 1998.

Legislative business: On 25 March 1998, the Tripura Prevention of Defacement of Property (Amendment) Bill, 1998 was considered and passed by the House.

Financial business: On 24 March 1998, the Finance Minister, Shri Badal Choudhury presented the Supplementary Demands for Grants for the year 1997-98. He also moved a Motion for Vote on Account for a part of the financial year 1998-99. The General Discussion on the Supplementary Demand for Grants for the year 1997-98 was initiated on 25 March 1998. Later, the Finance Minister replied to the debate and the Discussion on the Supplementary Demand for Grants was concluded.

Obituary references: During the Session, obituary references were made to the passing away of former Union Minister, Shri Sankar Ghosh, a former Minister of West Bengal, Shri Bhudeb Bhattacharjee and veteran freedom fighter and the CPI(M) leader, Shri E.M.S. Namboodiripad.

BOOK REVIEW

G.C. Malhotra, Motions of Confidence and No-Confidence (New Delhi: Metropolitan), 1998 (Pages: 112), Price: Rs. 300/-)

The raison d'être of parliamentary democracy is the accountability of the Executive to the people through the Legislature. The political Executive governs so long as it has the mandate of the people through the Legislature and the moment it forfeits that mandate, it ceases to be in power. It is the good fortune of India and its democratic minded people that the battle for power has always taken place through the ballot box and on the floor of the House. It is indeed a great tribute to democracy that power has changed hands in India peacefully and through democratic means. The credit for this goes to our parliamentary heritage and legacy which have been institutionalized over the years. The democratic institutions have evolved and grown in strength over the centuries. The practices, procedures, conventions and values have not only given sustenance to our political system but have also strengthened it.

Two of the important and healthy parliamentary practices pertain to the use of Confidence and No-confidence Motions which are like the litmus list for the government of the day. These arise out of the Constitutional provisions contained in Article 75(3) which provides that the Union Council of Ministers is collectively responsible to Lok Sabha. The Council of Ministers has to prove the majority support, whenever required, either by winning a confidence vote or by defeating a No-confidence Motion. The concept of collective responsibility implies that a No-confidence Motion has to be moved against the Council of Ministers as a whole and not against an individual Minister.

While the Constitution provides for ensuring collective responsibility, the Rules of Procedure and Conduct of Business of Lok Sabha clearly lay down the procedure for ensuring it through the moving of a Motion of No-confidence in the Council of Ministers. It is worth mentioning here that with the decline of one-party dominance and with the emergence of coalition politics, Motions of Confidence and No-confidence have assumed added significance. It is against this backdrop that the efforts of the author, Shri G.C. Malhotra deserve accolades. This book is the first of its kind in this field. The author has certainly made a deep and systematic

study of all the Motions of Confidence and No-confidence debated in the Indian Parliament ever since the Constitution came into existence. The novelty of the book is that information, data and statistics regarding such motions are readily available in the book in the form of graphs, charts and tables. The author also has made a reference to the relevant constitutional provisions and the practice and procedure governing such motions in other countries such as the United Kingdom, Canada, Australia, France, Japan and Germany. Such an exercise gives a comparative perspective.

The study made by the author brings to the fore many lesser known facts to the general readers. For example, the author writes that 'there is no specific procedure relating to the Motion of Confidence in the Council of Ministers'. He further writes that 'when the Rules of Lok Sabha were framed, motions seeking confidence of the House in the Council of Ministers, to be moved by the Prime Minister at the directive of the President, were perhaps not visualised. The author observes that the necessity of raising debate through such a motion for the first time arose in the late seventies with the advent of minority governments caused by split in parties and later with the formation of coalition governments as a result of hung parliaments. As regards the rule governing such motions, he writes that in the absence of any specific rule, Motions of Confidence have been entertained under the category of motions stipulated in Rule 184 which are meant for raising discussions on the matters of public interest. Decisions on such motions are taken under Rule 191 by putting before the House necessary questions. Making a distinction between a No-confidence Motion and a Confidence Motion, the author writes that in the case of a Confidence Motion, there is no requirement for seeking the leave of the House. The one-line notice of motion under Rule 184 that "this House expresses its confidence in the Council of Ministers" is given on a Presidential directive. When admitted by the Speaker, it is published in the Bulletin.

Recalling the first ever No-confidence Motion, the author mentions that it was after the Chinese aggression in 1962 that Shri J.B. Kripalani, an Unattached member of the Third Lok Sabha, gave the notice of No-confidence motion against Nehru's Council of Ministers, which was admitted. The motion triggered an animated debate that lasted 21 hours and 33 minutes spanning over a period of four days from 19 to 22 August 1963. The motion was however, negated. While Shri Kripalani's was the first ever No-confidence Motion admitted by the then Speaker, the notice of the first ever Motion of Confidence was given by the Prime Minister Ch. Charan Singh which was admitted for being moved on 20 August 1979.

The motion, however, could not be moved as Ch. Charan Singh tendered the resignation of his Council of Ministers that day and the House was adjourned *sine die*.

In his study, the author also quotes rulings given by various Speakers of the Lok Sabha with regard to the admissibility of the Confidence and No-confidence Motions. These are of immense precedent value and may be found very useful by the Presiding Officers and Officers of the Legislature Secretariats while dealing with Confidence and No-confidence Motions. The author, for example, mentions about a ruling that a Motion of No-confidence need not set out any grounds on which it is based and if the notice contained grounds which formed the basis of the motion, they need not be read out in the House. There have, however, been exceptions to this principle when, in some instances, the Speaker mentioned briefly reasons given in the notice of No-confidence Motions. Yet another such ruling is that unless leave is granted by the House to the moving of the motion, no speech is permitted in support of the motion at the time of obtaining the leave of the House.

The author further mentions that after a No-confidence Motion has been discussed and negatived by the House, another No-confidence Motion cannot be moved during the same Session. There is, however, no bar to the admission of a No-confidence Motion even though members might have already got opportunity earlier in the Session to criticise government at the time of discussion on the Motion of Thanks to the President for his Address, Budget, etc.

On the whole, the book makes very interesting reading. The contents of the book, however, could have been enriched, had there been more analysis of debates pertaining to the Confidence and No-confidence Motions. The book will stimulate further study and research by scholars and academicians engaged in parliamentary studies and research.

*Rabi Ray,
Former Speaker,
Lok Sabha*

RECENT LITERATURE OF PARLIAMENTARY INTEREST

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APPENDIX 1

STATEMENT SHOWING THE WORK TRANSACTED DURING THE FIRST SESSION OF THE TWELFTH LOK SABHA

1. PERIOD OF THE SESSION	23 March to 31 March 1998	
2. NUMBER OF SITTINGS HELD		8
3. TOTAL NUMBER OF SITTING HOURS	56 hours and 34 minutes	
4. NUMBER OF DIVISIONS HELD		One
5. GOVERNMENT BILLS		
i) introduced		7
ii) Discussed		7
iii) Passed		7
iv) Returned by the Rajya Sabha without any recommendation		7
6. NUMBER OF STATEMENTS MADE UNDER RULE 372 (Calling Attention to Matters of Urgent Public Importance)		2
7. STATUTORY RESOLUTIONS		
i) Notices received		49
ii) Admitted		7
iii) Moved		2
iv) Withdrawn		2
8. GOVERNMENT RESOLUTIONS		
i) Notices received		2
ii) Admitted		2
iii) Moved		2
iv) Adopted		2
9. GOVERNMENT MOTIONS (Confidence Motion)		
i) Notices received		1
ii) Admitted		1
iii) Discussed		1
iv) Adopted		1
10. PRIVATE MEMBERS' MOTIONS		
i) Notices received		69
11. NUMBER OF PARLIAMENTARY COMMITTEES CREATED, IF ANY, DURING THE SESSION		Two
	i) House Committee	
	ii) Business Advisory Committee	
12. TOTAL NUMBER OF VISITORS PASSES, ISSUED DURING THE SESSION		6,698
13. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY AND DATE ON WHICH ISSUED	1,720 on 27 March 1998	
14. NUMBER OF ADJOURNMENT MOTIONS		
i) Brought before the House		2
ii) Consent withheld by the Speaker outside the House		2

15. WORKING OF PARLIAMENTARY COMMITTEES

S.I No.	Name of the Committee	No. of sittings held during the period 1 January to 31 March 1998	No. of Reports presented
1	2	3	4
i)	Business Advisory Committee	—	—
ii)	Committee on Absence of Members	—	—
iii)	Committee on Public Undertakings	NIL	1
iv)	Committee on Papers Laid on the Table	NIL	NIL
v)	Committee on Petitions	—	—
vi)	Committee on Private Members Bills and Resolutions	—	—
vii)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes	—	—
viii)	Committee on Privileges	—	1
ix)	Committee on Government Assurances	—	—
x)	Committee on Subordinate Legislation	—	—
xi)	Estimates Committee	NIL	NIL
xii)	General Purposes Committee	—	—
xiii)	House Committee	—	—
	a) Accommodation Sub-Committee		
	b) Sub-Committee on Amenities		
xiv)	Public Accounts Committee	NIL	NIL
xv)	Railway Convention Committee	—	—
xvi)	Rules Committee	—	—
JOINT/SELECT COMMITTEES			
i)	Joint Committee on Offices of Profit	NIL	NIL
STANDING COMMITTEES			
i)	Committee on Agriculture	NIL	NIL
ii)	Committee on Communications	—	—
iii)	Committee on Defence	—	—
iv)	Committee on Energy	NIL	NIL
v)	Committee on External Affairs	—	—
vi)	Committee on Finance	NIL	NIL
vii)	Committee on Food, Civil Supplies and Public Distribution	NIL	NIL
viii)	Committee on Labour and Welfare	NIL	NIL
ix)	Committee on Petroleum and Chemicals	—	—
x)	Committee on Railways	NIL	NIL
xi)	Committee on Urban and Rural Development	NIL	NIL
xii)	Committee on the Empowerment of Women	NIL	NIL
16.	NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE		—
17.	PETITIONS PRESENTED		—
18.	NUMBER OF NEW MEMBERS SWORN IN WITH DATE		538
	(i)	380 members on 23 March 1998	
	(ii)	155 members on 24 March 1998	
	(iii)	2 members on 25 March 1998	
	(iv)	1 member on 26 March 1998	

APPENDIX II

STATEMENT SHOWING THE WORK TRANSACTIONED DURING THE ONE HUNDRED AND EIGHTY-THIRD SESSION OF THE RAJYA SABHA

1. PERIOD OF THE SESSION	25 March to 2 April 1998	
2. NUMBER OF SITTINGS HELD		6
3. TOTAL NUMBER OF SITTING HOURS	32 hours and 30 minutes	
4. NUMBER OF DIVISIONS HELD		—
5. GOVERNMENT BILLS		
i) Pending at the commencement of the Session		33*
ii) introduced		NIL
iii) Laid on the Table as passed by the Lok Sabha		7
iv) Returned by the Lok Sabha with any amendment		NIL
v) Referred to Select Committee by the Rajya Sabha		NIL
vi) Referred to Joint Committee by the Rajya Sabha		NIL
vii) Referred to the Departmentally-related Standing Committees		NIL
viii) Reported by Select Committee		NIL
ix) Reported by Joint Committee		NIL
x) Reported by the Departmentally-related Standing Committees		1
xi) Discussed		7
xii) Passed		7
xiii) Withdrawn		NIL
xiv) Negatived		NIL
xv) Part-discussed		NIL
xvi) Returned by the Rajya Sabha without any recommendation		7
xvii) Discussion postponed		NIL
xi) Pending at the end of the Session		33
6. PRIVATE MEMBERS BILLS		
i) Pending at the commencement of the Session		115**
ii) Introduced		NIL
iii) Laid on the Table as passed by the Lok Sabha		NIL
iv) Returned by the Lok Sabha with any amendment and laid on the Table		NIL

* 3 Bills lapsed before the commencement of the Session following the dissolution of the Eleventh Lok Sabha.

** 2 Bills of Shri Som Pal and 14 Bills of Shri Sushil Kumar Shambhajirao Shinde were removed (before the commencement of the Session) from the Register of Bills pending in the Rajya Sabha upon their resignation and election to the Lok Sabha.

v) Reported by Joint Committee	NIL
vi) Discussed	NIL
vii) Withdrawn	NIL
viii) Passed	NIL
ix) Negatived	NIL
x) Circulated for eliciting opinion	NIL
xi) Part-discussed	NIL
xii) Discussion postponed	NIL
xiii) Motion for circulation of Bill negatived	NIL
xiv) Referred to Select Committee	NIL
xv) Lapsed due to retirement of member-in-charge of the Bill	5
xvi) Pending at the end of the Session	110
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176 (Matters of Urgent Public Importance)	
i) Notices received	NIL
ii) Admitted	NIL
iii) Discussions held	NIL
8. NUMBER OF STATEMENTS MADE UNDER RULE 180 (Calling Attention to Matters of Urgent Public Importance)	
Statements made by Ministers	NIL
9. HALF-AN-HOUR DISCUSSIONS HELD	—
10. STATUTORY RESOLUTIONS	
i) Notices received	17
ii) Admitted	17
iii) Moved	NIL
iv) Adopted	NIL
v) Negatived	NIL
vi) Withdrawn	NIL
11. GOVERNMENT RESOLUTIONS	
i) Notices received	1
ii) Admitted	1
iii) Moved	1
iv) Adopted	1
12. PRIVATE MEMBER'S RESOLUTIONS	
i) Received	NIL
ii) Admitted	NIL
iii) Discussed	NIL
iv) Withdrawn	NIL
v) Negatived	NIL
vi) Adopted	NIL

vii) Part-discussed	NIL
viii) Discussion postponed	NIL
13. GOVERNMENT MOTIONS	
i) Notices received	NIL
ii) Admitted	NIL
iii) Moved	NIL
iv) Adopted	NIL
v) Part-discussed	NIL
14. PRIVATE MEMBERS' MOTIONS	
i) Received	NIL
ii) Admitted	NIL
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	NIL
ii) Admitted	NIL
iii) Moved	NIL
iv) Adopted	NIL
v) Negatived	NIL
vi) Withdrawn	NIL
vii) Part-discussed	NIL
viii) Lapsed	NIL
16. NUMBER, NAME AND DATE OF PARLIAMENTARY COMMITTEE CREATED, IF ANY	NIL
17. TOTAL NUMBER OF VISITORS' PASSES ISSUED	247
18. TOTAL NUMBER OF VISITORS	386
19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED	69 on 31.3.98
20. MAXIMUM NUMBER OF VISITORS ON ANY SINGLE DAY AND DATE	108 on 27.3.98
21. TOTAL NUMBER OF QUESTIONS ADMITTED	
i) Starred	NIL
ii) Unstarred	NIL
iii) Short-Notice Questions	NIL
22. DISCUSSION ON THE WORKING OF THE MINISTRIES	NIL

23. WORKING OF PARLIAMENTARY COMMITTEES

S.I. No.	Name of the Committee	No. of meetings held during the period 1 January to 31 March 1998	No. of Reports presented during the 183rd Session
1	2	3	4
i)	Business Advisory Committee	2	—
ii)	Committee on Subordinate Legislation	8	1
iii)	Committee on Petitions	4	1
iv)	Committee on Privileges	NIL	NIL
v)	Committee on Rules	NIL	NIL
vi)	Committee on Government Assurances	9	—
vii)	Committee on Papers Laid on the Table	5	5
viii)	General Purposes Committee	—	—
ix)	House Committee	1	—
DEPARTMENTALLY-RELATED STANDING COMMITTEES ON:			
x)	Commerce	NIL	NIL
xi)	Home Affairs	—	—
xii)	Human Resource Development	—	—
xiii)	Industry	—	—
xiv)	Science & Technology, Environment & Forests	—	—
xv)	Transport and Tourism	—	—
OTHER COMMITTEES			
xvi)	Ethics Committee	1	—
xvii)	Committee on Provision of Computers to the Members of the Rajya Sabha	4	—
24.	NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE		—
25.	PETITIONS PRESENTED	—	
26.	NAME OF NEW MEMBERS SWORN IN WITH DATE		

Sl. No.	Name of the Member	Party	Date
1	2	3	4
1	Shri Abani Roy	RSP	27.3.98

27. OBITUARY REFERENCES

Sl. No.	Name	Sitting member/Ex-member/dignitary
1	Shrimati Vimal Punjab Deshmukh	Ex-member
2.	Shri T.V. Kamalaswamy	Ex-member
3.	Shri Tridib Chaudhuri	Sitting member
4.	Shri Gulzarilal Nanda	Freedom Fighter, former member of Lok Sabha and Interim Prime Minister
5.	Shri B. Krishna Mohan	Ex-member
6.	Shri E.M.S. Namboodiripad	Freedom Fighter and Communist Leader
7.	Shri M.S. Ramachandran	Ex-member

APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF THE STATES AND UNION TERRITORIES DURING THE PERIOD 1 JANUARY TO 31 MARCH 1998

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
1	2	3	4	5	6	7	8
STATES							
Andhra Pradesh L.A.	16.3.98 to 29.4.98	30	17(19)	—	237(47)	(56)(a)	115(4)
Arunachal Pradesh L.A.**	—	—	—	—	—	—	—
Assam L.A.**	—	—	—	—	—	—	—
Bihar L.A.	20.3.98 to 26.3.98	5	7(7)	—	476(245)(b)	2	302(23)
Bihar L.C.**	—	—	—	—	—	—	—
Delhi L.A.	23.3.98 to 3.4.98	11	7(5)	—	(220)(c)	(324)	—
Goa L.A.	16.3.98 to 31.3.98	12	8(8)	—	268(245)	160(157)(d)	2(1)
Gujarat L.A.	19.3.98 to 27.3.98	—	4(4)	—	—	—	62(13)
Haryana L.A.**	—	—	—	—	—	—	—
Himachal Pradesh L.A.	18.8.98 to 22.8.98	5	2(2)	—	230(129)(c)	6(30)(f)	—
Jammu & Kashmir L.A.**	—	—	—	—	—	—	—
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—
Karnataka L.A.**	—	—	—	—	—	—	—
Karnataka L.C.**	—	—	—	—	—	—	—
Kerala L.A.**	—	—	—	—	—	—	—
Madhya Pradesh L.A.	3.11.97 to 31.11.97	14	8(8)	—	2,690(1625)	1464(1507)	10(1)

Maharashtra L.A.	15.12.97 to 24.12.97	8	17(14)	12	6,586(537)(g)	24(459)(h)	23
Maharashtra L.C.	15.12.97 to 24.12.97	8	(14)	7	2,919(291)(i)	23(350)(j)	32(6)
Manipur L.A.**	—	—	—	—	—	—	—
Meghalaya L.A.	—	—	2(2)	—	—	—	—
Mizoram L.A.	17.3.98 to 23.3.98	5	2(2)	—	181(172)	16(16)	—
Nagaland	23.3.98 to 26.3.98	3	6(6)	—	—	—	—
Orissa L.A.	16.3.98 to 31.3.98	12	6(5)	1	1,056(761)	903(1152)	18
Punjab L.A.	24.3.98 to 27.3.98	4	6(6)	—	384(267)	83(57)	1(1)
Rajasthan L.A.	9.3.98 to 18.3.98	6	6(5)	—	685(655)	421(385)	—(k)
Sikkim L.A.*	—	—	—	—	—	—	—
Tamil Nadu L.A.*	—	—	—	—	—	—	—
Tripura L.A.*	—	—	—	—	—	—	—
Uttar Pradesh L.A.	27.1.98 to 26.2.98	7	12(5)	—	550(171)	176(111)	52(55)(m)
	24.3.98 to 26.3.98	—	—	—	—	—	—
Uttar Pradesh L.C.**	—	—	—	—	—	—	—
West Bengal L.A.	17.11.97 to 1.12.97	10	11(12)	—	470(196)	108(122)	—
UNION TERRITORIES							
Pondicherry L.A.**	—	—	—	—	—	—	—

* Information received from the State/Union territory Legislatures contained NIL report

**Information not received from the State/Union territory Legislatures

Notes:

a) Notices given as starred Questions admitted as unstarred Questions

- b) Total Questions received 780 and admitted 624
- c) Total Notices received 650
- d) 103 starred Questions admitted as unstarred
- e) Excluding 26 Notices which were classified as unstarred (Notices of 12 Questions bracketed or clubbed being identical)
- f) Including 26 Notices of starred Questions classified as unstarred
- g) 350 Questions were originally tabled as starred Questions but admitted as unstarred questions
- h) 303 Questions were originally tabled as starred questions but admitted as unstarred questions
- i) 1387 Questions were originally tabled as starred questions but admitted as unstarred questions
- j) 459 Questions were originally tabled as starred questions but admitted as unstarred questions
- k) Non-session period: Notices received: 19
Notices admitted :19
- l) 294 Questions admitted as unstarred
- m) 87 Short Notice Questions admitted as unstarred

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Assam L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bihar L.A.	2	29	20	13	—	33	18(1)	35	34	—	17	9	14	—	—	58(b)
Bihar L.C.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Delhi L.A.	3(2)	1(1)	1	1(1)	1	—	—	3(1)	1(1)	—	—	—	2(1)	—	4	4(c)
Goa L.A.	1(1)	1(2)	—	—	—	—	—	—	2(1)	—	—	—	(1)	—	2	1(d)
Gujarat L.A.	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Haryana L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Himachal Pradesh L.A.	1(1)	—	—	—	2	—	—	13(5)	—	—	—	—	—	(1)	—	30(14)(e)
Jammu & Kashmir L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Karnataka L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Karnataka L.C.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kerala L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Madhya Pradesh L.A.	3(3)	6(1)	5	3(2)	2	7(11)	4(1)	3(1)	7(1)	—	3	5	6	1	—	8(2)(f)
Maharashtra L.A.	2(1)	5	—	1(1)	2	11(1)	4	12(2)	18(1)	—	1	—	8(2)	1	—	21(2)(h)
Maharashtra L.C.	2(1)	6(2)	3(1)	1(1)	1	11(1)	4	12(2)	18(1)	—	1	—	8(2)	1	—	20(1)(g)
Manipur L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Meghalaya L.A.	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mizoram L.A.	1(1)	2	—	—	7(1)	—	—	—	—	—	—	—	4(3)	—	—	—
Nagaland L.A.	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—
	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24

Committee on Leave of Absence of Members from sittings of the House-1 sitting and 1 report; Panchayati Raj Committee-5 sittings; and Catering Committee-5 sittings

- i) House Committee to enquire into the alleged unbecoming behaviour shown to Shri Dashrathi Behera, MLA, Phulbani, by SP, Police, Khandamala-4 sittings and 1 report
- j) Committee on Papers Laid/to be Laid on the Table-4 sittings and 1 report
- k) Women and Child Welfare Committee-17 sittings; and Question and Reference Committee-12 sittings and 1 report
 - l) Subject Committees on Health and Family Welfare-6 sittings; on Environment and Cooperation-9 sittings; on Panchayat, Rural Development, Land Reforms and Animal Resources Development-7 sittings; on Education, Information, Cultural Affairs, Sports & Youth Services-4 sittings; on Transport and Public Health Engineering-7 sittings; on Irrigation, Water Ways, Water Investigation and Development-10 sittings; on Social Welfare-7 sittings; on Reforms and functioning of the Committee System-1 sitting; on Power, Commerce, Industries, Science, Technology and Non-Conventional Energy Sources-6 sittings; on Agriculture, Agriculture (Marketing), Food & Supplies, Food Processing, Horticulture and Fisheries-8 sittings; on Urban Development, Municipal Affairs, Housing, Public Works and Tourism-9 sittings; on Labour-5 sittings; on Relief, Refugee Relief and Rehabilitation and Forests-3 sittings; and on Industrial Reconstruction and Cottage and Small Scale Industries-7 sittings

APPENDIX IV

**LIST OF BILLS PASSED BY THE HOUSES OF
PARLIAMENT AND ASSENTED TO BY THE
PRESIDENT DURING THE PERIOD
1 JANUARY TO 31 MARCH 1998**

Sl. No.	Title of the Bill	Date of assent by the President
1	2	3
1.	The Finance Bill, 1998	29.3.98
2.	The Appropriation (Railways) Vote on Account Bill, 1998	29.3.98
3.	The Appropriation (Railways) Bill, 1998	29.3.98
4.	The Contingency Fund of India (Amendment) Bill, 1998	29.3.98
5.	The Appropriation (Vote on Account) Bill, 1998	29.3.98
6.	The Appropriation Bill, 1998	29.3.98

Appendices

APPENDIX V

**LIST OF BILLS PASSED BY THE
LEGISLATURES OF THE STATES AND THE
UNION TERRITORIES DURING THE PERIOD
1 JANUARY TO 31 MARCH 1998**

ANDHRA PRADESH LEGISLATIVE ASSEMBLY

1. The A.P. Fire Service Bill, 1996
2. The A.P. State Minorities Commission Bill, 1997
3. The A.P. School Education (Community Participation) Bill, 1997
4. The A.P. Payment of Salaries and Pension and Removal of Disqualifications (Amendment Bill, 1998
5. The A.P. General Sales Tax (Amendment) Bill, 1998
6. The A.P. Appropriation (Vote on Account) Bill, 1998
7. The A.P. Appropriation Bill, 1998
8. The A.P. Panchayat Raj (Amendment) Bill, 1998
9. The Registration (A.P. Amendment) Bill, 1998
10. The Hyderabad Municipal Corporations (Amendment) Bill, 1998
11. The A.P. Payment of Salaries and Pension and Removal of Disqualifications (Second Amendment) Bill, 1998
12. The A.P. Advocates Welfare Fund and the A.P. Advocates Clerks Welfare Fund (Amendment) Bill, 1998
13. The Azamabad Industrial Area (Termination and Regulation of Leases) (Amendment) Bill, 1998
14. The Hyderabad Municipal Corporations (Second Amendment) Bill, 1998
15. The A.P. Municipal Laws (Amendment) Bill, 1998
16. The A.P. Electricity Reforms Bill, 1998
17. The A.P. Appropriation (No.2) Bill, 1998
18. The A.P. Appropriation (No.3) Bill, 1998
19. The A.P. Appropriation (No.4) Bill, 1998

BIHAR LEGISLATIVE ASSEMBLY

1. The Bihar Appropriation Bill, 1998
2. The Bihar Appropriation (Vote on Account) Bill, 1998
3. The Bihar State University (Amendment) Bill, 1998
4. The Patna University (Amendment) Bill, 1998
5. The Bihar Excise (Amendment and Validation) Bill, 1998
6. The Jharkhand Area Autonomous Council (Amendment) Bill, 1998

DELHI VIDHAN SABHA

1. The Indraprastha Vishwavidyalaya Bill, 1998
2. The members of the Legislative Assembly of the National Capital Territory of Delhi (Salaries, Allowances, Pension, etc. (Amendment) Bill, 1998
3. The Ministers of the Government of National Capital Territory of Delhi (Salaries and Allowances) (Amendment) Bill, 1998
4. The Appropriate (No. 1) Bill, 1998
5. The Appropriate (No. 2) Bill, 1998

GOA LEGISLATIVE ASSEMBLY

1. The Goa State Guarantees (Amendment) Bill, 1998
2. The Goa Supplementary Appropriation Bill, 1998
3. The Goa Appropriation (Vote on Account) Bill, 1998
4. The Goa Labour Welfare Fund (Amendment) Bill, 1998
5. The Goa Municipalities (Amendment) Bill, 1998
6. The Goa Sales Tax (Amendment) Bill, 1998
7. The Goa Motor Vehicles (Taxation on Passenger and Goods) (Amendment) Bill, 1998
8. The Goa Motor Vehicle Tax (Amendment) Bill, 1998

GUJARAT LEGISLATIVE ASSEMBLY

1. The Gujarat Contingency Fund (Amendment) Bill, 1998
2. The Gujarat Contingency Fund (Temporary Increase) Bill, 1998
3. The Gujarat Appropriation (Vote on Account) Bill, 1998
4. The Gujarat (Supplementary) Appropriate Bill, 1998

HIMACHAL PRADESH VIDHAN SABHA

1. The Himachal Pradesh Municipal Corporation (Amendment) Bill, 1997
2. The Himachal Pradesh Municipal (Amendment) Bill, 1997
3. The Himachal Pradesh Tenancy & Land Reforms (Amendment) Bill, 1997
4. The Himachal Pradesh Panchayati Raj (Amendment) Bill, 1997
5. The Himachal Pradesh Town & Country Planning (Amendment) Bill, 1997
6. The Himachal Pradesh Village Common Land Vesting and Utilisation (Amendment) Bill, 1997
7. The Salaries and Allowances of Ministers (Himachal Pradesh) Amendment Bill, 1997
8. The Salaries and Allowances of Deputy Ministers (Himachal Pradesh) Amendment Bill, 1997
9. The Himachal Pradesh Legislative Assembly Members (Removal of Disqualifications) Amendment Bill, 1997

10. The Himachal Pradesh Legislative Assembly (Allowances & Pension of Members) Amendment Bill, 1997
11. The Himachal Pradesh Prohibition of Smoking and Non-Smokers Health Protection Bill, 1997
12. The Indian Forest (Himachal Pradesh Third Amendment) Bill, 1996

MAHARASHTRA LEGISLATIVE ASSEMBLY

1. The Maharashtra Regional and Town Planning (Amendment) Bill, 1997
2. The Bombay Village Panchayats (Second Amendment) Bill, 1997
3. The Maharashtra Private Forests (Acquisition) (Amendment) Bill, 1997
4. The Maharashtra Land Revenue Code (Amendment) Bill, 1997
5. The Maharashtra Agricultural Produce Marketing (Regulation) (Temporary Amendment) Bill, 1997
6. The Bombay Motor Vehicles Tax (Amendment) Bill, 1997
7. The Konkan Irrigation Development Corporation Bill, 1997
8. The Maharashtra Tapi Irrigation Development Corporation Bill, 1997
9. The Maharashtra Transfer of Ownership of Minor Forest Produce in Scheduled Areas and the Maharashtra Minor Forests Produce (Regulation of Trade) (Amendment) Bill, 1997
10. The Maharashtra endowing upon the Panchayats in the Scheduled Areas with the powers to function as Self-government (Amendment of certain State Laws) Bill, 1997
11. The Maharashtra (Supplementary) Appropriation Bill, 1997
12. The Maharashtra Appropriation (Excess Expenditure) Bill, 1997
13. The Maharashtra Appropriation (Second Excess Expenditure) Bill, 1997
14. The Maharashtra Appropriation (Third Excess Expenditure) Bill, 1997

MEGHALAYA LEGISLATIVE ASSEMBLY

1. The Meghalaya Appropriation (No. 1) Bill, 1998
2. The Meghalaya Appropriation (Vote on Account) Bill, 1998

MIZORAM LEGISLATIVE ASSEMBLY

1. The Mizoram Appropriation (No.1) Bill, 1998
2. The Mizoram Appropriation (No. 2) (Vote on Account) Bill, 1998

NAGALAND LEGISLATIVE ASSEMBLY

1. The Nagaland Appropriation (No. 1) Bill, 1998
2. The Nagaland Appropriation (No. 2) Bill, 1998
3. The Nagaland Appropriation (No. 3) Bill, 1998
4. The Nagaland Appropriation (No. 4) Bill, 1998
5. The Nagaland Appropriation (No. 5) Bill, 1998

6. The Nagaland Appropriation (No. 6) Bill, 1998

ORISSA LEGISLATIVE ASSEMBLY

1. The Orissa Cooperative Societies (Amendment) Bill, 1998
2. The Orissa Appropriation Bill, 1998
3. The Indian Penal Code (Orissa Amendment) Bill, 1998
4. The Orissa Education (Amendment) Bill, 1998
5. The Orissa Appropriate (Vote on Account) Bill, 1998

PUNJAB LEGISLATIVE ASSEMBLY

1. The Punjab Appropriation (No. 1) Bill, 1998
2. The Punjab Appropriation (Vote on Account) Bill, 1998
- *3. The Punjab Land Revenue (Amendment) Bill, 1998
- *4. The Punjab Panchayati Raj (Amendment) Bill, 1998
- *5. The Punjab General Sales Tax (Amendment) Bill, 1998
- *6. The Punjab Mechanical Vehicles (Bridges and Roads Tolls) Bill, 1998

RAJASTHAN LEGISLATIVE ASSEMBLY

- *1. The Rajasthan Appropriation (No. 1) Bill, 1998
- *2. The Rajasthan Appropriation (Vote on Account) (No. 2) Bill, 1998
- *3. The Rajasthan Universities Teachers and Officers (Selection for Appointment) (Amendment) Bill, 1998
- *4. The Rajasthan Ministers Salaries (Amendment) Bill, 1998
- *5. The Rajasthan Legislative Assembly (Officers and Members Emoluments and Pension) (Amendment) Bill, 1998

UTTAR PRADESH LEGISLATIVE ASSEMBLY

1. The U.P. Municipal Corporation (Amendment) Bill, 1998
2. The U.P. Subordinate Services Selection Commission (Repeal) Bill, 1998
3. The U.P. Sheera Niyantaran (Sanshodhan) Bill, 1998
4. The U.P. State Universities (Amendment) Bill, 1998
5. The U.P. State Universities (Second Amendment) Bill, 1998
6. The U.P. State Commission for Women (Repeal) Bill, 1998
7. The U.P. Excise (Amendment) Bill, 1998
8. The U.P. Co-operative Societies (Amendment) Bill, 1998
9. The U.P. Commission for the Scheduled Castes and Scheduled Tribes (Amendment) Bill, 1998
10. The U.P. Appropriation (Supplementary 1997-98) Bill, 1998
11. The U.P. Public Examination (Prevention of Unfair Means) Bill, 1998

12. The U.P. Entertainments and Betting (Amendment) Bill, 1998
13. The U.P. Appropriation (Second Supplementary 1997-98) Bill, 1998
14. The U.P. Appropriation (Vote on Account) Bill, 1998
15. The King George's Medical College and the Gandhi Memorial and Associated Hospitals (Taking Over) (Repeal) Bill, 1998

WEST BENGAL LEGISLATIVE ASSEMBLY

1. The West Bengal Premises Tenancy Bill, 1997
2. The West Bengal Land Reforms and Tenancy Tribunal Bill, 1997
3. The Hooghly River Bridge (Amendment) Bill, 1997
4. The Calcutta Municipal Corporation (Amendment) Bill, 1997
5. The West Bengal Laws (Amendment) Bill, 1997
6. The West Bengal Co-operative Societies (Amendment) Bill, 1997
7. The West Bengal Panchayat (Second Amendment) Bill, 1997
8. The Wakf (West Bengal 'Amendment) Bill, 1997
9. The West Bengal Government Premises (Tenancy Regulation) (Amendment) Bill, 1997
10. The Calcutta Municipal Corporation (Second Amendment) Bill, 1997
11. The West Bengal Apartment Ownership (Amendment) Bill, 1997
12. The West Bengal Law Clerks (Amendment) Bill, 1997

* awaiting assent

APPENDIX VI
ORDINANCES PROMULGATED BY THE UNION AND STATE GOVERNMENTS DURING THE PERIOD
1 JANUARY TO 31 MARCH 1998

Sl. No.	Subject	Date of Promulgation	Date on which laid before the House	Date of cessation	Remarks
UNION GOVERNMENT					
1.	The Essential Commodities (Special Provisions) Second Ordinance, 1998	2.1.1998	25.3.1998	6.5.1998	—
2.	The National Institute of Pharmaceutical Education and Research Ordinance, 1998	21.1.1998	25.3.1998	6.5.1998	—
3.	The Representation of People (Amdt.) Ordinance, 1998	22.1.1998	25.3.1998	6.5.1998	—
4.	The Contingency Fund of India (Amdt.) Ordinance, 1998	24.1.1998	25.3.1998	.	Replaced by an Act of Parliament. Act No.4 of 1998

STATE GOVERNMENTS

ANDHRA PRADESH

1.	The A.P. Panchayat Raj (Amendment) Ordinance, 1998	19.2.1998	17.3.1998	Replaced by Legislation
2.	The Hyderabad Municipal Corporations (Amendment) Ordinance, 1998	24.2.1998	17.3.1998	Replaced by Legislation

BIHAR

1.	The Registration/Bihar (Amendment) Ordinance, 1998	-	-	-
2.	The Bihar State University (Amendment) Ordinance, 1998	-	-	-
3.	The Patna University (Amendment) Ordinance, 1998	-	-	-
4.	The Jharkhand Area Autonomous Council (Amendment) Ordinance, 1998	-	-	-
5.	The Bihar Excise (Amendment) Ordinance, 1998	-	-	-

	GUJARAT			
The Gujarat Veterinary and Animal Science University Ordinance, 1998	13.1.1998	20.3.1998		
The Gujarat Contingency Fund (Temporary Increase) Ordinance, 1998	13.1.1998	20.3.1998		Replaced by Legislation
			MAHARASHTRA	
The Maharashtra Regional and Town Planning (Amendment) Ordinance, 1997	6.8.1997	15.12.1997	25.1.1998	Replaced by Legislation
The Maharashtra Agricultural Produce Marketing (Regulation) (Temporary Amendment) (Amendment) Ordinance, 1997	7.11.1997	15.12.1997	25.1.1998	-do-
The Bombay Motor Vehicles Tax (Amendment) Ordinance, 1997	28.11.1997	15.12.1997	25.1.1998	-do-
The Konkan Irrigation Development Corporation Ordinance, 1997	4.12.1997	15.12.1997	25.1.1998	-do-
The Maharashtra Tapi Irrigation Development Corporation Ordinance, 1997	4.12.1997	15.12.1997	25.1.1998	-do-

6.	The Maharashtra Transfer of Ownership of Minor Forest Produce in the Scheduled Areas and the Maharashtra Minor Forest Produce (Regulation of Trade) (Amendment) Ordinance, 1997	10.12.1997	15.12.1997	25.1.1998	-do-
1.	The Meghalaya Board of School Education (Amendment) Ordinance, 1997	21.12.1997	MEGHALAYA		
			23.3.1998		
1.	The Orissa Cooperative (Amendment) Ordinance, 1998	18.2.1998	ORISSA		
			17.3.1998		Replaced by Legislation
1.	The Punjab General Sales Tax (Amendment) No. 1 Ordinance, 1998	28.2.1998	PUNJAB		
			26.3.1998		Replaced by Legislation
2.	The Punjab General Sales Tax (Amendment) No. 2 Ordinance, 1998	28.2.1998	RAJASTHAN		
			26.3.1998		-do-
1.	The Rajasthan Universities Teachers and Officers (Selection for Appointment) (Amendment) Ordinance, 1997	13.10.1997	RAJASTHAN		
			10.3.1998	17.3.1998	Replaced by Legislation

APPENDIX VII

A. PARTY POSITION IN LOK SABHA
(AS ON 20 APRIL 1998)

Sl. No.	State	Seats	BJP	INC	JD	CPM	TMC	DMK	SP	TDP	SHIV SENA	BSP	CPI	SAD	SMP	ORS	IND	TOT. TAL	VACANCIES
1.	Andhra Pradesh	42	4	22	1	—	—	—	—	12	—	—	2	—	—	1(a)	—	42	—
2.	Arunachal Pradesh	2	—	—	—	—	—	—	—	—	—	—	—	—	—	2(b)	—	2	—
3.	Assam	14	1	10	—	—	—	—	—	—	—	—	—	—	—	2(c)	1	14	—
4.	Bihar	54	20	5	1	—	—	—	—	—	—	—	—	—	10	18(d)	—	54	—
5.	Goa	2	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—
6.	Gujarat	26	19	7	—	—	—	—	—	—	—	—	—	—	—	—	—	26	—
7.	Haryana	10	1	3	—	—	—	—	—	—	—	1	—	—	—	5(e)	—	10	—
8.	Himachal Pradesh	4	2	1	—	—	—	—	—	—	—	—	—	—	—	—	—	3	1
9.	Jammu & Kashmir	6	2	1	—	—	—	—	—	—	—	—	—	—	—	2(f)	—	5	1
10.	Karnataka	28	13	9	3	—	—	—	—	—	—	—	—	—	—	3(f)	—	28	—
11.	Kerala	20	—	8	—	6	—	—	—	—	—	2	—	—	—	4(h)	—	20	—
12.	Madhya Pradesh	40	30	10	—	—	—	—	—	—	—	—	—	—	—	—	—	40	—
13.	Maharashtra	48	4	33	—	—	—	—	—	—	6	—	—	—	—	5(i)	—	48	—
14.	Manipur	2	—	—	—	—	—	—	—	—	—	1	—	—	—	1(j)	—	2	—
15.	Meghalaya	2	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—
16.	Mizoram	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
17.	Nagaland	1	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
18.	Orissa	21	7	5	—	—	—	—	—	—	—	—	—	—	—	9(k)	—	21	—

19. Punjab	13	3	—	1	—	—	—	—	—	—	—	7	—	—	—	1	12	1	
20. Rajasthan	25	5	18	—	—	—	—	—	—	—	—	—	—	—	1(l)	1	25	—	
21. Sikkim	1	—	—	—	—	—	—	—	—	—	—	—	—	—	1(m)	—	1	—	
22. Tamil Nadu	39	3	—	—	—	3	5	—	—	—	—	1	—	—	26(n)	1	39	—	
23. Tripura	2	—	—	—	2	—	—	—	—	—	—	—	—	—	—	—	2	—	
24. Uttar Pradesh	85	57	—	—	—	—	—	20	—	—	4	—	—	—	1(o)	1	85	—	
25. West Bengal	42	1	1	—	24	—	—	—	—	—	—	3	—	—	13(p)	—	42	—	
UNION TERRITORIES																			
26. Andaman and Nicobar Island	1	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	
27. Chandigarh	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	
28. Dadra and Nagar Haveli	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	
29. Daman and Diu	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	
30. Delhi	7	6	1	—	—	—	—	—	—	—	—	—	—	—	—	—	7	—	
31. Lakshadweep	1	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	
32. Pondicherry	1	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	1	—	
33. Nominated	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—	
TOTAL	545	181	141	6	32	3	6	20	12	6	5	9	7	12	93	6	542	3	

a) All India Majlis-e-Ittehad-ul-Muslimeen-1

b) Arunachal Congress-2

c) Autonomous State Demand Committee-1; UMF-1

d) Rashtriya Janata Party-1; Rashtriya Janata Dal-17

e) United Goa Democratic Party-1; Maharashtrawadi Gomantak Party-1

f) Haryana Vikas Party-1; Haryana Lok Dal-4

- g) National Conference-2
- h) Lok, Shakti-3
- i) Muslim League-2; Revolutionary Socialist Party-1; and Kerala Congress (M)-1
- j) Republican Party of India-4; and peasants and Workers Party-1
- k) Manipur State Congress Party-1
- l) Biju Janata Dal-9
- m) All India Indira Congress (S)-1
- n) Sikkim Democratic Front-1
- o) AIADMK-18; Pattali Makkal Katchi-4; MDMK-3; Janata Party-1
- p) Samajwadi Janata Party (Rashtriya)-1
- q) West Bengal Trinamool Congress-7; Revolutionary Socialist Party-4; All India Forward Bloc-2

B. PARTY POSITION IN RAJYA SABHA

(AS ON 1 APRIL 1998)

Sl. No.	State/Union territories	Seats	INC	BJP	JD	CPI (M)	Others	Unatt-ached	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11
STATES										
1.	Andhra Pradesh	18	7	—	—	1	9(a)	—	17	1
2.	Arunachal Pradesh	1	—	—	—	—	—	1	1	—
3.	Assam	7	4	—	—	—	2(b)	1	7	—
4.	Bihar	22	4	3	4	—	10(c)	—	21	1
5.	Goa	1	1	—	—	—	—	—	1	—
6.	Gujarat	11	5	4	—	—	—	1	10	1
7.	Haryana	5	5	—	—	—	—	—	5	—
8.	Himachal Pradesh	3	2	1	—	—	—	—	3	—
9.	Jammu & Kashmir	4	1	—	—	—	2(d)	—	3	1
10.	Karnataka	12	9	—	2	—	—	—	11	1
11.	Kerala	9	2	—	—	3	3(e)	—	8	1
12.	Madhya Pradesh	16	7	7	—	—	—	—	14	2
13.	Maharashtra	19	8	4	—	—	4(f)	2	18	1
14.	Manipur	1	1	—	—	—	—	—	1	—
15.	Meghalaya	1	1	—	—	—	—	—	1	—
16.	Mizoram	1	1	—	—	—	—	—	1	—
17.	Nagaland	1	—	—	—	—	1(g)	—	1	—

1	2	3	4	5	6	7	8	9	10	11
18.	Orissa	10	2	—	2	—	5(h)	—	9	1
19.	Punjab	7	7	—	—	—	—	—	7	—
20.	Rajasthan	10	3	6	—	—	—	1	10	—
21.	Sikkim	1	—	—	—	—	1(i)	—	1	—
22.	Tamil Nadu	18	—	—	—	—	16(j)	2	18	—
23.	Tripura	1	1	—	—	—	—	—	1	—
24.	Uttar Pradesh	34	4	15	—	—	10(k)	4	33	1
25.	West Bengal	16	1	—	—	11	4(l)	—	16	—
UNION TERRITORIES										
	Delhi	3	—	3	—	—	—	—	3	—
	Pondicherry	1	—	—	—	—	1(m)	—	1	—
	Nominated	12	3	—	—	—	1(n)	8	12	—
	TOTAL	245	79	43	8	15	69	20	234	1

- a) T.D.-8; T.D.-1-1
 b) Asom Gana Parishad-1; Autonomous State Demand Committee-1
 c) C.P.I.-3; Rashtriya Janata Dal-7
 d) N.C.-2
 e) M.L.-2; C.P.I.-1
 f) Shiv Sena-4
 g) Nagaland People's Council-1
 h) Biju Janata Dal-5
 i) Sikkim Sangram Parishad -1
 j) AIADMK (I)-7; AIADMK (II)-3; AIADMK (III)-2; DMK-1; Tamil Maanila Congress (Moopanar)-3
 k) Samajwadi Party-7; Bahujan Samaj Party-3
 l) C.P.I.-1; F.B.-2; R.S.P.-1
 m) D.M.K.-1
 n) S.P.-1

C. PARTY POSITION IN STATE LEGISLATURES

State/Union territories	Seats	Cong. (I)	Janata Dal	BJP	CPI (M)	CPI	Others Parties	Ind.	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11
Andhra Pradesh L.A. (1.4.98)	295	26	—	2	15	18	219(a)	11	291	4
Arunachal Pradesh L.A.	—	—	—	—	—	—	—	—	—	—
Assam L.A.	—	—	—	—	—	—	—	—	—	—
Bihar L.A. (31.3.98)	325	28	29	43	6	26	172(b)	13	317 [⊕]	7
Bihar L.C.**	—	—	—	—	—	—	—	—	—	—
Delhi L.A. (1.4.98)	70	18	1	47	—	—	—	3	69	1
Goa L.A. (1.4.98)	40	23	—	4	—	—	10(e)	3	40	—
Gujarat L.A. (31.3.98)	182	53	4	117	—	—	5(d)	3	182	—
Haryana L.A.*	—	—	—	—	—	—	—	—	—	—
Himachal Pradesh L.A.	68	52	—	7	—	—	2(e)	7	68	—
Jammu & Kashmir L.A.**	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—	—	—	—
Karnataka L.A.**	—	—	—	—	—	—	—	—	—	—
Karnataka L.C.**	—	—	—	—	—	—	—	—	—	—
Kerala L.A.**	—	—	—	—	—	—	—	—	—	—
Madhya Pradesh L.A. (1.1.98)	321	175	4	112	1	2	16(f)	8	318 [⊕]	2

- Excluding Speaker
- Information received from the State/Union territory Legislatures contained NIL report.
- Information not received from the State/Union territory Legislatures
 - a) Telugu Desam Party-214; Majlis Batchao Tahreek-1; All India Majlis-Ittehad-ul-Muslimeen-2; NTR Telugu Desam Party (LP)-1; and Nominated-1
 - b) Rashtriya Janata Dal-133; C.P.(Male)-6; JMM (Soren)-16; JMM (Maradi)-2; Samata Party-6; Bahujan Samanway Party-2; Marxist Coordination Samiti-2; Jharkhand Party (Horo)-1; and Nominated-1
 - c) Maharashtrawadi Gomantak Party-8; United Goan Democratic Party-1; and UGDP Arecio Group-1
 - d) All India Rashtriya Janata Party-4; and Samajwadi Party-1
 - e) Unattached-2
 - f) Bahujan Samaj Party-11; Samata Party-1; Chattisgarh Mukti Morcha-1; Bharatiya Republican Party (Khovada)-1; Gondvana Republican Party-1; and Nominated-1
 - g) Shiva Sena-74; Peasant and Workers Party-6; Samajwadi Party-4; Maharashtra Vikas Congress-1; Nagvidarbha Andolan Samiti-1; and Nominated-1
 - h) Peasants and Workers Party-1; Shiv Sena-13; Republican Party of India-1; Akhil Bharatiya Maratha Mahasangh-1; and Samajwadi Party-1
 - i) Mizo National Front-6; and Mizo National Front (Unity)-2
 - j) Biju Janata Dal-26; JMM-4; and JPP-1
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