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C O N T E N T S

	PAGE
EDITORIAL NOTE	211
ARTICLES	
Human Rights in a Democratic System — Radhanandan Jha	214
Indian Social System and Parliamentary Democracy — Indradeep Sinha	220
Committee on Petitions / — Committee Branch-I	225
Railway Convention Committee / — Railway Convention Committee Branch	234
SHORT NOTES	
Exhibition on 'Parliament of India—Activities and Achievements, 1980—84'	242
Supreme Court on the Constitutional Validity of Explanation on Poll Expenses	245
WIT AND HUMOUR IN PARLIAMENT	248
PARLIAMENTARY EVENTS AND ACTIVITIES	
Conferences and Symposia	254
Indian Parliamentary Delegation Abroad	255
Parliamentary Delegations from Abroad	256
Bureau of Parliamentary Studies and Training	256
PRIVILEGE ISSUES	260
PROCEDURAL MATTERS	285
PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS	291

The Government of Union Territories (Amendment) Act, 1985 314

SESSIONAL REVIEW

Lok Sabha 316
 Rajya Sabha 329
 State Legislatures 340

BOOK REVIEW

R.B. Jain (ed.): *The Legislative Process in development*
 —Dr. Sarojini Mahishi 347

RECENT LITERATURE OF PARLIAMENTARY INTEREST 353

APPENDICES

I. Statement showing the work transacted during the
 Second Session of the Eighth Lok Sabha 358
 II. Statement showing the work transacted during the
 Hundred and Thirty Third Session of the Rajya Sabha 363
 III. Statement showing the activities of the Legislatures of
 the States and Union Territories during the period
 1 January to 31 March, 1985 368
 IV. List of Bills passed by the Houses of Parliament and
 assented to by the President during the period
 1 January to 31 March, 1985 375
 V. List of Bills passed by the State Legislatures during the
 period 1 January to 31 March, 1985 377
 VI. Ordinances issued by the Central and the State Govern-
 ments during the period 1 January to 31 March, 1985 386
 VII. Party Position in Lok Sabha, Rajya Sabha and Legis-
 latures of States and Union Territories 392

EDITORIAL NOTE

The first article published in the present issue of the *Journal* is on "Human Rights in a Democratic System". Emphasising that human rights are an inalienable part of the democratic tradition, Shri Radhanandan Jha, former Speaker, Bihar Vidhan Sabha, says: "Democracy is sustained on the principle of inherent rights of man whereas the denial or drastic restrictions on freedom is a point common to all dictatorships." He asserts that through its stress on legitimacy of representation and the freedom of expression for the elected representatives, parliamentary democracy subserves the cause of human rights much better than any other system. Referring to the situation in India, the author says: "The Indian system puts considerable stress on voluntary action in all spheres of activity. The Government itself fosters and promotes such action and those in power are keen to be participants in a free debate on major issues troubling the people and the polity. A system that can ensure this is one that has individual rights and freedoms as its major concern."

The second article on "Indian Social System and Parliamentary Democracy" by Shri Indradeep Sinha, Member, Rajya Sabha, deals with the evolution, functioning, merits and demerits of the system of parliamentary democracy in general and its relevance and applicability to Indian conditions in particular. Discussing the present economic and political situation in India and the desirability of a change-over from the parliamentary to a presidential form of government, Shri Sinha feels that there is absolutely no justification for the view that the current economic and political crisis in India can be resolved by some kind of 'system change' in the political administrative sphere alone. According to him, the kind of 'system change' that India needs today is a change in the basic structure of the economy and a change in the basic direction of economic policy so as to make them subservient to the socio-political goals laid down in the Constitution. He adds: "A presidential form of government will severely curtail and in certain cases even abolish the

historically-evolved forums of regional representation; curtail regional and local autonomy and seek to impose some kind of mechanical uniformity even by throttling the spirit of living and creative diversity." In conclusion, the author asserts that the parliamentary democracy is the most suitable form of political organisation and governance for a country like India with such a complex and diverse social system whose historical essence is unity in diversity.

The other two articles in this issue relate to two important Committees of the Indian Parliament, viz. the "Committee on Petitions," and the "Railway Convention Committee". They seek to explain in some detail the origin, constitution, term, functioning and achievements of the respective Committees in general and during the Seventh Lok Sabha in particular.

As usual, the issue carries the other regular features, viz. Parliamentary Events and Activities, Wit and Humour in Parliament, Parliamentary Privileges, Procedural Matters, Parliamentary and Constitutional Developments in India and Abroad and Brief Resume of the Sessions of the two Houses of Parliament and of the State Legislatures. The feature on "Privilege Issues" contains two important cases which merit particular attention of the readers. In one case relating to Rajya Sabha, some members had raised the question of privilege against Shri Swaraj Paul, a London-based industrialist for allegedly casting reflections on members in a press interview. In this case, the Committee of Privileges, on the one hand, noted that Shri Paul had used objectionable words in relation to Parliament and its members; on the other, it observed that the freedom of speech in Parliament guaranteed to members, did not provide an unrestrained licence within the walls of the House. The other case relates to the question of privilege raised by some members in the Maharashtra Legislative Council for allegedly giving a distorted version of the proceedings of the House and casting reflections on the then Chief Minister (Shri A. R. Antulay) and the House. The Committee considered all the aspects of the case and felt that the grievance of the members concerned, against whom privilege notice was raised, appeared to be against the Chief Minister as head of the Executive rather than his action as the Leader of the House. It, therefore, gave them the benefit of doubt.

An Exhibition on Parliament of India—Activities and Achievements, 1980—84" was opened in the Parliament House Annexe on 22 April, 1985 and concluded on 25 May, 1985. A feature on

the Exhibition has been included in this issue. We also include the Supreme Court verdict on the constitutional validity of expenditure on poll expenses.

We congratulate and extend our heartiest felicitations to the newly-elected Speakers of some State Legislatures, viz. Shri Vidya Stokes (Himachal Pradesh), Sarvashri G. Narayana Rao (Andhra Pradesh), Natwarlal C. Shah (Gujarat), B. G. Banakar (Karnataka) V. M. Sudheeran (Kerala), Rajendra Prasad Shukla (Madhya Pradesh), Shankarrao Jagtap (Maharashtra), Angou Singh (Manipur), E. T. Ezung (Nagaland), Prasanna Kumar Das (Orissa), Heera Lal Deopura (Rajasthan), T. R. Sharma (Sikkim), P. H. Pandian (Tamil Nadu), Nias Hasan (Uttar Pradesh), T. L. Rajkumar (Arunachal Pradesh), Dayanand Narvekar (Goa, Daman and Diu) and Parasurama Varaprasada Rao (Pondicherry).

We have been continuing our efforts to make this *Journal* more readable and would welcome suggestions for further improvement with a view to make it more and more useful for members and others.

—SUBHASH C. KASHYAP

HUMAN RIGHTS IN A DEMOCRATIC SYSTEM

RADHANANDAN JHA

Human right is becoming a more intense global concern with every passing day. Even those who do not conform to a high degree of achievement in this field, nevertheless, swear by a commitment to protect, preserve and promote it. Ideologically, thus, the concern for human rights is becoming a unifying concept for the conduct of national and international dialogue.

Writing in the *Harijan* in 1939, Mahatma Gandhi spoke of the need, "to learn to strike the mean between the individual freedom and social restraint. Willing submission to social restraint for the sake of the well-being of the whole society enriches both the individual and the society of which one is the member". He saw as the essence of democracy the art and science of mobilising the entire physical, economic and spiritual resources of the various sections of the people in the service of the *common good of all*. In this he went much further than the British utilitarians and proceeded further to add that, "the true democrat is he who with purely non-violent means defends his liberty, and, therefore, his country's and ultimately that of the whole of mankind." This deep humanistic approach lies at the core of the democratic tradition in India. It goes beyond the legal rational approach of the western society and adds an emotional and spiritual dimension of democratic living and functioning. Nothing could be more elevating for human rights and values than his concept of the *Satyagraha* which preached the philosophy that "our greatest weapon of salvation is the supreme and redeeming power of love".

An Indian does approach the question of human rights and the relation of individual with state power in such a background. Human rights are the inalienable part of the democratic tradition. Democracy is sustained on the principle of inherent rights of man, whereas the denial or drastic restriction on freedom is a point common to all dictatorships. Democratic system consistently attempts to reconcile freedom with the need for law and its enforcement. Parliamentary democracy, in particular, through its stress on legitimacy of representation and the freedom of expression for the elected representatives subserves the cause of human rights much better than any other system. The more important point is that the reconciliation between the freedom of an individual and the authority of the State can be achieved in a humane way which is not possible in other systems. As Pandit Jawahar Lal Nehru pointed out in 1957, "the Parliamentary system of Government, with all its failings, has the virtue that it can fit in with the changing pattern of life."

Human rights cannot be considered as something static, unchangeable and strictly uniform. As the great Indian saint Shri Aurobindo had pointed out that certain amount of uniformity has to be admitted and sought after due to the defects of our mentality but still the real aim of Nature is a true unity supporting a rich diversity. He thought that "human society progresses really and vitally in proportion as law becomes the child of freedom". The law for the individual was not only to perfect his individuality by free development from within but to respect and to aid and to be aided by the same free development in others. His law is to harmonize his life with the life of the social aggregate and to pour himself out as a force for growth and perfection on humanity. Society is being eternally pulled between reaction and progress and often degenerates into a state of stagnation. In this pull, the state is more often being controlled by forces of stagnation and reaction and the old social structures are constantly tested for relevance and utility.

The search for a deepening sense of human rights is faced with five major dilemmas. Firstly, it concerns the historical development, specially so in the newly emerging nations, of a process of modernisation leading the society from the stage of comparative dependency to that of comparative self-reliance. This creates dilemma of reconciling democratic rights and procedures with a dynamic process of social change and economic development. Secondly, there is a cultural context of democratic functioning and behaviour. This presents the dilemma of reconciling ethnic and

caste interests with secular and broadly national interests. Thirdly, there is a national unity and security complex which frequently reflects the dilemma of containing regional aspirations, including small, violent group actions, with national integration objectives. In this respect national integration can be taken in the words of former Prime Minister Shrimati Indira Gandhi, as the domestic variant of national security. The problem is complicated due to the complexity of the role of defence forces in what would seem to be, a struggle for the use of political power. Fourthly, one has to deal with the international security environment, One is frequently faced with the queer dilemma of national interests perceptions making strange bedfellows that undermines human rights with connivance, if not support, of strong democracies. The continuing arms race, both conventional and nuclear, is a potent enemy of human rights around the world. Finally, the interaction between the global concern and domestic action has its own dynamics. Apart from legislative and legal action, the need to adjust media management to deal with social resistance for setting the pace and content of change in favour of human rights makes the role of the state extremely relevant.

It is in the management of these five issues that the system of parliamentary democracy has considerable edge over other systems. In a system based on the accountability of individuals, social groups and state institutions, parliamentary system of open debate permeating the vitals of an open society is well poised to achieve progressive reconciliation. This alone would seem to justify Rabindra Nath Tagore when he said that "the heart of a country lies wherever the people's welfare is centred. A blow aimed at that point is fatal for the whole of the country."

The Indian experience fully supports the view that human rights should become the concern of each individual in the society which should get reflection in the institutions established and should be safeguarded through constant vigilance. The Constitution of India largely reflects the concern of our political thinkers through the Independence Movement which in essence supported the following seven principles:

- (i) even the Government of a dependent people must make consent, not force, as its basis;
- (ii) self-government is not only preferable to good Government but is necessary for good government;

- (iii) the right means must be used to achieve the desired ends;
- (iv) the welfare of all should be the end of society and not only the greatest happiness of the greatest number;
- (v) to achieve this aim, the limitation of wants, instead of an indefinite, unlimited multiplication of wants, is essential, and the doctrine of trusteeship must be applied by the rich in respect of their surplus wealth;
- (vi) suffering in one's person may move the sympathy and gain the support of others for the cause one has at heart where ordinary political method of reasoning and persuasion fails;
- (vii) socialist theory, instead of borrowing its basic aims from capitalism and communism, should take an autonomous direction and that direction should be sought in political and economic decentralisation.

Consistent with this concern was the emphasis to promote and support voluntary group action through a variety of its manifestations such as constitutional agitation, mass mobilisation for constructive work, and satyagraha, which is expressed generally as civil disobedience but goes far beyond it.

The Constitution of India has rejected the thesis that civil liberties must follow economic development. In contrast the Preamble of the Constitution of India commits the country to a simultaneous progress towards reconciliation between the two with civil liberties being considered the foundation for enhancing a meaningful economic and social advancement.

The Constitution guarantees justice, social, economic and political; liberty of thought, expression, belief, faith and worship; equality of status and opportunity; and, promoting among them all fraternity assuring the dignity of the individual. Apart from guaranteeing equality before law, the Constitution gives the citizens the six famous rights, namely, freedom of speech and expression; right to assemble peaceably and without arms; to form associations or unions, to move freely throughout the territory of India; to reside and settle in any part of the country; and to practise any profession. The right to property which is easily a cause for the acquisitive tendencies in individuals has been omitted from the

fundamental rights. The rule of law has been underlined by providing that no person shall be deprived of his life or personal liberty except according to the procedure established by law.

After having guaranteed these rights, the Indian Constitution goes on to provide directive principles of State policy as guidance to economic and social policy. The objective of the State is defined to secure a social order in which justice shall inform all the institutions of national life and effort will be made to eliminate inequalities in status, facilities, and opportunities. The State is also expected to work for its citizens to have adequate means of livelihood, to remove concentration of wealth, to promote equal pay for equal work for both sexes, aid the growth of its children, including free and compulsory education for them, to provide just and humane conditions of work, and to raise the level of nutrition and the standard of living of its people.

The Constitution also provides for what could be termed as reverse justice or discriminative equality. There are provisions for special measures to promote the economic and social well-being of certain sections of the population who have suffered through history due to discrimination, popularly known as the Scheduled Castes and Scheduled Tribes. It is thus abundantly clear that the thinking of our leaders has made a deep impression on the Constitutional provisions for securing human rights and dignity. The guarantee is provided through executive superintendence and judicial review, fully supported by a free press and a vigilant public opinion.

The system of parliamentary democracy has created the necessary conditions for strengthening these roots. Social legislation has received overwhelming support of the parties and the people supporting them. Legislative bodies have put ample emphasis on informational, representational, grievances redressal and surveillance role. The political executive has to be on its toes during parliamentary discussion. The permanent civil servants are no less alert in their appearance before the committees of the Parliament which are ever zealous of the protection of constitutional and legal provisions and the interests of the individual. Thus, civil liberties and economic growth remain in the forefront and the achievement of the twin objectives enshrined in the Constitution is under constant review.

It needs to be noted here that the Indian system puts considerable stress on voluntary action in all spheres of activity. The

Government itself fosters and promotes such action and those in power are keen to be participants in a free debate on major issues troubling the people and the polity. A system that can ensure this is one that has individual rights and freedoms as its major concern. The Indian voice against executive excesses is ample proof that such aberrations can be corrected through the operations of the system. This is a positive factor for its adjustment to changing needs of our social system.

The five major dilemmas noted earlier can be looked after constructively under the system of parliamentary democracy. The group action is truly in play and there is a consistent effort to work out common approaches and acceptable positions. The process is necessarily slow but makes the strain to the system tolerable. The social resistance gradually converts itself to a process of social change due to the educational role played by a free press, a vigilant group of voluntary agencies for action in favour of civil, social and economic rights and periodic call to Constitutional mass agitation. The impression created sometimes is that of a highly divisive environment but it conceals the basic unity in change through continuity.

The protection of human rights thus requires an effective balance of internal and external environment in which man lives. The internal environment helps an individual achieve the potential of his personality. This process is conditioned by the external environment in the society and this in turn influences it considerably. The merit of parliamentary democracy lies in preparing the necessary condition for the full play of these potentials for common good.

Dr. Krupasindhu Bhoi:

अयं निजः परोवेति गणना लघ्वेतसाम् ।
उदारचरितानां तु बन्धव कुटुम्बकम् ॥

'Mine' and 'Thine' are from a misanthrop mind whereas a philanthrop treats the world as a single family.

(L.S. Deb., 22 March, 1985)

INDIAN SOCIAL SYSTEM AND PARLIAMENTARY DEMOCRACY

INDRADEEP SINHA

In its historical evolution, the system of parliamentary democracy was associated with the rise of nation states. Beginning with the English Revolution of 1642, down to the French Revolution of 1789, and the miscellaneous revolutions in 1848 in different countries of Western Europe, almost in every case, a successful political revolution against autocracy was invariably accompanied by the establishment of modern nation states like England, France, Germany etc. on the continent of Europe and the United States of America on the continent of America. Countries of Asia, Africa and Latin America, have followed more or less a similar course though during later periods of history.

The Indian experience would appear to be quite unique in this respect. India is the first multilingual, multi-religious and multi-ethnic country to have successfully adopted the system of modern parliamentary democracy as its cherished form of government. Other big countries with approximately similar linguistic and ethnic composition — such as the Austro-Hungarian or Russian empires either broke up into nation states before changing over to parliamentary democracy or performed a historical leap from the system of feudal autocracy to a system of socialist democracy bypassing Westminster type parliamentary democracy altogether. In a certain sense, it is correct to say that India is the largest parliamentary democracy in the world.

This unique Indian experience has raised an important question: What are the future prospects of parliamentary democracy in India? This question has been raised in the context of the growing pressure on our parliamentary democratic system both from external as well as from internal political developments.

Externally, it is pointed out, parliamentary democracy has virtually collapsed in all the neighbouring countries which have gone over to either some kind of military dictatorship or to some form of presidential system because parliamentary democracy failed to provide the political infra-structure for solving vital economic and social problems.

Internally, it is pointed out, our system of parliamentary democracy has reached a stage of chronic crisis which is threatening its very existence. The crisis of parliamentary democracy in India had been expressing itself in various forms — such as the intrusion of money power and muscle power as decisive factors in electoral context, large-scale defections of elected representatives due to the lure of money or office or both, fractionalisation of political parties and growing incidence of governmental instability which was threatening to engulf governmental authority at the central level as well.

Hence, it is argued, Indian polity is faced with an impending catastrophe—catastrophe of dictatorship and/or dismemberment of the country followed by another dark period in Indian history. Hence, it is a question of “now or never,” i.e. of “serving” parliamentary democracy now by switching over to the presidential system or remaining a silent spectator of its sad demise at the hands of a military dictatorship which is almost knocking the doors externally as well as internally. These dark forebodings are based on a fundamental misreading of the situation—inside as well as outside our country.

Let us first take the neighbouring countries. What led to the demise of parliamentary democracy in Pakistan, Bangladesh, Nepal, etc.? It was certainly not the absence of a timely switch-over to a presidential form. In Sri Lanka, the presidential system itself has become the instrument for destroying parliamentary democracy. In Pakistan, initially the President himself called in the army generals to take over the government from the hands of what he considered to be a gang of “corrupt politicians”. In Bangladesh, the elected President was murdered by a group of army generals in a military *coup* who took over the reigns of administration and clamped regime of martial law which is continuing till now.

A little introspection would, however, show that the fundamental cause in each case of failures lies in the sphere of economy—the failure to swiftly overcome the awful legacies of colonial rule

in these countries; the failure to protect the national economy from the growing encroachments of colonialism and neo-colonialism; and the failure to foil the conspiracy of the imperialist powers to draw more and more countries into their military strategic blocs with the aim of restoring their untrammelled domination over the whole world.

Though India has been able to stand up against these external pressures and foil the imperialist policy of blackmail and threat, her internal economic situation is giving rise to certain disruptive and divisive forces which are, of course, being fully exploited by forces of imperialism.

Perceptive observers belonging to diverse trends are broadly agreed on the conclusion that the country's economic development, despite three decades of undoubted growth, has almost reached the cross-roads where vital decisions about the future course have to be taken. There is an all-pervasive crisis in policies — in policies of planning, of raising internal and external resources, of saving the country from being pushed into a debt trap carefully laid by the imperialists and their financial institutions. Simultaneously, there is a crisis of production and productivity, crisis of rising costs and falling sales, crisis of abundance in the midst of chronic shortages of several essential consumer goods, such as pulses and edible oils. And, finally, there is the crisis of growing inequality — between region and region and class and class — which inevitably gives birth to socio-political tension and conflict. The situation has deteriorated to such an extent that as many as nine States in the north-eastern and north-western parts of the country have been placed under virtual military rule.

In such a situation, the anguished cry is naturally being raised that parliamentary democracy has "failed" in India and the country must switch over to some form of authoritarian rule before it is "too late". The essence of the various proposals made in this regard lies in the fact that they all want to "free" the head of the executive from the "vagaries" of parliamentary control, so that the fissiparous and disruptive forces could be suppressed with a "firm hand", and economic costs could be reduced and productivity and profits increased by "insulating" the economic policy from the influence of "political pressure groups". These "pressure groups" include workers, peasants, middle class employees, professionals, the intelligensia and the broad stratum of small entrepreneurs specially in the comparatively more backward areas.

A little reflection would show that these proposals, in their essence, are nothing but a political rationalisation of the draconian provisions of the emergency rule of 1975-76 and of such other special repressive measures or the National Security Act (NSA), the Essential Services Maintenance Act (ESMA), the Disturbed Areas (Special Courts) Act, etc. Since these measures have not succeeded in resolving the crisis they were designed to resolve when they were promulgated in a piecemeal fashion, there is no basis for the belief that they would do so when promulgated in a body incorporated in what has come to be known as a "system change" crowned by a switch over to the presidential system.

The kind of all pervading crisis that has gripped the economy and polity of our country today, undoubtedly indicates the need for a "system change". But what kind of "system change"? All advocates of such change have so far confined their proposals to the sphere of politics, more specifically to the sphere of the constitutional framework of the formation and functioning of the government. That is why, they have all failed to suggest any remedy for the crisis in the sphere of the economy which really lies at the root of the crisis of the whole system or of the "system crisis" if one may be permitted to say so.

Experience of all our neighbouring countries which sought to resolve their "system crisis" by recourse to "system change" confined to the political sphere, unmistakably shows that they have all failed in their primary objective. Military dictatorship or other forms of authoritarian rule have not helped these countries in any way in mitigating the fundamental economic crisis. On the contrary, because of the repressive nature of their authoritarian political regimes, their economic crisis is assuming more and more explosive form so that a chronic political crisis has been super-imposed over a chronic economic crisis. The Movement for the Restoration of Democracy (MRD) in Pakistan and similar movements in Bangladesh are clear evidence of the fact that the social crisis essentially rooted in the sphere of economy cannot be resolved by recourse to authoritarian political means.

As a matter of fact, the very emergence of Bangladesh decisively disproves the effectiveness of such authoritarian political-administrative measures in solving fundamental socio-economic problems. The relapse to military dictatorship after the murder of Sheikh Mujibur Rahman is an expression merely of the immaturity of mass consciousness for a truly democratic change in Bangladesh and by no means an expression of the failure of the democratic revolution

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itself. Sooner or later, democracy is bound to re-assert itself in Bangladesh. Events in Pakistan are also bound to take a similar course. Military dictatorship is becoming more and more unstable day by day.

In such a situation, there is absolutely no justification for the view that the current economic and political crisis in India can be resolved by some kind of "system change" in the political-administrative sphere alone. The kind of "system change" that India needs today is a change in the basic structure of the economy and a change in the basic direction of economic policy so as to make them subserve the socio-political goals laid down in the Constitution.

There is an additional reason why such a "system change" to the presidential form will be totally unsuitable to India. As stated at the very outset of this article, India is a unique country from the point of view of evolution of a parliamentary democratic system. In contrast to the "nation states" of Europe and America, where the parliamentary democratic system took shape and thrived, India is a country of many languages, many religions, many racial and ethnic groups, in fact of many sub-national entities which are all expressed, in a rich diversity of history, tradition and culture. Through all this diversity runs the golden thread of Indian unity which has evolved over thousands of years of unique historical development. India presents a unique example of unity in diversity. This unity has been further strengthened during the prolonged period of the freedom movement extending over several decades.

A presidential form of government will severely curtail and in certain cases even abolish the historically-evolved forums of regional representation; curtail regional and local autonomy and seek to impose some kind of mechanical uniformity even by throttling the spirit of living and creative diversity. India can remain united only as a fully democratic entity based on a voluntary and fraternal co-operation of various linguistic, ethnic and subnational groups enjoying full powers of autonomy on the basis of a system of parliamentary democracy.

In conclusion, it can be stated with a fair degree of self-confidence that parliamentary democracy is the most suitable form of political organisation and governance for a country like India with such a complex and diverse social system whose historical essence is unity in diversity. India is bound to retain this historic feature even after it has accomplished the necessary transition to the next higher stage of historical development, i.e. Socialism.

COMMITTEE ON PETITIONS*

Origin

The Committee on Petitions of Lok Sabha is one of the oldest Committees of the House and dates back to the Central Legislative Assembly of the pre-Independence era. It owes its origin to a resolution moved by a member in the then Council of States on 15 September, 1921. The resolution sought to empower the Council, if necessary, by statute, *inter alia*, "to receive public petition on all matters relating to public wrong, grievances or disability, to any act or acts of public servants or to public policy". The resolution also sought that a Committee be constituted on public petition with powers to examine witnesses and record evidence.

The resolution was, however, withdrawn as an assurance was given by the Government that they would have the matter examined by a Committee. The Committee in question subsequently appointed by the Government to examine this matter, did not favour giving to the legislature the wide powers proposed in the resolution, but it recommended that there should be a right of petitioning the legislature, limited to the public business. In pursuance of this recommendation, the Speaker (then called the President) of the Central Legislative Assembly constituted a "Committee on Public Petitions" on 20 February, 1924. The Committee continued to be known as "Committee on Public Petitions" until 1933, when its name was changed to its present nomenclature, i.e. the Committee on Petitions.

* Contributed by the Committee Branch-I, Lok Sabha Secretariat.

The strength of the Committee was originally fixed at five and this number remained unchanged till 1954, when it was raised to 15 to provide adequate representation to all parties and groups in the House.

Constitution and term

The Committee on Petitions thus consists of not less than 15 members who are nominated by the Speaker. The Chairman of the Committee is appointed by the Speaker from amongst the members of the Committee. A Minister is not nominated as a member of the Committee and if a member after his nomination to the Committee is appointed a Minister, he ceases to be a member of the Committee. The Committee holds office till such time as a new Committee is constituted by the Speaker. Usually the Committee is set up annually and its term is one year from the beginning of June till the end of May in the following year.

Scope for admissibility of Petitions

Till the end of 1953, a petition could be presented to Lok Sabha only on Bills which had been published in the Gazette of India or introduced in the House or in respect of which notice to move for leave to introduce the Bill had been received. The question of enlarging the scope of petition which could be presented to the House was discussed *in extenso* by the Rules Committee of Lok Sabha in December 1953. The Committee felt that the people should have the right to present petition to Parliament not only in respect of Bills, but in regard to other grievances also and the House should receive such petitions. The scope of petition was accordingly amplified.

The Rules of Procedure and Conduct of Business in Lok Sabha specify the matters on which petitions may be presented to Lok Sabha. Accordingly, petitions may be presented to Lok Sabha with the consent of the Speaker, (i) on a Bill which has been published or introduced in the House; or (ii) on any matter connected with the business pending before the House; or (iii) any other matter of general public interest.

Petitions are inadmissible on matters, (i) which fall within the cognizance of a Court or a quasi-judicial body or a commission; or (ii) which can be raised in a State legislature or on a substantive motion or a resolution; or (iii) for which remedy is available under the law including subordinate legislation; or (iv) which deal with financial matters or involve expenditure from the Consolidated Fund of India unless it is recommended by the President.

Form and language of Petition

All petitions to Lok Sabha are required to be presented in prescribed form. The essential requirements of a petition are: (i) a formal superscription to the House (i.e. it must be addressed to the Speaker); (ii) a concise statement of grievance; (iii) a prayer regarding the definite object pertaining to the matter to which petition relates; and (iv) name and designation of the petitioner with address, authenticated by his signature or if illiterate, by his thumb impression, and that every petition should, if it is to be presented by a member, be countersigned by him. Letters, affidavits or other documents cannot be attached to any petition.

The language of a petition is required to be respectful, decorous and temperate. The petition should be either in Hindi or in English. If any petition in any other Indian language is made, it should be accompanied by a translation, either in Hindi or English, and signed by the petitioner.

Presentation of a Petition

A member desiring to present a petition in Lok Sabha has to give advance intimation of his intention to the Secretary-General. Although no minimum period is specified in the rules for an advance notice, ordinarily two days' notice is considered sufficient. In exceptional cases, however, the condition can be waived. The Secretary-General examines each petition to consider its admissibility according to the rules. If the Speaker admits the petition the member concerned is advised to see the Speaker in his Chamber and obtain his consent for presenting the petition to the House. A petition is presented to the House after the Question Hour. A member cannot present a petition for himself or on behalf of another member. Every petition, after presentation in the House by a member, stands referred to the Committee.

When a member presents a petition to Lok Sabha, no debate is permitted in the House on its presentation. If a petition is found defective after its presentation to the House, it may be withdrawn by an order of the Speaker and the petitioner informed accordingly.

Consideration by the Committee

The Committee on Petitions examines every petition which, after presentation to Lok Sabha, stands referred to it. However, the petitions on a Bill pending before a Select or Joint Committee, are referred, to the Select or Joint Committee concerned, without being

presented to the House and the petitioner is informed accordingly. It is the function of the Committee on Petitions to report to the House on specific complaints made in the petitions after taking such evidence as it deems fit. The Committee also suggests remedial measures, either on the specific case under review or in a general way to prevent such cases in future. The rules empower the Committee to direct that the petition be circulated, either *in extenso* or in a summary form, to all members of the House. In practice, however, the Committee directs circulation of only those petitions which deal with Bills or the matter pending before the House. In the case of petitions on matters of general public interest, the Committee examines the suggestions made therein, and calls for formal comments from the Ministries concerned, where necessary, before making suitable recommendations in its report to the House.

Representations

Besides the petitions presented to the House and the petitions on Bills, the Committee also considers representations, letters and telegrams from various individuals, associations etc. ventilating their grievances, which are not covered by the rules relating to petitions and give directions for their disposal provided the grievances fall within the administrative control of Government of India.

However, anonymous letters or letters on which names and addresses of senders are not given or are illegible and endorsement copies of letters addressed to the authorities other than the Speaker or the House, unless there is a specific request on such a copy praying for redressal of grievances, are not considered by the Committee but are filed on receipt in Lok Sabha Secretariat.

Only those representations on general matters or ventilating personal grievances are entertainable by the Committee which fall within the purview of the Government of India or Parliament.

Representations ventilating service grievances of employees or ex-employees of Government/statutory bodies are also not normally entertained by the Committee as proper remedies are available to such employees under their service rules etc.

Important work done by the Committee

During the Seventh Lok Sabha, the Committee held 72 sittings and presented 21 reports to the House on 23 petitions and 226 representations. The Committee took oral evidence of the petitioners and representatives of the various concerned Ministries and Departments of the Government of India on 29 occasions.

Some of the important matters of general public interest which were considered in earlier Lok Sabhas as well as in Seventh Lok Sabha and decisions taken thereon by the Committee on Petitions are as follows:

- (i) While considering the petition regarding educational policy of the Government of India and inadequate funds earmarked for education since Independence, the Committee in their Ninth Report (Fourth Lok Sabha) desired to achieve the target date of 1986 as recommended by Education Commission for free and compulsory universal education for all children up to 14 years of age as contemplated by article 45 of the Constitution. In their Eleventh Report (Fifth Lok Sabha), the Committee noted that Plan outlays for schemes of elementary education were earmarked State-wise by Government.
- (ii) A petition signed by Shri C. Rajeshwara Rao and others regarding rising prices, unemployment and other problems was presented to Lok Sabha on 27 March, 1973 by Shri Indrajit Gupta, M.P. The Committee considered the petition in their Thirteenth Report (Fifth Lok Sabha) and directed that it might be circulated *in extenso* to all the members of Lok Sabha under rule 307(1) of the Rules of Procedure and Conduct of Business in Lok Sabha.
- (iii) A petition signed by Shri Jayaprakash Narayan and others regarding elections in Bihar and Gujarat, socio-economic rights of the people, democratic rights and civil liberties, free and fair elections, decentralisation of political powers, educational reforms and eradication of political corruption was presented to Lok Sabha on 7 March, 1975 by Shri Atal Bihari Vajpayee, M.P. The Committee in their Twenty-second Report (Fifth Lok Sabha) considered the petition and directed that it might be circulated *in extenso* to all the members of Lok Sabha under rule 307(1) of the Rules of Procedure and Conduct of Business in Lok Sabha.

- (iv) While considering the petition regarding exemption from payment of road tax and supply of petrol at concessional rates to physically handicapped persons, the Committee in their Twenty-third Report (Fifth Lok Sabha) recommended that Government should impress upon State Governments on the desirability of adopting uniform policy in this regard by allowing total exemption to the physically handicapped persons who are needy and genuinely deserve the concession. On Committee's recommendations the State Governments|Union Territory administrations exempted "invalid carriages" owned used by physically handicapped persons from the payment of road tax. The Union Government also decided to implement this scheme as well as 50 per cent of the cost of petrol|diesel purchased by physically handicapped owners of "invalid carriages" with certain stipulated limits to be reimbursed to them.
- (v) The Committee considered a representation regarding demands of pensioners in their Ninth Report (Sixth Lok Sabha). While considering the demands, the Committee noted that in spite of several graded reliefs granted by Government there still persists a wide differential between the pensioners who retired before 1 January, 1973 and those who retired after 1 January, 1973. The Committee recommended the Government to consider the question of providing more relief to the pensioners who retired before 1 January, 1973 to bring them to the level of those who retired after 1 January, 1973 on the matter of pensionary benefits. The Committee also recommended for reviewing the whole scheme of communication of pension at a higher level and to revise the pension formula upwards. The Committee also recommended for appointment of Pension Commission to examine the problems and demands of the pensioners in depth. It considered, the action taken reply on various recommendations in their Seventh Report (Seventh Lok Sabha). It reiterated their recommendation that commuted portion of pension be restored to those pensioners who outlived their commutation period on humanitarian consideration.
- (vi) While considering the representation regarding suitable machinery for periodical review to ensure expeditious disposal of claim cases by the Railways, the Committee in their Third Report (Seventh Lok Sabha) recommended for a suitable machinery for expeditious disposal of claim cases by the Railways. In pursuance of the recom-

mentation, the Government decided to set up the Claims Tribunals.

- (vii) The Committee considered a petition regarding hardships of Bombay Railways suburban commuters in their Fifth Report (Seventh Lok Sabha) and felt that self-sufficiency at least on production of traction equipments, wheels and axles should be achieved by the Railways. The Committee also emphasised that the Government should find ways and means to allocate funds for various schemes to mitigate the sufferings of the Bombay Railway suburban commuters.
- (viii) The Committee considered a petition regarding the Delhi Municipal (Amendment and Validation) Bill, 1980 in their Sixth Report (Seventh Lok Sabha) and recommended for its revision. The Committee also recommended that detailed rules be framed under the provisions of this Act in respect of levy of property tax for all properties divided into specific categories based on specified criterion in each locality so that little discretion was left in the hands of staff concerned with the assessment of properties. Further, provision might also be made in the Act in accordance with guidelines prescribed by rules under the Act to exempt completely or partially, from payment of property tax, the old and infirm tenants|occupants who were not in a position to pay property tax on account of their low income.
- (ix) While considering the representation regarding grievances and demands of deported workers of National Building Construction Corporation Ghat Project in Libya, the Committee in their Ninth Report (Seventh Lok Sabha) recommended that in future the management of the Corporation should execute an agreement with the workers suitably incorporating terms and conditions based on the laws of the country to which the workers were likely to be sent so as to eliminate any cause of misunderstanding and trouble. It also recommended that the Corporation should pay all legitimate dues to the workers as per clause 14 of the Employment Agreement. In pursuance of the recommendations of the Committee, the Government decided that dues of the workers would be settled, as and when the workers submitted pre-receipts therefor.
- (x) The Committee considered a representation regarding augmentation of railways services in Indore and after

Journal of Parliamentary Information

making an on-the-spot-study visit to Indore recommended in their Eleventh Report (Seventh Lok Sabha) that direct fast trains between Indore and Delhi and between Indore and Bombay should be started. The Committee also emphasised for the creation of more passenger capacity on Indore-Mhow section. In pursuance of the recommendations made by the Committee, the Government decided to start a fast direct train between Indore and Delhi.

- (xi) The Committee came across a number of cases where Ministries and Departments took unusually long time in implementing their recommendations. The Committee in their Thirteenth and Twentieth Reports (Seventh Lok Sabha) recommended the Ministries/Departments to keep a close watch for expeditious implementation of their recommendations within a reasonable time not exceeding six months.
- (xii) While considering the representation regarding ban on cultivation, production and sale of kesari dal, the Committee in their Sixteenth Report (Seventh Lok Sabha) recommended that in view of the crippling and injurious effect of the consumption of kesari dal, the Government should take steps to ban the cultivation of kesari dal in the country through legislation.
- (xiii) The Committee considered a representation regarding grievances and demands of railway catering services workers and after making an on-the-spot study visit to Bangalore and Madras, recommended in their Seventeenth Report (Seventh Lok Sabha) that there was need for improvement in the service conditions of catering staff. It further recommended that as the job of the staff engaged in catering was of permanent nature, they should be employed by the Railways on regular basis.
- (xiv) The Committee considered a representation regarding grievances and demands of Indians working abroad and recommended in their Nineteenth Report (Seventh Lok Sabha) for the creation of special cells in Indian embassies in Gulf countries to look after the welfare and interests of Indian workers there. The Committee also recommended that the Government should issue guidelines to Government Undertakings/Corporations, employing Indian workers for their contracts abroad, to frame

model employment agreement based on laws and conditions of the country to which workers are sent, in order to avoid any disputes/troubles later.

- (xv) While considering the representation relating to ban on entry of foreign tourists in certain parts of Sikkim received from Shri B. B. Lohar, M.L.A. and Chairman, Scheduled Castes Welfare Board, Government of Sikkim and others and after making an on-the-spot study visit to Sikkim, the Committee recommended the Government, in their Twentieth Report (Seventh Lok Sabha) to consider the proposal submitted by travel agencies for permitting organised groups of tourists sponsored by them to visit Pemayangtse for a day or two so that the State of Sikkim is not deprived of due revenue from tourism. The Committee also recommended that Government should reduce the existing period of six weeks to four weeks for making applications by foreigners for the grant of inner line permits.
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Shri K.R. Narayanan : 1600 Km. of railway lines have been electrified during the Sixth Plan. It is short of the target, but still it is a significant improvement in the electrification of the railway system.

An hon member : What is the target ?

Shri K.R. Narayanan : 1800 Km. We have not reached the target. But as you know, between conception and execution, there always falls a shadow. It is a normal thing.

Professor Madhav Dattavate : There is always a slip 'twixt the cup and the lip'.

Shri K.R. Narayanan : It is not a slip. It is only a shortfall.

(D.S. Deb., 15 March, 1985)

RAILWAY CONVENTION COMMITTEE*

Railway Finances were separated from General Finances in India in 1924. By a resolution adopted in September 1924, the Central Legislative Assembly approved what is commonly known as the 'Separation Convention' providing for a definite annual contribution from the Railways to the General Revenues which was to be the first charge on the net receipts of the Railways. This was done primarily to secure stability of civil estimates by providing for an assured contribution from Railway Revenues and also to introduce flexibility in the administration of Railway finances. The intention at the time of introduction of the Convention was to treat the Railways "as a continuously going concern with a carefully thought-out programme both of revenue and of capital expenditure for years ahead with provisional arrangements to correspond."

The working of the Separation Convention was reviewed from time to time by committees appointed by the Legislative Assembly. The Railway Convention Committee, 1949, which was the first to be set up after Independence, assured a steady return to General Revenues and also enabled the Railways to strengthen their reserves for discharging their obligation towards rehabilitation, increasing operational efficiency and provision of adequate amenities. It also arrested the growth of over-capitalisation in the Railway Undertaking.

Functioning of the Committee

The principles recommended by this Committee were found generally acceptable by the succeeding Committees of 1954, 1960, 1965,

* Contributed by the Railway Convention Committee Branch, Lok Sabha Secretariat.

1971, 1973, 1977 and 1980, with such amplifications as were considered desirable keeping the state of Railway finances in view.

In April/May 1959, the five-year period for which the recommendations of the 1954 Convention were applicable, was extended by Parliament by one year, i.e. upto 31 March, 1961 so that the period for which each new Convention remains in force may coincide with the Plan period, e.g. 1961—1966, 1966—71, etc.

While the Railway Convention Committees of 1949, 1954, 1960 and 1965 confined themselves only to the question of determining the rate of dividend payable by the Railways during the succeeding quinquennium, the Railway Convention Committee, 1971 for the first time selected some subjects for detailed examination and presented seven reports to Parliament covering not only the question of dividend, but also such diverse subjects as accounting matters, suburban services, commercial and allied matters and requirements and availability of wagons. The subsequent Committees, appointed in 1973, 1977 and 1980, have also been, in addition to reporting on the rate of dividend payable by the Railways to General Revenues, examining and reporting on various aspects of working of Railways and Railway Finances.

Although the Committee has not drawn up any separate rules to regulate its internal working, it functions more or less on the same lines as other Financial Committees of Parliament. The Committee invites memoranda from the Ministry of Railways and other concerned Ministries as also from non-official individuals/organisations. Sometimes, it also invites memoranda from State Governments.

Constitution of the Committee

The Railway Convention Committee is an *ad hoc* committee constituted from time to time to review the rate of dividend which is payable by the Railways to the General Revenues as well as other ancillary matters in connection with Railway Finance *vis-a-vis* General Finance and make recommendations thereon. Apart from recommending the rate of dividend payable by the Railways to the General Revenues, it also suggests the level of appropriation to various funds of Railways like the Depreciation Reserve Fund and the Development Fund.

The Committee is constituted from time to time by a resolution moved in Lok Sabha by Government and concurred in by Rajya Sabha. It consists of 12 members of Lok Sabha nominated by the Speaker Six members of Rajya Sabha, nominated by the Chairman,

Rajya Sabha, are also associated with the Committee. The Chairman of the Committee is appointed by the Speaker from amongst the members of Lok Sabha. The Minister of Finance and the Minister of Railways are among the members nominated to the Committee.

The Committee takes the evidence of the representatives of the Ministry of Railways and representatives of such other Ministries as it may consider necessary. Whenever necessary, it also hears the views of non-official individuals|organisations who are|have been closely concerned with the working of Railways in India.

As regards the rate of dividend that may be payable by the Railways to the General Revenues, the Committee invites a memorandum from the Financial Commissioner of Railways. The memorandum contains the views of both the Ministry of Railways and the Ministry of Finance on various proposals made in the memorandum. The report of the Committee on the rate of dividend is considered by the House on a resolution moved by the Minister of Railways. Other reports of the Committee are normally not discussed in the House.

Whenever considered necessary, the Committee undertakes on-the-spot study visits to the various Railway establishments. It also sometimes undertakes tours to hear the views of State governments on subjects taken up by the Committee for examination.

RAILWA. CONVENTION COMMITTEE, 1980

In pursuance of the resolution adopted by Lok Sabha on 4 August, 1980 and concurred in the Rajya Sabha on 11 August, 1980, the Railway Convention Committee 1980 was constituted on 10 October, 1980. During the Seventh Lok Sabha (1980—1984), the Committee had held 71 sittings and undertaken 18 tours for on-the-spot study of the working of Railway projects and held informal discussions with local Railway administrations and State governments on subjects under its examination.

The Committee presented 12 reports. In addition to reporting on the rate of dividend payable by the Railway Undertaking to the General Revenues during the Sixth Five Year Plan period in four of its reports, the Committee presented five reports on different aspects of the working of Railways (including Railway Finances). These include a Report on Track Expansion Programme and two Reports on Cost of Operation of Railways—one dealing with Staff and Fuel Cost and the other with Cost of Materials. In addition, the Committee also presented three Action Taken Reports.

Rate of Dividend . . .

In 1949, the Railway Convention Committee recommended 4 per cent as the rate of dividend while the Average Borrowing Rate of the Government of India then was less than 3 per cent. The successive Railway Convention Committees from 1949 onwards have been suggesting rates of dividend on the capital invested in the Railways so as to include an element of contribution to General Revenues over and above the Average Borrowing Rate of the Government of India. Right upto 1979-80, the Average Borrowing Rate of Government of India, though progressively increasing from year to year, remained well below the dividend rate payable by the Railway Undertaking to the General Revenues. It was only in 1980-81, i.e. the first year of the Sixth Five Year Plan, that the Average Borrowing Rate of the Government crossed the dividend rate of 6 per cent for the Fifth Plan period (1975—80). Considering the unhappy state of Railway Finances, the ever-increasing cost of operation of the Railways and the continuous upward trend in the Average Borrowing Rate, the Railway Convention Committee 1980, for the first time, divided the capital invested in Railways in two segments: (i) investment made before 31 March, 1980, and (ii) investment made thereafter. It suggested, purely as an interim measure, different rates on the two segments. So far as pre-1980-81 investment is concerned, the Committee suggested dividend at the rate of 6 per cent. This rate was above the Average Borrowing Rate of Government for the relevant period and thus included an element of contribution. However, so far as the capital investment for the period 1980-85 is concerned, the Committee suggested dividend at the rate of 6-1/2 per cent, which is equal to the Mean Borrowing Rate of Government for the Sixth Plan period. Thus, the rate of dividend on this segment does not include an element of contribution.

While suggesting the above dividend rates, the Committee has taken care not only to continue but to extend the equitable concessions and reliefs on such part of the capital as has been invested in Railways on considerations other than financial and commercial. The Committee has thus recommended complete exemption of the capital invested in (a) strategic lines, (b) 28 new lines taken up on or after 1 April, 1955 on other than financial considerations, including two National Investments, viz., Jammu-Kathua and Tirunelveli-Kanyakumari-Trivandrum lines, (c) North East Frontier Railway (non-strategic portion), (d) Ore-lines and (e) Ferries and Welfare buildings. The Committee also suggested a concessional dividend of 3.5

per cent on the capital cost of residential buildings. These recommendations of the Committee have been agreed to by Parliament on a resolution.

Depreciation Reserve Fund

One of the avowed functions of the Railway Convention Committee is to suggest the level of appropriation to various funds of Railways, like the Depreciation Reserve Fund and the Development Fund. One of the main objectives of the Separation Convention of 1924 was to build up a "proper depreciation fund, a depreciation fund arranged in a scientific and intelligible manner." The Railway Convention Committee, 1949 which was the first Railway Convention Committee appointed after Independence, recommended a minimum contribution of Rs. 15 crores per year for the five years commencing from 1950-51 to the Depreciation Fund (as it was then called). It also laid down the principle that "the full cost of replacement of (ageing railway assets) should be charged to this Fund." These recommendations of the Railway Convention Committee 1949 were also accepted by Parliament by a resolution.

The contributions to the Depreciation Reserve Fund (as it is now called) have been progressively increasing. The average contribution during the period 1950-55 which was Rs. 30 crores a year rose to Rs. 45 crores a year during the period 1955-60. During the period 1974-79, a total contribution of Rs. 650 crores was made to the Fund. For the Sixth Five Year Plan period (1980-85), the Railway Convention Committee, 1980, in its Seventh Report, agreed to the stepping up of the contribution to Rs. 2,100 crores, i.e. more than three times the contribution during the preceding Plan period. However, in view of the accumulated arrears in renewals and replacement of railway assets, even this amount was considered inadequate and during 1980-84, the first four years of the Sixth Five Year Plan, the Committee has already allowed a contribution of Rs. 1,976 crores, the contribution for the penultimate year of the Sixth Five Year Plan, i.e. 1983-84, alone being Rs. 850 crores. For 1984-85, the last year of the Sixth Plan the Committee has recommended further stepping up of the contribution, keeping in view the Railways' capacity to generate additional internal resources. The above recommendations of the Committee have been agreed to by Parliament by a resolution.

Development Fund

Development Fund was constituted for the first time on the recommendation of the Railway Convention Committee, 1949. Its

scope has been enlarged from time to time and it is now used for financing, (i) the cost of all works relating to amenities for passengers and other railway users, irrespective of any monetary limit; (ii) the cost of all labour welfare works estimated to cost individually above Rs. 25,000; and (iii) the entire cost of works costing more than Rs. 3 lakhs each, which are unremunerative but considered necessary for the improvement of operational efficiency, including additions to the existing or new works.

The Railway Convention Committee has agreed to the continuance of the arrangement that in the event of the Development Fund not being in a position to meet the expenditure chargeable to it from its own resources, it may obtain temporary loans from the General Revenues, the interest on such loans being charged at the same rate as is applicable to loans given to State governments.

Some Important Recommendations (1980 Committee).

In its Ninth Report on the Cost of Operation of Railways (Staff and Fuel Cost), the Railway Convention Committee has emphasised an urgent need for a scientific reappraisal of the staff strength employed in various spheres of work, particularly at top levels and in offices where the work load has no direct bearing on the traffic handled. The Committee has desired that this review should not only cover the staffing pattern under the existing procedure and conditions of work, but should also ascertain what simplification and streamlining of procedures are possible with a view to effecting economy in expenditure.

The Committee has also suggested that a well-integrated interdisciplinary team of officers presided over by the respective Chief Executives at various levels—Divisional, Zonal and the Railway Board—should be engaged constantly on suggesting measures to eliminate waste and effect economy in staff and fuel cost and to evolve better control techniques and systems and monitoring results. The Committee has desired that such a concerted institutionalised drive should be initiated forthwith.

The Committee has stressed that if the Railways are to reduce substantially the cost of operation on account of fuel, there is no alternative for them but to phase out steam engines as far as possible (the direct operational expenses per 1,000 gross tonne kms. being Rs. 4 for electricity, Rs. 5 for diesel and Rs. 10 for steam traction).

In its Eleventh Report on Cost of Materials, the Committee has taken note of the observation of the Railway Reforms Committee that there was only a peripheral awareness of the scientific aspects of materials management in the Railways. The stores discipline in the Railway infrastructure functions more or less as a loosely-knit and disorganised purchase and supply department. The wide range of sophistication which has been achieved in materials management in some other countries has yet to make a dent in the Railways. The Committee has called upon the Ministry of Railways to pay immediate attention to this aspect.

In this report, the Committee has also desired that reliable costing system should be evolved by the Railways for monitoring of cost and achieving better cost control. The Committee has envisaged an integrated approach to cost and financial accounts whereby standard costs could be compared with actual costs and the difference could be analysed in terms of usage, rate etc. variances and prompt remedial steps taken for effective cost control from year to year.

In its Twelfth Report on Track Expansion Programme of Railways, the Committee has observed that before Independence, the Railway system in India was developed primarily to provide communications with the major ports and large cities, keeping in view the administrative, strategic and trade imperatives of that time. The communication needs of the remote backward areas were not paid due attention. In fact, the idea of the Railways playing a pivotal role in the development of these areas was not even seriously considered. But even after Independence, the Committee has regretted to observe that much attention had not been paid to the needs of the backward areas. The Committee has desired that priority should now be given to the lines aimed at development of backward areas.

The Committee has also observed that at present financial return is the sole criterion for clearance of a Railway project. It has strongly felt that the economic internal rate of return ought to be given due weightage as in the case of projects of public undertakings. Other things being equal, a Railway project showing a higher economic benefit should be preferred. To this end, the Committee has desired that a suitable system of assessing economic cost and benefit of Railway projects should be developed and economic cost-benefit analysis invariably made.

Another aspect which has greatly disturbed the Committee is almost total lack of planning in taking up new lines for construction. According to the Committee, individual projects which satisfy broad

criteria are selected in an *ad hoc* manner for execution and not as a part of some well-conceived plan. Quite often, the existing on-going projects are slowed down or frozen but at the same time new projects are taken up. Also, too many projects are taken up simultaneously resulting in the limited resources at the disposal of the Railways getting distributed thinly, thereby not only delaying the implementation of the projects but also inflating their cost. The Committee has desired the Railway Board to give up its practice of *ad hocism* and re-orient its whole approach in the matter. The Committee has desired the Railway Board to draw up a long-term perspective plan for track expansion for the next twenty years in consultation with the Planning Commission for implementation from the start of the Seventh Plan. Under this Plan, projects should be taken up for execution strictly in the order of their priority in the plan and once started they should be completed according to their time schedule without interruption.

The Committee has also drawn attention to the heavy arrears in track renewals which have assumed alarming proportions. The arrears which were 13,100 kms. at the beginning of the Sixth Plan in April 1980 have now gone up to nearly 20,000 kms., i.e. about a third of the entire track kilometerage in the country. The Committee has also found that the old steel girders in 2,700 bridges, erected prior to 1905, have become brittle and need early replacement. The Committee has desired the Railway Board to draw up a phased programme to wipe out the arrears at least by the end of the next ten years.

Shri K.P. Unnikrishnan : In the Soviet Union, you will find that the more the distance of travel not only telescopic rates are in operation but cheaper rates. I was told that it is one of the means by which Republics have been encouraged to come together. Here my friend Shafi Qureshi came and abolished the telescopic rates and today it is on computer under a different point to point basis.

Professor Madhu Dandavate : He introduced microscopic rates.

(L.S. Deb. 14 March, 1985)

EXHIBITION ON 'PARLIAMENT OF INDIA—ACTIVITIES AND ACHIEVEMENTS, 1980—84'

Dr. Bal Ram Jakhar, Speaker, Lok Sabha, inaugurated an Exhibition on 'Parliament of India—Activities and Achievements, 1980—84' on 22 April, 1985 in the Parliament House Annexe, in the presence of a number of Union Ministers, Members of Parliament and other dignitaries. According to Dr. Jakhar, the Exhibition was an "excellent exposition" of the activities of the Parliament, particularly of the Seventh Lok Sabha.

The Exhibition was organised by the Lok Sabha and Rajya Sabha Secretariats in collaboration with the Directorate of Advertising and Visual Publicity, Ministry of Information and Broadcasting and the Central Statistical Organisation. The Exhibition started with a backdrop of the Central Legislative Assembly, which came into being in 1921 under the Government of India Act, 1919 and remained till 15 August, 1947, and demonstrated the activities and achievements of Parliament with particular reference to Seventh Lok Sabha and the corresponding period of Rajya Sabha by means of about 200 photographs and 40 attractive charts. By way of comparison, the corresponding figures of the previous Lok Sabhas were also given.

Some of the remarkable photographs exhibited depicted the recent election scenes and those relating to the elections of the President and the Vice-President and the touching farewells to the retiring President and Vice-President, Presidential processions, election of Shrimati Indira Gandhi and Shri Rajiv Gandhi as leader of Congress (I) Party in 1980 and 1984 respectively, felicitations to Dr. Bal Ram Jakhar on his re-election as Speaker of Lok Sabha for the second term, and his election as Chairman of Executive Committee

of Commonwealth Parliamentary Association at Isle of Man. Other events such as addresses by foreign Heads of States|Governments to members of Parliament in the Central Hall during the term of the Seventh Lok Sabha and calls of foreign parliamentary delegations on various dignitaries had also been interestingly covered in the Exhibition.

The Exhibition prominently displayed the stirring call from the late Prime Minister, Shrimati Indira Gandhi:

“Our commitment to democracy, socialism and secularism is a matter of faith. We cannot invoke the ideals of justice, freedom and equality without fully employing our energies in combating the evils of poverty, superstition and social injustice. . . . We have only one adversary—social and economic injustice. We have only one goal—to build a strong, self-confident, self-reliant, independent India. Come, now let us all work together”.

The Exhibition also carried the memorable words of the Prime Minister, Shri Rajiv Gandhi: “Our democratic structure, our system is now very deeply ingrained and I do not think there is any question of instability coming into it”.

Arrangements were made to relay at regular intervals during the course of the day, tape-recorded excerpts of speeches of Presidents and Prime Ministers of India, made in the Parliament.

Among the dignitaries who visited the Exhibition on the opening day were Shri H. K. L. Bhagat, Minister of Parliamentary Affairs who corroborated what the Speaker had said. Dr. (Shrimati) Najma Heptullah, Deputy Chairman, Rajya Sabha observed that “there are no words to express the beauty of the exhibition. The photographs speak for themselves”. While Shri P. N. Sukul, member of Parliament and Chairman, Committee on Petitions (Rajya Sabha) termed it as “a highly informative and educative exhibition”, Professor (Shrimati) Asima Chatterjee, M.P., called it a “well documented exhibition providing chronological development of parliamentary affairs since pre-independence till date. For younger generation this is an excellent educative programme. . . .”.

The Exhibition drew commendatory remarks from several dignitaries who visited it in the later days. Professor Lokesh Chandra, M.P., called it “a vivid panorama of the evolution and development of the Parliament, the voice of our people in action”. In his view it had been “aesthetically arranged” and that “it should go round the

country. The exhibition should be published as an album...for wider circulation". Shri H. S. Hanspal, M.P., observed: "The Exhibition is very informative and of historical importance" and that "the tapes of speeches should be made available for sale". Shri Ram Shreshth Khirhar, M.P., said: "The exhibition attracts me much on the ground that it is retrieving the history of the great leader of my party and the history of the National Congress. Such exhibition may be arranged on a large scale". Shri Senapathi Gounder, M.P., observed that it had been "splendidly exhibited" and was "very educative to the youths and the present generation" as in his view, "it is very necessary that the present generation knows the progress of our nation in parliamentary democracy and it will catch their imagination when they see all these pictures and mould them in a better way as true nationalists". Shri M. Rajagopal, M.P., commented: "This exhibition is very very informative and educative. It is better to keep more photos of pre-independence era also". Shri Mohammed Asrar Ahmad, former member of Parliament was of the opinion: "I have gone through all the exhibits and find that it has been displayed for the benefit of all concerned. It should not be confined here in exhibition only but pictorial edition of all that has been displayed be sent and published for the education of the masses. I once again commend it".

The Exhibition was opened to visitors to Lok Sabha and Rajya Sabha galleries from 27 April, 1985 onwards. It was also opened for general public on Saturdays and Sundays commencing from 4 May, 1985 and remained so on all the days from 18 May till 25 May, 1985, when it came to a close.

SUPREME COURT ON THE CONSTITUTIONAL VALIDITY OF
EXPLANATION ON POLL EXPENSES

A Constitution Bench of the Supreme Court, consisting of the Chief Justice, Shri Y. V. Chandrachud, Justice P. N. Bhagwati, Justice D. A. Desai, Justice A. N. Sen and Justice V. B. Eradi, in its verdict delivered on 8 May, 1985, unanimously upheld the constitutional validity of Explanation 1* to Section 77(1) of the Representation of the People Act, 1951, which provided that "any expenditure incurred or authorised in connection with the election of a candidate by a political party or by any individual shall not be deemed to be expenditure in connection with the election" for the purposes of the ceiling on expenditure.

Delivering the judgement, the Court dismissed the petition of Dr. P. Nalla Thampy Terah, who had challenged Explanation 1 on the ground that it was violative of Article 14 as it discriminated between small and big parties and was against the "purity of the election process".

Upholding the validity of the Explanation, the Court observed: "The influence of big money on the election process is regarded universally as an evil of great magnitude. But then, the question which

*The Explanation was added to Section 77(1) by the 1974 amendment to the Act to get over a judgement of the Supreme Court in *Kanwarlal Gupta's case*. According to this ruling expenses incurred by a political party sponsoring a candidate "in connection with his selection, consent or acquiescence", were liable to be included in the expenses incurred by the candidate for his election for purposes of "ceiling" prescribed under relevant provisions of the election law and rules etc.

we, as judges, have to consider is whether the provision contained in Explanation 1 suffers from any constitutional infirmity and, particularly, whether it violates Article 14. On that question we find it difficult, reluctantly though, to accept the contention that Explanation 1 offends against the right to equality." This was because "Explanation 1 classified all political parties or associations in one group and confers upon them same or similar advantage" and "political parties or politically motivated associations or bodies of persons or individuals interested in political happenings are characterised by common attributes, the dominant attribute being that they engage themselves in activities of a political nature" and "elections constitute the core of such activities."

The Court ruled that the "classification has to be broadly reasonable in order to sustain the challenge of unconstitutionality. We do not consider that preferring political parties for exclusion from the sweep of monetary limits on election expenses is so unreasonable or arbitrary as to justify the preference being struck down upon that ground."

Justifying the classification, the Court observed: "In any democratic system of Government, political parties occupy a distinct and unique place. They are looked upon as guardian angels by their members though, occasionally, they fail to discharge the benign role of a guardian, leave alone the angelic part of it. It is through them that the generality of people attempt to voice or ventilate their grievances. Considering also the power which they wield in the administration of governmental affairs, a special conferment of benefits on them in the matter of modalities governing the election process cannot be regarded as unreasonable or arbitrary." The Bench pointed out that a classification of this nature "bears reasonable relationship with the object of the statute that expenses incurred by those who fall within this particular group should not be regarded as expenditure incurred or authorised by the candidate or his election agent."

The Court further observed: "Election laws are not designed to produce economic equality among citizens. They can, at best, provide an equal opportunity to all sections of the society to project their respective points of view on the occasion of elections. The method, some what unfortunate, by which law has achieved that purpose, is by freeing all others except the candidate and his election agent from the restriction on spending so long as the expenditure is incurred or authorised by those others."

The Court, however, cautioned: "It is essential that the limited range of Explanation 1 ought not to be enlarged. The ceiling placed on election expenses is a basic commandment of the Act, not a pious

edict. Its object is to keep a check on the expenditure incurred by candidates on their own elections, directly or through their election agents. They cannot be permitted to resort to subterfuges in order to evade the restraint imposed by Sections 77(1) and 77(3) of the Act. Homage to the principle of free and fair elections has to be real, not formal."

The Court also observed: "The fairest form of fairness would be in which the State would have to allocate funds from its own exchequer in order to enable the various candidates to contest elections. But that is a far cry."

Appreciating the public spirit of Dr. Terah, the Court said: "The petitioner is not unjustified in criticizing the provision contained in Explanation 1 as diluting the principle of free and fair elections, which is the cornerstone of any democratic polity. But it is not for us to lay down policies in matters pertaining to elections. If the provisions of the law violate the Constitution, they have to be struck down". The Court added: "We cannot, however, negate a law on the ground that we do not approve of the policy which underlies it.

Can the Court, for example, strike down Rule 90 on the ground that the limit of Rs. 1 lakh is too high in the Indian context? We may have our own preferences and perceptions but they cannot be used for invalidating laws."

CORRECTION

In March 1985 issue of the Journal of Parliamentary Information, the table at page 67 may be read as follows :

Sl. No.	Name of party/group	Number of women members elected	
		Seventh Lok Sabha	Eighth Lok Sabha
1	Congress (I)	21	37
2	Janata	4	Nil
3	CPI	1	1
4	TELGU DESAM	Nil	2
5	CPI(M)	2	1
6	J&K National Conference	Nil	1

At Page 68, the first para may be read as follows :

"It may thus be seen that in the case of Congress (I), the position of women members elected to Lok Sabha has been substantially increased. While Janata has no women representation now, the strength of CPI(M) has halved. CPI has maintained its position".

The error is regretted.

- Editor

WIT AND HUMOUR IN PARLIAMENT

The Houses of the Union Parliament and of the State Legislatures witness heated discussions, not infrequently. But it is not all just heat; discussions shed light as well and there are also lighter interludes. True to our promise of continuing this feature, we have endeavoured to capture some moments of the Honble Speaker's wit and humour and that of the members in general during the first and second sessions of the Eighth Lok Sabha.

—Editor

LOK SABHA

Shri Somji Bhai Damor: In the tribal areas which I represent, P.C.Os in rural areas remain out of order for 360 days during 365 days of a year.

M. Speaker: Why don't you ask as to how the telephone lines remain in order for five days?

(L.S. Deb., 22 January, 1985)

Shri B. Shankaranand: The hon. lady member had written a letter to the Energy Minister and it was replied that the proposal was received by the Ministry in July, 1983.

Professor Madhu Dandavate: He should not read the letters written by ladies to others.

Shri B. Shankaranand: They are sometimes interesting.

Shri Yogendra Makwana: Not sometimes; always (L.S. Deb., 14 March, 1985)

Professor P. J. Kurien: There is a famous dictum that prevention is better than cure. Is it not a fact that we are not having sufficient preventive drugs?

Professor Madhu Dandavate: Don't say that. Otherwise, there will be preventive detention.

Shri Sudini Jaipal Reddy: The prevention of a question is better than the cure of an answer.

(L.S. Deb., 14 March, 1985)

Shri Chittaranjan Mehta: I would like to know from the Hon. Minister whether this disease is identified as viral or bacterial and which part of the country is the most affected by it?

Shri Yogendra Makwana: It is bacterial.

Shri Chittaranjan Mehta: What bacteria?

Shri Narayan Choubey: Congress bacteria!

(L.S. Deb., 14 March, 1985)

Professor Madhu Dandavate: Sir, I want a clarification. The Leader of the House said that "I am leaving it to evaluation by the Home Minister." If he himself evaluates the evaluation by the Home Minister will it not be more helpful?

Shri Rajiv Gandhi: Sir, I would like to let my Ministers do their own work.

(L.S. Deb., 14 March, 1985)

Shri (R. K.) Narayanan: But I would like to say that Kashmir is very much in the mind of the Government, from the development point of view—in transportation as well as in other respects.

Professor Madhu Dandavate: In Kashmir, MLAs are also transported!

Shri K. R. Narayanan: We are also transported to this place by our constituents.

(L.S. Deb., 15 March, 1985)

Dr. Krupasindhu Bhoi: My question is what are the time-bound programmes for the production in the new steel plants; I also want to know what is the cost escalation by which our cost of production in the saleable steel, rolling stock and other alloy steel plants has been doubled.

Mr. Speaker: Would you like to reply to his rigmarole?

Dr. Krupasindhu Bhoi: Sir, I wanted to educate them.

Mr. Speaker: This is not a class time, professor; this is question time.

(L.S. Deb., 15 March, 1985)

Shri V. Sobhanadreeswara Rao: Mr. Speaker, Sir, the Hon. Minister has given the reply for part (b) of the question as a categorical 'No'. But we have our own experience...

(Interruptions)

Mr. Speaker: Did you want some other type of 'no', Sir?

(L.S. Deb., 18 March, 1985)

Shri Indrajit Gupta: ... How much money has been passed on to him and does the Hon. Minister know that this gentleman—I don't wish to name him here—who has been made the Managing Director, was arrested on the 6th of July last year for alleged misappropriation of about Rs. 1.27 crores on the complaint made by the Punjab National Bank?

Professor Madhu Dandavate: Then, how do you describe him as the gentleman?

Shri Indrajit Gupta: 'Gentleman' are the people who take the money out. You don't know that.

Mr. Speaker: That is the present-day definition.

(L.S. Deb., 19 March, 1985)

Shri Ajay Narayan Mushran: ... I would specially invite the Railway Minister to undertake a journey in Indore-Bilaspore Express train. That train must be maintained in the present shape to remind us of the days when the railways were actually started...

(L.S. Deb., 19 March, 1985)

Mr. Deputy Speaker: You are going to read out a letter.

Professor Madhu Dandavate: There is nothing damaging.

Mr. Deputy Speaker: You just give a summary of it. That is enough.

Professor Madhu Dandavate: Shrimati Indira Gandhi was always in the habit of writing small letters. So, my summary might be bigger than the letter itself. I would therefore, prefer to read it out.

(L.S. Deb., 20 March, 1985)

Mr. Speaker: Shri Kamal Nath please. Is he absent? Next, Shri K. Ramamurthy. Again no. Shrimati Kishori Sinha. She is also not there. Really, it is a hat trick.

Professor Madhu Dandavate: Mr. Sinha may be allowed to represent her, Sir.

Mr. Speaker: What about you? What will you do now?
[Reference to Mrs. Dandavate who was not re-elected this time]

* * * * *

(L.S. Deb., 20 March, 1985)

Shri G. G. Swell: I request that this may be laid on the Table of the House. The reply is lengthy.

Professor Madhu Dandavate: If the Minister is lengthy, he may be laid on the Table of the House.

(L.S. Deb., 21 March, 1985)

Shri Vasant Sathe: In fact I jocularly said in the Round Table that our slogan should be 'Beg, borrow or steal and produce more steel.' Now what more do you want?

Shri Sudini Jaipal Reddy: The question was whether the Minister is prepared to steal from the Finance Minister to get the Visakhapatnam Steel Plant come up early.

Shri Vasant Sathe: I am willing, Sir, if he allows me.

An hon. member: How will he allow?

Shri Vasant Sathe: Or if you will allow.

(L.S. Deb., 22 March, 1985)

Shri Vasant Sathe: Unless power is assured, I am afraid these plants will not work.

Professor Madhu Dandavate: You have been given 402 horse power, what more do you want?

[402 being the strength of the ruling congress (I) party in the House]

Shri Vasant Sathe: We are horse power but you are what?

(L.S. Deb., 22 March, 1985)

Shri Amar Roypradhan: Mr. Speaker, Sir, you please decide whether it is an evasive reply or a reply of a nursery child.

Mr. Speaker: Child is the father of man.

(L.S. Deb., 28 March, 1985)

Professor Madhu Dandavate:...The industrialists demanded that the present ceiling limit of Rs. 20 crores in the case of MRTPL be increased to Rs. 40 or Rs. 50 crores. Sometimes, when a blind man asks for one eye, God gives him two. The great monopolists asked for the present MRTPL limit to be increased from Rs. 20 crores to Rs. 50 crores. But the Government, being extremely satisfied, said, "Industrialists, you are asking for one eye; we are offering you two; the limit is raised to Rs. 100 crores."

(L.S. Deb., 21 March, 1985)

Shri Narayan Choubey: Sir, where is the Minister?

Mr. Chairman (Shri Somnath Rath): It is joint responsibility. Some Ministers are there already.

Shri Narayan Choubey: It seems we have not given the importance that it deserves.

Mr. Chairman: It is joint responsibility. Ministers are present. They are taking note of the points either mentally or physically.

Shri Narayan Choubey: The victims have not died mentally. They have died physically. Is it a new gas from the Ministers?

(L.S. Deb., 27 March, 1985)

Shri Vishwanath Pratap Singh: In this stadium of the House, Professor Madhu Dandavate was making a marathon race of his questions.

(Interruptions)

Professor Madhu Dandavate: These are called compound questions.

Shri Vishwanath Pratap Singh: I was just awaiting when he would formulate the questions. He formulated one question in the beginning and one at the end. In between he was supposedly giving lot of information... *(Interruptions)*.

Professor Madhu Dandavate: Well begun is half done. All is well that ends well.

(L.S. Deb., 29 March, 1985)

Shri Vakkam Purushothaman: ...Although the Opposition parties were always criticising the Centre by saying that it is having a step-motherly attitude towards Kerala, our people have also stood with our beloved Prime Minister in giving him a massive mandate.

Professor Madhu Dandavate Now, it is a step-fatherly attitude!

(L.S. Deb., 23 March, 1985)

PARLIAMENTARY EVENTS AND ACTIVITIES

CONFERENCES AND SYMPOSIA

Inter-Parliamentary Conference on Health and Development: The Inter-Parliamentary Conference on Health and Development in the South East Asian and Western Pacific Regions, organised jointly by the Inter-Parliamentary Union and the World Health Organization, was held in Bangkok (Thailand) from 18 to 21 February, 1985. The Indian Delegation to the Conference was led by Shri Yogendra Makwana, Minister of State for Health and Family Welfare and consisted of Shri C. Haridas, MP and Dr. (Shrimati) T. Kalpana Devi, MP, Shri P. R. Dasgupta, Joint Secretary, Ministry of Health and Family Welfare was Secretary to the Delegation.

The following subjects were discussed at the Conference:

- (a) Health situation in the Region and Main Trends,
- (b) The Inter-relationship between Health and Development,
- (c) The Primary Health Care approach as a means of achieving health for all by the year 2000, and
- (d) Political and Social Action for Health development.

73rd Inter-Parliamentary Conference: The 73rd Inter-Parliamentary Conference was held in Lome (Togo) from 25 to 30 March, 1985. The Indian Delegation to the Conference was led by Dr. Bal Ram Jakhar, Speaker, Lok Sabha and consisted of Shri Madhusudan Vairale, M.P., Shrimati Basavarajeswari, M.P., Shri P.M. Sayeed, M.P., Shri Leonard Solomon Saring, M.P., Shri Dipen Ghosh, M.P., and Shri P. Kolandaivelu, M.P., Shri D. C. Pande, Joint Secretary, Lok Sabha Secretariat, was Secretary to the Delegation.

The Conference discussed and adopted resolutions on the following subjects:

- (a) The contribution of Parliaments to the promotion of disarmament, especially nuclear disarmament and the elimination of chemical and bacteriological weapons, to the promotion of peace and security and the elimination of hot beds of tension in the world, particularly as regards the Middle East, the Iran-Iraq war and navigation in the Red Sea, as the most necessary pre-requisites for achieving disarmament, and
- (b) The role of Parliaments and their contribution towards the elimination of poverty by alleviating the burden of international debt.

The following supplementary item on the Agenda was discussed and resolution adopted:

“Famine, Desertification and Drought in Africa”

The following emergency supplementary item was also discussed and resolution adopted:

“Recent events in Langa and the repression in Southern Africa”

During the Conference period, meetings of the Inter-Parliamentary Council and Standing Study Committee of the Inter-Parliamentary Union were also held. The Association of Secretaries-General of Parliaments also met in Lome during that period. Shri D. C. Pande, Joint Secretary, Lok Sabha Secretariat attended the meetings of the Association.

INDIAN PARLIAMENTARY DELEGATION ABROAD

Parliamentary Delegation to Colombia: On the invitation of the Parliament of Colombia an Indian Parliamentary Delegation, led by Dr. Bal Ram Jaxhar, Speaker, Lok Sabha visited Colombia from 28 February to 7 March, 1985. Besides the leader, the delegation consisted of Shri Satya Gopal Mishra, M.P., Shri V. Purushothaman, M.P., and Shri M. S. Ramachandran, M.P., Shri Sudarshan Agarwal, Secretary-General, Rajya Sabha, was Secretary to the Delegation.

PARLIAMENTARY DELEGATIONS FROM ABROAD

Venezuelan Parliamentary Delegation to India: In response to an invitation from India, a Venezuelan Parliamentary Delegation, led by His Excellency, Dr. Leonardo Ferrer, President of the Chamber of Deputies of Venezuela, visited India in April, 1985.

The delegation called on the Speaker, Lok Sabha on 1 April, 1985 and the Vice-President of India and Chairman, Raja Sabha on 2 April, 1985. A meeting between the delegation and members of our Parliament was held on 2 April, 1985. The Speaker, Lok Sabha hosted a banquet in their honour on 3 April, 1985.

Besides Delhi, the delegates also visited Agra and Srinagar.

President of the National Assembly of Thailand and Party: In response to an invitation from India, His Excellency, Professor Dr. Ukrit Mongkolnavin, President of the National Assembly of Thailand, accompanied by his wife and two officials of the National Assembly Secretariat, visited India in April, 1985.

On 4 April, 1985, he called on the Speaker, Lok Sabha and Chairman, Rajya Sabha. A meeting between the visiting President of the National Assembly and members of our Parliament was held on the same day. Speaker, Lok Sabha also hosted a banquet in his honour on the same day.

Besides Delhi, they also visited Agra.

BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period 1 February, 1985 to 31 March, 1985, the following Programmes/Courses were organised by the Bureau of Parliamentary Studies and Training Lok Sabha Secretariat:

Orientation Programme for New Members of Uttar Pradesh Vidhan Sabha: An Orientation Programme for new members of Uttar Pradesh Vidhan Sabha was organised from 10 to 12 March, 1985 at Lucknow. It was attended by 180 new members of the House.

The programme was intended to provide opportunities to new members to discuss and analyse various aspects of parliamentary processes and procedures and familiarise themselves more closely with the operational mechanics of parliamentary institutions. The programme, in short, endeavoured to assist new legislators to face with confidence and ease the onerous tasks, responsibilities and challenges of their job and to become effective legislators.

The programme was inaugurated by Shri N. D. Tiwari, Chief Minister, Uttar Pradesh. It was followed by panel discussions on various subjects such as "Problems faced by new members", "Role and Opportunities for new members", "Do's and Don'ts for members: Decorum and Parliamentary Etiquettes, Customs and Conventions and Amenities, Facilities and Services for Legislators", "Legislative Devices available to members to raise various matters—How to be an Effective Legislator", "Privileges of Legislators" and "Legislators' Relations with Administrators".

The discussions were initiated by the following legislators and officers:

1. Shri Dharam Singh, Speaker, Uttar Pradesh Vidhan Sabha.
2. Shri Khan Gufran Zahidi, member, Uttar Pradesh Vidhan Sabha.
3. Shri Lokpati Tripathi, member, Uttar Pradesh Vidhan Sabha.
4. Shri Ram Asre Verma, member, Uttar Pradesh Vidhan Sabha.
5. Shri Lal Pratap Singh, member, Uttar Pradesh Vidhan Sabha.
6. Shri Rajendra Kumar Gupta, member, Uttar Pradesh Vidhan Sabha.
7. Shri Rajendra Singh, member, Uttar Pradesh Vidhan Sabha.
8. Dr. Shivanand Nautiyal, member, Uttar Pradesh Vidhan Sabha.
9. Shri Banarsi Dass, former Chief Minister, Uttar Pradesh.
10. Hukam Singh, Former Dy. Speaker, Uttar Pradesh Vidhan Sabha.
11. Shri Vir Bhadra Singh, former member of Parliament.

12. Shri Mohan Singh, former member, Uttar Pradesh Vidhan Sabha.
13. Dr. Subhash C. Kashyap, Secretary-General, Lok Sabha.
14. Shri Bhal Chandra Shukla, Secretary, Uttar Pradesh Vidhan Sabha.
15. Shri N. N. Mehra, Joint Secretary, Lok Sabha Secretariat
16. Shri D. N. Mittal, former Secretary, Uttar Pradesh Vidhan Sabha.
17. Shri Satya Priya Singh, former Secretary, Uttar Pradesh Vidhan Sabha.
18. Shri S. P. Singh, former Secretary, Uttar Pradesh Vidhan Sabha.
19. Dr. P. S. Pachauri, former Secretary, Uttar Pradesh Vidhan Sabha.

The participants actively took part in the deliberations and sought clarifications on various legislative processes and procedures from the speakers.

A set of 8 Scripts|Background Notes were supplied to each of the participants for advance study. Scripts on the subjects discussed in the Orientation Programme were also supplied to the participants by the Uttar Pradesh Vidhan Sabha Secretariat.

Courses for Probationers|Officers of all India|Central Services: Four Appreciation Courses on parliamentary processes and procedures were organised by the Bureau, viz. the Fifteenth Appreciation Course for IAS Probationers, 8 to 16 February, 1985; the Sixteenth Appreciation Course for IAS Probationers, 23 February to 2 March, 1985; the First Appreciation Course for Officers of Public Enterprises, 11 to 16 March, 1985; and the Seventh Appreciation Course for Probationers of (i) Indian Defence Accounts Service, and (ii) Defence Lands & Cantonment Service, 18 to 23 March, 1985.

Attachment Programmes: Two Attachment Programmes, one for the participants in the International Programme on Development Administration conducted by the Institute of Secretariat Training and Management, New Delhi, and another for the participants from Afro-Asian countries in the International Programme

on "Audit of Public Enterprises" organised by the Office of Comptroller and Auditor General were also organised by the Bureau from 14 to 15 March, 1985 and 28 to 29 March, 1985 respectively.

. *Study Visits:* The Bureau organised ten one-day Study Visits for, among others, a group of (i) Indian Statistical Service Probationers; (ii) Students of Department of Journalism, University of Poona; and (iii) a group of Judicial and Police Officers attending the Course on Juvenile Delinquency at the Institute of Criminology and Forensic Science, Ministry of Home Affairs, New Delhi.

PRIVILEGE ISSUES

RAJYA SABHA

Casting reflections on members in a press interview by a foreign national: On 10 and 11 August, 1983, Sarvashri Shiv Chandra Jha and Era Sezhiyan, members, gave separate notices of a question of privilege against Shri Swaraj Paul, a London-based industrialist who was not a national or citizen of India, for allegedly casting reflection on Sarvashri R. R. Morarka and Jagdish Prasad Mathur, the then members, in a press interview published in a Bombay weekly, *Sunday Observer*, in its issue dated 7—13 August, 1983. The members' complaint related to Shri Paul's observations in the interview calling Shri Mathur as "really disgraceful" and Shri Morarka as "first class thief". He said that they had made statements in Parliament that he was investing Shrimati Gandhi's black money from Swiss Banks. He added that if they had the courage let them make that statement in London—and he would not leave them for the rest of their lives. According to him those "idiots" did not know what statements to make, and that it was "disgraceful" that Parliament should have allowed them to get away with it. Shri Sezhiyan had also requested that action be taken against the Editor, Printer and Publisher of the *Sunday Observer* for publishing the impugned interview. Later on, Shri L. K. Advani a member also gave notice of a question of privilege against Shri Swaraj Paul and the Editor, Printer and Publisher of the *Sunday Observer* for alleged breach of privilege and contempt of the House arising out of the same matter.

On 1 December, 1983, the then Chairman, Shri M. Hidayatullah, after considering the notices of question of privilege and the explanations received from the Editor of the *Sunday Observer* and

Shri Swaraj Paul on the matter, referred the matter to the Committee of Privileges and observed that he found no guidance in any of the books on the subject of parliamentary practice as to the jurisdiction over a person who was not a national or a citizen of India, and the procedure to be followed in such cases. As this was a case of first impression, he considered it proper to refer the case to the Committee of Privileges under rule 203 of the Rules of the Council of States for examination and report back to him. Regarding the privilege issue against the newspaper, he observed, that would be taken up later.

The Committee of Privileges in their Twenty-Fifth Report presented to the House on 18 January, 1985, reported, *inter alia* that at its sitting held on 22 December, 1983, the Committee decided to refer the issue regarding the jurisdiction of the Committee over foreign nationals for any breach of privilege or contempt committed by them while in India to the Attorney General of India for opinion. The Committee noted that the Attorney General had expressed the view that Parliament could exercise jurisdiction in *personae* against a foreign national for contempt committed by him within the country. The Committee felt that it was now well established that to make speeches or to print or publish any libels reflecting on the character or proceedings of the House or its Committees, or on any member of the House for or relating to his character or conduct as a member of Parliament, was a breach of privilege and contempt of the House. Words or writings reflecting on the House or its members had constantly been punished on the principle that such acts tended to obstruct the House in the performance of its functions by diminishing the respect due to it. The Committee noted that written imputations affecting a member of Parliament might amount to breach of privilege without being libels at common law, provided such imputations concerned the character or conduct of the member in that capacity.

The Committee reported that in his letter dated 31 August, 1983, Shri Swaraj Paul had, in a lengthy explanation, justified the impugned observations in the interview. He had subjected the speeches of Sarvashri Morarka and Mathur to a detailed analysis and close scrutiny with the purpose to refute the slanderous attacks on his family, his companies and himself as untruthful, unjustified and damaging to their legitimate interests in Britain as well as in India. Shri Paul had also contended that the words 'first class thief' and 'idiots' used by him related wholly to the concerned members as individuals and referred to their general conduct outside, more

than ~~inside~~ the House. So far as the expression 'disgraceful' in relation to Parliament was concerned, he had stated that it was 'no more than a legitimate expression of opinion' on his part.

The Committee felt after careful consideration that the explanation of Shri Paul in justification of his impugned remarks was neither cogent nor convincing and that he had used strong and intemperate words to describe the speeches of Sarvashri Morarka and Mathur in the Rajya Sabha and reacted to them in haste and in a harsh manner. It was unfortunate that Shri Paul should have used objectionable words in relation to Parliament and its members. The Committee observed that while members of Parliament were not above criticism, this criticism should be fair, factual and couched in temperate language. The Committee was constrained to observe that while Shri Paul had a right to refute the allegations made against him by Sarvashri Mathur and Morarka, he had transgressed the limits of fair comment on or criticism of the speeches of the two members. The threat held out by him against them was also ludicrous. The Committee was of the opinion that what was worse was that throughout his lengthy explanation, Shri Swaraj Paul had not said anything in expiation of the aspersions cast by him on the members as well as on the institution of Parliament itself; on the other hand, he had justified them and put forward a plea that he was entitled to do so. The Committee expressed its displeasure at that stance of Shri Paul.

The Committee noted that at the beginning of his written statement, Shri Paul had stated that nothing he said in any way was intended as a reflection on the Rajya Sabha whose honour and dignity he wholly respected. As a life-long admirer and upholder of India's parliamentary democracy, he deeply regretted that if any remarks attributed to him were to be construed as a breach of parliamentary privilege.

The Committee noted that it would have much appreciated if Shri Paul had appropriately tendered an apology. Nonetheless the Committee accepted the above words of Shri Paul in a spirit of forgiveness and recommended that the House would serve its own dignity if it did not proceed further in the matter.

So far as the Editor of the weekly, *Sunday Observer* was concerned, the Committee noted his explanation that he had published Shri Paul's interview, which was tape-recorded, *ipsissima verba* at the instance or insistence of Shri Paul. The Committee opined that it would have, however, been better if the Editor had used a little

circumspection and omitted the impugned words when they were not in good taste and defamatory of members of Parliament, instead of mechanically reproducing and giving them publicity in print. The Committee, however recommended that as in the case of Shri Swaraj Paul, no action need also be taken against the Editor, Printer and Publisher of the weekly.

The Committee observed that the instant case had also brought into focus an unsavoury aspect of the matter. The Constitution guaranteed to members freedom of speech and action in Parliament. This freedom did not, however, involve any unrestrained licence of speech within the walls of the House. It was against the rules of parliamentary debate and decorum to make defamatory statements or allegations of incriminatory nature against any person and the position was all the worse if such allegations were made against persons who were not in a position to defend themselves on the floor of the House. The privilege of freedom of speech could only be secured if members did not abuse it. The Committee regretted that Shri J. P. Mathur in making baseless allegations against the then Prime Minister failed to observe the self-regulatory and salutary restraint while exercising his right of freedom of speech in the House.

With these observations, the Committee recommended that the matter might be allowed to rest there and not be pursued further.

No further action was taken by the House in the matter.

Casting reflections on a member by a newspaper : On 10 May, 1984, Shri Khushwant Singh, a member, gave notice of a question of privilege regarding an article captioned "The President's visit" published in the *Sunday Observer*, a weekly of Bombay, dated 29 April, 1984, allegedly casting reflections on him. The impugned article written by one Mukesh Vatsyayana, contained, *inter alia*, two references to Shri Khushwant Singh. At one place the writer, describing the sculptures of female form, said: "I wish Sardar Khushwant Singh was here. He is the only right person to talk about these beautiful women". In the next paragraph also Shri Khushwant Singh's name was mentioned in more or less the same context.

On 26 July, 1984, the Chairman (Shri M. Hidayatullah) referred the matter to the Committee of Privileges for their views.

The Committee of Privileges, in their Twenty-Sixth Report, presented to the House on 18 January, 1985, reported, *inter alia* that

having read the references, the Committee had come to the conclusion that the references, and the innuendos did not concern the character or conduct of Shri Khushwant Singh as a member of Parliament, and as such did not amount to breach of privilege. However, the Committee was of the opinion that the article itself was scurrilous and irresponsible. It was in very bad taste and a taint on a journalistic writing. The Committee had noted that in an issue of the magazine dated 13—19 May, 1984, the editor had published the apology that since the article had been taken in some quarters to be a factual report, he clarified that it was a humour article, with complete absence of malice. He added that it was not intended to cause offence either to the President of India or to the Sikh community, and if it had, he apologised. The Committee felt that notwithstanding the above, such humour was not humour but a perversion of it. The writer had denigrated and demeaned the person of the President. Such an act and the article deserved to be strongly condemned by all. According to the Committee it had no doubt that as stated by the Leader of the House (Shri Pranab Mukherjee) in the Rajya Sabha on 9 May, 1984, when that matter was raised, that the Government would take suitable action against the writer etc. of such an article within the framework of the law.

No further action was taken by the House in the matter.

STATE LEGISLATURES

BIHAR VIDHAN PARISHAD

Alleged misleading of the House by the Chief Minister: On 23 March, 1984, Shri Devendra Prasad Yadav, a member, gave notice of a question of privilege against the Chief Minister (Shri Chandra Shekhar Singh) for allegedly misleading the House on 21 March, 1984, during discussion on the Appropriation Bill. The member had, *inter alia*, stated in his notice* that during the discussion while replying to points raised by Shri Baidyanath Pandey, the Chief Minister, Shri Chandra Shekhar Singh had stated that no Cooperative Federation had been superseded nor was there any such proposal. However, on the same day, the Bihar State Housing Federation was superseded and a notification to that effect was also issued. According to the member, the Chief Minister had thus knowingly misled the House which amounted to a breach of privilege and contempt of the House.

* Original in Hindi.

The Chairman (Shri P. C. Kisku) observed* that if any statement was made on the floor of the House by a member or a Minister which another member believed to be untrue, incomplete or incorrect, it did not constitute a breach of privilege. If an incorrect statement was made, there were other remedies by which the issue could be decided. He said that in order to constitute a breach of privilege or contempt of the House, it had to be proved that the statement was not only wrong or misleading but it was made deliberately to mislead the House. A breach of privilege could arise only when the member or the Minister made a false statement or an incorrect statement wilfully, deliberately and knowingly. He further said that he had personally talked to the Chief Minister. He ruled that the instant case was not a matter of privilege as the Chief Minister had not misled the House knowingly.

KARNATAKA LEGISLATIVE COUNCIL

Alleged threatening of member by the Chief Minister in the House: On 12 April, 1984, the Chairman (Shri K. Rahman Khan) observed that Shri T. N. Narasimha Murthy and other members of the Opposition gave notice of a question of privilege under rule 168 of the Rules of Procedure and Conduct of Business in the Karnataka Legislative Council against the Chief Minister regarding the statement made by him in the House on 18 January, 1984, threatening the members, by saying: 'Do you like to taste what police raj is? we know the taste of police raj. We know that taste very well.**@ The Chairman further observed that he had gone through the relevant proceedings carefully and examined the matter. He added that the Chief Minister, while replying to the clarifications sought by members after the statement made by the Minister for Rural Development on 18 January, 1984, about an adjournment motion given notice of by Shri T. N. Narasimha Murthy and other members of the opposition, which was converted into a matter under rule 310 regarding the wrongful confinement of Shrimati Gangava, wife of Shri Ugranarasimhappa Pavagada, a member, had stated: 'Do you like to taste what police raj is?@ But he had not said 'I shall show you the taste of police raj,@@ as alleged by Shri T. N. Narasimha Murthy and others in their notice of question of privilege.

He noted that while replying to the notice, the Chief Minister had stated in detail about the exact nature of police rule of which

* *Ibid.*

** Original in Kannada.

@ *Ibid.*

@@ *Ibid.*

he had an experience and that his Government believed in 'rule of law' and would uphold the democratic principles. After a careful perusal of records, the Chairman concluded that the Chief Minister had no intention or motive to threaten the members individually or in general. He, therefore, withheld his consent to the raising of the matter as a question of privilege in the House.

Non-fulfilment of an assurance given by a Minister on the floor of the House: On 11 April, 1984, the Chairman (Shri K. Rahman Khan) observed that Shri A. K. Subbaiah, a member gave notice of a question of privilege under rule 169 of the Rules of Procedure and Conduct of Business in the Karnataka Legislative Council on 5 September, 1983. against Shri M. Chandrashekhar, Minister for Urban Development, regarding irregular acceptance of tenders of M/s. Rashmi Construction Company and M/s. Khoday Engineering Company, for the construction of houses under Self-Financing Housing Scheme by the Bangalore Development Authority (B.D.A.). He observed that the ruling on this issue could not be given before the conclusion, of the 53rd Session, which was adjourned on 27 September, 1983. Again, Shri A. K. Subbaiah had raised the issue and gave a letter to revive the privilege notice and accordingly, the Minister for Urban Development, Shri M. Chandrashekhar was asked to clarify the points raised in the notice and the Minister made a statement on 6 March, 1984. The Chairman noted that in the notice dated 5 September, 1983, the member, Shri A. K. Subbaiah had raised certain issues on the statement of Shri M. Chandrashekhar made on 31 March, 1983. According to him, when he sought a categorical assurance from the Government that they would not proceed until the whole matter was re-examined and he demanded that the Scheme be dropped totally and money be paid back. He added that if the Government were going to continue that Scheme, it should be re-tendered. Shri M. Chandrashekhar had said that he would examine the matter. According to him, no Work Order had been issued then and that it would be issued only after the Government's approval. The Chairman of the B.D.A. had given approval for two tenders and had issued Work Orders on 13 May, 1983. The Chairman, Legislative Council, said that, according to the member, in view of a specific assurance to the House by the Minister, the issuing of two Work Orders by the B.D.A. amounted to disrespect to the House and breach of privilege of the House and its members. Hence, the Minister for Urban Development and the Chairman, B.D.A. had committed a breach of privilege of the House and its members.

The Chairman added that he had examined the proceedings of the House and various records presented by the member and the statement of the Minister. The Minister in his statement on 6 April, 1984, had stated that it was a fact that Work Orders had been issued to M/s. Rao Constructions on 16 April 1983, M/s. Rashmi Constructions on 13 May, 1983, and to M/s. Khoday Engineering Company on 20 May, 1983, but the Government had not given any approval till then. According to Section 10 of the Bangalore Development Authority Act, no contract above five lakhs could be made by the B.D.A. except with the prior approval of the Government and the Minister presumed while making the statement on 31 March, 1983 that the B.D.A. would act according to the rules and come before the Government for its approval. The Minister in his statement had said that the B.D.A. had not issued the Work Order before 31 March, 1983, but afterwards without bringing it to the notice of the Government.

Keeping in view the above facts, the Chairman, observed that the B.D.A. had violated the rules and it was also a fact that the B.D.A. had issued Work Orders after the categorical assurance given by the Minister on the floor of the House on 31 March, 1983. He also observed that the member was right in stating that the issue of Work Orders by the B.D.A. after the categorical assurance of the Minister, amounted to not taking the House seriously on the assurance given on the floor of the House. He noted that such an attitude by the Government or any other subordinate authority to the Government would have to be condemned and taken seriously. The Minister in his statement had mentioned that he had not intentionally tried to go contrary to the assurance given by him, nor he had given any wrong information to the House. He had regretted that he could not fulfil the assurance given to the House. He had further stated that the B.D.A. had given the Work Orders without the approval of the Government and the steps to be taken by the Government against the B.D.A. for violating the rules, would be examined. The Minister added that, in the meantime, the Public Accounts Committee had also examined the matter and given a Report which was also under the active consideration of the Government to take suitable action. He also expressed his highest regard for the House and its members and had regretted the incident.

After examination of the entire matter, the Chairman directed the Government to be more careful while giving assurances in the House and once the assurance was given such assurance should be

carried out in letter and spirit. In the instant case, as the Minister had regretted the incident and he had assured the House that he was examining what action could be taken against B.D.A. for violating the rules, the Chairman felt that there was no deliberate attempt on the part of the Minister to mislead the House, and he had accepted the facts of the case and had regretted and apologised to the House. The Chairman, therefore, withheld his consent to the raising of the matter as a question of privilege on the floor of the House.

MADHYA PRADESH VIDHAN SABHA

Alleged leakage of the Budget by the Chief Minister: On 20 April, 1984, the Speaker (Shri Ram Kishore Shukla) observed* that Sarvashri Babu Lal Gaur, Virendra Kumar Saklecha and Larang Sai, members had given notice of a question of privilege alleging that on 3 March, 1984, the Chief Minister, Shri Arjun Singh, told journalists at Jawra in District Ratlam that no new taxes would be levied in the Budget of the State for 1984-85 and that non-plan Budget and overdraft would be reduced. The members had alleged that by giving such a statement, the Chief Minister had leaked out Budget proposals to the Press and had also committed a breach of privilege of the House by making an important announcement regarding the Budget outside the House while the House was in session. They had also alleged that the Chief Minister by giving information on 3 March, 1984 about the Budget which was to be presented on 5 March, 1984, had committed a breach of privilege and contempt of the House.

The Speaker observed that in his reply, the Chief Minister had refuted the allegation. He said that a perusal of the news-item published in the *Free Press Journal* dated 4 March, 1984, on which that notice of question of privilege was based, revealed that it only contained guesses and conjectures about the forthcoming Budget and that no material information about the Budget was given. The facts given by members in their notice were based merely on the news report published in the newspaper. He further observed that it had been made amply clear in the House of Commons, Lok Sabha and Madhya Pradesh Vidhan Sabha rulings that the leakage of Budget proposals before its presentation to the House did not amount to a breach of privilege. He noted that the Chief Minister had categorically denied having disclosed the above information to the Press; the newspaper had merely guessed about the Budget.

* Original in Hindi.

Moreover, leakage of Budget did not amount to a breach of privilege, though in the instant case even it had not been established that there was any leakage of the Budget. The Speaker, therefore, disallowed the notice of question of privilege.

MAHARASHTRA LEGISLATIVE COUNCIL

Alleged giving of distorted version of the proceedings of the House and casting of reflections on the Chief Minister and the House: On 18 December, 1981, Sarvashri Kevalchand Jain, Kamalprasad Dube, Ulhas Pawar, P. M. Chavan Wamanrao Mahadik, Pramod Navalkar and Manohar Joshi, members, gave notice* of a question of privilege against Shri G. P. Pradhan, another member, for allegedly giving distorted version of the proceedings of the House and casting reflections on the Chief Minister and the House in certain averments contained in a writ petition filed by him in the High Court of Bombay. The members had stated in their notice that Shri G. P. Pradhan had mentioned in the said writ petition that he was one of the several members of the House, who at the time of passing of Supplementary Demands for Grants, were carried away by the impression that the 'Indira Gandhi Pratibha Pratishthan Trust' was a Government Trust and, therefore, voted for sanctioning the amount. The members also stated that the writ petition contained a statement to the effect that the then Chief Minister obtained funds for the said Trust by practising deception and fraud both on the Maharashtra Legislative Assembly and members of the public.

The members had, therefore, contended in their notice, that the said averments made in the writ petition amounted to giving a perverted and distorted version of the proceedings of the House as well as casting of reflections on the Chief Minister.

On 18 December, 1981, after leave was granted by the House, the Chairman (Shri J. S. Tilak) referred the matter to the Committee of Privileges for investigation and report.

On 22 December, 1981, the Speaker, Maharashtra Legislative Assembly informed the Chairman, Legislative Council that he had referred to the Committee of Privileges of the Legislative Assembly, a question of privilege against some persons arising out of the submission of certain averments and statements in the said writ petition filed before the High Court of Bombay. Since Shri G. P. Pradhan, member of Legislative Council, happened to be one of the

* Original in Marathi.

said persons, the Speaker referred the matter to the Chairman, Maharashtra Legislative Council for further action so far as it related to Shri Pradhan in accordance with the prevailing convention as agreed to by the Maharashtra Legislative Council by a resolution passed by it on 17 December, 1969. The Chairman referred the matter to the Committee of Privileges of the Legislative Council for investigation, examination and report so far as it related to Shri Pradhan. In the meantime, Shri Sadanand Varde, who was also one of the petitioners in the said writ petition, was elected to the Maharashtra Legislative Council. The Speaker, therefore, referred the question of privilege against him also to the Chairman, Legislative Council, who referred the matter to the Committee of Privileges for investigation, examination and report.

The Committee of Privileges after considering the written statements of Sarvashri G. P. Pradhan and Sadanand Varde and the evidence tendered before the Committee by Sarvashri P. M. Chavan and G. P. Pradhan, in their Report presented to the House on 9 July, 1984, reported, *inter alia* that Shri G. P. Pradhan in his written statement filed before the Committee stated that he was a member of the Legislative Council for the last 18 years and had always held the august House to be a temple of democracy. He had always taken utmost care to see that no breach of privilege or contempt of the House was committed by him nor he did anything which would tarnish the prestige of the House or its leader. He had only tried to put outside the House what he felt to be the truth and while doing so he did not feel that he had committed any breach of privilege or contempt of the House. According to him, the statement made by him in the said writ petition that Shri Antulay, former Chief Minister made it appear that the Indira Gandhi Pratibha Pratishthan was a Government Trust, was based on certain grounds. The points made out by him, *inter alia*, said that since a reference to the Indira Gandhi Pratibha Pratishthan was made in the Governor's Address delivered on 2 March, 1981, one was carried away by the impression that it was a Government Trust as such a reference was not made in respect of other trusts or institutions to whom Government gave grants or donations and that aspect was, therefore, of much significance. He also stated that the Finance Minister in his Budget Speech made to the Legislature on 9 March, 1981 had specifically referred to the said Pratishthan in respect of its cultural activities. Since that was an isolated reference in respect of a cultural event or institution, it gave the impression that the Government had taken lead in the

matter. He further stated that in the Supplementary Demands for the year 1980-81 presented to the Legislature on 16 December, 1981, in the item which pertained to the grant-in-aid for the said Pratishtan, it was specifically mentioned that the Chief Minister was its Chairman. This showed that Shri Antulay was its Chairman in his capacity as Chief Minister and not as an individual. He added that in the Financial Statement for the year 1981-82, a reference was made to the effect that the increase in budget estimates of 1981-82 was mainly because of the assistance given to the said Pratishtan. Liabilities for which Government was answerable were only included in the Financial Statement. He further added that a reference had also been made in the Civil Budget Estimates for 1981-82 Part II of the Social Welfare Department about financial assistance to the said Pratishtan. He also stated that a letter was sent by an officer in the General Administration Department of State Government to Shri W. L. Kulkarni, a well-known critic in Marathi literature to attend a meeting of the said Trust. According to him, had the Pratishtan not been a Government Trust, the said letter would not have borne the Government's emblem and the stamp. He further stated that a telegram was sent to a Sahakari Sakhar Karkhana by the Maharashtra Rajya Sahakari Karkhana Sangh to the effect that Government desired donation from them. That important body would not have made such a reference had it not believed it to be a Government Trust. He added that in the December 1980 issue of the booklet entitled 'Maharashtra Marches Ahead' published by the State Government, it was clearly stated that the Government of Maharashtra had established Indira Gandhi Pratibha Pratishtan. He further added that the 'Lok Rajya', a mouth-piece of the Publicity Department of the State Government, in its issue dated 16 October, 1980, carried a photograph of Shrimati Indira Gandhi, Prime Minister, signing document pertaining to the said Pratishtan and in the paragraph accompanying the said photograph, the said Trust was stated to have been set up by the Government. Lastly, he said that Shrimati Shalinitai Patil, former Minister had stated that since the Director of Sugar had issued a circular asking the sugar factories to donate certain amount to the said Trust, and since the donations were being accepted by the Chief Minister, it was taken to be a Government Trust.

The Committee, further reported that Shri Pradhan, therefore, contended that before filing the writ petition in the Bombay High Court, he had gone through all the documents referred to by him

and having relied upon them had averred that the former Chief Minister, Shri Antulay misled the Legislature in respect of the Pratishthan. He referred to a trust established after the Koyna earthquake which was formed under the Chairmanship of Shri V. P. Naik, who was the then Chief Minister, and pointed out that later on its Chairmanship was passed on to the successive Chief Ministers. He, therefore, contended that such a trust was called a Government Trust because the Chairman of the trust happened to be the Chief Minister.

The Committee observed that Shri Pradhan took the Pratishthan to be a Government Trust registered under the Public Charitable Trust Act and he was not the only person to hold such a view but many respectable persons outside the House also considered it to be a Government Trust and rendered help to it. He, therefore, maintained that he never had any intention to castigate either the House or its leader. According to him, truth might sound bitter but it was his duty to place it before the Court and with that sole intention he had made the averment that the former Chief Minister Shri A. R. Antulay had misled the House

The Committee also reported that Shri Sadanand Varde, in his written statement filed before the Committee stated that it was never his intention to lower the dignity of the House or of the Leader of the House in the matter. By making the said statements in the writ petition, he had done his duty as a vigilant citizen by exercising his fundamental right granted to him under the Constitution. Whatever he felt to be true was stated clearly and boldly in the statement filed before the High Court. It was his stand that he had not committed any breach of privilege and contempt of the House by making such statements in the High Court. He had stated in his statement that the former Chief Minister had made it appear to the House that the Indira Gandhi Pratibha Pratishthan was a Government Trust, and since he was not a member at that time he approached the Court in the matter.

Before giving its conclusions, the Committee referred to the principles of law of privileges governing the instant case. It felt that any defamatory statement about the House or its members made in any petition or affidavit, even though before a court of law, would not confer any immunity so far as the action against breach of privilege or contempt of the House was concerned. Besides, the fact that the matter was pending before a court of law would

not also bar an action relating to breach of privileges. The Committee, therefore, ruled that it had the jurisdiction to proceed with that case.

The Committee observed that considering the original notice and the evidence, oral as well as written, tendered before it, the matter was very limited and narrow in scope and many questions raised were not strictly relevant to the determination of the privilege involved in the instant case and did not call for a decision, one way or the other, by the Committee. According to the Committee, the question for consideration was whether the statement objected to by the sponsors of the privilege notice was in fact, made by Sarvashri G. P. Pradhan and Sadanand Varde and if so, whether it constituted a breach of privilege and contempt of the House, in the circumstances of the case. It felt that there was no dispute about the statements attributed to Sarvashri Pradhan and Varde and they were in fact admitted by them, and what remained of determination was only whether it constituted a breach of privilege and contempt of the House.

The Committee observed that though seven members had given notice of breach of privilege, only Shri P. M. Chavan had chosen to tender evidence. Three of them absented themselves at the stage of evidence in spite of repeated notices to them and three others gave in writing that they did not intend to pursue the matter further or tender evidence. The Committee had, therefore, to consider only the evidence of Shri P. M. Chavan and the contents of the original notice. The grounds in the notice as well as in the oral evidence of Shri Chavan were the same. In short, the grounds were: (i) the statements that the then Chief Minister obtained funds 'by practicing deception and fraud both on the Maharashtra Legislative Assembly and on the members of the public' cast reflection on the Chief Minister who was the Leader of the House; (ii) the said statements amounted to giving a perverted or distorted version of the proceedings; (iii) the statements breached the privileges of the Leader of the House; and (iv) the reference to 'the Chief Minister' in the relevant Supplementary Demand was only descriptive, and was not to imply that the trust was a Government Trust, as contended by the writ petitioners.

The Committee observed that a reading of the evidence and explanations of Sarvashri Pradhan and Varde as a whole gave the

idea that they were assailing the action of the Chief Minister in his capacity as a head of the Executive and not in his capacity as Leader of the House. It further observed that undoubtedly, the Chief Minister happened to be the Leader of the House, and that had caused some confusion because of some overlapping of functions. Sarvashri Pradhan and Varde felt that it was made to appear that the trust in question was a Government Trust and they wanted to dispute that position and for that purpose they were relying upon various materials among which happened to be the statement of Supplementary Demands, Governor's Address etc. all of which were placed before the House. According to the Committee, Shri P. M. Chavan argued and contended that the Supplementary Demands and other material laid on the Table of the House meant that the expression 'Chief Minister' was used descriptively and did not imply what Sarvashri Pradhan and Varde had contended. It noted that so long as the documents themselves did not unequivocally state in categorical terms, the matter remained one of argument and interpretation. It added, that the rival contentions of Sarvashri Pradhan and Varde, on the one hand, and Shri P. M. Chavan, on the other hand, had to be understood in that context. The Committee did not wish to express any opinion as to which of the two views was right, but only took note of the existence of different views.

The Committee had also grave doubts whether the reference to the Supplementary Demand etc., in the manner stated in the writ petition amounted to a perverted or a distorted version of the proceedings of the House. It observed that if what took place in the House had not been stated or deliberately suppressed or if what had not taken place had been stated to have taken place, it was clear that such action could come within the mischief of perverted or distorted version of proceedings. But when a member chose to express his 'personal impression' of what he thought and how he voted, it was at best an explanation of his own conduct and admission of his own shortcomings. It appeared to the Committee to be too much to stretch that so far as to call that a perverted or distorted version of the proceedings. The Committee felt that it was very unfortunate that certain strong expressions had been used by Sarvashri Pradhan and Varde in their writ petition and to support their statements, had actually said that the 'deception and fraud' had been practised on the members of the Assembly. They might have their strong sentiments but could have advisedly desisted from using such strong language capable of being taken as casting reflections on any member of the Legislature.

Before giving its final conclusion, the Committee noted that some stress was laid during the course of arguments rather repeatedly, that the privilege of the Leader of the House was breached. The Committee felt that, so far as it was aware, there were no distinct privileges of Leader of the House as such but that he was covered by the privileges of the House and its members generally. The Committee was, therefore, of the opinion that all members of the House, individually and collectively, had the same rights and privileges and any offence to such rights or privileges would give rise to appropriate action, irrespective of whether offence was caused to an ordinary member, or a Minister or the Leader of the House.

According to the findings of the Committee, the impugned averments in the writ petition relating to the obtaining of supplementary grants were couched in rather strong terms which though might not be strictly construed as amounting to distorted or perverted version of proceedings, they could still be taken to verge on breach of privileges. The Committee carefully considered all the aspects of the case... and in view of the statements of Sarvashri Pradhan and Varde that they were concerned with the action of the Chief Minister as head of the Executive rather than his action as Leader of the House, found that it would be very unsafe, in the circumstances of the instant case, to give a positive, conclusive and categorical finding that Sarvashri Pradhan and Varde had clearly committed a breach of privilege and contempt of the House. Their grievance appeared to be against the Chief Minister as a member of the Executive and not against the Legislature or any of its members and it appeared difficult, therefore, to infer that they would have deliberately intended to defame the Legislature or any of its members. The Committee, therefore, felt that the benefit of doubt should go to them and a clear finding could not be given against Sarvashri Pradhan and Varde.

So far as recommendations of the Committee were concerned, the Committee took note of positive averments of Sarvashri Pradhan and Varde before the Committee that they never had any intention to castigate either the House or its Leader or lower their prestige. It noted that Shri Pradhan had also said in so many words that 'he was a member of the Legislative Council for the last 18 years and had always taken the august House to be a temple of Democracy'. It, therefore, felt that there was no reason why the Committee should doubt the sentiments and assurances expressed by these members. In view of its findings, the Committee recommended that there was no need to pursue the matter any further and that the matter might be closed.

On 12 July, 1984, the Report of the Committee of Privileges was considered and unanimously adopted by the House. On 20 July, 1984, the Chairman, Maharashtra Legislative Council communicated the decision taken by the House to the Speaker, Maharashtra Legislative Assembly.

RAJASTHAN LEGISLATIVE ASSEMBLY

Sending of a warrant of arrest against a member by a magistrate to Speaker for service on member: On 17 April, 1984, the Speaker (Shri Poonam Chand Bishnoi) observed* that on 11 April, 1984, Shri Bhairon Singh Shekhawat, a member, gave notice of a question of privilege alleging that the Additional Munsif and Judicial Magistrate, 1st Class, No. 1, Bhilwara, by writing to the Speaker for the service of a warrant of arrest against a member had offended the dignity of the Speaker and committed contempt of the House. The Speaker informed the members that the said Additional Munsif and Judicial Magistrate, Bhilwara, on 13 April, 1984, had personally explained to him in writing the circumstances in which he considered it necessary to issue a warrant. At the same time he tendered apology that the warrant was inadvertently sent for service to the Speaker, Legislative Assembly and that his intention was not to commit contempt of the Speaker or any member of the House. He had expressed regret and apologised for his act.

The Speaker ruled that since the Judicial Magistrate had expressed regret and tendered apology, keeping in view the dignity of the House, the apology might be accepted and if the House agreed the matter might be treated as closed.

After some discussion, the matter was treated as closed.

TAMIL NADU LEGISLATIVE ASSEMBLY

Attributing motives to Secretary of Legislative Assembly: On 27 April, 1983, the Speaker referred *suo motu* under rule 255 of the Tamil Nadu Legislative Assembly Rules, a question of privilege to the Committee of Privileges for examination and report, against* Shri M. K. Srinivasan, a member of the House and the Editor of daily, *Ethioli* (Madras), for publication of a news item in its issue of 21 April, 1983, attributing motives to the Secretary, Legislative Assembly. According to the news item, Shri M. K. Srinivasan had lodged complaints with the police and with the Speaker that the Secretary of the Assembly with some ulterior motive had not

*Original in Hindi.

brought before the House the notices given by the members about "PARAKKUMPADLI (Flying Squad) ACTION ON THE POLICE COMPLAINT ABOUT ASSEMBLY SECRETARY ALAGARSAMY AND A PROBLEM OF AN ORGANISATION."

The Committee after examining Shri M. K. Srinivasan, Shri Kilji, the Editor and Shri Aru Kumar, the publisher of *Ethioli*, in their Report presented to the House on 28 April, 1984, reported *inter alia*, that Shri M. K. Srinivasan during the course of his evidence had expressed regret for having written in a defamatory manner, imputing motives, on the functioning of the officers of the Assembly Secretariat and that he did not know that the officers of the Assembly Secretariat did have all the rights and privileges bestowed upon members while they were discharging their duties and that he should not frighten them or express opinions, about their working. It further reported that the Editor of *Ethioli* during the course of his evidence regretted about the publication of that news, as the himself was not aware of the fact that under the Rules of the Assembly, the Secretary of the Assembly was an integral part of the Assembly. Similar regret was also expressed by Shri Aru Kumar, the publisher.

The Committee observed that it was not only wrong to say that the rights of the members were not applicable to the Secretary, but it was also an interference in the efficient functioning of the Secretary. It cautioned that even if there was indirect interference in his functioning, the Assembly would take action. There was no personal right for the officials of the Assembly. But for the working of the Assembly, the Secretariat was a 'must' and any interference in the working of the officials was interference in the working of the Assembly itself. It, therefore, ruled that such an action would be construed as interference in the working of the Assembly and action would be initiated against those responsible for it.

The Committee further observed that it was the sole responsibility of the Speaker to admit or reject a notice given by the members under the rules of the House. If there was no intimation about any issue, the member could ascertain the reasons for that from the Speaker and from the Secretary. It was of the opinion that if they wanted to complain about it, they could do so with the Speaker. On the other hand, the Committee observed that it was not only interference but also a threat if allegations were made about the work of the Secretary, if complaints were lodged with the police and if that was got published in the newspapers.

The Committee was also of the opinion that it was not proper for the newspapers to publish whatever was given under a signature. The newspapers should be cautious in publishing such news items and if they were published then they should be prepared to face the consequences.

The Committee recommended that no further action need be taken in the matter, since Shri M. K. Srinivasan had expressed regret for his ignorance about the conventions of the Assembly and for having lodged a complaint about the Secretary, who under the rules of the House was an integral part of the House and it was not his intention to defame the Secretary but he was wanting to publish only the contents of his charges and since the Editor of *Ethiroli*, Shri Kilji and also the publisher Shri Aru Kumar had also expressed regret in the matter.

No further action was taken by the House in the matter.

TAMIL NADU LEGISLATIVE COUNCIL

Threatening a member for certain remarks made by him while speaking in the House: On 12 March, 1963, Shri K. Ramamurthy, a member, while speaking on the Budget, stated*, *inter alia*, that only in Tamil Nadu the child labour was widely prevalent than any other State in India and the Government was aware of the fact. He added that every year accidents occurred in factories, on account of which hundreds of children died. Such a situation was continuing in Tamil Nadu and the employment of child labour in match factories could not be stopped.

On 26 March, 1963, Shri Ramamurthy sought to raise a question of privilege in the House against the President of All India Chamber of Match Industries for allegedly threatening the member in his letter dated 16 March, 1963. In the impugned letter, he, *inter alia* stated that the member had during his speech in the Tamil Nadu Legislative Council mentioned that children below ten years were being employed in the Match Industry in Sivakasi and they were being paid lower wages and 'cheated of wages' due to them... He added that as a member of the Opposition he had the right to criticise the Government of the day. But that should not be done by condemning a particular industry or a section of society resorting to ill-informed arguments. He further added that if someone had conveyed the idea to the member that children were being exploited in the Match Industry he could have had this report verified

* Original in Tamil.

through his local Congress committees and then ventured upon making a statement. Such a procedure would behove a responsible politician. The President of All India Chamber of Match Industries requested the member to desist from making statements not based on facts. He further requested for his co-operation in fostering the healthy growth of the industry which was not only unique but also was a credit to Tamil Nadu. The Deputy Chairman thereupon observed that he would give his ruling on the matter later on.

On 31 March, 1983, the Chairman observed that on 26 March, 1983 Shri K. Ramamurthy raised the issue of breach of privilege about the letter to him by the President of All India Chamber of Match Industries (Sivakasi). According to him, that letter had misinterpreted his speech delivered in the Council on 12 March, 1983, had twisted his intentions and had attributed motives to him, which was tantamount to defaming his speech in the Council. The member had said that it was a breach of privilege, if a letter was written insulting or threatening a member, particularly with reference to his speech in the Council and to vilify any of his activity inside the Council. Such letters proved to be a hindrance in the free functioning of a member... The Speaker ruled that as a cursory reading of the matter lead to the conclusion of a breach of privilege, he referred the matter to the Committee of Privileges.

The Committee of privileges, after hearing Sarvashri K. Ramamurthy, member and M. S. Ganesan, President of All India Chamber of Match Industries, in their Report presented to the House on 20 April, 1984, reported that Shri Ramamurthy had stated that the letter of the President of All India Chamber of Match Industries had three important features, that what he had not said had been referred to as having been said by him in the speech; that it had been contended that he was not competent to speak like that and was advised that he should not speak like that; and that before making that speech, he should have consulted the Virudhunagar Congress Committee. The member further stated that the use of word 'desist' in the letter did tantamount to a threat.

The Committee further reported that Shri M. S. Ganesan, President of All India Chamber of Match Industries, Sivakasi, tendered his evidence and stated that he had been holding the post for two years and that letter was written by the Chamber's consultant and he signed it and sent it to the member. That letter was written on the basis of the news broadcast over the Radio and published in

the newspaper. He further stated that the letter had not been written intentionally to defame the member or to impute motive to his speech. If it had led to such a surmise, he said that he regretted the same. He added that since that letter had not been written wilfully to defame the member or to impute motives, he did not feel that there was any question of breach of privilege and that did not amount to any hurdle in the functioning of the member. He mentioned that equal wages were paid by the factories to both adults and children. He regretted having used the word 'desist' in his letter and the expression that the member could have consulted the area Congress Committee before making his speech. He added that it was only with good intention that he wrote the letter. He had realised only then that it was improper for him to write such a letter to a member. He expressed his regret for all that had happened.

The Committee noted that the letter of the President of All India Chamber of Match Industries had commented upon the speech of the member. From his evidence it was clear that he had written the letter on the basis of news broadcast over the Radio and published in the newspaper. The Committee was of the opinion that it was a breach of privilege if what had not been said by the member was referred to as having been said by him. It was also a fact that the wording of the letter led one to the feeling of being threatened.

The Committee observed that it had been decided by the House of Commons that it was a breach of privilege if something was written or printed in defamation of a member or about him as an individual. Even though under the law it might not be treated as an issue of defamation, it was a breach of privilege if an allegation was made in writing against a member affecting his work in Parliament. It had to be considered as violating the rights of the House and the privileges of a member if letters injuring his sentiments were written to him about his work in Parliament or threatening him about his work inside Parliament. . . . The Committee observed that similarly, it was also a breach of privilege if with the help of an outsider a member on his way to the Council was prevented from discharging his duty. The Committee recommended that in view of the fact that the President of All India Chamber of Match Industries had wholeheartedly expressed regret for whatever had happened, bearing in mind the status and the dignity of the Council, the matter be dropped without being magnified.

No further action was taken by the House in the matter.

UTTAR PRADESH LEGISLATIVE ASSEMBLY

Alleged casting of reflections by a member on members of the other House in a pamphlet distributed in the precincts of that House: On 11 September, 1984, the Speaker (Shri Dharam Singh) observed in the House that he had received a letter dated 2 April, 1983, from the Uttar Pradesh Legislative Council Secretariat, intimating that Sarvashri Jagdish Chandra Dikshit and Dildar Hussain Ansari members of the Legislative Council, had given on 23 March, 1983, notice of a question of privilege against Shri Ram Yash Singh, member of Legislative Assembly for allegedly casting reflections on Sarvashri Dikshit and Ansari in a pamphlet which was published in the name of Shri Ram Yash Singh and was distributed in the precincts of the Uttar Pradesh Legislative Council on 23 March, 1983 by one Shri Ashfaq, son of Hamid and another person. It had also been stated that Shri Ashfaq was taken into custody by the Marshal and was sentenced by the House to be kept in custody till 5 p.m. on that day. The other person could not be taken into custody. The Speaker also observed that as Shri Ram Yash Singh was a member of the Legislative Assembly, the Chairman of the Legislative Council had, as per well established conventions, sent the matter for further action to him. The Speaker further observed that according to rule 79 of the Rules of Procedure of the Uttar Pradesh Legislative Assembly, when a question of alleged breach of privilege or contempt of the other House committed by a member of the Assembly was referred to the Assembly by the Presiding Officer of the other House, it should be dealt with in the same way as if it were a breach of privilege or contempt of the Assembly.

The Speaker noted* that Shri Ashfaq, son of Hamid, who was found guilty by the Legislative Council had stated before the officers of that House that he had stayed in the room of Shri Ram Yash Singh on the night of 22 March, 1983, and had accompanied him to the Vidhan Bhavan. But it did not appear from his statement that Shri Ram Yash Singh had got that pamphlet printed and had it distributed through him, the Speaker added. He further noted that Shri Ram Yash Singh had specifically stated that he had no connection with Shri Ashfaq and that he had not brought him to Vidhan Bhavan on 23 March, 1983. The Speaker ruled that in the above circumstances, *prima facie* no question of privilege appeared to be involved. He, therefore, did not give his consent to the raising of the matter as a question of privilege in the House.

*Original in Hindi,

WEST BENGAL LEGISLATIVE ASSEMBLY

Alleged ill-treatment meted out to a member by a police officer: In a letter dated 29 April, 1983, Shri Banamali Das, member, complained to the Speaker regarding alleged ill-treatment caused to him by the Officer-in-charge of Nanoor police station, Birbhum, when he went to the police station on 25 April, 1983, in connection with an enquiry into an incident of lost tubewell head.

The Speaker referred the matter to the Committee of Privileges on 7 May, 1983 under rule 230 of the Rules of Procedure and Conduct of Business of the Assembly for examination and report.

The Committee of Privileges after examining in person Shri Banamali Das, member, and Shri A. Kashem, Officer-in-charge of Nanoor police station, in their Second Report presented to the House on 19 March, 1984, reported that the Committee first considered whether any question of breach of privilege arose in the instant case even if the alleged ill-treatment caused to Shri Das was taken to be true. It observed that under the established parliamentary conventions, privileges, of Parliament were granted to members in order that they might be able to perform their duties in Parliament without let or hindrance. They applied to individual members only in so far as they were necessary in order that the House might freely perform its functions. It noted that thus the question of breach of privilege arose when the member was obstructed or molested while discharging his duties as a member of the House. Harassment and ill-treatment caused to a member while coming to or returning from the House or a Committee meeting was also another instance of a breach of privilege and contempt of the House. The Committee was of the opinion that in the instant case no such obstruction or molestation was caused to the complainant by the accused. It further said that although Shri Das might have gone to the police station as a representative of the people in public interest but that did not constitute a part of his parliamentary duty. The Officer-in-charge also did not in any way interfere with his parliamentary duties.

With reference to the complaint of Shri Das to the Speaker in his letter dated 2 July, 1983, that a radiogram message which was sent to the Nanoor police station from the Assembly Secretariat to convey a message to Shri Das to attend a meeting of the Committee of Petitions of the Legislative Assembly was delivered to him from the said police station in the most disrespectful manner on a torn

piece of paper without any signature of the official conveying the message, the Committee observed that in his evidence, the Officer-in-charge submitted that the wireless staff posted in the police station was a separate unit and not under his control, and therefore, for the sending of a radiogram message to the member on a torn piece of paper without any official signature he was not at all responsible. In the opinion of the Committee, therefore, the instant case did not give rise to any privilege issue.

The Committee reported that during his oral evidence on the 17 November, 1983, Shri Banamali Das had stated that he had written to the Chief Minister about the instant case. The Committee also came to know that the matter was enquired into by the Government and Shri A. Kashem was directed by the Government to behave politely with the people's representatives in future. As the Chief Minister's Secretariat had already taken steps, the Committee refrained from making any comments in this matter. The Committee expressed its hope that in future the members of the House would not be exposed to any ill-treatment at the hands of the executives when they go to meet them for public cause.

The Committee recommended that no further action be taken in the matter and that might be dropped.

No further action was taken by the House in the matter.

Misreporting of the proceedings of the House by a newspaper: On 12 September, 1983, a member (Shri Sachin Sen) raised a question of privilege under rule 226 against a Bengali daily, *Ananda Bazar Patrika* for alleged misreporting of the proceedings of the House. The Speaker (Shri Hashim Abdul Halim) thereupon observed that Shri Sachin Sen had alleged that the *Ananda Bazar Patrika* in its issue dated 10 September, 1983 misreported the proceedings of the House by making a headline news to the effect that the State Government was going to increase the rates of cinema tickets. The Speaker noted that as there was no time to call for an explanation from the Editor of the newspaper concerned as usual before sending the matter to the Privileges Committee, he referred the matter to the Committee of Privileges under rule 230 for investigation and report.

The Committee of Privileges in their Fourth Report presented to the House on 27 March, 1984, reported that after a careful consideration of the whole matter the Committee found that the impugned

headline news published in the *Ananda Bazar Patrika*, dated the 10 September, 1983 regarding rates of cinema tickets was a breach of privilege as it was distortion of the statement made by the Finance Minister in the House. It further reported that the West Bengal Taxation Laws (Amendment) Bill, 1983 which was introduced and passed by the House did not impose any levy or taxes on cinema tickets as reported in the headline news of the said Patrika. But in view of the Editor's explanation and regret as offered in his letter dated the 5 December, 1983, the Committee decided not to proceed further in the matter.

The Committee recommended that no further action be taken in the matter and the matter might be dropped. The Committee, however, hoped that the newspaper concerned would be very careful in future in reporting and bannering the proceedings of the House and that there would be no recurrence of such a matter.

No further action was taken by the House in the matter.

Professor Madhu Dandavat : . . . in the criminal case filed by Jaikrishna against their cashier for misappropriation of funds, what was the judgement that was given by the Gujarat High Court? They did not accept the contention of Jaikrishna family that all the fraud and misappropriation was due to their employees and they quoted Sherlock Holmes. It adds a little tinge to this particular calling attention. Quoting Sherlock Holmes, the Gujarat High Court says :

"When the theft is committed at night and the watch-dogs do not bark, the reason is that the owner himself is the thief."

(*L.S. Deb.* , 29 March, 1985.)

PROCEDURAL MATTERS

LOK SABHA

Reference to proceedings of the other House in answer to a question by Prime Minister: On 23 March, 1985, during the debate on General Budget for 1985-86, some members (Shri Indrajit Gupta and others) objected to certain remarks made by the Prime Minister in Rajya Sabha on 21 March, 1985 in reply to a supplementary question regarding international flights to Calcutta. On 27 March, 1985, on a reference made by a member, the Prime Minister while replying to a supplementary on a Starred Question, sought to clarify his remarks in the Rajya Sabha earlier. Professor Madhu Dandavate and other members raised a point that under the rules no member could either refer or quote from the proceedings of the other House and demanded its expunction from the records. The Deputy Speaker observed that since the Prime Minister did not quote from the proceedings of the other House, the question of expunction did not arise. He, however, advised the Prime Minister to avoid reference to proceedings of the Rajya Sabha. On 28 March, 1985, when the matter was again sought to be raised by a member (Shri Amal Dutta), the Speaker held that it had already been disposed of by the Deputy Speaker the other day.

Expunction of allegations made without following prescribed procedure: On 29 March, 1985, a member (Professor Madhu Dandavate) gave notice for referring to names of Chief Minister of Gujarat and certain other persons who were not members of Lok Sabha,

during discussion on Calling Attention listed for that day. Attention of the member was drawn in writing to the procedure laid down for making allegations in the House and he was requested to furnish the required information. Since the member did not furnish the required information, the Deputy Speaker observed that under rule 353, no allegation of a defamatory or incriminatory nature could be made by a member against any person unless the member had given previous intimation. He further observed that Professor Dandavate gave the intimation to him in the morning and he requested him to furnish the basis on which he would mention the names of persons. He noted that since Professor Dandavate had not given him the required information, he requested Professor Dandavate not to make allegations or mention the names of persons who were not there to defend themselves. Later, while speaking on the Calling Attention, Professor Dandavate made allegatory references against the Chief Minister of Gujarat by name. On being objected to by several members, the Deputy Speaker observed that what he had already observed, would apply. He added that whatever was not relevant and if there was anything against the rules, he would not allow. He assured that it would be expunged. Accordingly, the incriminatory references were expunged from the records.

Reflections on the President by outsiders—Deprecation by members and Speaker: On 8 April, 1985, after the Question Hour, Shri P.R. Das Munshi and several other members, irrespective of their political affiliations, expressed deep concern regarding bringing in the name of the President of India in controversial public speeches/press interviews by Giani Kripal Singh, head Granthi and others and demanded such activities to be condemned in the House. The Speaker, associating himself with the feelings of the House, *inter alia* observed that he appreciated the feelings of the members. . . He added that a way out had to be found out because anything which went against the interests of the nation and against the highest institution of the land could not be allowed. He further observed that some people had taken it into their heads to go against all the tenets of goodness and the religion whatever it was worth. He added that it had to be fought against, but not in that way. He could not violate the rules laid down by the members. He also observed that that might be discussed dispassionately and the good traditions of being Indians be upheld. He appreciated a very relevant point taken by both the sides.

Interference in internal affairs of India by a foreign country: On 17 April, 1985, immediately after the Question Hour, on his atten-

tion being drawn by a member (Professor K. K. Tewari) to the reported briefing held in U.S. Congress annexe before a sub-Committee of the American Senate by the extremist leaders of so-called "Khalistan" about the so-called human rights issue in Punjab which amounted to interference in the unity and independence of the country, the Speaker, *inter alia* observed that the whole House was at one on this. He appreciated the sentiments expressed by the members because the national interest came above all. He further observed that it could not be the business of anybody to interfere in our internal affairs. He added that that was despicable and reprehensible and he agreed with the members.

Allegatory remarks by members against persons in high authority: On 7 May, 1985, immediately after Question Hour, a member (Professor K. K. Tewari) sought to refer to certain observations made by a Judge of the Supreme Court regarding transfer of High Court judges and stated that the same was politically motivated. Disallowing the member from making his submission, the Speaker, *inter alia* observed that in an earlier decision also when certain points were made by the members, he had told them that Rashtrapati's name and his office could not be discussed on the floor of the House. He added that the observations made by the Judge contained certain references to the Government as well as to certain people who were in the highest places and whose conduct could not be discussed. He further observed that such references or observations by Supreme Court Judges referred to certain people also, who were in high positions. The Speaker added that he could not delink them.

Bifurcation of Calling Attention relating to two allied subjects: On 9 May, 1985, soon after the Question Hour, Shri K. P. Unnikrishnan drew the attention of the Speaker to his letter pointing out that the Calling Attention listed for that day actually dealt with two separate subjects which could not be discussed together. The Speaker with the consent of the House, agreed to bifurcate the Calling Attention so that one subject could be discussed through Calling Attention on the same day and decision regarding the other was left for consideration of the Business Advisory Committee at its meeting on that afternoon. Accordingly, on that day the member called the attention of the Minister of Finance to sudden declaration of moratorium by the Reserve Bank of India on Laxmi Commercial Bank and two other banks. The Minister of State in the Ministry of Finance (Shri Janardhan Poojary) read out the relevant portion of his prepared statement relating to modified Calling Attention. Thereafter members asked clarificatory questions and the Minister answered.

The Business Advisory Committee at its sitting held that afternoon recommended that the second portion of the Calling Attention *viz.* alleged frauds in the Nationalized Banks might be discussed under rule 193 during the next week.

Suspension of Question Hour: On 13 May, 1985, soon after the sitting commenced, the motion "that this House do suspend rule 32 (Question Hour) of the Rules of Procedure and Conduct of Business in Lok Sabha", moved by a member (Professor Madhu Dandavate) was adopted to enable the House to take up discussion on the situation created by bomb-blasts in the capital and various parts of the country. Thereafter Speaker gave his consent to the moving of an adjournment motion by Shri C. Madhava Reddy on bomb explosions in Delhi. The member asked for leave to move the adjournment motion but as less than 50 members rose in support, leave was not granted. The matter was, however, discussed under rule 193 on the same day immediately thereafter.

Members disturbing the proceedings of the House by standing in the aisle of the Chamber: On 15 May, 1985, during the discussion on a Calling Attention, the Speaker requested the members not to talk standing in the aisle. He observed that that was not the way to talk to each other. He added that if the members wanted to have some parleys, they could go outside and have it, but should not disturb the Minister and the members.

STATE LEGISLATURES

KARNATAKA LEGISLATIVE ASSEMBLY*

Convention of having no discussion immediately after presentation of Budget: On 21 March, 1985, the Speaker overruled the objections raised by the Leader of the Opposition contending that the normal convention of not having any discussion immediately after presentation of Budget was violated and was also against rule 173 of the Rules of Procedure and Conduct of Business in the Karnataka Legislative Assembly and allowed the Minister for Law to move for suspension of rule 173 of the Rules to enable moving of Demands for Grants by the Chief Minister after presentation of Budget.

MADHYA PRADESH VIDHAN SABHA**

Three Assembly Sessions in a Year: On 4 April, 1985, Shri Rajendra Prasad Shukla, Speaker, Vidhan Sabha announced that the State

* Contributed by Karnataka Legislature Secretariat.

** Contributed by Madhya Pradesh Vidhan Sabha Secretariat.

Vidhan Sabha would have onwards a minimum of three Sessions and 75 sittings in a year. Before making this announcement, the Speaker also heard the suggestions of the leader of the House, Shri Moti Lal Vora, and leader of the Opposition, Shri Kailash Joshi.

UTTAR PRADESH VIDHAN SABHA*

Governor's Address not read by himself: On 16 March, 1985, when the Speaker was going to read the Address to be given by the Governor, a member, Shri Rajendra Kumar Gupta raised a point of order under rule 19(2) of the Rules of Procedure and Conduct of Business in the Legislative Assembly and the article 176 of the Constitution of India that it was obligatory on the part of the Governor to address the Legislative Assembly. He said that since the Governor had not addressed the Assembly that day, the proceedings of the House should, therefore, be adjourned and the Governor might be requested to recall the House. Sarvashri Yadunath Singh, Ram Saran Das and Sardar Singh also expressed their views on the above subject. Shri Ravindra Nath Tewari, under sub-rule (6) of rule 110 of the Rules seeking permission for adjournment of proceedings relating to reading of the Governor's Address and referring to article 163 of the Constitution of India, raised a point of order that the Chief Minister took the oath of office as the head of the Cabinet, but as he had taken the oath alone, the Cabinet was not constitutionally constituted and the Governor's Address prepared by such a Cabinet was also unconstitutional. Shri Tewari also added that the Chief Minister by taking the oath of office alone had violated article 163 of the Constitution and in order to rectify such situation, the Chief Minister should resign and then again take the oath of the office together with his Cabinet colleagues; otherwise he was disqualified from the membership of that House under article 191 of the Constitution and as such he was liable to pay a fine of Rs. 500 per day under the rules. Shri Narayan Dutt Tewari, the Chief Minister and Sarvashri Mohammad Azam Khan and Vijay Singh Rana also expressed their views. Shri Brahm Dutt Dwivedi, expressing his view, stated that the copies of the Address were not distributed. The Speaker while giving his ruling pointed out that three issues had been raised in the House, viz., that the Chief Minister took the oath of office alone; that the Governor had not himself given his Address; and that the copies of the Address had not been distributed. Referring to precedents, he said that in 1984, Shri Narayan Dutt Tiwari in Uttar Pradesh, and again Shri M. G. Ramachandran in

* Contributed by Uttar Pradesh Vidhan Sabha Sachivalaya.

Tamil Nadu took oath of office alone. He added that the copies of the Address were distributed only after the arrival of the Governor in the House. In regard to the Address not having been read by the Governor, the Speaker clarified that the Governor had actually come to the House and read the first and the last paragraphs of the Address while sitting in his seat, and possibly it could not be heard by some members due to disturbance during his Address. He ruled that his Address, would, therefore, be considered to have been read by him.

Dr. Krupasinghu Bhoi :

उदयति यदि भानुः पश्चिमदिशिभागे
 प्रचलति यदि मेरुः शीतताम् भाति बहिनः ।
 विकसति यदि पद्म पर्वतानां शिखागते
 न चलति खलवाक्यं सज्जनानां ॥

Even if the Sun rises on the West, even if the mountain moves, even if the fire becomes cold, even if Lotus blooms in the mountain crevice, the voice of the sages cannot be choked by the evil designs of the wicked.

(L.S. Deb., 22 March, 1985)

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 January to 31 March, 1985)

INDIA

DEVELOPMENTS AT THE CENTRE

Cabinet reshuffle: In a minor reshuffle in the portfolios of Cabinet Ministers on 14 January, Finance Minister, Shri Vishwanath Pratap Singh also assumed temporary charge of the Ministry of Commerce and Supply. Shri Veerendra Patil, Minister of Fertilizers and Chemicals, was also given temporary charge of the Ministry of Industry and Company Affairs. These portfolios were so far held by the Prime Minister. Defence Minister, Shri P. V. Narasimha Rao relinquished the portfolios of Planning.¹

Elections to Rajya Sabha: Nine candidates in all were elected to Rajya Sabha in January, and March 1985 from Uttar Pradesh, Bihar and West Bengal. Besides the Working President of the Congress (I) Shri Kamalapati Tripathi, they included Sarvashri Kapil Verma, Anand Prakash, Achchay Lal, Mahendra Prasad, Shrimati Sushila Rohatagi and Shrimati Kailashpati, all from Congress (I), Shri Raman Poddar of CPI (M) and Shri Gurudas Das Gupta of CPI.²

Elections to Lok Sabha: In the elections held on 28 January, Sarvashri B. L. Shailesh and K. N. Pradhan of Congress (I) were declared elected to the Eighth Lok Sabha from Chail (Uttar Pradesh)

¹ *Hindustan Times*, 15 January, 1985.

² *Times of India*, 17 and 24 January, 1985; *Indian Express*, 31 January, 1985; *Hindustan Times*, 1 February, 1985; and *Tribune*, 9 March, 1985.

and Bhopal (Madhya Pradesh) constituencies, respectively. Sarvashri H. Appayya Dora and S. Pala Kondarayudu of Telugu Desam were elected from Srikakulam and Rajampet constituencies (Andhra Pradesh) respectively. Shri N.V.N. Somu of DMK was elected from North Madras constituency (Tamil Nadu) after defeating his Congress(I) rival and former Deputy Speaker of Lok Sabha, Shri G. Lakshmanan.³

Resignation by members: Shri Narendra Singh resigned on 4 February from the membership of the Rajya Sabha following his election to the Uttar Pradesh Legislative Council.

Sarvashri Sharad Pawar and Bijoyananda Patnaik resigned their seats in Lok Sabha on 18 and 26 March respectively following their elections to the Legislative Assemblies of Maharashtra and Orissa respectively.⁴

By-election to Rajya Sabha: Congress(I) candidate Shri Faguni Ram was declared elected on 7 February to Rajya Sabha in a by-election from the Bihar Legislative Assembly.⁵

By-election to Lok Sabha: Shri Salauddin of Congress(I) was declared elected to Lok Sabha in a by-election on 9 March from Godda constituency in Bihar.⁶

Appointment of new Minister: Shri Chandra Shekhar Singh, former Chief Minister of Bihar, was inducted on 30 March into the Union Council of Ministers as Minister of State for Textiles.⁷

AROUND THE STATES

ANDHRA PRADESH

Resignation by Minister: Technical Education Minister, Shri Ankeni Prabhakara Rao resigned on 7 February, from the Cabinet protesting against the denial of Telugu Desam ticket to some former MLAs in the coming Assembly elections.⁸

³. *Hindu*, 30 January, 1985.

⁴. *Times of India*, 5 February, 1985; *Indian Express*, 19 March, 1985; *Hindustan Times*, 27 March, 1985.

⁵. *Free Press Journal*, 8 February, 1985.

⁶. *Indian Express*, 10 March, 1985.

⁷. *Tribune*, 31 March, 1985.

⁸. *Hindu*, 8 February, 1985.

General elections: Elections were held for 294 seats of Legislative Assembly on 5 March. The Telugu Desam party came back to power with an absolute majority by winning 202 seats. The Congress (I) which got 49 seats emerged as the main opposition party in the House. The seats won by other parties were as follows: CPI-11; CPI (M)-11; BJP-8; Majlis-Ittehad-UI-Muslimeen-3; Janata Party-2; CPI (ML)-1; Marxists Communist Party of India-1; and Independents-4. Elections in two constituencies were countermanded.⁹

New Ministry: A new 24-member Council of Ministers, headed by Shri N. T. Rama Rao was sworn in on 9 March by Governor, Dr. Shankar Dayal Sharma. The allocation of portfolios among the Ministers was as follows:

Cabinet Ministers:

Shri N. T. Rama Rao, Chief Minister: *General Administration and Services, Minor Irrigation, Law and Order, Planning, Large and Medium Scale Industries, Food and Civil Supplies, Information and Public Relations;* Shri Nageswara Rao: *Home and Legislative Affairs;* Shri N. Srinivasulu Reddy: *Land Revenue;* Shri P. Mahendranath: *Finance and Power;* Shri K. E. Krishna Murthy: *Major and Medium Irrigation;* Shri K. Jana Reddy: *Transport, Roads and Buildings;* Shri Ramachandra Rao: *Panchayat Raj,* Shri K. Pratibha Bharati: *Scheduled Castes, Women's Welfare, Tourism and Cultural Affairs;* Shri Y. Ramakrishnadu: *Co-operation;* Shri R. Rajagopala Reddy: *Agriculture, Animal Husbandry and Fisheries;* Shri S. Ramachandra Reddy: *Small Scale Industries and Marketing;* Shri G. M. K. Naidu: *Education;* Shri N. Yethiraja Rao: *Housing and Endowment;* Shri P. Ashok Gajapathi Raju: *Commercial Taxes;* and Shri M. Padmanabham: *Excise.*

Ministers of State:

Shri D. Satyanarayana: *Mines and Geology;* Shri A. Patrudu: *Youth Services and Technical Education;* Shri N. Farooq: *Sugar Industry and Wakfs;* Shri P. Indira Reddy: *Labour and Employment;* Shri M. S. S. Koteshwara Rao: *Medical and Health;* Shri A. Mahipal Reddy: *Forests;* Shri G. Rama Rao: *Scheduled Tribes Welfare;* Shri G. Rajendare

Ibid., 9 March, 1985; and *Asian Recorder*, 16-22 April, 1985.

Goud: *Law and Courts*; and Shri K. Venkata Rao: *Municipal Administration*.¹⁰

New Speaker and Deputy Speaker: Sarvashri G. Narayana Rao and A. V. Suryanarayana Raju were unanimously elected on 12 March as Speaker and Deputy Speaker respectively of the Legislative Assembly.¹¹

BIHAR

Resignation by Chairman: Shri Prithvi Chand Kishku, Chairman of the Legislative Council, resigned from the membership of the Council on 12 January following his election to Lok Sabha.¹²

New Deputy Chairman: Shri Mohammad Wali Rahmani of Congress(I) was unanimously elected Deputy Chairman of the Council on 29 January.¹³

General elections: Elections were held for 324 seats of the Legislative Assembly on 2 and 5 March. The ruling Congress(I) got an absolute majority by winning 193 seats followed by Lok Dal which secured 46. The seats won by other parties were as follows: BJP-15; CPI-13; Janata Party-12; Jharkhand Mukti Morcha-10; Congress(J)-1; CPI-(M)-1; S.U.C.I.-1 and Independents-29. Elections in three constituencies were countermanded.¹⁴

New Ministry: The leader of the Congress(I) legislative party, Shri Bindeshwari Dube was sworn in, on 12 March, as Chief Minister by the Governor, Shri A. R. Kidwai. Eleven Cabinet Ministers and 14 Ministers of State were inducted into the Council of Ministers on 15 March. They were:

Cabinet Ministers:

Sarvashri Lahtan Choudhry, Ramjaipal Singh, Ramashray Prasad Singh, Dinesh Kumar Singh, Sidheshwar Prasad, Sarju Mishra, Mahabir Choudhary, Indranath Bhagat, Harihar Mahto and Mohammed Hidayatullah Khan and Shrimati Uma Pandey.

¹⁰. *Hindu*, 10 March, 1985; and *Times of India*, 11 March, 1985.

¹¹. *Times of India*, 13 March, 1985.

¹². *Indian Express*, 13 January, 1985.

¹³. Information received from Bihar Legislative Council Secretariat.

¹⁴. *Hindustan Times*, 21 February and 2 March, 1985; *Times of India*, 1 March, 1985; *Hindu*, 15 March, 1985; and information received from Bihar Legislative Assembly Secretariat.

Ministers of State:

Sarvashri Amrendra Mishra, Bandi Shankar Singh, Khalid Rashid Sabbah, Mahabir Paswan, S. M. Isa, Jithan Ram Manjhi, Awadh Bihari Singh, Arjun Vikram Sah, Sarju Upadhyaya, Om Prakash Lal, Thomas Hansda and Madan Prasad Singh, Shrimati Sushila Karkette and Dr. Vijay Kumar Singh.¹⁵

New Governor: Former Union Minister of State for Home Shri P. Venkatasubbaiah was appointed Governor, on 12 March, in succession to Shri A. R. Kidwai. He was sworn in, on 15 March, by the Chief Justice of Patna High Court, Shri S. S. Sindhwalia.¹⁶

GUJARAT

General elections: Elections were held for the 182-member Legislative Assembly on 5 March. The ruling Congress(I) party was returned to power with 149 seats. The Janata Party came second with 14 seats followed by BJP with 11 seats. Independents secured 8 seats.¹⁷

New Ministry: A new 20-member Council of Ministers, headed by Shri Madhavsinh Solanki was sworn in, on 11 March, by Governor, Shri B. K. Nehru. The allocation of portfolios among the Ministers was as follows:

Cabinet Ministers:

Shri-Madhavsinh Solanki, Chief Minister: *Finance, Planning, Industries, Environment, General Administration, Mines and all other portfolios not allocated to any Minister;* Shri Mahant Vijaydasji: *Roads and Buildings and Social Welfare;* Shri Amarsinh Chaudhary: *Home, Education, Youth and Culture Activities, Excise, Prohibition, and Sports;* Shri Harisinh Mahida: *Revenue, Forest and Urban Development;* Shri Khodidan Jhula: *Food and Civil Supplies and Housing;* Shri Vallabhbhai, Patel: *Health and Family Welfare,* Shri Maganbhai Solanki: *Irrigation, Narmada Development, and Ports;* Shri Kasambhai Tirviwi: *Agriculture, Fisheries and Animal Husbandry;*

¹⁵. *Indian Express* 13 March, 1985; *Times of India*, 16 March, 1985; and *Asian Recorder*, 16--22 April, 1985.

¹⁶. *Hindu*, 13 March, 1985; and *National Herald*, 17 March, 1985.

¹⁷. *Ibid*, 8 March, 1985.

Shri Dolatbhai Parmar: Panchayat and Rural Development.

Ministers of State:

Shri Navin Shastri: Law and Judiciary, Parliamentary Affairs, Labour and Employment (all independent charges); Shri Ukabhaizala: Co-operation (Independent charge); Shri Nalin Patel: Energy (independent charge); Dr. (Shrimati) Daxini Gitaben: Women's Development (independent charge) and Family Welfare; Shri Arvindbhai Sanghavi: Finance and Small Savings; Shri Janak-sinh Rana: Panchayat; Shri Ramesh Thakore: Urban Development; Shri Barjulbhai Patel: Tribal Development (independent charge), and Forests; Shri Udaysinh Baria: Youth and Cultural Affairs; Shri Narendra Raval: Housing; and Shri Shashibhai Jamod: Ports and Fisheries.¹⁸

Election of Speaker: Shri Natwarlal C. Shah was re-elected Speaker of the Legislative Assembly on 18 March.¹⁹

New Deputy Speaker: Dr. Karsandas Soneri of Janata Party was unanimously elected Deputy Speaker of the Legislative Assembly on 27 March.²⁰

HIMACHAL PRADESH

Resignation by Minister: Shrimati Chandresh Kumari, Minister of State for Tourism, resigned on 11 January, from the Council of Ministers and the Legislative Assembly following her election to Lok Sabha.²¹

Dissolution of Legislative Assembly: The Legislative Assembly was dissolved on 23 January by the Governor, Shri Hokishe Sema, on the advice of the Chief Minister, Shri Virbhadra Singh. The Governor asked the Chief Minister to continue in office till the constitution of a new Assembly and Ministry.²²

¹⁸. *Hindustan Times*, 12 March, 1985.

¹⁹. Information received from Gujarat Legislative Assembly Secretariat.

²⁰. *Free Press Journal*, 28 March, 1985.

²¹. *Times of India*, 12 January, 1985.

²². *Indian Express*, 24 January, 1985.

General elections: Elections were held for 63-member Legislative Assembly on 5 March. The ruling Congress (I) party secured a three-fourth majority by winning 55 seats followed by BJP which got 7 seats. Lok Dal got 1 seat and Independents 2. The election for 3 seats would be held in May as these constituencies were snow-bound.²³

New Ministry: A two-member Ministry, headed by Shri Virbhadra Singh was sworn in on 8 March by Governor, Shri Hokishe Sema. The Ministry was expanded on 11 March with the induction of three Cabinet Ministers and seven Ministers of State. The portfolios were allocated as follows:

Cabinet Ministers:

Shri Virbhadra Singh, Chief Minister: *General Administration, Personnel, Home, Finance, Power and Public Works*; Shri Sant Ram: *Agriculture, Horticulture, Rural Development, Animal Husbandry and Fisheries*; Shri Sat Mahajan: *Transport, Food and Supplies*; Shri Sagar Chand Nayyar: *Education, Language and Cultural Affairs*; and Shri Dharam Singh: *Revenue, Election and Panchayati Raj*.

Ministers of State:

Shri Kaul Singh: *Health and Family Welfare (excluding Ayurveda) and Parliamentary Affairs (independent charge)*; Shri Vijay Kumar Joshi: *Industries (independent charge)*; Shri Chander Kumar: *Forests, Farming, and Conservation (independent charge)*; Shri Gangu Ram: *Co-operation (independent charge) and attached to Chief Minister for Public Works (B&R) and Housing*, Shri Piru Ram: *Welfare, Labour, Employment and Training, Printing and Stationery (independent charge) and attached to Chief Minister for Public Works, Irrigation and Public Health*; Shri Raj Krishan Gour: *Tourism, Excise, and Taxation*; and Shri Ram Lal Thakur: *Law, Youth Services, Sports, Local Self-Government and Ayurveda (independent charge)*.²⁴

New Speaker: Shrimati Vidya Stokes was unanimously elected, on 11 March, as Speaker of the Legislative Assembly.²⁵

²³. *Hindu*, 8 March, 1985.

²⁴. *Tribune*, 9 and 12 March, 1985.

²⁵. *Hindu*, 12 March, 1985.

KARNATAKA

Dissolution of Legislative Assembly: The Governor, Shri A. N. Banerji dissolved the Legislative Assembly on 2 January, on the advice of the Chief Minister, Shri Rama Krishna Hegde. Shri Hegde agreed to be caretaker Chief Minister till the next Assembly elections.²⁶

General elections: In the elections held on 5 March for 224 seats of the Legislative Assembly, the ruling Janata Party secured an absolute majority by winning 139 seats. The Congress (I) emerged as the main opposition party with 66 seats. The seats won by other parties were as follows: CPI-4; CPI (M)-2; BJP-2; MES-3 and Independents-8.²⁷

New Ministry: A three-member Cabinet headed by Shri Rama Krishna Hegde was sworn in on 8 March by Governor, Shri A. N. Banerji. The Ministry was expanded on 15 March with the induction of 12 Cabinet Ministers and 14 Ministers of State. They were:

Cabinet Ministers:

Sarvashri S. R. Bommai, H. D. Deve Gowda, J. H. Patel, V. P. Patil, A. L. Lakshmi Sagar, R. C. Jalappa, D. Manjunath, H. L. Thimme Gowda, J. S. Deshmukh, G. Basavanappa, M. Raghupathy, C. Byre Gowda, B. Rachia and Abdul Nazir.

Ministers of State:

Sarvashri B. A. Jivijiya, Ramesh Jigajinigi, D. B. Inamdar, B. Somasekhar, M. P. Prakash, P. G. R. Sindhia, B. R. Yavagal, B. Siddaramaiah, Y. K. Ramaiah, H. G. Govinda Gowda, S. Veeranna and Basavaraj Patil Attur, Dr. Jeevaraj Alva and Dr. A. Pushpavathi.²⁸

New Speaker: Shri B. G. Banakar was unanimously elected Speaker of the Legislative Assembly on 18 March.²⁹

²⁶. *Indian Express*, 3 January, 1975; and *Times of India*, 4 January, 1975.

²⁷. *Hindu*, 8 March, 1985.

²⁸. *Indian Express*, 9 March, 1975; *Hindustan Times*, 16 March, 1985 and *Asian Recorder*, 16-22 April, 1985.

²⁹. *Deccan Herald*, 19 March, 1975.

KERALA

New Speaker: Shri V. M. Sudheeran was elected Speaker, on 8 March, of the Legislative Assembly, defeating Shri K. V. Surendranath by 72 to 65 votes.³⁰

MADHYA PRADESH

General elections: Elections for the 320 seats of the Legislative Assembly were held on 2 March. The ruling Congress(I) party secured a massive majority, by winning 250 seats followed by BJP with 58. The seats won by other parties were: Janata Party—5; Congress(S)-1 and Independents-6.³¹

New Ministry: Shri Arjun Singh, leader of the Congress(I) legislature party, was sworn in, on 11 March, as Chief Minister by Governor, Shri K. M. Chandi. On 13 March, however, Shri Motilal Vora was sworn in as Chief Minister in place of Shri Arjun Singh who was appointed Governor of the State of Punjab. Seven more Ministers were also sworn in alongwith the Chief Minister. Four Cabinet Ministers and ten Ministers of State were inducted into the Ministry on 22 March. The allocation of portfolios was as follows:

Cabinet Ministers:

Shri Motilal Vora, Chief Minister: *General Administration, Home, 20-Point Programme Implementation, Major and Medium Irrigation, Planning, Economics and Statistics;*
 Shri Ram Kishore Shukla: *Finance, Separate Revenue and Law and Legislative Affairs;* Shri Shivbhanu Solanki: *Agriculture and Cooperation;* Dr. Kanhaiya Lal Sharma: *Food and Civil Supplies;* Shri Revnath Choure: *Public Health Engineering, Panchayat and Rural Development, Social Welfare and Jails;* Shri B. R. Yadav: *Forests, Tourism, Revenue and Rehabilitation;* Shri Bansilal Dhritlahare: *School Education, and Sports and Youth Welfare;* Shrimati Kamla Devi: *Tribal, Harijan and Backward Classes Welfare;* Shri Durgadas Suryavanshi: *Public Works;* Shri Balendu Shukla: *Public Health and Family Welfare;* Shrimati Ganga Thakur: *Animal Husbandry, Fisheries, Dairy Development, Command Area Develop-*

³⁰. *Free Press Journal*, 9 March, 1985.

³¹. *Hindu* 8 March 1985.

ment and Religious Trusts and Endowments; and Shri Bharat Singh: Commerce and Industry, Mineral Resources and Labour.

Ministers of State:

Shri Chitrakant Jaiswal: *Higher Education (independent charge)* Shri Tanwant Singh Keer: *Local Government and Urban Welfare (independent charge)*; Shri Vitthal Bhai Patel: *Manpower Planning (independent charge)*; Shri Mahesh Joshi: *Housing and Environment (independent charge)*; Shri Harihar Prasad Sharma: *School Education and Sports, and Youth Welfare*; Shri Chandra Kumar Bhanot: *Irrigation and Narmada Valley Development*; Captain Jaipal Singh: *General Administration, Home, 20-Point Programme Implementation, Aviation and Publicity*; Shri Shiv Pratap Singh: *Animal Husbandry, Dairy Development, Command Area Development and Religious Trusts and Endowments*; Shri Rashul Ahmed Siddiqui: *Public Health Engineering, Panchayat and Rural Development and Jails besides independent charge of Wakfs*; and Shri Ranvir Singh Shastri: *Tribal, Harijan and Backward Classes Welfare*.³²

New Speaker: Shri Rajendra Prasad Shukla was unanimously elected Speaker of the new Legislative Assembly on 25 March, 1985.³³

MAHARASHTRA

General elections: Elections for the 288 seats of the Legislative Assembly were held on 2 and 5 March. The ruling Congress (I) party secured an absolute majority by winning 162 seats. The Congress (S) emerged as the main opposition party with 54 seats. The seats won by other parties were as follows: Janata Party-20; BJP-16; PWP-13; CPI-2; CPI (M)-2 and Independents-19.³⁴

New Ministry: Shri Vasant Rao Patil was sworn in, on 10 March, as Chief Minister by Governor, Shri I. H. Latif. Seven Cabinet Ministers and 15 Ministers of State were sworn in on 12 March. The

³². *Statesman*, 12 March, 1985; *Indian Express*, 14 March, 1985 and *M. P. Chronicle*, 23 March, 1985.

³³. *Statesman*, 26 March, 1985.

³⁴. *Hindu*, 8 March, 1985.

allocation of portfolios among the Ministers was as follows:

Cabinet Ministers:

Shri Vasantao Patil, Chief Minister: *General Administration, Home, Urban Development, Urban Land Ceiling, Public Works, Information and Public Relations, Dairy Development, Protocol and any other subject not specifically allotted to any Minister*; Shri Sudhakarao Naik: *Industries, Revenue and Rehabilitation, and Social Welfare*; Shri Sushil Kumar Shinde: *Finance, Planning, Cultural Affairs, Sports and Youth Welfare, and Law and Judiciary*; Shri Jawaharlal Darda: *Irrigation, and Tourism*; Shri N. M. Tidke: *Co-operation, Labour, and Legislative Affairs*; Shri B. A. Sawant: *Rural Development, Public Health, Medical Education, Drugs, Family Welfare, Employment Guarantee Scheme, and Ports*; Shri S. H. Naik: *Forests, Social Forestry, Tribal Welfare, Food and Civil Supplies*; and Shri V. Subramanian: *Housing, Slum Improvement, House Repairs and Reconstruction, Prohibition and Excise*.

Ministers of State:

Shri Shivajirao Deshmukh: *Agriculture, Energy, and Transport (independent charge)*; Shri Vilasrao Deshmukh: *Education and Technical Education (independent charge)*; Shri Vijaysinh Mohite Patil: *Irrigation, Cooperation, and Tourism*; Shri Anantrao Thope: *Labour, Dairy Development, and Animal Husbandry*; Shri Abhaysinh Raje Bhosale: *Home and Prisons*; Shri Shivajirao Moghe: *Forests & Social Forestry, and Tribal Welfare*; Shri Waman Vistari Goddamwar: *Rural Development, and Special Assistance*; Shri Javad Khan: *Housing, Slum Improvement, House Repairs, and Protocol*; Shri Celin D' Silva: *Finance, Planning, Social Welfare, and Tourism*; Shri Nakul Pundalik Patil: *Food and Civil Supplies, Horticulture, Youth Welfare and Sports*; Shri Rajania Satav: *Revenue and Rehabilitation, Cultural Affairs, and Law and Judiciary*; Shri J. T. Mahajan: *General Administration, Industries, and Legislative Affairs*; Shri Anil Warhade: *Public Health, Family Welfare, Medical Education and Drugs*; Shri Ram Manohar Tripathi: *Urban Development, Information and Public Relations*;

and Shri Manikrao Pallodkar: *Public Works, Prohibition and Excise*.³⁵

New Speaker and Deputy Speaker: Shri Shankarrao Jagtap was unanimously elected Speaker of the Legislative Assembly on 20 March. Shri Sharad Pawar, leader of the Opposition, proposed Shri Jagtap's name and Chief Minister, Shri Vasantdada Patil seconded it.

On 21 March, Shri Kamal Kishore Kadam of Congress(S) was unanimously elected Deputy Speaker of the Assembly.³⁶

MANIPUR

New Ministry: Shri Rishang Keishing was sworn in as Chief Minister on 4 January by the Governor, General K. V. Krishna Rao. Shri Lalit Singh was sworn in as a Cabinet Minister along with the Chief Minister. The Cabinet was expanded on 14 January with the induction of eight Cabinet Ministers and three Ministers of State. They were:

Cabinet Ministers:

Sarvashri Radhabinod Singh, Irengbam Tompok Singh, Thichaoba Singh, Phungijathang, Soso Lorho, M. Ibotombi Singh, Devendra Singh and Dr. Chantramhl Singh.

Ministers of State:

Sarvashri Gaibhangam, P. Achau Singh and Amachau Singh.³⁷

New Speaker and Deputy Speaker: Shri Angou Singh was unanimously elected, on 24 January as Speaker of the Legislative Assembly.

Shri H. Sonayaima Singh was elected Deputy Speaker of the Assembly on 19 February.³⁸

NAGALAND

New Speaker: Shri E. T. Ezung was unanimously elected Speaker of the Legislative Assembly on 25 February.³⁹

³⁵. *Ibid*, 11 March, 1985; and *Free Press Journal*, 13 March, 1985.

³⁶. *Free Press Journal*, 21 and 22 March, 1985.

³⁷. *Indian Express*, 5 and 15 January, 1985.

³⁸. *Statesman*, 25 January, 1985; and *Times of India*, 20 February, 1985.

³⁹. *Times of India*, 26 February, 1985.

ORISSA

General elections: Elections were held for the 147-member Legislative Assembly on 5 March. The ruling Congress(I) Party won 117 seats followed by Janata Party with 20 seats. The seats won by other parties were as follows: CPI-1; BJP-1; SUCI-1; Jagrata Orissa-1 and Independents-4. The elections in two constituencies were countermanded.⁴⁰

New Ministry: Shri J. B. Patnaik was sworn in as Chief Minister on 10 March by Governor, Shri B. N. Pandey. Five Cabinet Ministers and 10 Ministers of State were sworn in on 12 March. Besides the Chief Minister, other Cabinet Ministers were:

Cabinet Ministers:

Sarvashri Anup Singh Deo, Gangadhar Mohapatra, Niranjana Jena, Bhajaman Behera and Jugal Kishore Patnaik.⁴¹

Election of Speaker: Shri Prasanna Kumar Das was unanimously elected Speaker of the Legislative Assembly on 14 March. On the same day, Shri Chintamani Dyan Samantara was unanimously elected Deputy Speaker.⁴²

PUNJAB

New Governor: Shri Arjun Singh, Chief Minister of Madhya Pradesh, was appointed Governor on 12 March, replacing Shri K. T. Satarawala and was sworn in on 14 March.⁴³

RAJASTHAN

Resignation by Chief Minister: On 22 February, Chief Minister, Shri Shiv Charan Mathur resigned from the office following the incident at Deeg in which Shri Man Singh, an independent member of the Legislative Assembly was killed.⁴⁴

New Chief Minister: Shri Heera Lal Deopura was sworn in as the Chief Minister, on 23 February, by the Governor, Shri O. P. Mehra. Three more Ministers were also sworn in along with the Chief Minister. The Cabinet was expanded on 24 February with the induction of seven more Ministers.⁴⁵

⁴⁰ *Hindu*, 8 March, 1985.

⁴¹ *Ibid*, 11 March, 1985; *All India Radio News Bulletin*, 12 March, 1985; and *Asian Recorder*, 16-22, April, 1985.

⁴² *Hindustan Times*, 15 March, 1985, and information received from Orissa Legislative Assembly Secretariat.

⁴³ *Hindu*, 13 March, 1985; and *Tribune*, 15 March, 1985.

⁴⁴ *Times of India*, 23 February, 1985.

⁴⁵ *India Express*, 21 and 25 February, 1985.

General elections: Elections were held for the 200-member Legislative Assembly on 5 March. The ruling Congress(1) party got an absolute majority by winning 113 seats. The BJP came second with 38 seats followed by Lok Dal-27; Janata Party-10; CPI(M)-1 and Independents-9. Election in two constituencies were countermanded.⁴⁶

New Ministry: Shri Harideo Joshi was sworn in as Chief Minister on 10 March by Governor, Shri O. P. Mehra. Seven more Ministers were sworn in on 11 March. The allocation of portfolios was as follows:

Cabinet Ministers:

Shri Hari Deo Joshi, Chief Minister: Home, Finance, Planning, Anti-corruption, Department of Personnel, Political Affairs, Cabinet Secretariat, Excise, Labour, Public Relations, Taxation, Mines, Public Health Engineering, Food and Civil Supplies, Ground Water Development and Command Area Development etc.; **Shrimati Kamala:** Revenue and Land Reforms, Colonisation excluding Command Area Development, Dewasthan, Waqf and Soldiers' Welfare Departments; **Shri Ram Pal Upadhyay:** Education, both Higher and School, Sanskrit and Technical Education, Employment and Languages; **Shri Ram Dev Singh Meharia:** Medical and Health, Ayurveda and Family Welfare; **Shri Gulab Singh Shaktawat:** Irrigation, Energy, Public Works Department, Food, Famine Relief, Law and Parliamentary Affairs; and **Shri Narendra Singh Bhati:** Indira Gandhi Canal (the new name of Rajasthan Canal) Project, Tourism, Art and Culture, Rural Development, and the Panchayati Raj Department.

Ministers of State:

Shri Sheesh Ram Ola: Co-operation, Integrated Rural Development, Special Scheme Organisation, Forests and National Rural Employment Programme (all independent charge) and Soldier Welfare Department (independent charge); and **Shri Ghoga Ram Bakolia:** Social Welfare, Tribal Area Development and Jails (all independent charge)⁴⁷

⁴⁶. *Hindu*, 8 March, 1985.

⁴⁷. *Ibid*, 11 and 12 March, 1985 and *Patriot*, 12 March, 1985.

New Speaker: The former Chief Minister, Shri Heera Lal Deopura was unanimously elected Speaker of the Assembly on 20 March. His name was proposed by the Chief Minister, Shri Harideo Joshi and seconded by Shri Gulab Singh Shaktawat, Minister for Irrigation.⁴⁸

SIKKIM

General elections: Elections for the 32-member Legislative Assembly were held on 5 March. The Sikkim Sangram Parishad got a massive mandate with 30 seats. The Congress(I) party and Independents got 1 seat each.⁴⁹

New Ministry: Shri Nar Bahadur Bhandari, leader of Sikkim Sangram Parishad, assumed the office of Chief Minister on 8 March, ending the 10-month-old President's rule. Ten other Ministers were also sworn in along with the Chief Minister by Governor, Shri K. Prabhakar Rao on the same day. They *inter alia* included:

Cabinet Ministers:

Sarvashri Chamla Tshering, P. B. Gurung, Dorjee Shering Bhutia, Padamlal Gurung and K. N. Upreti.⁵⁰

New Speaker and Deputy Speaker: Shri T. R. Sharma was unanimously elected as Speaker on 19 March. Shri Sharma's name was proposed by Shri Chamla Tshering Blautee and seconded by Shri Sanchaman Subba.

The same day Shri Ram Lepcha was elected Deputy Speaker.⁵¹

TAMIL NADU

New Ministry: AIADMK leader, Shri M. G. Ramachandran was sworn in on 10 February as Chief Minister by Governor, Shri S. L. Khurana. Sixteen more Ministers were sworn in on 14 and 15 February. The Cabinet was expanded further with the induction

⁴⁸ *Hindustan Times*, 21 March, 1985.

⁴⁹ *Hindu*, 8 March, 1985.

⁵⁰ *Indian Express*, 9 March, 1985.

⁵¹ Information received from Sikkim Legislative Assembly Secretariat.

of seven Ministers on 3 March and one Minister on 16 March. The allocation of the portfolios was as follows:

Cabinet Ministers:

Shri M. G. Ramachandran, Chief Minister: *Industries, Home, Police, Planning, Commercial Taxes, Science and Technology and General Administration*; Shri V. R. Nedunchezian: *Finance*; Shri S. Ramachandran: *Electricity*; Shri R. M. Veerappan: *Information, Tourism and Hindu Religious Endowments*; Shri K. A. Krishnaswamy: *Labour, now added to Dairy Development*; Shri C. Aranganayagam: *Education*; Dr. K. Kalimuthu: *Agriculture*; Dr. H. V. Hande: *Environmental and Pollution Control, added to Health*; Shri C. Ponnaiyan: *Law*; Shri S. Muthuswamy: *Transport*; Shri S. Thirunavukkarasu, *Food, Price Control and Census*; Shrinati Gomathi Srinivasan: *Nutritious Meal Scheme*; Shri M. R. Govendhan: *Fisheries*; Shri Vijayalakshmi Palaniswamy: *Handlooms*; Shri K. K. S. S. R. Ramachandran: *Co-operation and Rural Industries*; Shri Y. M. S. Yusuf: *Irrigation and Wakf*; Shri R. Soundararajan: *Local Administration*; Shri K. Rajaram: *Industry*; Shri V. V. Swaminathan: *Handlooms*; Shri T. Veerasamy: *Commercial Taxes*; Shri N. Nallusamy: *Housing*; Shri Anoor Jagadeesan: *Rural Industries*; Shri T. Ramaswamy: *Rehabilitation and Employment*; R. Arunachalam: *Harijan Welfare* and Shri P. U. Shammugham: *Municipal Administration*.⁵²

New Speaker and Deputy Speaker: Sarvashri P. H. Pandian and V. P. Balasubramaniam were unanimously elected Speaker and Deputy Speaker respectively of the Legislative Assembly on 27 February.⁵³

UTTAR PRADESH

Election to Legislative Council: Chief Minister, Shri Narayan Dutt Tiwari was declared elected unopposed to the Legislative Council on 16 January. He was sworn in as member of the House on 22 January.⁵⁴

⁵² *Hindu*, 11 and 15 February, 1985; *Hindustan Times*, 15 February and 17 March, 1985; *Times of India*, 16 February, 1985; and *Indian Express*, 4 March, 1985.

⁵³ *Hindu*, 28 February, 1985.

⁵⁴ *Times of India*, 17 January, 1985; and *Statesman*, 23 January, 1985.

General elections: Elections for the 425 seats of the Legislative Assembly were held on 2 and 5 March. The ruling Congress(I) got an absolute majority by winning 268 seats. The Lok Dal emerged as the main opposition party by winning 85 seats. The seats won by other parties were as follows: Janata Party-18; BJP-16; CPI-5; CPI(M)-3; Congress(J)-4 and Independents-23. Elections in three constituencies were countermanded.⁶⁵

New Ministry: Shri Narain Dutt Tiwari was sworn in as Chief Minister on 11 March by Governor, Shri C. P. N. Singh. Thirty-two more Ministers were sworn in on 13 March. The allocation of portfolios was as follows:

Cabinet Ministers:

Shri N. D. Tiwari, Chief Minister: *General Administration, Home, PWD, Hill Development, Urban Development, Planning, Finance, Justice, Forests, Cane Development, Technical Education, Industries, Information and National Integration*; Shri Ajit Pratap Singh: *Excise and Prohibition*; Shri Arun Kumar Singh: *Co-operation*; Shri Narendra Singh: *Agriculture*; Shri Baldeo Singh Arya: *Revenue*; Shrimati Beni Bai: *Animal Husbandry*; Shri Ram Ratan Singh: *Parliamentary Affairs*; Shri Vasudeo Singh: *Food and Civil Supplies*; Shri Saidul Hasan: *Labour*; Shri Sunil Shastri: *Power*; Shri Raghuvir Singh Yadav: *Jail and Political Pensions*; Shri Lokpati Tripathi: *Medical Health and Family Welfare*; Shri Vir Bahadur Singh: *Irrigation*; Shri Shyam Surat Upadhyaya: *Rural Development*; Shri Sibte Razi: *Education and Waqf*; Shri Sanjay Singh: *Transport*; and Shrimati Swaroop Kumari Bakshi: *Harijan and Social Welfare*.

Ministers of State:

Shri Indrajeet: *Harijan and Social Welfare*; Shri Sankata Prasad Shastri: *Education*; Shri Surendra Singh: *Rural Development*; Shri Hukam Singh: *Agriculture*; Shrimati Shukhada Misra: *Power*; Shri Manpal Singh: *Food and Civil Supplies*; Shri Daljit Singh: *Animal Husbandry*; Shri Deepak Kumar: *Co-operation* and Shri Shafi-ur-Rahman Ansari: *Industries*.

⁶⁵ *Hindu*, 8 March, 1985; *Tribune*, 12 March, 1985; and *Times of India*, 26 March, 1985.

Other Ministers of State, Sarvashri Gulab Singh, O.P. R'charia, P. K. Sharma, Surendra Singh Chauhan, Gauri Shankar and Zafar Ali Naqui and Shrimati Padma Seth were attached to the Chief Minister.⁵⁶

New Governor: Former Union Deputy Minister for Works and Housing, Shri Mohammed Usman Arif was appointed Governor on 12 March, in succession to Shri C. P. N. Singh. He was sworn in on 31 March.⁵⁷

New Speaker: Shri Nias Hasan was unanimously elected as Speaker of the Assembly on 15 March.⁵⁸

UNION TERRITORIES

ARUNACHAL PRADESH

New Ministry: Shri Gegong Apang was sworn in as Chief Minister on 2 January by the Lt. Governor, Shri T. V. Rajeshwar. Six more Ministers were sworn in on 7 January. The allocation of the portfolios was as follows:

Cabinet Ministers:

Shri Gegong Apang, Chief Minister: *All the portfolios not allotted to other Ministers;* Shri Todak Basar: *Agriculture and Rural Works Development;* Shri Tsering Tashi: *Finance and Planning, Law, Labour and Parliamentary Affairs;* Shri Khapriso Krong: *Health, Family Planning and Information and Public Relation;* and Shri Tadak Dulom: *Supply and Transport, Panchayat Raj and Local Self Government.*

Deputy Ministers (Independent Charge):

Shri Techi Takar: *Veterinary and Animal Husbandry, Poultry and Dairy Development;* and Shri Mukut Mithi: *Forests.*⁵⁹

⁵⁶ *Statesman*, 12 March, 1985; and *Times of India*, 14 March, 1985.

⁵⁷ *Hindustan Times*, 13 March, 1985, and 1 April, 1985.

⁵⁸ *Times of India*, 16 March, 1985.

⁵⁹ *Hindustan Times*, 3 January 1985; and *Times of India*, 8 January, 1985.

Election of Speaker: Shri T. L. Rajkumar was re-elected Speaker of the Legislative Assembly on 23 March, defeating Shri Kapchen Rajkumar by 16 votes to 13. On the same day Shri Chera Talo was elected Deputy Speaker.⁶⁰

GOA, DAMAN AND DIU

New Ministry: A three-member Congress (I) Ministry, headed by Shri Pratap Singh Rane was sworn in on 8 January. The other two Ministers were Sarvashri Sheikh Hassan Haroon and Francisco Sardinha.⁶¹

New Speaker and Deputy Speaker: Shri Dayanand Narvekar was unanimously re-elected Speaker of the Legislative Assembly on 20 January.

Shri Samajibhai Solanki was elected Deputy Speaker, of the Assembly on 21 January, 1985.⁶²

PONDICHERRY

Resignation by Speaker: Shri M.O.H. Farook resigned, on 26 January, from the Speakership of the Legislative Assembly to contest the Assembly elections.⁶³

General elections: Elections for the 30-member Legislative Assembly were held on 5 March. The Congress (I) got 15 seats followed by the AIADMK with 6 seats. The seats won by other parties were as follows: DMK-5; Janata Party-2 and Independents-2.⁶⁴

New Ministry: Shri M.O.H. Farook, former Speaker of the Legislative Assembly, was sworn in as Chief Minister on 17 March by the Lt.-Governor, Shri T. P. Tewary. Four other Ministers

⁶⁰ Information received from the Arunachal Pradesh Legislative Assembly Secretariat.

⁶¹ *Statesman*, 9 January, 1985.

⁶² *Hindustan Times*, 21 January, 1985; and *Times of India*, 22 January, 1985.

⁶³ *Hindu*, 27 January, 1985.

⁶⁴ *Ibid.* 8 March, 1985.

were also sworn in alongwith the Chief Minister. The allocation of portfolios was as follows:

Cabinet Ministers:

Shri M. O. H. Farook, Chief Minister: *Cabinet, Home, General Administration, Department of Personnel and Administration, Finance, Planning, and Law and Revenue*; Shri V. Vaithialingam: *Public Works, Electricity, Port, Fisheries, Administration of Hindu Religious Institutions and Endowments*; Shri P. Kannan: *Health and Welfare, Community Development, Industries and Housing*; Shri Govindarajan: *Agriculture, Animal Husbandry, Food and Civil Supplies*; and Shri L. Joseph Mariadoss: *Labour, Co-operation and Tourism*.⁶⁵

New Speaker and Deputy Speaker: Shri Parasurama Varapasada Rao Naidu was unanimously elected Speaker of the Assembly on 27 March.

Shri N. Chandrakasu was unanimously elected Deputy Speaker of the Assembly on 29 March.⁶⁶

DEVELOPMENTS ABROAD

BANGLADESH

New Cabinet: President H. M. Ershad appointed a new seven-member Cabinet on 17 January, comprising of entirely military officers. Earlier, he dissolved his Cabinet on 15 January as the first step in his plan to restore democracy in the country through parliamentary elections. President Ershad appointed four more civilian Ministers in his cabinet on 19 January.⁶⁷

Referendum for Presidentship: President H. M. Ershad won a 97 per cent affirmative vote in a nation-wide referendum on 21 March. The victory gave the Army Chief the right to remain President till general elections were held.⁶⁸

BARBADOS

New Prime Minister: Deputy Prime Minister, Mr. Bernard St. John, took over as Prime Minister on 11 March following the death of Mr. Tom Adams.⁶⁹

⁶⁵ *Times of India*, 18 March, 1985.

⁶⁶ *Hindu*, 28 March, 1985; and *Times of India*, 30 March, 1985.

⁶⁷ *Times of India*, 16 and 20 January, 1985; and *Tribune*, 18 January, 1985.

⁶⁸ *Hindustan Times*, 22 March, 1985.

⁶⁹ *Indian Express*, 13 March, 1985.

BRAZIL

New President: The Opposition candidate, Mr. Tancredo Neves was elected as the first civilian President in 21 years on 15 January.⁷⁰

CHILE

Resignation by Cabinet: All the 18 members of the Cabinet resigned on 11 February, allowing President Augusto Pinochet to re-organise his military Government.⁷¹

GREECE

New President: The Socialist Government's nominee, Mr. Christos Sartzetakis was elected President on 29 March by the Parliament. Earlier, Mr. Constantin Karamanlis resigned from the Presidency on 10 March following the Socialist Government's refusal to back him for re-election. Mr. Sartzetakis was sworn in on 31 March.⁷²

KAMPUCHEA

Election of Prime Minister: Foreign Minister, Mr. Hun Sen, was elected Prime Minister on 14 January.⁷³

NICARAGUA

New President: Mr. Daniel Ortega was sworn in as the President on 11 January.⁷⁴

PAKISTAN

Dissolution of Cabinet: President Zia-ul-Haq dissolved his Cabinet on 26 February as seven of his federal Ministers lost in the general elections, held on 25 February.⁷⁵

Dissolution of Federal Council: President Zia-ul-Haq dissolved Majlis-i-Shoora (Federal Council) on 28 February following elections to the National Assembly.⁷⁶

⁷⁰ *Free Press Journal*, 16 January, 1985.

⁷¹ *Tribune*, 13 February, 1985.

⁷² *Times of India*, 11 and 30 March, 1985; and *Hindu*, 1 April, 1985.

⁷³ *Indian Express*, 15 January, 1985.

⁷⁴ *Statesman*, 12 January, 1985.

⁷⁵ *Hindu*, 26 and 27 February, 1985.

⁷⁶ *Free Press Journal*, 1 March, 1985.

New Prime Minister: On 21 March, President Zia-ul-Haq announced in the National Assembly the selection of Mr. Mohammed Khan Junejo, a member of the Assembly from Sind, as the new Prime Minister.⁷⁷

Swearing-in of President: Gen. Zia-ul-Haq assumed the office of an elected President with martial law still in force. He was sworn in as President for five years on 23 March.⁷⁸

ROMANIA

Election of President: On 31 March, the newly-constituted Parliament re-elected Communist Party leader, Mr. Nicolae Ceausescu as Head of State for another five-year term.⁷⁹

SINGAPORE

Resignation by President: President V. V. Devan Nair resigned on 28 March because of ill health.⁸⁰

SOUTH KOREA

New Cabinet: President Chun Doo-Hwan named, on 18 February, Mr. Ibo Shin-Yung, former Foreign Minister, to head a new Cabinet following the resignation of the Cabinet, headed by Mr. Chin-Lee-Chong.⁸¹

SYRIA

Re-election of President: President Hafez Assad, the only candidate for the office of President, was re-elected on 11 February for a third term, securing 99.97 per cent of the votes.⁸²

USA

Swearing in of President and Vice-President: Mr. Ronald Reagan and Mr. George Bush were sworn in as President and Vice-President respectively for a second term on 20 January.⁸³

⁷⁷ *Indian Express*, 22 March, 1985.

⁷⁸ *Statesman*, 24 March, 1985.

⁷⁹ *Hindu*, 1 April, 1985.

⁸⁰ *Times of India*, 29 March, 1985.

⁸¹ *Indian Express*, 19 February, 1985.

⁸² *Times of India*, 12 February, 1985.

⁸³ *Hindustan Times*, 21 January, 1985.

USSR

Death of President: President Konstantin Chernenko passed away on 10 March at the age of 73 after a long illness.

Mr. Mikhail Gorbachov was unanimously elected as the new **General Secretary of the Communist Party**⁴⁴

⁴⁴ *Times of India*, 12 March, 1985

DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY
INTEREST

[The Government of Union Territories (Amendment) Bill, 1985, providing for disqualification on ground of defection for being a member of the Legislative Assembly of a Union Territory, was passed by Lok Sabha on 26 March, 1985 and by Rajya Sabha on 27 March, 1985. It received President's assent on 29 March, 1985.

We reproduce below the text of the Act.

— Editor

THE GOVERNMENT OF UNION TERRITORIES (AMENDMENT)
ACT, 1985

An Act further to amend the Government of Union Territories Act, 1963.

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title:* This Act may be called the Government of Union Territories (Amendment) Act, 1985.

2. *Amendment of section 13:* In the Government of Union Territories Act, 1963 (hereinafter referred to as the principal Act), in section 13, in clause (a) of sub-section (2), for the word and figures "section 14", the words, figures and letter "section 14 or section 14A" shall be substituted.

3. *Insertion of new section 14A:* After section 14 of the principal Act, the following section shall be inserted, namely:—

Disqualification on ground of defection for being a member:
"14A. The provisions of the Tenth Schedule to the Constitution shall, subject to the necessary modifications (including modifications for construing references therein to the Legislative Assembly of a State, article 188, article 194 and article 212 as references, respectively, to the Legislative Assembly of a Union Territory, section 11, section 16 and section 37 of this Act), apply to and in relation to the members of the Legislative Assembly of a Union Territory as they apply to and in relation to the members of the Legislative Assembly of a State, and accordingly,—

- (a) the said Tenth Schedule as so modified shall be deemed to form part of this Act; and
 - (b) a person shall be disqualified for being a member of the Legislative Assembly of a Union Territory if he is so disqualified under the said Tenth Schedule as so modified."
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SESSIONAL REVIEW

EIGHTH LOK SABHA

SECOND SESSION

The second Session (Budget Session) of the Eighth Lok Sabha commenced on 13 March, 1985. A brief resume¹ of the important discussions held and other business transacted up to 15 April, 1985 is given below:

A. DISCUSSIONS

Railway Budget: Presenting the Railway Budget for the year 1985-86 on 14 March, 1985, the Minister of Railways, Shri Bansi Lal stated that in the context of scarcity of resources, determined effort would be made to bring about a 'significant improvement' in the functioning of all aspects of the Railways. The policy thrust of the Seventh Plan, therefore, would be to block leakage of revenue, enforcement of a series of economic measures, enlarging the areas of modernisation of operation and optimum utilisation of assets for higher productivity, speeding up of existing works, sound system of management information by using computers and increase of man-power productivity by limiting increase in staff strength.

The Minister stated that with a target of 250 million tonnes of revenue earning traffic and an increase of 2 per cent in non-suburban and 4 per cent in suburban passenger traffic over the traffic of current year 1984-85, the gross traffic receipts at current fares and freight for the year 1985-86 were estimated at Rs. 5,674 crores and the total expenditure including contribution to the Depreciations Reserve Fund and Pension Fund were estimated at Rs. 5,615 crores.

As the net revenue was insufficient for meeting the dividend liability of Rs. 512 crores, the Minister proposed additional annual revenue of Rs. 495 crores from the passenger traffic and goods traffic to meet the liability.

The Railway Budget was discussed in the House on 18, 19 and 20 March, 1985. Initiating the discussion, Shri S. M. Bhattam advocated the abolition of the present system of having a separate Budget for Railways. Professor Madhu Dandavate wanted the Planning Commission to provide more allocations for Railways in view of the latter providing infrastructure for the economic development of the country. He also suggested that States should be asked to enact legislation making the employers to bear a part of the cost of travel of their employees in suburban areas.

Winding up the discussion in which 44 other members* participated, the Minister of Railways, Shri Bansi Lal announced a reduction in the proposed levy of surcharge of twelve and half per cent on all classes of passengers tickets to 10 per cent.

Commenting on a suggestion by a member regarding abolition of present system of a separate Railway Budget, the Minister stated that separation of the Railway Finances from the General Finances was made by a resolution, adopted by the Legislative Assembly in 1924 with an idea of maintaining unimpaired control of the Parliament on Railway Finances and ensuring to General Finances a fair return of the money, invested by the Government. Those considerations still hold good, said the Minister.

Referring to the observation made by several members over the low allotments made in respect of some of the railway projects in their States, Shri Bansi Lal said that Railways had to be guided

*Other members who took part in the discussion were: S. Ravishri Sharmad Shankar, Dighe M.R., Janardhanan, Priya Ranjan Das Munshi, Basudeb Acharya, D.L. Baitha, Ram Singh Yadav, N. rain Chand Parashar, Narayan Choubey, Kamal Prasad, Kuchan Gangadhar Sidramappa, Mahabir Prasad, N.V.M. Somu, Balkavi Bairagi, G.L. Dogra, Chintamani Panigrahi, Uttam Rathod, Ajaynarayan Mushran, D.N. Reddy, R. Jeevarathinam, G.M. Banawatkar, Aithabathuzala Jogeswara Venakata Butchi Maheswara Rao, Sribillav Panigrahi, Jagannath Choudhary, Ram Bhagat Paswan, P. Kolandaivelu, Saif-ud-Din Soz, S. Singaravelu, Taur Bala Goud, Manavendra Singh, George Joseph Mundackal, Tejshwar Singh, V. Tulsiram, V.S. Krishna Iyer, Bhola Nath Sen, Vijay N. Patil, Kishore Chandra S. Das, Keyur Bhushan, A.K. Patel, V.S. Vijayaraghavan, Chittaranjan Mahata, Kumari Mamta Banerjee, Smt. Krishna Saha, Smt. Chandra Bhanu Devi and Smt. Jayanti Patnaik.

in such matters by the Planning Commission, who took an overall view of the transport requirements and development of the country. However, in drawing up priorities, importance had been given to track-renewals and electrification and in the case of reduction of allocations, it had been done under the guidelines indicated in his Budget speech and done in a judicious manner so that project-oriented lines, strategic lines and works in an advanced stage of progress were not very adversely affected.

Recent espionage activities: Making a statement on 14 March, 1985, in response to a Calling Attention Notice by Shri Braja Mohan Mohanty, the Minister of Home Affairs, Shri S. B. Chavan informed the House that investigations had revealed the existence of a well organised conspiracy, trading in information vital to the security of the country. Their operations appeared to have begun for collecting commercial intelligence in the beginning and later on branched into areas having direct relevance to the security of the country. Consequent on the detection of the case, the Government, he added, had initiated a series of measures to ensure the security and secrecy of classified documents in the various Ministries and Departments. The matter had been gone into at the highest levels and a Committee had been constituted to streamline security procedures, in particular, to go into the treatment and handling of all classified information. The investigations, Shri Chavan added, were still in progress and on its successful completion appropriate action, would be taken against all those responsible for the leakage and espionage activities.

Situation in Sri Lanka: Making a statement on 15 March, 1985, the Minister of State in the Ministry of External Affairs, Shri Khursheed Alam Khan informed the House that the situation in Sri Lanka continued to be tense and its fall out on India had been severe. More than 15,000 had arrived in India over and above the 50,000 who had been here since July, 1983. While temporary shelter and food were being provided to the refugees, the Government, he said, had conveyed to the Sri Lankan Government that there should be no army excesses and also to ensure that no more refugees came to India and that conditions be created so that refugees now in India could return to their country in honour and safety, capable of pursuing their peaceful avocations.

Shri Khan stated that in the past few months, there had been incidents in the Palk Straits, where Indian fishermen had been killed, injured or arrested. The Government had expressed concern

to the Sri Lankan Government in the strongest possible terms, and sought compensation for the loss of lives and property. Full protection was being provided to the fishermen inside Indian maritime zone and Coast Guard and Naval patrolling had been intensified to ensure the safety and security of Indian citizens.

In the wake of continued unstable situation in Sri Lanka, Shri Khan felt that it would be unwise to enter into an exchange of re-criminations. The Government, he added, continued to believe that only a political solution within the framework of Sri Lanka's unity, sovereignty and territorial integrity, acceptable to all concerned could resolve the ethnic problem.

The Foreign Secretary of India had visited Sri Lanka during March, 1985 under instructions of Prime Minister. In a statement made about his visit on 29 March, 1985, Shri Kursheed Alam Khan told the House that the objective of his visit was to exchange views on both international and bilateral issues. In the course of his meetings with Sri Lankan leaders, the ethnic problem in Sri Lanka was discussed in detail. The Foreign Secretary conveyed to Sri Lanka leaders India's anxiety in regard to aspects of the situation in Sri Lanka that had repercussions in India. Those included the question of refugees and the latest influx and the plight of fishermen. He had emphasised that conditions must be created for refugees to go back to Sri Lanka in safety and with honour. He also raised other matters such as that of stateless individuals of Indian origin. The Minister said that the Foreign Secretary during his talks had urged that an immediate solution acceptable to all concerned must be found to the ethnic problem with a view to redressing the legitimate grievances of the Tamil community and that should be achieved through negotiations.

Shri Khan reiterated that India, on her part, had affirmed her support to the independence, integrity, unity and non-aligned status of Sri Lanka and offered her cooperation towards Sri Lanka's development. The meeting of the legitimate aspirations of the Tamils was obviously the responsibility of the Sri Lankan leadership and they had assured that they were more keenly aware of it than anyone, as also of the gravity of the challenge and their responsibility to meet it.

Shri Khan added that normal commerce between the two countries was being strengthened and it had also been agreed to start a shipping service between Colombo and Tuticorin. It had also been

agreed that there would be regular consultation and contracts at official level on a wide spectrum of issues including the present problem to maintain and consolidate the traditional and friendly relations.

General Budget: Presenting the General Budget for the year 1985-86 on 16 March 1985, the Finance Minister, Shri Vishwanath Pratap Singh said that the main task was to consolidate the gains of the past and give a new thrust to the movement for increasing productivity while at the same time ensuring financial and monetary stability. In the public sector, the priority was to ensure that there was sufficient generation of resources for its future growth. The Government, he added, would introduce a comprehensive scheme of crop insurance for wheat, paddy, oilseeds and pulses and a social security scheme in 100 districts initially to benefit landless labour, marginal and small farmers and traditional craftsmen not covered by any insurance scheme.

The Budget included the total receipts for 1985-86 at Rs. 47,635 crores as against the estimated expenditure of Rs. 51,295 crores. Thus the overall budgetary gap at the existing rate of taxation would be Rs. 3,660 crores. The various tax measures together with reliefs and concessions proposed in the Budget would yield an additional revenue of Rs. 311 crores to the Centre. The Budget would leave an uncovered deficit of Rs. 3,349 crores, which was reasonable and he hoped that various policies and measures proposed in the Budget would further stimulate the economy and contribute to the welfare of the common man.

The general discussion on the Budget was held on 21, 22, 23 and 25 March, 1985. Initiating the discussion, Shri C. Madhav Reddy said that the common man had not been benefitted by tax reliefs. He demanded adequate allocation for steel projects in general and the Visakhapatnam Steel Plant in particular. Shri S. S. Oweise suggested formation of a separate Ministry to look after the affairs of minorities. Shri Indrajit Gupta felt that the budget had a tremendous inflationary potential.

Intervening in the discussion, the Minister of State in the Ministry of Finance, Shri Janardhana Poojary said that the Government had not given up the policy of self-reliance and its dependence on foreign assistance was to the tune of only 7 per cent. He denied the allegation that the Centre had been showing step-motherly treatment to States in the matter of Plan outlays. The fact was

that Plan outlays for the States had been increased by 39 per cent. Subscribing to the views expressed by some members that the Government was favouring trade and industry, the Minister observed that it had to take care of the people in trade, industry, labour, farmers, as well as common men and the poorest among the poor, who were living below poverty line. In regard to the criticism about hike in the price of petroleum products, Shri Poojary stated that it was due to change in the exchange rate and the country had to pay Rs. 1,000 crores more. The inflation, the Minister contended, could be contained by good management of economy.

Participating in the resumed discussion on 25 March, 1985, Dr. Datta Samant urged the Government to declare the textile policy as early as possible. He suggested that agricultural income tax should be imposed on all the rich cultivators.

Replying to the discussion in which 99 other members* participated, the Minister of Finance and Commerce, and Supply, Shri Vishwanath Pratap Singh said that in the background of ample food-grain stocks and comfortable foreign exchange, he had opted to go

* Other members who took part in the discussion were : Sarvashri B.R. Bhagat, Brahma Dutt, Sonunath Ruth, Hunnan Mollah, Banwarilal Bhagwandas Purohit, G.P. Thakur, P. Selvendran, G.S. Rajhans, Umakant Mishra, Mehendra Singh, Vijay Pratap Singh, Jagannath Patnaik, Naresh Chandra Chaturvedi, H.M. Patel, Zainul Basher, Krupasindhu Bhoi, Virdhi Chander Jain, George Joseph Mundaykal, J. Rama Rai, Yogeshwar Prasad Yogesh Bolla Bulli, Ramaiah, Digvijay Singh, Ram Pyare Panika, S. Palakondrayudu, Manoran. J n Bhakta, A. Kalanidhi, Manoj Kumar Pande, Atish Chandra Sinha, Y.S. Mahajan, Vakkom Purushothaman, R. Anna Numbi, Kazi Jalil Abbasi, Amal Datta, Jagannath Rao, K. Pradhani, Tariq Anwar, Abdul Rashid Kabuli, Pratap Bhanu Sharma, Raj Kumar Rai, Rameshwar Neekhra, Chandupatla Janga Reddy, Chimata Sambu, Mukul Balkrishna Wasnik, M.R. Janardhanan, Tarun Kanti Ghosh Amar, Roy Pradhan, Bharat Singh P.A. Antony, K. Ramachandra Reddy, Dharam Pal Singh, Mohd. Ayub Khan, S.B. Sirdal, Vadde Sobhanadreeswara Rao, G. K. Kuppaswamy, R. Jeeverathinam, Madan Panday, Saif-ud-Din ez. Ram Samujhawan, Chandra Shekhar Tripathi, Ram Pujan Patel, Ramashray Prasad Singh Harihar Soren, Asutos Law, Appayyadora Hanmunttu, A. Charles, L. Jiteshwar Prasad Shrihi, K.P. Unnikrishnan P. Chidambaram V.S. Krishna Iyer, Hafiz Mohd. Siddiq, Lal Dujma, Shantaram Potdukhe, Shantaram Naik, P. Shanmugam, Banwari Lal Bairwa, K. G. Adiyodi, Kali Prasad Pandey, Ajit Kumar Panja, Bhervadan K. Gadnavi, Anandi Charan Das, Balram Singh Yadava, G.H. Siharai Rao, Ramdeo Rai, S.G. Gholap, Ram Rattan Ram and Mool Chand Daga, Smt. Rajendra Kumari Bajpai, Smt. Premalabai Chavan, Smt. Nirmala Kumari, Smt. Basava Rajeswari, Begum Abida Ahmed, Kumari D.K. Tara Devi, Smt. Madhuri Singh Smt. Kesharbai Kshirsagar, Smt. Sunderwati Nawal Prabhakar, Smt. Vijayantymala Bali, Smt. Sheila Dixhit, Smt. Prabhati Gupta and Smt. Phulrenu Guha.

in for a manageable deficit and carry out the needs of tax reforms and also maintain the thrust for development for protecting the plan. The general approach to tax structure reform had been for growth, productivity, savings and better compliance to taxes. The Budget, he emphasised, contained the economic philosophy of the new Government and was an expression of faith. The Government was addressing itself to the economy for its growth and giving it an impetus compatible with the national priorities. On the concessions given to industries and the private sector, Shri Singh stated that the agricultural sector was unable to absorb unemployed youth and that was why an impetus was given to industry to provide some jobs to the people. The basic thing behind the proposals was giving of employment and distribution of income. Allocation for the 20-Point Programme had been raised by 18.3 per cent and many schemes to benefit farmers and workers introduced. Dealing with the criticism about increase in petroleum prices, Shri Singh informed the House that petroleum products were a heavy drain on foreign exchange and they formed a bulk item of imports. The Government had decided that petroleum products should be conserved and not wasted. The Minister maintained that non-Plan expenditure was not a wasteful expenditure. The Government, he added, would soon come up with a long term fiscal policy co-terminous with the Plan and would be able to formulate a direction and policy that would be useful for the national good. In deference to the wishes of members, the Minister announced exemption of agricultural implements including power-operated implements from levy of excise duty or tax and provided relief to the farm sector and the poor sections of the people by reducing the prices announced earlier in respect of high speed diesel and kerosene.

Conflict between Iran and Iraq: Making a statement on 21 March, 1985, the Prime Minister, Shri Rajiv Gandhi expressed serious concern at the escalation in the tragic conflict which had been going on between two fellow non-aligned countries, Iran and Iraq, for more than four and a half years. The most unfortunate recent development had been the extension of hostile operations by both countries to civilian targets and residential areas with direct attacks even on capital cities and many other urban centres resulting in the loss of civilian lives. There were also allegations of the use of chemical weapons. India's endeavour, Shri Gandhi said, had been to persuade the two countries to cease hostilities and resolve differences through negotiations and peaceful means. Last week, he had sent personal appeal to the Presidents of Iran and Iraq for cessation of

hostilities and stoppage of attacks on civilian targets. It had been followed up by sending special emissaries to Iran and Iraq with his personal messages to the two Presidents. Seeing no sign of abatement in the hostilities, he had sent a high-level delegation headed by the Minister of State in the Ministry of External Affairs, Shri Khursheed Alam Khan to visit the two capitals and urge upon the two Presidents, in India's name as well as in the names of all fellow non-aligned members, to immediately agree on reciprocal basis to cease hostile attacks against civilian targets as a first step to complete cessation of hostilities, to exchange prisoners of war and also not to attack civilian ships in the Gulf.

Ahmedabad communal riots: Making a statement on 21 March, 1985, the Minister of Home Affairs, Shri S. B. Chavan informed the House that the anti-reservation agitation started by students in Gujarat since the middle of February 1985, against increase in reservation for other backward classes in medical and technical courses, which was, by and large, peaceful in the beginning, had later resulted in two violent incidents. Immediately after the formation of the new Ministry, the State Government had announced that the proposed increase in reservation would not be implemented in the ensuing academic year 1985-86. Despite that, the Anti-Reservation Action Committee had given a call for "Gujarat bandh" on 18 March, 1985 and there had been an incident of stone throwing within the walled city of Ahmedabad which, unfortunately, had taken a communal turn. Anti-social elements had indulged themselves in arson and looting which suddenly spread to other parts of the walled city. These unfortunate incidents had resulted in seven deaths and injury to about 42 persons. The State Government, Shri Chavan added, had acted with considerable promptness and dealt the situation with the right degree of firmness and had taken all possible measures to restore normalcy. He also hoped that the student community of Gujarat would call off the agitation and contribute to the restoration of normalcy in Ahmedabad and ensure that there was no breach of peace elsewhere in the State.

Need to ensure remunerative prices for agricultural produce: Raising a discussion on 21 March, 1985, Professor Madhu Dandavate urged the Government to treat agriculture as an industry and provide the same concessions and facilities to the agriculturists which were available to industry. He also demanded announcement of support price before the sowing season, restructuring of the Agricultural Prices Commission to include representative of farmers and parity between the prices of agricultural and industrial goods.

Replying to a brief discussion, in which eight members* participated, the Minister of Agriculture and Rural Development, Shri Buta Singh said that the main objective of the Government's price policy for agricultural produce was aimed at ensuring the remunerative prices to the growers for their produce with a view to encouraging them for higher investment, and adoption of improved technology for raising productivity of their resources, increasing production and at the same time safeguarding the interests of consumers by making available supplies at reasonable prices. The support price, he pointed out, had a positive effect on the growth of agricultural sector and the Government had decided the support price for various agricultural commodities taking into account the recommendations of the Commission for Agricultural Costs and Prices, the views of the State Governments and Central Ministries as well as such other relevant factors important for fixation of support prices. The impact of pricing policy of the Government, he claimed, had gone far to help the farmers in raising food production. Dealing with a reference about the facilities being provided to the agriculturists and to the industrialists, Shri Buta Singh said that besides charging the lower rate of interest of 11.5 per cent from the farmers as against 12 to 17 per cent from the industries, the institutional credit provided by the network of banks through the co-operative system was helping the farmers. Some of the important inputs of farmers such as electricity and water for irrigation were supplied to them at subsidised rates.

Continuance of President's rule in Punjab: On 25 March, 1985, moving that the resolution seeking approval to continuance of Presidential Proclamation in respect of Punjab and the National Security (Amendment) Bill be taken for consideration, the Minister of Home Affairs, Shri S. B. Chavan said that the existing Proclamation would cease to be in force after 5 April, 1985. The Government was constantly reviewing the situation and wished that an elected Government would take office as soon as the situation permitted. Though the situation in Punjab had improved during the past few months, yet the extremist elements continued to indulge in sporadic acts of violence and anti-national activities. A Cabinet Sub-committee, consisting of three senior Ministers, which had been formed to study the Punjab problem and to look at the alternatives for a peaceful

* Members who took part in the discussion were : Sarvashri N.G. Ranga, Vadde Sobhanadreeswara Rao, Rajesh Pilot, Uttam Rathod, Zainul Abedin, Ghintamani Jena, P. Selvendran and D. B. Patil.

settlement, was currently looking into various aspects of the matter. A number of Akali leaders had been released recently in furtherance of the above objective and it was hoped that this gesture on the part of the Government would lead to the creation of a more congenial atmosphere in the State and would evoke positive response from Akali leadership. However, the situation in the State needed to be closely watched and, therefore, it was necessary to continue President's rule for a further period of six months.

Regarding National Security Act, 1980, Shri Chavan stated that the circumstances which had necessitated the insertion of Section 14A of the Act in 1984, by and large, continued to exist at present and it was, therefore, necessary to amend the provisions of the Act so as to bring within its purview persons who might be detained on or after 3 April, 1985 but before 3 April, 1986. The amending Bill was primarily meant to check the activities of anti-national, anti-social and communal elements in the disturbed area.

The House held a combined discussion on the statutory resolution, the National Security (Amendment) Bill and the Punjab Budget, 1985-86, Demands for Grants and Supplementary Demands for Grants. Initiating the discussion, Shri S. M. Bhattam urged the Government to find a permanent solution to the problem by involving all concerned parties and all sections of the people. Participating in the resumed discussion on 26 March, 1985, Shri Indrajit Gupta asked the Government to unilaterally declare its decision on the demands of Chandigarh, water disputes and about the inquiries into the Delhi incidents.

Replying to the discussion in which 16 other members* participated, Shri S. B. Chavan told the House that the Government was deeply interested in finding out a workable and amicable political solution to the problem of Punjab without compromising basic principles, namely, unity and integrity of the country. He fully agreed with the members that extremists and some of their patrons from outside the country indulged in violent activity, whenever they saw some solution or effort towards it. Regarding the Anandpur Sahib

* Other members who took part in the discussion were : Sarvashri Raj Mangal Pande, Brajamohan Mohanty, Saifudin Ghodhury, K.D. Sultanpuri, Zainul B.sher, S. Jaipal Reddy, Priya Ranjan Das, Munsif, Ram Prakash, Ram Nagina Mishra, C. Janga Reddy, Kamson Mejjir lung, V. Tulsiram, Bheeravadan K. Gadhavi, Ramashary Prasad Singh, Vadde Sobhan dreeswara Rao and Sudhir Roy.

resolution, Shri Chavan explained that the Prime Minister was not opposed to the total resolution but a portion of it. The rest was an *Inter-State matter* which could be referred to the Sarkaria Commission. Secessionism would not be tolerated, he said.

Dealing with the demand for holding an enquiry into the Delhi incidents, Shri Chavan stated that the Prime Minister and he were not averse to it, provided there was a finality to the entire problem. The Prime Minister had announced two or three very major things in his meetings in Punjab. The Cabinet Sub-committee, he added, would visit Punjab soon and give opportunity to all the sections of the society who were interested in finding out an amicable solution to this very intricate problem. About releasing the detenus, Shri Chavan stated that those against whom there were no serious criminal charges and were not directly involved would be released after review of their cases.

Replying to the discussion on the Punjab Budget, the Minister of State in the Ministry of Finance, Shri Janardhana Poojary said that the procurement in Punjab formed 56.1 per cent of the total procurement in the country and it was due to the excellent performance of the people of Punjab. Punjab had won cash awards for the best State in family planning and also for better performance in elementary education and adult literacy. The proposed coach factory in Punjab with an investment of Rs. 200 crores, he added, would employ 10,000 people and have the capacity to produce 1,000 coaches per year. So far as the Thein Dam project was concerned, the modalities were being worked out in the Planning Commission to expedite it.

The statutory resolution was adopted. The Bill was passed. All the Demands for Grants (on Account) for Punjab 1985-86 and all the Supplementary Demands for Grants for Punjab 1984-85 were voted in full.

Steps for restoration of normalcy in Punjab: Making a statement on 11 April, 1985, the Minister of Home Affairs, Shri S. B. Chavan informed the House that a Commission of Inquiry headed by a sitting Judge of the Supreme Court would hold a judicial inquiry into allegations in regard to the incidents of organised violence in Delhi following the assassination of the late Prime Minister, Shrimati Indira Gandhi. The Government also decided to lift the ban on the activities of the All India Sikh Students Federation as it understood that majority of Sikh students represented by the Federation were eager to play their part in the building up of a strong and united India.

Recalling the setting up of Special Courts for expeditious trial of persons accused of various offences, Shri Chavan added that the Government had been reviewing cases of persons held in detention and many such persons had already been released. Consequent on the latest review, further releases were being made and the whole situation would be kept under constant review. The Minister also hoped that all concerned with the unity and integrity of India would bend all their energies to find a way out of the present situation in Punjab.

B. LEGISLATIVE BUSINESS

Government of Union Territories (Amendment) Bill, 1985: On 26 March, 1985, moving that the Bill be taken into consideration, the Minister of Home Affairs, Shri S. B. Chavan said that in order to provide for disqualification from membership of Legislative Assemblies of Union Territories on ground of defection, it was proposed to insert a new section 14A in the Government of Union Territories Act, whereby the disqualification on ground of defection contained in the Tenth Schedule of the Constitution would become applicable to the Legislative Assemblies of the Union Territories in the form of a referential provision.

Winding up a brief discussion in which five members* participated, Shri Chavan said that the Government had been under the impression that the initial legislation on defection would become applicable to the Union Territories also. But later it came to know that it was necessary to amend the Union Territories Act for the purpose.

Referring to a suggestion by a member about making applicable the provisions of anti-defection measures to Jammu and Kashmir, Shri Chavan said that article 370 gave some special status to that State. If members were really interested in extending the provisions of the measures passed by Parliament, they were welcome to move such a kind of measure.

The Bill was passed.

Bhopal Gas Leak Disaster (Processing of Claims) Bill, 1985: On 27 March, 1985, moving that the Bill be taken into consideration,

* Members who took part in the discussion were : Sarvashri S.M Bhattam, S. Jaipal Reddy, Abdul Rashid Kabuli, Ram Pyre Panik and G.L. Dogra.

the Minister of Chemicals and Fertilizers and Industry and Company Affairs, Shri Veerendra Patil said that the Bill enabled the Government to assume the exclusive rights to represent and act, whether within or outside India in place of every person who had made or was entitled to make a claim in relation to the disaster and to institute any suit or other proceedings or enter into a compromise as mentioned in the Bill. It also provided for appointment of a Commissioner for the welfare of the victims of the disaster and for the formulation of a scheme to provide for various matters necessary for processing the claims.

Earlier, moving a statutory resolution, regarding disapproval of the Bhopal Gas Leak Disaster (Processing of Claims) Ordinance, Shri C. Janga Reddy demanded the setting up of courts in the country for hearing the cases instead of Government filing cases on claims in a foreign country.

Replying to the discussion in which 17 other members* participated, Shri Veerendra Patil said that the purpose of the Bill was not to decide about the quantum of compensation. The Government was only taking power in respect of three options open to it. One option was to file the cases in Indian courts, the second was to file the cases in American courts and the third was that whatever course the Government took, it should be to the best advantage of the claimants. The interests of claimants or the victims, he added, was uppermost in the mind of the Government of India.

So far as the option of filing the cases in American courts was concerned, Shri Patil informed the House that the Government would shortly take a decision on it. A scheme, he added, had been prepared in consultation with the Ministry of Law to take care of people who had suffered or were suffering and also those who were likely to suffer in future on account of gas leakage tragedy of Bhopal and the same would be placed before the House.

The resolution was, by leave, withdrawn and the Bill was passed.

* Other members who took part in the discussion were : Sarvashri, D.B. Patil, Viridhi Chander Jain, K.N. Pradhan, Bhattam Sreeramamurthy, Chintamani Panigrahi, Mool Chand Daga, Lal V. Jay Pratao Singh, Safiuddin Chowdhury, Girdhari Lal Vyas, Ajay Narayan Mushran, Bal Kavi Bairagi, R. Anna Nambi, Aziz Qureshi, Narayan Choubey K. Ramachandra Reddy, Abdul Rashid Kabuli and K.P. Unnikrishanan.

C. OBITUARY REFERENCES

During the period, obituary references were made to the passing away of Mr. Konstantin Ustinovich Chernenko, President of U.S.S.R., Shri T. Channaiah, member, Constituent Assembly and Provisional Parliament; Sarvashri Deen Bandhu Parmar, Dajiba Ealwantrao Desai, Ganapati Ram and Dr. V. A. Seyid Muhammad, all ex-members. The members stood in silence for a short while as a mark of respect to the deceased.

RAJYA SABHA

HUNDRED AND THIRTY-THIRD SESSION*

The Rajya Sabha met for its Hundred and Thirty-Third Session on 13 March, 1985 and adjourned *sine die* on 29 March, 1985. A resume of some of the important discussions held and other business transacted during the Session is briefly mentioned below:

A. DISCUSSIONS

Outbreak of Meningitis in Delhi and its adjoining areas: On 14 March, 1985, Shri Sushil Chand Mohunta called the attention of the Minister of Health and Family Welfare to death of several persons due to the outbreak of meningitis in Delhi and its adjoining areas and the steps taken by Government in the matter.

Making a statement on the subject, the Minister of Health and Family Welfare, Shrimati Mohsina Kidwai said that since January, 1985, there had been a significant increase in the number of cases admitted to hospitals due to meningitis. The increasing trend had persisted through February and March, 1985 as well. According to available information, the incidence of meningitis cases was 1,652 with 225 deaths from 1 January to 9 March, 1985. The number of cases, from 10 to 12 March, 1985, was 241 with 18 deaths.

As a precautionary measure, a circular letter had been sent from the Director-General of Health Services to all Directors of Health Services of States and Union Territories informing them about the situation and requesting them to take effective preventive measures and to send the necessary feed-back information to the Director, National Institute of Communicable Diseases, Delhi periodically.

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

Only a few reports of incidence of cases due to meningitis had been received from the neighbouring States.

Replying to the points raised by the members, the Minister said that the Government was providing complete information to the public in respect of meningitis through mass media and newspapers so that they might know the symptoms and treatment of the disease. So far as mass vaccination was concerned, it could be given before the beginning of the disease and not later on. Government hospitals had full arrangements for the prevention of the disease and they had full stock of all types of medicines. There was no dearth of any medicine. The question of calling the experts from foreign countries did not arise, the Minister concluded.

Espionage activities: On 15 March, 1985, Shri Shanker Sinh Vaghelu called the attention of the Minister of Home Affairs to the recent unearthing of wide-spread espionage activities by some persons and leakage of highly classified official documents from various sensitive Government departments, thereby, endangering the security of the State and the steps taken by Government in this regard

Making a statement on the subject, the Minister of Home Affairs, Shri S. B. Chavan said that on 18 January, 1985, the Prime Minister had made a statement in both the Houses, disclosing the existence of an espionage network involving leakage of sensitive and classified documents from certain offices and Ministries of the Government of India. In the course of his statement, the Prime Minister had also mentioned that certain persons holding sensitive positions in the Government were responsible for the leakage and passing on the information to unauthorised persons. On 21 January, 1985, the Minister had come before the House and provided some more details of the case which had by then become available. He had given an assurance that no one who was involved in that kind of activity would be let off and that investigations would be pursued vigorously. Consequent on the detection of the present case, the Government had initiated a series of measures to ensure the security and secrecy of classified documents in the various Ministries and Departments. The matter had been gone into at the highest levels and a Committee had been constituted to streamline security procedures, in particular, to go into the treatment and handling of all classified information, the Minister informed.

Replying to the points raised by the members, the Minister said that Government had taken all that was supposed to be taken to

see that proper investigations were conducted and those who were connected even remotely were not allowed to go scot-free. The Government would not like to involve anybody who had no connection whatsoever with the espionage case. It was the first major incident of the nature, which the intelligence agencies had been able to unearth. Everything was properly looked into. Now intelligence agencies were in the final stage and they would be able to prosecute all those 18 officers in a court of law, the Minister stated.

*The Budget (Railways) 1985-86**: On 13 March, 1985, Shri Sukomal Sen initiating the discussion, said that the biggest public undertaking, i.e. Railways had been reduced to the biggest sick industry. The Railway Budget for 1985-86 had proposed a steep hike in passenger and goods traffic with a view to generate colossal additional revenue to the tune of Rs. 493 crores. Besides the fare hike, the sleeper charges had also been increased; and at the same time the daily and monthly tickets of the daily commuters had also undergone a hike to the extent of Rs. 3 to 12, per ticket. It had put a heavy burden on the commuters. It appeared that the Government had also decided to raise the freight charges and 10 per cent surcharge had been imposed on all commodities carried beyond 500 kilometres.

On 21 March, 1985, the Minister of State in the Ministry of Railways, Shri Madhavrao Scindia, replying to the discussion@ said that the Railways was the most important infrastructural requirement for the economic development of the country. The Railways also indirectly and directly contributed to other facets of the national life like defence and the emotional integration of the nation.

*Laid on the Table of the House on 14 March, 1985.

@Other members who took part in the discussion were : Sarvashri Vithalrao Madhavrao Jadhav, Krishna Kumar Birla, Parvathaneni Upendra, Anand Prakash Gautam and Dr. Bapu Kaldate, Prof. (Smt.) Asima Chatterjee, Sarvashri R. Mohanarangam, Ramachandra Bharadwaj, Shankar Singh Veghela, Shanti Tyagi, Satya Prakash Malaviya, Subas Mohanty, Ghaturanan Mishra, Dharm Ghander Prashant, Bhubaneswar Kalita, V. Gopalsamy, Sohan Lal Dhutiyia, Gulam Rasool Mattoo, Ghulam Rasool Kar, Biswa Goswami, Natha Singh, Suresh Pachouri and O.J. Joseph, Shrimati Sudha Vijay Joshi Sarvashri C. Huridas, N. Rajangam, Anurprosad Chakraborty, Rajni Ranjan Sahu, Chandrika Prasad Tripathi, Jagdambi Prasad Yadav, H. L. Kapur and Dr. Mohd. Hashim Kidwai, Sarvashri Sushil Ghand Mohunta, Keshav Prasad Shukla, Hashim Raza Abidi Allahabadi, S. W. Dhabe, (Molana) Asrarul Haq. Yalla Sesi Bhusana Rao, Rathakrishnan Malaviya, Pravin Kumar Prajapati and Shyam Sundar Mohapatra.

Improvements in the Railways System could be brought under nine mainheads broadly: Safety, punctuality, cleanliness, utilisation technology, passenger amenities, elimination of wasteful expenditure, new avenues of income, and better man-management. As far as safety was concerned, the Minister admitted that the performance left much to be desired. As regards accidents over the years there had been a decrease. But this was not good enough, and it was not acceptable. The Railways had suffered from a lack of proper economic planning and the cumulative effect had snowballed and culminated in the present situation, the Minister stated. As regards punctuality, the Minister said that he had been personally monitoring 60 trains, handpicked for being chronically late. When the monitoring of these trains was commenced, their punctuality percentage was about 15 per cent. Within a matter of two weeks, there was a sharp improvement in the punctuality percentage and it now ranged between 65 and 75 per cent. It was difficult to make further improvement at present because the major reasons of delay were engineering restrictions. However, a constant vigil was being kept and methods to overcome these difficulties would be found. The Railways in 1984 carried 237 million tonnes of freight against the target of 245 million tonnes. The target this year was 250 million tonnes. But, at the end of the Seventh Five Year Plan it would be expected to carry 350 million tonnes of freight, he informed the House. As regards passenger amenities, emphasis was being laid on courtesy extended to passengers and any report of discourtesy would be dealt with more severely and in a more swift manner, the Minister assured.

Referring to the points raised by the members, the Minister said that Bengal had been one of India's leading States historically, culturally and economically, and the Government was absolutely committed to giving it full consideration. As far as neglect of Bengal was concerned, it would be the Government's attempt to see that this allegation which had no basis, did not come true in future also.

As regards issuing free passes to freedom fighters and their wives, the Minister stated this matter had already been sent from the Railway Ministry to the Home Ministry and it was waiting for their approval in the Home Ministry.

*Budget (General) 1985-86**: On 21 March, 1985, Shri Nirmal Chatterjee, initiating the general discussion, said that the country had achieved socialism in words. That was why no more reference

*Laid on the Table of the House on 16 March, 1985.

was made to socialism in the budget speech. Moreover, the ruling party had given a new concept of socialism, i.e. the socialistic pattern of society. It seemed that India had achieved the commanding heights of public sector and nothing more was left to be achieved. The Government was trying to pull the economy on the basis of automobile revolution and was now trying to arrive at the frontier of computers and electronics. In the current year, the prices had gone up by 5 per cent, in the course of the entire Sixth Five-Year Plan, the prices had grown to the extent of 75 per cent. The imports were growing faster than the exports. The growth rate in petroleum production was slackening, he pointed out.

On 27 March, 1985, the Minister of Finance, Shri Vishwanath Pratap Singh, replying to the debate* said that there had been no departure from the past path of socialism adumbrated by Shri Jawahar Lal Nehru and pursued by Shrimati Indira Gandhi. The Government could never betray that legacy since Shrimati Indira Gandhi had laid down her life for it. There was a lot of complementariness in public sector and private sector. In fact, India's investments in the public sector gave a large benefit to the private sector. The foreign exchange that they could not have and the goods they could not have imported were made available through the public sector. The Government had taken Rs. 800 crores to the public sector from the private sector by just increasing the statutory liquidity ratio by one per cent during the current year. These were craftsmanship of the Budget. Now revenues were able to take care of the non-Plan expenditure. Seventy per cent of non-Plan expenditure was on defence, interest repayment, subsidies on food and

*Other members who took part in the discussion were :

Sarvashri Pranab Mukherjee, Kumari Jayalalitha, Sarvashri N.K. P. Salve, M. S. Gurupadaswami, Darbara Singh, Jaswant Singh, Anand Virendra Verma, M. M. Jacob and Prof. C. Lakhimanna, Sarvashri P. N. Sukul, T. A. Iba Imtiaz and Shrimati Pratibha Singh Sharma Sarvashri, Kumalendu Bhattacharjee, Suresh Kalmadi, Vishwa Bandhu Gupta, Bijoy Krishna Hundiye and Shrimati Monika Das, Sarvashri B. V. Abdulla Koya, Jertie E. Tariang, Vershetty Moglappa Kushnoor, Santosh Kumar Sahu, Hayat Ullah Ansari, Jagesh Desai and Prof. B. Ramachandra Rao, Sarvashri Kapil Verma, Dhuleswar Mena, R. Ramakrishnan, V. Gopalsamy, Kalpnath Rai, Hukmdeo Narayan Yadav and Shrimati Usha Malhotra, Sarvashri Ramesh Thukaur Shyam Sunder Mohapatra, Deba Prasad Ray, K. L. N. Prasad Krishna Kumari Birla, Indradeep Sinha, Thandivanam K. Ramamurthy, Soato Swa, Ghulam Rasool Maitto, Mirza Irshadbaig, Nand Kishore Bhatt, Sushil Chand Mohunta and Thangaballu.

fertiliser. When pressures were built on borders, at least the minimum response of defence had to be met and this affected the Budget process, the Minister admitted.

When the country was faced with foreign exchange constraints, the problem of the Government was that it would not open new markets overnight, it could not overnight increase the exports of the country's traditional items. So import substitution and industrialisation had become the banners of progress and there was a demand-led growth, it was due to that policy that today the country had such an industrial infrastructure. But it had its drawbacks also. In a highly protective market, there were pockets of high profit, be observed.

By raising the limit of tax exemption from Rs. 15,000 to 18,000, the lower income group would be benefitted. Previously, the slab was from Rs. 15,000 onwards and the rate of interest was 20 per cent. Now the new slab was Rs. 18,000 and 25 per cent was the rate. The net impact on this slab was a relief of 50 per cent from the earlier one. On an income of Rs. 50,000, the relief was only 18 per cent by this change. So it was progressive. There was 50 per cent relief for lower income brackets and only 18 per cent for higher income brackets.

About the abolition of the compulsory deposit scheme, there was mention in the ruling party's manifesto and that was why the Government had implemented it. The estate duty had been abolished because the Government was not getting more revenues from it. About the wealth-tax rates, the 5 per cent marginal rate of tax was one of the highest in the world. So the Government had rationalised it. Concluding, he said that the budget was an effort towards growth productivity, the savings and better compliance of tax. It was a basic structural reform the Government had done.

B. LEGISLATIVE BUSINESS

*Bhopal Gas Leak Disaster (Processing of Claims) Bill, 1985**: On 18 March, 1985, moving the statutory resolution seeking disapproval of the *Bhopal Gas Leak Disaster (Processing of Claims) Ordinance, 1985 (No. 1 of 1985)*, promulgated by the President on 20 February, 1985, Shri M. Kalyanasundaram said that the Ordinance would not effectively deal with the claims of compensation to the victims of the

*the Bill was introduced in the House on 15 March, 1985.

disaster, one of the world's worst tragedies. The Government had ample time and it could have consulted even the Opposition parties in this regard and they could have made their suggestions. Now through an Ordinance the Government had taken powers to represent all the victims and it would file the claims in American courts. He expressed the apprehension that the American judges would put the blame on the Government of Madhya Pradesh and even on the Government of India who was responsible for issuing the licence to locate the plant there. The member appealed to the Minister to prepare the Bill in consultation with nationalist-minded and progressive-minded judges and advocates. There should be a permanent statute to deal with such foreign companies and to take effective action immediately, whenever such incidents took place in the future, he suggested.

The Minister of Chemicals and Fertilizers, Shri Veerendra Patil, moving the motion for consideration of the Bill, said that the Bill enabled the Government to assume exclusive rights to represent and act, whether within or outside India, in place of every person who had made or was entitled to make a claim in relation to the disaster and to institute any suit or other proceedings or enter into a compromise. The Bill also provided for the appointment of a Commissioner for the welfare of the victims of the disaster and for the formulation of a scheme to provide for various matters necessary for processing the claims. Such a scheme *inter alia* contemplated the creation of a fund for meeting the expenses in connection with the administration of such a scheme and also utilisation by way of disbursement or otherwise of any amounts received in satisfaction of the claims.

Replying to the debate, Shri Veerendra Patil said that the House had an opportunity to know the details of the accident and the relief measures taken by the State Government and the extent to which the Government of India had been able to give financial and other help to the State Government to deal with this matter. The duty of both the State Government and the Central Government was to see that those who had suffered in the disaster were properly rehabilitated and the families of those who had died were properly and adequately compensated. This was the object behind the Bill seeking replacement of the Ordinance, the Minister clarified.

Shri Patil further said that the question as to whether the cases were going to be filed in American court or in the Indian court, was open and that whichever was in the best interest of the victims.

would be adopted. The purpose of the legislation was not to fix the compensation. The Workmen's Compensation Act was applicable only to the employees of a particular unit where they were working. Here the sufferers were not employees, the Minister concluded.

The Bill was passed.

*National Security (Amendment) Bill, 1985**: On 27 March, 1985 the Minister of Home Affairs Shri S. B. Chavan, moving the statutory resolution seeking approval of the continuance in force of the Proclamation issued by the President on 6 October, 1983, under article 356 of the Constitution, in relation to the State of Punjab, for a further period of six months with effect from 6 April, 1985 said that the Government was constantly reviewing the situation in Punjab and would wish an elected Government to take office in the State as soon as the situation so permitted. Though the situation in the State had improved during the past few months, yet the extremist elements continued to indulge in sporadic acts of violence and in anti-national activities. The situation needed to be closely watched. It was necessary to continue President's rule in Punjab for a further period of six months after the expiry of the present term. The Minister reiterated Government's intention that President's rule would not be continued even for a day beyond what would be absolutely necessary.

Shri Jagdambi Prasad Yadav moved a motion, recommending to the President that the Proclamation issued by him on 6 October 1985, under article 356 of the Constitution in relation to the State of Punjab, be revoked. He said that it seemed that victory in elections was the biggest issue of the present Government and the national interest was absolutely a non-issue.

He wanted to know whether the Committee of three senior Cabinet Ministers, appointed by the Government to solve the Punjab tangle had been able to create confidence among the Hindus and Sikhs in Punjab.

Shri S. B. Chavan, moving the motion for consideration of the National Security (Amendment) Bill, 1985, said that the National Security Act, 1980, in its application to the disturbed areas of Punjab and the Union Territory of Chandigarh, was amended in 1984. Provisions of Section 14A, as inserted in the Act, specified the

* The Bill, as passed by Lok Sabha, was laid on the Table on 26 March, 1985.

circumstances in which a person might be detained for periods longer than three months but not exceeding six months without obtaining the opinion of an advisory board. To enable the authorities to immobilise anti-national and anti-social elements in the disturbed areas of Punjab and Chandigarh, it was necessary to amend the provisions of Section 14A of the Act so as to bring within its purview persons who might be detained on or after 3 April, 1985. The Bill sought to amend the National Security Act, 1980, accordingly.

Replying to the debate, Shri Chavan said that all the members of Parliament should come together and try to find an amicable solution to the Punjab problem. The Government did not consider the Akalis to be the representative party of all the Sikhs. It had not yet been finalised when the Cabinet Sub-committee would go to Punjab. The Government would like to go there and listen to different shades of opinion. There were certain issues on which the Government would like to finalise its views. He observed that it was not total Anandpur Sahib Resolution but the part which dealt with secessionism.

As regards Centre-State relation, if the Akali Dal felt that their demand was quite genuine, they could also approach the Sarkaria Commission and that Commission would be able to give a verdict on it, the Minister suggested.

Shri Jagdambi Prasad Yadav, replying to the debate on his motion, said that it was clear that almost all the members had supported the proposal that in future no extension should be granted. He requested that Government should rise above party politics and involve all the people, to solve this national problem.

The resolution seeking approval of the continuance in force of the Proclamation issued by the President in relation to the State of Punjab was adopted. The motion seeking revocation of the Proclamation issued by the President in relation to the State of Punjab was barred. The motion for consideration of the National Security (Amendment) Bill, 1985, and its clauses etc. were adopted, and the Bill was passed.

*I. Estate Duty (Distribution) Amendment Bill, 1985**; *II. Union Duties of Excise (Distribution) Amendment Bill, 1985*, and *III.*

*Bill as passed by Lok Sabha, was laid on the Table on 26 March, 1985

Additional Duties of Excise (Goods of Special Importance) Amendment Bill, 1985*: On 29 March, 1985, the Minister of State in the Ministry of Finance, Shri Janardhana Poojari, moving the motion for consideration of these Bills, said that the three Bills arose out of the recommendations of the Eighth Finance Commission. The report of that Commission along with the Memorandum on the action taken thereon was laid on the Table of the House on 24 July, 1984.

The Estate Duty (Distribution) Amendment Bill, 1985 sought to formalise the decision of the Government to adhere to the recommendations of the Finance Commission contained in their interim report for the current year. As mentioned in the Budget Speech, Estate Duty would be repealed in due course. Through the passage of this Bill, the payments made to the States in 1984-85 on provisional basis in terms of the interim report of the Commission, would be treated as final.

The Union Duties of Excise (Distribution) Amendment Bill 1985 provided for sharing and distribution of basic excise duties.

The Additional Duties of Excise (Goods of Special Importance) Amendment Bill, 1985 sought to give effect to the recommendations for the distribution of the net proceeds of the additional duties of excise levied on sugar, tobacco and textile fabrics. These duties were being levied from 1957 with the consent of the State Governments and were in lieu of the sales tax levied by them on these commodities. Apart from these duties, States would also get 85 per cent of the net proceeds of income tax under article 270 of the Constitution. It was estimated that the States would get Rs. 7,506 crores over the next four years. Besides, grants-in-aid of the order of Rs. 2,937 crores were also payable to States under article 275 of the Constitution over the next four years. All the statutory and legal formalities would be completed before the close of the current financial year for transfer of tax shares and payment of grants-in-aid to the States from 1985-86, the Minister stated.

Replying to the debate, Shri Poojari said that he was grateful to the members for the valuable suggestions they had made. The details had already been given regarding the transfer of the shares to the States and also the increase that had taken place because of the recommendations of the Eighth Finance Commission. The Eighth Finance Commission was Independent and statutory body.

* Bills, as passed by Lok Sabha, were laid on the Table on 27 March, 1985.

There were experts who after studying the economic condition of the country and the resources available, had given their recommendations. The Government had to consider the recommendations and accept them, if they were feasible.

Regarding the abolition of Sales Tax, the Tripathi Committee had been appointed and the former Finance Minister had held discussions with the Chief Ministers of the various States. Some of the Opposition Chief Ministers, particularly from West Bengal and Karnataka, and some other States, did not agree to the abolition of Sales Tax. Therefore, the Central Government was not in a position to implement that recommendation because it was a State subject and, without the consent of the State Governments, the Centre could not do anything. The Estimates Committee had recommended abolition of Estate Duty. Members from the various parties also had unanimously recommended its abolition and that was why it had been abolished, the Minister concluded.

The motion for the consideration of the Estate Duty (Distribution) Amendment Bill, 1985, and its clauses etc. were adopted and the Bill was passed.

The motion for the consideration of the Union Duties of Excise (Distribution) Amendment Bill, 1985 and its clauses etc. were adopted and the Bill was returned.

The motion for the consideration of the Additional Duties of Excise (Goods of Special Importance) Amendment Bill, 1985 and its clauses etc. were adopted and the Bill was returned.

C. QUESTION HOUR

During the Session, 3,268 notices of Questions (3,031 Starred and 237 Unstarred) and 6 Short Notice Questions were received. Out of these, 254 Starred Questions and 1,408 Unstarred Questions were admitted. No Short Notice Question was admitted. After the Lists of Questions were printed, 10 Starred and 57 Unstarred Questions were transferred from one Ministry to another and one Starred Question and one Unstarred Question were withdrawn by the members.

Daily Average of Questions: Each of the lists of Starred Questions contained 18 to 21 questions. On an average, 4.3 Questions were orally answered on the Floor of the House, per sitting. The

maximum number of Questions orally answered was seven on 15 March, 1985 and the minimum number of Questions orally answered was three on 18, 21 and 29 March, 1985 respectively.

The minimum number of Questions admitted in the Unstarred Questions lists was 51 on 15 March and their maximum number was 183 on 25 March, 1985. Their average came to 108.3.

Half-an-Hour Discussion: In all 8 notices of Half-an-Hour Discussion were received during the Session and none was admitted.

Statements correcting answers to Questions: No Statement correcting answers to Questions was made/laid in the House.

D. OBITUARY REFERENCES

During the Session, the Chairman made references to the passing away of Mr. Konstantin U. Chernenko, President of U.S.S.R. and Shrimati Pratima Bose, Shri Narla Venkateswara Rao, Dr. V.A. Seyid Mohammad and Shri Dajiba Balvant Rao Desai, all ex-members. The House stood in silence for a shortwhile as a mark of respect to the deceased.

STATE LEGISLATURES

BIHAR LEGISLATIVE COUNCIL*

The 90th Session of the House commenced on 22 January, 1985, with an Address by the Governor to the members of both the Houses of Legislature, assembled together. A motion of Thanks on the Governor's Address, moved by Shri Saryu Prasad Upadhaya and seconded by Shri Abdul Razak Ansari, was adopted by the House on 30 January, 1985 after the Chief Minister, Shri Chandra Shekhar Singh replied to the points raised by the members. The Session concluded on 31 January, 1985.

Ratification of Constitution (53rd Amendment) Bill, 1984: On 25 January, 1985, the House accorded its approval to the proposal of Dr. Umeshwar Prashad Verma, under article 368(2) of the Constitution, ratifying the Constitution (53rd Amendment) Bill, 1984 which sought to amend articles 330 and 332 of the Constitution, as passed by both the Houses of Parliament.

* Contributed by the Bihar Legislative Council Secretariat.

Obituary references: On obituary reference was made to the memory of late Shrimati Indira Gandhi, former Prime Minister. Obituary references were also made to the passing away of Shri Ram Lakhan Prasad Gupta, ex-member and also other members of State Legislature and Parliament whose sad demise had taken place before the commencement of the Session.

The 91st Session of the House, which was the first after the constitution of the new Assembly after the general elections, commenced on 8 April, 1985 with an Address by the new Governor, Shri P. Venkatasubbaiah to the members of both the Houses of the Legislature, assembled together. A motion of Thanks on the Address, moved by Shri Arun Kumar and seconded by Shri Satya Deo Narain Tiwari was adopted by the House on 12 April, 1985. The Session ended on 12 April, 1985.

Obituary reference: Obituary reference was made to the sad demise of Shri Vishwanath Gurmaita, sitting member of Legislative Assembly and former member of the House.

GUJARAT LEGISLATIVE ASSEMBLY*

The first Session of the Seventh Gujarat Legislative Assembly, constituted after the general elections, commenced on 18 March, 1985 with an Address by the Governor. A motion of Thanks on the Address was moved, on the same day. It was adopted by the House on 22 March, 1985. The House was prorogued on 2 April, 1985.

Obituary references: An obituary reference on the sad demise of late Prime Minister, Shrimati Indira Gandhi was made in the House on 18 March, 1985. Thereafter, the House was adjourned for the day without transacting any other business. Obituary references were also made on the sad demise of some ex-members.

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY**

The first Session of the Sixth Vidhan Sabha was held from 11 to 19 March, 1985. Being the first Session of new House, the members stood in silence for a short while to mark the solemn occasion. The Governor, Shri Hokishe Sema addressed the members on 12 March, 1985.

* Contributed by the Gujarat Legislative Assembly Secretariat.

** Contributed by the Himachal Pradesh Legislative Assembly Secretariat.

Ratification of Constitution (53rd Amendment) Bill, 1984: On 15 March, 1985, a resolution, seeking ratification of the Constitution (53rd Amendment) Bill, 1984, as passed by both the Houses of Parliament, which was moved by Chief Minister, Shri Virbhadra Singh, was adopted by the House.

Obituary references: The House paid respectful homage and touching tributes to the late Prime Minister, Shrimati Indira Gandhi. Obituary references were also made to the passing away of Mr. Konstantin Chernenko, President of USSR and Shri Bhikham Ram, an ex-member.

KARNATAKA LEGISLATIVE ASSEMBLY*

The first Session of the Eighth Karnataka Legislative Assembly, constituted after the general elections, was held from 18 March to 6 April, 1985. The Governor addressed the members of both the Houses of Legislature, assembled together on the opening day. The discussion on the motion of Thanks which was moved by Shri Vedanta Hemmige and seconded by Shri H. Ekanthaiah concluded on 6 April, 1985 after a reply by the Chief Minister. Thereafter, the motion was adopted.

Ratification of Constitution (53rd Amendment) Bill, 1984: A resolution, ratifying the Constitution (53rd Amendment) Bill, 1984, as passed by both the Houses of Parliament, was adopted by the House on 28 March, 1985.

Obituary references: Obituary references were made to the passing away of Mr. Konstantin Chernenko, President of USSR and some ex-members of the House.

MADHYA PRADESH LEGISLATIVE ASSEMBLY**

The Eighth Madhya Pradesh Vidhan Sabha which was constituted after the general elections, commenced its first Session from 23 March, 1985 which was concluded on 5 April, 1985. At the commencement of its first sitting, members, customarily, stood in silence

* Contributed by the Karnataka Legislative Assembly Secretariat.

** Contributed by the Madhya Pradesh Legislative Assembly Secretariat.

for a short while to mark the solemn occasion. The Governor, Shri K. M. Chandy addressed the members of the House on 25 March, 1985. A motion of Thanks on the Address, which was moved by Shri Chandra Prabhaskar Shekhar and seconded by Shri Satya Narain Sharma, was adopted by the House on 2 April, 1985.

Obituary references: The Speaker made obituary reference on the passing away of the late Prime Minister, Shrimati Indira Gandhi and rich tributes were paid to her by the members. Obituary references were also made to the passing away of Shri Kashi Prasad Pandey, former Speaker of the House and some ex-members of Parliament and of the House. A resolution was also passed on the sad demise of the persons killed due to the leakage of poisonous gas from the factory of Union Carbide Ltd., Bhopal. Two minutes silence was observed.

MANIPUR LEGISLATIVE ASSEMBLY*

The first Session of the Fourth Manipur Legislative Assembly was held from 18 to 28 February, 1985. Governor, General K. V. Krishna Rao addressed the members on 18 February, 1985. The motion of Thanks on the Address was moved by Shri Devendra Singh and seconded by Shri Md. Muhammuddin Shah. The motion was unanimously adopted on 21 February, 1985.

Ratification of Constitution (53rd Amendment) Bill, 1984: The House unanimously adopted a resolution ratifying the Constitution (53rd Amendment) Bill, 1984, as passed by both the Houses of Parliament.

Obituary references: Touching tributes were paid in the House to the memory of late Prime Minister, Shrimati Indira Gandhi. Obituary references were also made to the sad demise of Shri Y. B. Chavan, former Deputy Prime Minister; Shri Bhola Paswan Shastri, former Union Minister, Shri A. Biramangol Singh, former Minister and a member of the House and Shri E. Nodi Singh, ex-member of the Manipur Territorial Council.

ORISSA LEGISLATIVE ASSEMBLY**

The first Session of the Ninth Orissa Legislative Assembly commenced on 14 March, 1985 and continued till 22 March, 1985. The

* Contributed by the Manipur Legislative Assembly Secretariat.

** Contributed by the Orissa Legislative Assembly Secretariat.

Governor addressed the members on 14 March, 1985. A motion of Thanks on the Address was adopted by the House on 17 March, 1985.

Ratification of Constitution (53rd Amendment) Bill, 1984: A resolution, ratifying the Constitution (53rd Amendment) Bill, 1984 was passed by the House on 21 March, 1985.

Obituary references: Obituary references were made on the sad demise of late Prime Minister, Shrimati Indira Gandhi and some ex-members of the House.

SIKKIM LEGISLATIVE ASSEMBLY*

The first Session of the Third Sikkim Legislative Assembly, constituted after the general elections, commenced on 18 March, 1985 and concluded on 21 March, 1985. On 20 March, 1985, the Governor, Shri Kona Prabhakara Rao addressed the members. The Chief Minister and the leader of the House, Shri N. B. Bhandari moved a motion of Thanks on the Address which was discussed on 21 March, 1985. The motion was adopted unanimously after Shri Bhandari replied to the points raised by the members.

Obituary reference: The Speaker, Shri T. R. Sharma made an obituary reference on the passing away of the late Prime Minister, Shrimati Indira Gandhi. The Chief Minister, Shri N. B. Bhandari moved a condolence resolution which was unanimously adopted by the House. Thereafter, the House adjourned without transacting any business as a mark of respect to the memory of the deceased leader.

TRIPURA LEGISLATIVE ASSEMBLY**

The seventh Session of the Fifth Tripura Legislative Assembly commenced on 15 March, 1985 with the Address by the Governor and continued upto 25 March, 1985. A Motion of Thanks on the Address was passed by the House on 19 March, 1985.

Obituary references: Obituary references were made on the passing away of late Prime Minister, Shrimati Indira Gandhi; Mr Konstantin Chernenko, President of USSR; Shri Y. B. Chavan, former

*Contributed by the Sikkim Legislative Assembly Secretariat.

**Contributed by the Tripura Legislative Assembly Secretariat.

Deputy Prime Minister; Shri P. K. Das, former Chief Minister of the State and Shri Rajprasad Choudhury, a former Minister of the State.

UTTAR PRADESH LEGISLATIVE ASSEMBLY*

The first Session of the Ninth Legislative Assembly, constituted after the general elections, commenced on 16 March, 1985 and was adjourned *sine die* on 22 March, 1985. The Governor addressed the members of both the Houses of Legislature, assembled together on 16 March, 1985. A motion of Thanks on the Address was passed by the House on 21 March, 1985.

Ratification of Constitution (53rd Amendment) Bill, 1984: A resolution, ratifying the Constitution (53rd Amendment) Bill, 1984, as passed by both the Houses of Parliament, was adopted by the House on 22 March, 1985.

Obituary references: Rich tributes were paid by the members to the memories of the late Prime Minister, Shrimati Indira Gandhi; Soviet President, Mr. Konstantin Chernenko; former Lok Sabha Secretary, Shri M. N. Kaul and 17 other ex-members.

UNION TERRITORY LEGISLATURES

ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY**

The first Session of the Third Arunachal Pradesh Legislative Assembly commenced on 22 March, 1985. The Administrator addressed the members of the House on 25 March, 1985. A motion of Thanks on the Address was moved on 26 March by Shri R. K. Khri-mey and seconded by Shri C. P. Namshoom. It was adopted un-animously, after Chief Minister replied to the debate. The House was adjourned *sine die* on 27 March, 1985.

Obituary references: A resolution, condemning the assassination and eulogising the services of late Prime Minister, Shrimati Indira Gandhi was moved by the Chief Minister on 23 March, 1985 which was unanimously adopted. Obituary reference was also made on the sad demise of Shri Taken Riba, ex-member of Provisional Leg-islative Assembly of Arunachal Pradesh. Glowing tributes were

* Contributed by the Uttar Pradesh Legislative Assembly Secretariat.

** Contributed by the Arunachal Pradesh Legislative Assembly Secretariat.

paid to their memories. The House stood in silence for two minutes as a mark of respect to the departed souls after which it was adjourned for the day.

MIZORAM LEGISLATIVE ASSEMBLY*

The Budget Session of the Fourth Mizoram Legislative Assembly started from 20 March, 1985 with an Address by the Administrator. A motion of Thanks on the Address, moved by Shri Lalhlira and seconded by Shri Vanlalnghaka, was adopted by the House on 21 March, 1985. The Session was adjourned *sine die* on 29 March, 1985.

Obituary reference: An obituary reference was made on the death of Shri Y. B. Chavan, former Deputy Prime Minister. Members stood in silence for a shortwhile as a mark of respect to the departed soul.

* Contributed by the Mizoram Legislative Assembly Secretariat.

BOOK REVIEW

THE LEGISLATIVE PROCESS IN DEVELOPMENT. Edited by R. B. Jain.
Published by Gitanjali Publishing House, New Delhi, 1985,
pages 251, Rs. 120.

Legislatures, specially in a democratic set up, do play a very significant role, as they represent the electorate at large. Over a period of years, they have contributed a lot towards the political and socio-economic development in the developed countries. This, of course, is a continuous process. In many of the western countries, the legislative process is well-established. This has become a precedent in some developing countries.

There are countries where greater importance is attached to centres of power and policy making; and there are others where greater emphasis is on the executive, bureaucracy and the military. If the democratic institutions carry the weight in the present-day political system, then legislative process becomes all the more important.

Legislatures as institutions of political recruitment and crystallised public opinion would be competent to educate the public in turn on many problems of political and economic importance. They would be very effective in the constructive activities of nation-building and national integration. The voice of the legislature is heard by millions. And as such they are often the "key political instruments for channelling new and broader demands for participation by the people into political process enabling the developing countries to achieve a more popularly directed and supported process".

The present book, "Legislative Process in Development", is a collection of well-studied essays on the involvement of legislative process in development in India at various levels—Union, State and local levels. In order to have some comparison with the involvement of legislative process in development in one of the western countries, there is also an essay on the Canadian Legislative processes.

Legislatures also have historical background like all other institutions. There was a time when the legislatures faced severe criticism that there was a lack of competence, efficiency and integrity, and also the representative character in them. They were not well-equipped even to supervise the executive. Gradually these changes started disappearing and experts studied the role of the legislative assemblies in the development of political system and in achieving socio-economic developmental goals. It is high time now that scholars analysed the role that legislatures play in the new nations, and their relationship with the economic and social development; legislatures are not necessarily a "Committee of Grievances", or a "Congress of Opinions" but they will think, debate and sanction money to the executive for the redressal of the grievances.

The idea of a legislature as a collective body suggests that some people or some matters must be represented. If these people are to be sovereign, their representatives should be concerned primarily with a broader perspective of policies and programmes. Traditionally, the role of a well organised assembly is to analyse, criticize and accept or reject the proposals of the Government.

In course of time, in many countries, the importance shifted from the legislature to the executive. The emphasis perhaps was on the capacity to execute rather than on the capacity to discuss and debate. Countries with weak economy could only maintain the legislature as an under-developed institution. Gradually, the legislature has ceased to exist in some countries, where the ruling military has extreme resistance for political bodies. The development of events in Pakistan and Bangladesh during 1975—79 do substantiate the argument.

Despite the difficulties and the decline, legislatures have survived and emerged as law-affecting bodies, capable of exercising control over the excess utilization of the executive power; they can mobilize the public opinion in favour or against the Government's policies. The role of the legislature varies alongwith the development—political and economic—in various countries. Sometimes the

legislatures create public interest in a specific policy or programme from the top to the bottom or *vice-versa*.

The role of the legislature in the presidential form of Government may be a bit more conservative or parochial than the executive. There are both positive and negative virtues of this resistance. The real problem does not lie either in the acceptance or resistance by the legislature. It lies in the actual implementation of the law. The role of the legislature also depends upon the structural aspects and on the environmental factors.

In the West, legislatures have promoted political development "by channelling inter-group conflict, by giving representation to the several social groups in a society, by enhancing the rule of law, by ratifying and legitimising public policies, by strengthening the responsive administration of governmental programme, and by helping to promote national integration and the development of national identity". Each of these processes, do provide a framework for analysis of the role of the Indian Parliament, and the Indian States Legislatures. Inter-group conflicts, political and also communal, with their specific voting pattern may provide conclusions regarding the role of the legislature and its contribution in national integration and development.

The model of development as evolved in Himachal Pradesh has kept the total perspective of development in view. The priorities have been communication, education, Horticulture (including diverse cash crops) hydel-Power generation, forests and industrialisation etc. An analytical study of the Himachal Pradesh legislature from February 1971 to January 1972 indicates the issues taken by the legislature. This period is important as Himachal Pradesh attained statehood in the Indian Union, during this period.

The essay on "Representation in India" suggests the responsibility and accountability of the representative, which are co-related to freedom and constitutionalism. The Constituent Assembly in drafting the Constitution of free India adopted the basis of universal adult franchise, even when 80 per cent of the Indians were still illiterate. Election is primarily a contest amongst different political parties to have their candidates returned from as many constituencies as possible. But it is wrong to consider that the elected candidates would represent the Party alone. He or she represents the constituency which has returned him or her and also represents the nation at large. As such he keeps a direct link with his constituency. He sometimes represents regional aspirations of the people at the national forum, in the sense, a regional party representative is elected to the national forum.

The backbenchers' role in Development with reference to the Maharashtra Legislative Assembly, is an article on the participation of backbenchers in certain matters of their own interest. In India, Government never introduces Bills in the legislature which it is likely to lose; private members Bills are never carried. Hence, the backbenchers who usually do not show much interest suddenly spring up when there is a Bill in their field of service to the people. The comprehensive Bill on cooperative movement introduced in Maharashtra Assembly in 1973 is an example of this.

Security of service is a value that employees cherish most and the employers generally detest. The paper on "Legislation for Security of Service: A case study of Kerala Legislative Assembly", deals with the long process involved in making laws for ensuring security of service to teachers working in the private colleges of Kerala. The Government being a coalition of seven parties exhibited varying support to the Bill. Different forums like the Select Committee, Senate of the University were also used in the process.

Even after the Bill was passed the private management carried the struggle to the law courts; the High Court struck down a few clauses which impaired the right of the educational agencies to manage the institution. The legislator protecting the rights of employees was circumscribed by legal and social factors.

"Municipal Decision-making in Development", is an analytical paper depicting the relation between the local people and the Government through the immediate tier of Municipality. Pressure groups play an important role therein to provide a balance to the process of change and stability.

Compared to the other states in India, Orissa is less urbanized. Cuttack is the most populous city of Orissa and it may be called semi-urban. Rourkela, the steel city has attained urbanization along with its complications, whereas Bhuvaneshwar is still a town-ship.

Urban development has got to be planned over a period of years. It should not be imposed from above. Development plans are formulated at three levels in a democratic federal polity—national, state and local. Municipal Council at the local level has rightly been described as the replica of the state legislature. In this context the role of Municipal Council in Orissa as a decision-making body for urban development is very important. Taking into consideration the availability of funds, the Municipal Council

can cover roads, slum clearance, fully protected water-supply installation of drainage and sewerage system, planning of extension of the town etc. etc. Many of the Municipal Councils in Orissa are not able to cover all these things, even though urbanization seems to be imminent.

The article on "Legislature and the Process of Development of West Bengal in a New Political Context" underlines the fact that a well functioning legislature is presumption of a politically developed society, and the political development in turn has a cumulative and mutual development relation with Legislatures. As the state legislature has to work within a federal framework, the party in power at the Centre was seen to pose a threat to the state legislature both in 1967 and in 1969. The situation differed, when the CPM as a single majority party dominated the scene in 1977. The communists went to be in a parliament which is mass-oriented and is built on peoples' democracy. But there they are required to confront internal constraints (i.e. structural) and external constraints on account of the limited law-making power depending upon the co-operation of the Governor. The left front legislators are still under the spell of party ideologies "to bring the common people to the frontier of possibilities that can be attained given the constraints of the existing socio-economic structure. It is then for the common people to be convinced of the need to push these constraints and this frontier".

"The Study of the Legislature in Tamilnadu," is significant as different political parties in the last three decades have been instrumental in the development of the State through the legislature. Socio-politico-economic development is deemed to be very important. Education and public health are two important factors of this. Governor's Address every year indicates the new policies of the Government and gives directions. Members of various parties in the Assembly participate in the discussions on the Governor's Address, supporting or criticising the policies and the programmes. During 1962—1970, public health did not figure at all in the discussions in the Assembly whereas the importance assigned to education was incidental and it was all anti-Hindi agitation that was discussed. Public health in all its aspects was later discussed in the Assembly, at various stages, indicating the gradual reaction and the behaviour of the legislators.

"The Committees of the Canadian House of Commons" is the only paper with reference to the legislative process, of a western
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country, viz. Canada. The Canadian House of Commons, on the other hand, has a system of standing committees side by side with the developmental structure. These committees have served the cause as the special committee did in War Expenditures during the Second World War. In course of time the size of the committees was reduced and the work-load was increased. The detailed consideration of the estimates which earlier took up much of Parliament's time was now entrusted to the Standing Committee.

The Canadian House of Commons since then has got a system of active specialist committees and most members of Parliament spend as much time in committee sittings as they do in the House itself. The report of the Special Committee on Procedure in 1968 expressed that the reports of the standing committees would assume "a critical significance related more closely to the national interest as a whole than to simple political differences" and hoped for a "debate in the Standing Committees to be well-informed and that the members to become influential in the areas of their specialised expertise". Non-partisan approach to problem and the expertise amongst members are two revolutionary changes which crept in to the Canadian House of Commons. The opposition has often criticized the chairmen of the committees for appearing to control the proceedings on behalf of the Government.

Committee on Justice and Legal Affairs did a good job in 1977. Committees on External Affairs and Finance with their deep study always help the Government to arrive at decisions.

The committees do not create a new role or alter in any way the relation between Government and Parliament. They are more oriented towards consent and not towards conflict. There is no doubt that committees have made a lasting contribution to the Parliament of Canada.

"The Legislative Process in Development", gives at a glance the theory and also the practical side of the legislative process in development, over a period of years. It covers a major portion of Indian Legislatures in post-Independence era. For a change there is a single paper on Canadian Parliament.

The book deserves to be read not only by students of constitutional history but by legislators and legislators in the making.

— Dr. Sarojini Mahishi M.P.

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APPENDIX I

STATEMENT SHOWING THE WORK TRANSACTED DURING THE SECOND SESSION OF EIGHTH LOK SABHA.

1.	Period of the Session	13 March to 20 May, 1985
2.	Number of sittings held	48
3.	Total number of sitting hours	340 hours and 49 minutes
4.	Number of divisions held	1
5.	GOVERNMENT BILLS:	
	(i) Pending at the commencement of the Session	Nil
	(ii) Introduced	23
	(iii) Laid on the Table as passed by Rajya Sabha	5
	(iv) Returned by Rajya Sabha with any amendment/recommendation and laid on the Table	Nil
	(v) Referred to Select Committee	Nil
	(vi) Referred to Joint Committee	Nil
	(vii) Reported by Select Committee	Nil
	(viii) Reported by Joint Committee	Nil
	(ix) Discussed	28
	(x) Passed	27
	(xi) Withdrawn	Nil
	(xii) Negatived	Nil
	(xiii) Part-discussed	Nil
	(xiv) Discussion postponed	Nil
	(xv) Returned by Rajya Sabha without any recommendation	12
	(xvi) Motion for concurrence to refer the Bill to Joint Committee adopted	1
	(xvii) Pending at the end of the Session	1
6.	PRIVATE MEMBERS' BILLS :	
	(i) Pending at the commencement of the Session	9
	(ii) Introduced	58
	(iii) Laid on the Table as passed by Rajya Sabha	Nil

(iv) Returned by Rajya Sabha with any amendment and laid on the Table	Nil
(v) Reported by Select Committee	Nil
(vi) Discussed	5
(vii) Passed	Nil
(viii) Withdrawn	5
(ix) Negatived	1
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	1
(xii) Discussion postponed	Nil
(xiii) Motion for circulation of Bill negatived	Nil
(xiv) Referred to Select Committee	Nil
(xv) Removed from the Register of Pending Bills	1
(xvi) Pending at the end of the Session	60

7. NUMBER OF DISCUSSIONS HELD UNDER RULE 193 :
(Matters of Urgent Public Importance)

(i) Notices received	197
(ii) Admitted	10
(iii) Discussion held	8

8. NUMBER OF STATEMENTS MADE UNDER RULE 197:
(Calling-attention to matters of Urgent Public Importance)

Statements made by Minister	21
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9. MOTION OF NO-CONFIDENCE IN COUNCIL OF MINISTERS:

(i) Notices received	2
(ii) Admitted and Discussed	Nil
(iii) Barred	Nil

10. Half-an -Hour discussions held	6
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11. STATUTORY RESOLUTIONS :

(i) Notices received	12
(ii) Admitted	5
(iii) Moved	5
(iv) Adopted	2
(v) Negatived	2
(vi) Withdrawn	1

12. GOVERNMENT RESOLUTIONS :

(i) Notices received	2
(ii) Admitted	2
(iii) Moved	2
(iv) Adopted	2

13. PRIVATE MEMBERS' RESOLUTIONS :

(i) Received	12
(ii) Admitted	10
(iii) Discussed	3
(iv) Adopted	Nil
(v) Negatived	1
(vi) Withdrawn	1
(v.i) Part-discussed	1
(vii) Discussions postponed.	Nil

14. GOVERNMENT MOTIONS :

(i) Notices received	2
(ii) Admitted	2
(iii) Discussed	2
(iv) Adopted	Nil
(v) Part-discussed	1

15. PRIVATE MEMBER'S MOTIONS :

(i) Notices Received	178
(ii) Admitted	66
(iii) Moved	1
(iv) Discussed	1
(v) Adopted	1
(vi) Negatived	Nil
(vii) Withdrawn	Nil
(viii) Part-discussed	Nil

16. MOTIONS RE. MODIFICATION OF STATUTORY RULE :

(i) Received	Nil
(ii) Admitted	Nil
(iii) Moved	Nil

Appendices

361

(iv) Discussed	Nil
(v) Adopted	Nil
(vi) Negatived	Nil
(vii) Withdrawn	Nil
(viii) Part-discussed	Nil
17. Number of Parliamentary Committees created if any during the Session	Nil
18. Total number of Visitors' Passes issued during the Session	24,091
19. Maximum number of Visitors' Passes issued on any single day, and date on which issued.	1,340 on 8 May 1985
20. NUMBER OF ADJOURNMENT MOTIONS:	
(i) Brought before the House	11
(ii) Admitted and discussed	Nil
(iii) Barring in view of adjournment motion admitted on the subject	Nil
(iv) Consent withheld by Speaker outside the House	90
(v) Consent given by Speaker but leave not granted by the House.	1
(vi) Barring in view of leave not granted by the House	10
21. TOTAL NUMBER OF QUESTION ADMITTED:	
(i) Starred	914
(ii) Unstarred (including Starred Questions converted as Unstarred Questions)	3227
(iii) Short-Notice Questions	3
22. WORKING OF PARLIAMENTARY COMMITTEES:	

Sl. No.	Name of the Committee	No. of sittings held during the period 1 January to 31 March, 1985
1	2	3
(i)	Business Advisory Committee	3
(ii)	Committee on Absence of Members . . . . .	..
(iii)	Committee on Public Undertakings . . . . .	..
(iv)	Committee on Papers Laid on the Table . . . . .	..
(v)	Committee on Petitions . . . . .	..

1	2	3
(vi)	Committee on Private Members, Bills and Resolutions . . . . .	..
(vii)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes . . . . .	..
(viii)	Committee of Privileges . . . . .	..
(ix)	Committee on Government Assurances . . . . .	..
(x)	Committee on Subordinate Legislation . . . . .	..
(xi)	Estimates Committee . . . . .	..
(xii)	General Purposes Committee . . . . .	..
(xiii)	House Committee	2
(xiv)	Accommodation Sub-Committee of House Committee	4
(xv)	Public Accounts Committee . . . . .	..
(xvi)	Railway Convention Committee . . . . .	..
(xvii)	Rules Committee	3

JOINT SELECT COMMITTEES

(i)	Joint Committee on Offices of Profit	
(ii)	Joint Committee on Salaries and Allowances of Members of Parliament	
(iii)	Joint Committee of Chairmen, House Committees of both the Houses of Parliament	1

23.	Number of members granted leave of absence	Nil
24.	Petitions presented	1
25.	NUMBER OF NEW MEMBERS SWORN WITH DATE	

No. of members sworn	Date on which sworn
7	13-3-85
1	14-3-85
1	12-4-85
1	29-4-85
1	2-5-85
1	7-5-85

APPENDIX II

STATEMENT SHOWING THE WORK TRANSACTED DURING THE HUNDRED AND THIRTY-THIRD SESSION OF RAJYA SABHA

1.	Period of the Session	- 13 March to 29 March, 1985
2.	Number of meetings held	- 14
3.	Total Number of sitting hours	- 81 hours 26 minutes (excluding lunch recess)
4.	Number of Divisions held	- Nil
5.	GOVERNMENT BILLS	
	(i) Pending at the commencement of the Session	7
	(ii) Introduced	2
	(iii) Laid on the Table as passed by Lok Sabha	12
	(iv) Returned by Lok Sabha with any amendment	Nil
	(v) Referred to Select Committee by Rajya Sabha	Nil
	(vi) Referred to Joint Committee by Rajya Sabha	1
	(vii) Reported by Select Committee	Nil
	(viii) Reported by Joint Committee	Nil
	(ix) Discussed	16
	(x) Passed	6
	(xi) Withdrawn	Nil
	(xii) Negatived	Nil
	(xiii) Part-Discussed	1
	(xiv) Returned by Rajya Sabha without any recommendation	9
	(xv) Discussion postponed	Nil
	(xvi) Pending at the end of the Session	6
6.	PRIVATE MEMBERS' BILLS	
	(i) Pending at the commencement of the Session	27
	(ii) Introduced	3
	(iii) Laid on the Table as passed by Lok Sabha	Nil
	(iv) Returned by Lok Sabha with any amendment and Laid on the Table	Nil
	(v) Reported by Joint Committee	Nil
	(vi) Discussed	4

(vii) Withdrawn	3
(viii) Passed	Nil
(ix) Negatived	Nil
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	1
(xii) Discussion postponed	Nil
(xiii) Motion for circulation of Bill negatived	Nil
(xiv) Referred to Select Committee	Nil
(xv) Lapsed due to retirement/death of member-in-charge of the Bill	Nil
(xvi) Pending at the end of the Session	27
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176 (MATTERS OF URGENT PUBLIC IMPORTANCE)	
(i) Notices received	2
(ii) Admitted	Nil
(iii) Discussion held	Nil
8. NUMBER OF STATEMENTS MADE UNDER RULE 180 (CALLING-ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE)	
Statements made by Ministers	2
9. Half-an-hour discussion held	Nil
10. STATUTORY RESOLUTIONS	
(i) Notices received	3
(ii) Admitted	3
(iii) Moved	3
(iv) Adopted	1
(v) Negatived	2
(vi) Withdrawn	Nil
11. GOVERNMENT RESOLUTIONS	
(i) Notices received	1
(ii) Admitted	1
(iii) Moved	1
(iv) Adopted	1
12. PRIVATE MEMBERS' RESOLUTIONS	
(i) Received	3
(ii) Admitted	

(iii) Discussed	1
(iv) Withdrawn	Nil
(v) Negatived	Nil
(vi) Adopted	Nil
(vii) Part-discussed	Nil
(viii) Discussion postponed	Nil
13. GOVERNMENT MOTIONS	
(i) Notices received	1
(ii) Admitted	1
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Part-discussed	Nil
14. PRIVATE MEMBERS' MOTIONS	
(i) Received	162
(ii) Admitted	160
(iii) Moved	1
(iv) Adopted	Nil
(v) Part-discussed	Nil
(vi) Negatived	1
(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
16. Number of Parliamentary Committees created, if any, during the Session.	Nil
17. Total number of Visitors' Passes issued	1,213
18. Total Number of persons visited	1,486
19. Maximum number of Visitors' Passes issued on any single day, and date on which issued	191 on 28 March, 1985

20.	Maximum number of persons visited on any single day and date on which visited	195 on 28 March 1985
21.	TOTAL NUMBER OF QUESTIONS ADMITTED	
	(i) Starred	254
	(ii) Unstarred.	1,408
	(iii) Short-Notice Questions	Nil
22.	DISCUSSION ON THE WORKING OF THE MINISTRIES	Nil
23.	WORKING OF PARLIAMENTARY COMMITTEES	

Name of Committee	No. of meetings held during the period 1st January to 31 March, 1985	No. of Reports presented during the Session
(i) Business Advisory Committee	3	N/A
(ii) Committee on Subordinate Legislation	..	1
(iii) Committee on Petition	3	2
(iv) Committee of Privileges	..	2
(v) Committee on Rules		..
(vi) Committee on Government Assurances	..	1
(vii) Committee on Papers Laid on the Table	1	1

24.	Number of members granted leave of absence	1
25.	Petition presented	Nil
26.	NAME OF NEW MEMBERS SWORN WITH DATES	

S.No.	Name of members sworn	Date on which sworn
1	2	3
1.	Shri Faguni Ram	13-3-85
2.	Shri Gurdas Das Gupta	-do-
3.	Shri Ramendra Poddar	-do-

27. OBITUARY REFERENCES

S.No.	Name	Sitting member/ Ex-member
1.	Mr. Konstantin U. Chernenko	President of U.S.S.R.
2.	Shrimati Pratima Bose	Ex-member
3.	Shri Narla Venkateswara Rao	-do-
4.	Dr. V.A. Syid Mohammad	-do-
5.	Shri Dajiba Balvant Rao Desai	-do-

APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF STATES AND UNION TERRITORIES DURING THE PERIOD 1 JANUARY TO 31 MARCH 1985.

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.G.	12-3-85 to 20-3-85	7	(11)	..	..	..	..
Andhra Pradesh L.A.	11-3-85 to 20-3-85	9	14(11)	..	77(25) (a)	(25) (b)	30
Assam L.A.	6-3-85 to 9-4-85	23	7(3)	..	777 (705)	39 (25)	28 (12)
Bihar L.C.	22-1-85 to 31-1-85	8	(2)	..	374 (391)	(2)	104 (56)
Bihar L.A.	22-1-85 to 30-1-85	7	2(2)	..	925(386)(c)	(266)	(60)
Gujarat L.A.	18-3-85 to 2-4-85	13	7(7)	..	..	78(51)(d)	123(40)
Haryana L.A.	6-3-85 to 29-3-85	16	8(8)	..	288(214)	49(36)	..
Himachal Pradesh L.A.	11-3-85 to 19-3-85	7	2(2)	..	..	..	3
Jammu & Kashmir L.G.	..	..	..	..	..	..	..
Jammu & Kashmir L.A.	29-1-85 to 27-2-85	9	9(8)	..	339(335)	180(173)	14(10)
Karnatak C.	18-3-85 to 10-4-85	15	(13)	..	208(148)	44(1)	..
Karnatak	18-3-85 to 6-4-85	14	16(14)	..	58(47)	46(46)	6(3)
Kerala L.A.	6-3-85 to 11-4-85	23	7(10)	..	6,103(2,382) (c)	(2,857)	3(2)

1	2	3	4	5	6	7	8
UNION TERRITORIES							
Arumachal Pradesh L.A.	22-9-85 to 27-9-85	5	4(4)	..	70(65)	16(16)	..
Delhi Metropolitan Council	..	..	..	..	..	..	..
Goa, Daman and Diu L.A.	21-1-85 and 18-3-85 to 29-3-85	1 and 9	14(13)	..	364(271)	3(76) (J)	1
Mizoram L.A.	20-3-85 to 29-3-85	8	2(2)	..	57(56)	..	2(1)
Pondicherry L.A.	..	..	..	..	..	..	..

Notes : (i) Figures in Cols. 4 and 5 indicate the number respectively of Government and Private Members' Bills introduced with the number of Bills passed in brackets.

(ii) Figures in Cols. 6, 7 and 8 indicate the number of notices received followed by the number of notices admitted in brackets.

(a) The figure in bracket includes 16 notices received as Short Notice Questions.

(b) The figure includes 18 notices received as Starred Questions and 7 notices received as Short Notice Questions.

(c) The figure 925 includes total number of notices received.

(d) The figure in bracket includes 5 notices received as Short Notice Questions.

(e) The figure 6, 103 includes all notices received as Starred and Unstarred Questions.

(f) The figure in bracket includes 74 notices received as Starred Questions.

(g) The figure includes notices received as Starred Questions.

(h) The figure in bracket includes 62 notices received as Short Notice Questions.

(i) The figure in bracket includes 83 notices received as Starred Questions and 32 notices received as Short Notice Questions.

(j) The figure in bracket includes 74 notices received as Starred Questions.

Tripura L.A.	1(1)	1(1)	..	2(1)	2	..	4(1)(O)	1	..	2	3	..	2	3(1)(P)
Uttar Pradesh L.C.	3(3)	10	16	8	14	..	..	..	5	..	..	15	2(q)	40(3)(r)
Uttar Pradesh L.A.	3	5	4	4(2)	7(1)	3	5	6(1)	..	1	7	1	..	14(2)(s)
West Bengal L.A.	..	..	..	..	..	..	..	..	..	..	..	..	..	..
UNION TERRITORIES														
Arunachal Pradesh L.A.	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Delhi Metropolitan Council	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Goa, Daman & Diu L.A.	2	..	..	..	..	..	..	..	..	..	..	..	..	..
Mizoram L.A.	1(1)	..	..	..	..	..	..	2	2	2	1	..	..	..
Pondicherry L.A.	..	..	..	..	..	..	..	..	..	..	..	..	..	..

Notes : Figures in the brackets indicate the number of reports presented to the House.

- (a) Amenities Committee—1 sittings.
- (b) ERG (Ad hoc) Committee—2 sittings.
- (c) Committee on Miscellaneous Matters—21 sittings; and Question and Calling Attention Committee—8 sittings.
- (d) Question and Calling Attention Committee—58(35); Nivedan Committee—17 sittings; and Zila Panchayat Committee—76 sittings.
- (e) Committee on Welfare of Scheduled Caste—1(1); and Committee on Welfare of Scheduled Tribes—1(3).
- (f) Committee on Welfare of Socially and Educationally Backward Classes, Nomadic Tribes and Denotified Tribes—2(1); Committee on Panchayati Raj—4(1); and Members, Allowances Rules Committee—2 sittings.

- (g) Committee on Papers Laid on the Table of the House—1 (1)
- (h) Public Accounts Committee—11(4); and Public Accounts Committee (Action Taken)—2(10)
- (i) Select Committee on the Kerala Fishermen's Welfare Fund Bill, 1984—4 sittings.
- (j) Subject Committees I to X—20 sittings.
- (k) Committee on Welfare of Scheduled Castes—2 sittings; and Committee on Welfare of Scheduled Tribes—3 sittings.
- (l) Panchayati Raj Committee—12 sittings; Employment Guarantee Scheme Committee—11(1); and Catering Committee—4 sittings.
- (m) Committee on Welfare of Scheduled Castes—13 sittings; and Committee on Welfare of Scheduled Tribes—16 sittings.
- (n) Rules Sub Committee, 1985—13 sittings.
- (o) Committee on Welfare of Scheduled Castes—2(1); and Committee on Welfare of Scheduled Tribes—2 sittings.
- (p) Committee on Delegated Legislation—3 (1).
- (q) U.P. Kriahi Evam Prodyogik Vishwavidyalaya (Sar shodhan) Vidheyak, 1981—2 sittings.
- (r) Parliamentary Studies Committee—11 sittings; Parliamentary Goodwill Committee—6(1); Financial and Administrative Delays' Committee—7 (1); Compilation of Rulings Committee—6 sittings; and Questions and Reference Committee—10(1).
- (s) Question and Reference Committee—4 sittings; Committee constituted to inquire into the conduct of Shri Mohd. Azam Khan, M.L.A. on the occasion of Governor's Address—2(1); Accommodation Advisory & Kitchen Committee—1 sitting; Parliament; Research, Reference and Study Committee—1 sitting; Committee constituted in connection with the scheme for permanent settlement of Gujars—5 sittings; and Committee constituted to inquire into the cause of fire at Sahapuri Power Station in V.E. nesi—1(1).

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, 1985

S. No.	Title of the Bill	Date of assent by the President
1	2	3
1	The Foreign Contribution (Regulation) Amendment Bill, 1985	31-1-85
2	The National Capital Region Planning Board Bill, 1985	9-2-85
3	The General Insurance Business (Nationalisation) Amendment Bill, 1985	9-2-85
4	The Appropriation Bill, 1985	9-2-85
5	The Appropriation (No. 2) Bill, 1985	9-2-85
6	The Appropriation (Railways) Bill, 1985	9-2-85
7	The Appropriation (Railways) No. 2 Bill, 1985	9-2-85
8	The Punjab Appropriation Bill, 1985	9-2-85
9	The Constitution (Fifty-second Amendment) Bill, 1985	15-2-85
10	The Representation of the People (Amendment) Bill, 1985	16-2-85
11	The Calcutta Metro Railway (Operation and Maintenance) Temporary Provisions Bill, 1985	16-2-85
12	The Sugar Undertakings (Taking Over of Management) Amendment Bill, 1985	16-2-85
13	The Gangtok Municipal Corporation (Amendment) Bill, 1985	16-2-85
14	The Administrative Tribunals Bill, 1985	27-2-85
15	The Appropriation (Vote on Account) Bill, 1985	29-3-85
16	The Appropriation (No. 3) Bill, 1985	29-3-85
17	The Appropriation (Railways) No. 3 Bill, 1985	29-3-85
18	The Appropriation (Railways) No. 4 Bill, 1985	29-3-85
19	The Punjab Appropriation (Vote on Account) Bill, 1985	29-3-85
20	The Punjab Appropriation (No. 2) Bill, 1985	29-3-85
21	The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 1985	29-3-85

1	2	3
22	The Bhopal Gas Leak Disaster (Processing of Claims) Bill, 1985	29-3-85
23	The Handloom (Reservation of Articles for Production) Bill, 1985	29-3-85
24	The National Security (Amendment) Bill, 1985	29-3-85
25	The Government of Union Territories (Amendment) Bill, 1985	29-3-85
26	The Compulsory Deposit Scheme (Income-tax Payers) Amendment Bill, 1985	30-3-85
27	The Union Duties of Excise (Distribution) Amendment Bill, 1985	30-3-85
28	The Additional Duties of Excise (Goods of Special Importance) Amendment Bill, 1985	30-3-85
29	The Estate Duty (Distribution) Amendment Bill, 1985	30-3-85

APPENDIX V

LIST OF BILLS PASSED BY THE STATE LEGISLATURES DURING THE PERIOD 1 JANUARY TO
31 MARCH, 1985

STATES

ANDHRA PRADESH LEGISLATION COUNCIL

1. The Andhra Pradesh Appropriation (Vote on Account) Bill, 1985.
2. The Andhra Pradesh Appropriation Bill, 1985.
3. The Andhra Pradesh Abolition of Posts of Part-time Village Officers Bill, 1985.
The Andhra Pradesh Public Employment (Regulation of Age of Superannuation) (Amendment) Bill, 1985.
5. The Andhra Pradesh Members of Police Force (Regulation of Transfers) Bill, 1985.
6. The Andhra Pradesh University Acts (Amendments) Bill, 1985.
7. The Hyderabad Municipal Corporation (Amendment) Amending Bills, 1985.
8. The Andhra Pradesh Municipalities (Amendment) Bill, 1985.
9. The Andhra Pradesh Electricity Duty (Amendment) Bill, 1985.
10. The Andhra Pradesh (Mineral Rights) Tax (Amendment) Bill, 1985.
11. The Andhra Pradesh Educational Institutions (Regulation of Admission and Prohibition of Capitation Fee) Amendment Bill, 1985.

ANDHRA PRADESH LEGISLATURE ASSEMBLY

1. The Andhra Pradesh Appropriation (Vote on Account) Bill, 1985.
2. The Andhra Pradesh Appropriation Bill, 1985.
3. The Andhra Pradesh Abolition of Posts of Part-time Village Officers Bill, 1985.
4. The Andhra Pradesh Public Employment (Regulation of Age of Superannuation) (Amendment) Bill, 1985.
5. The Andhra Pradesh Members of Police Force (Regulation of Transfers) Bill, 1985.
6. The Andhra Pradesh University Acts (Amendment) Bill, 1985.
7. The Hyderabad Municipal Corporation (Amendment) Amending Bill, 1985.
9. The Andhra Pradesh Electricity Duty (Amendment) Bill, 1985.
10. The Andhra Pradesh (Mineral Rights) Taxes (Amendment) Bill, 1985.
11. The Andhra Pradesh Educational Institutions (Regulation of Admission and Prohibition of Capitation Fee) (Amendment) Bill, 1985.

ASSAM LEGISLATIVE ASSEMBLY

1. The Assam Appropriation (No. 1) Bill, 1985.
2. The Assam Appropriation (No. 2) Bill, 1985.
3. The Assam Towns and Country Planning (Amendment) Bill, 1985.

BIHAR LEGISLATIVE COUNCIL

1. The Bihar Appropriation Bill, 1985.
2. The Bihar Appropriation (Vote on Account) Bill, 1985.

GUJARAT LEGISLATIVE ASSEMBLY

1. The Gujarat Public Moneys (Recovery of Dues) (Amendment and Validation) Bill, 1985.
2. The Bombay Reats, Hotel and Lodging House Rates Control (Gujarat Amendment) Bill, 1985.
3. The Gujarat Private Forests (Acquisition) (Amendment) Bill, 1985.
4. The Gujarat Tax on sale of Electricity Bill, 1985.
5. The Gujarat (Supplementary) Appropriation Bill 1985.
6. The Gujarat Appropriation (vote on Account) Bill 1985.
7. The Gujarat Legislative Assembly Members (Removal of Disqualifications) Bill, 1985.

HARYANA LEGISLATIVE ASSEMBLY

1. The Punjab Land Revenue (Haryana Amendments) Bill, 1985.
2. The Payment of Wages (Haryana Amendment) Bill, 1985.
3. The Haryana Municipal (Amendment) Bill, 1985.
4. The Haryana General Sales Tax (Amendment) Bill, 1985.
5. The Punjab Panchayat Samitis (Haryana Amendment) Bill, 1985.
6. The Haryana Appropriation (No. 1) Bill, 1985.
7. The Haryana Appropriation (No. 2) Bill, 1985.
8. The Haryana Legislative Assembly, (Allowance and Pension of Members) (Amendment) Bill, 1985.

*Awaiting Assent.

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY

1. The Himachal Pradesh Appropriation Bill, 1985.
2. The Himachal Pradesh Appropriation (Vote on Account) Bill, 1985.

JAMMU AND KASHMIR LEGISLATIVE ASSEMBLY

1. A Bill to amend the J & K Municipal Committee Act, 2008.
2. A Bill to amend the Laws relating to Prisons & Prisoners in the State.
3. A Bill to provide for the revival of J & K Lambardari Act, 1972.
4. A Bill to amend the J & K Public Safety Act, 1978.
5. The J & K Appropriation Bill of 1985.
6. The J & K Appropriation (Vote on Account) Bill, 1985.
7. The Salaries & Allowances of Members of J&K State Legislature (Amendment) Bill, 1985.
8. The J & K State Legislature Members' Pension (Amendment) Bill, 1985.

KARNATAKA LEGISLATIVE COUNCIL

1. The Karnataka Land Revenue (Amendment) Bill, 1985.
2. The Karnataka Improvement Boards (Amendment) Bill, 1985.
3. The Karnataka Parks, Play-Fields and Open Spaces (Preservation and Regulation) Bill, 1985.
4. The Karnataka Industrial Establishments (National and Festival Holidays) (Amendment) Bill, 1985.
5. The Karnataka Agricultural Debtors (Amendment and Repeal) Bill, 1985.
6. The Karnataka Appropriation (Vote on Account) Bill, 1985.
7. The Karnataka Appropriation Bill, 1985.
8. The Karnataka Education Institutions (Prohibition of Capitation Fee) (Amendment) Bill, 1985.
9. The Karnataka Prevention of Dangerous Activities of Boot-leggers, Drug-offenders, Gamblers, Goondas, Immoral Traffic Offenders and Slum Grabbers Bill, 1985.
10. The Karnataka Legislature Salaries, Pensions and Allowances (Amendment) Bill, 1985.
11. The Karnataka Khadi and Village Industries (Amendment) Bill, 1985.
12. The Karnataka General Clauses (Amendment) Bill, 1985.
13. The Code of Criminal Procedure (Karnataka Amendment) Bill, 1985.

KARNATAKA LEGISLATIVE ASSEMBLY

1. The Karnataka Land Revenue (Amendment) Bill, 1985.
2. The Karnataka Improvement Boards (Amendment) Bill, 1985.

3. The Karnataka Parks, Play-fields and Open Spaces (Preservation & Regulation) Bill, 1985.
4. The Karnataka Industrial Establishments (National and Festival Holidays) (Amendment) Bill, 1985.
5. The Karnataka Electricity (Taxation on Consumption) (Amendment) Bill, 1985.
6. The Karnataka Prevention of Dangerous Activities of Boot-leggers, Drug-offenders, Gamblers, Immoral Traffic Offenders & Slum Grabbers Bill, 1985.
7. The Karnataka Legislature Salaries, Pensions and Allowances (Amendment) Bill, 1985.
8. The Karnataka Agricultural Debtors (Amendment and Repeal) Bill, 1985.
9. The Karnataka Appropriation Bill, 1985.
10. The Karnataka Appropriation (Vote on Account) Bill, 1985.
11. The Karnataka Educational Institutions (Prohibition of Capitation Fees) (Amendment) Bill, 1985.
12. The Karnataka Khadi & Village Industries (Amendment) Bill, 1985.
13. The Karnataka General Clauses (Amendment) Bill, 1985.
14. The Code of Criminal Procedure (Karnataka Amendment) Bill, 1985.

KERALA LEGISLATIVE ASSEMBLY

1. The Kerala Appropriation (No. 11) Bill, 1984.
2. The Kerala Appropriation (No. 12) Bill, 1984.
3. The Kerala Appropriation (No. 13) Bill, 1984.
4. The Kerala Appropriation (No. 14) Bill, 1984.
5. The Kerala Appropriation (No. 15) Bill, 1984.
6. The Kerala Appropriation Bill, 1985.
7. The Kerala Appropriation (Vote on Account) Bill, 1985.
- *8. The Kerala Education (Amendment) Bill, 1983.
- *9. The Kerala Fishermen Welfare Societies (Amendment) Bill, 1983.
- *10. The Kerala Provisional Collection of Revenues Bill, 1983.

MADHYA PRADESH LEGISLATIVE ASSEMBLY

1. The Madhya Pradesh Vinirdishta Bhrashta Acharan Nivaran (Sanshodhan) Vidheyak, 1985.
2. The Madhya Pradesh Lokayukt Evam Up-Lokayukt (Sanshodhan) Vidheyak, 1985.

Awaiting assent.

- *3. The Bhopal Gas Tragedy (Jugam Sampatti Ke Vikrayon Ke Shoonya Ghoshit Kiya Jana) Vidheyak, 1985.
- *4. The Bandi (Madhya Pradesh Sanshodhan) Vidheyak, 1985. *
5. The Madhya Pradesh Krishi Utpadi Mandi (Sanshodhan) Vidheyak, 1985.
6. The Madhya Pradesh Accommodation Control (Amendment) Vidheyak, 1985.
7. The Madhya Pradesh Co-operative Societies (Amendment and Validation) Vidheyak, 1985.
8. The Madhya Pradesh Vinayog (No. 1) Vidheyak, 1985.
- *9. The Madhya Pradesh Project Displaced Persons (Re-settlement) Vidheyak, 1985.
10. The Madhya Pradesh Vinayog (Lekhanudan) Vidheyak, 1985.

MAHARASHTRA LEGISLATIVE COUNCIL

1. The Bombay Municipal Corporation, Bombay Provincial Municipal Corporation, City of Nagpur Corporation and Maharashtra Municipalities (Amendment) Bill, 1985.
2. The Maharashtra Housing and Area Development (Amendment) Bill, 1985.
- *3. The Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) (Extension of Duration) Bill, 1985.
4. The Maharashtra Luxury-cum-Entertainment and Amusement Tax on Holders of Television Sets (Repeal) Bill, 1985.
5. The Maharashtra (Supplementary) Appropriation Bill, 1985.
6. The Maharashtra Appropriation (Vote on Account) Bill, 1985.

MAHARASHTRA LEGISLATIVE ASSEMBLY

1. The Bombay Municipal Corporation, Bombay Provincial Municipal Corporation, City of Nagpur Corporation and Maharashtra Municipalities (Amendment) Bill, 1985.
2. The Maharashtra Housing and Area Development (Amendment) Bill, 1985.
3. The Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) (Extension of Duration) Bill, 1985.
4. The Maharashtra Luxury-cum-Entertainment and Amusement Tax on Holders of Television Sets (Repeal) Bill, 1985.
5. The Maharashtra (Supplementary) Appropriation Bill, 1985.
6. The Maharashtra Appropriation (Vote on Account) Bill, 1985.

MEGHALAYA LEGISLATIVE ASSEMBLY

- *1. The Meghalaya Electricity Duty (Amendment) Bill, 1985.
- *2. The Meghalaya Requisition and Control of Vehicles (Amendment) Bill, 1985.
3. The Meghalaya Appropriation (No.1) Bill, 1985.
- *4. The Meghalaya Municipal (Amendment) Bill, 1985.
5. The Meghalaya Appropriation (Vote on Account) Bill, 1985.

* Awaiting assent.

NAGALAND LEGISLATIVE ASSEMBLY

- *1. The Nagaland Appropriation (No. 1) Bill, 1985.
- *2. The Nagaland Prevention of Property Bill, 1985.
- *3. The Nagaland (Requisition of Porters) (Amendment) Bill, 1985.
- *4. The Nagaland Legislative Assembly Members' Salaries, Allowances and Pension (Amendment) Bill, 1985.

RAJASTHAN LEGISLATIVE ASSEMBLY

- 1. Rajasthan Viniyog (Sankhya-1) Vidheyak, 1985.
- 2. Rajasthan Viniyog (Lekhanudan) (Sankhya-2) Vidheyak, 1985.
- 3. Rajasthan Viniyog (Sankhya-3) Vidheyak, 1985.
- 4. Rajasthan Nibar (Nam Pratisthan) Vidheyak, 1985.

SIKKIM LEGISLATIVE ASSEMBLY

- 1. The Sikkim Appropriation Bill No. 1 of 1985.
- 2. The Sikkim Appropriation Bill No. 2 of 1985.

TAMIL NADU LEGISLATIVE COUNCIL

- 1. The Tamil Nadu Payment of Salaries (Amendment) Bill, 1985.
- 2. The Madras City Municipal Corporation (Amendment) Bill, 1985.
- 3. The Coimbatore City Municipal Corporation (Amendment) Bill, 1985.
- 4. The Tamil Nadu Municipal Corporation (Appointment of Special Officers) (Amendment) Bill, 1985.
- 5. The Madurai City Municipal Corporation (Amendment) Bill, 1985.
- 6. The Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Amendment) Bill, 1985.
- 7. The Tamil Nadu Panchayats (Appointment of Special Officers) (Amendment) Bill, 1985.
- 8. The Tamil Nadu Panchayats (Amendment) Bill, 1985.
- 9. The Tamil Nadu Co-operative Societies (Appointment of Special Officers) (Amendment) Bill, 1985.
- *10. The Bharathia University and the Bharathidasan University (Amendment) Bill, 1985.
- 11. The Tamil University (Amendment) Bill, 1985.
- *12. The Pachaiyappa's Trust (Taking over of Management) (Amendment) Bill, 1985.

*Awaiting assent.

- *13. The Tamil Nadu Debt Relief (Amendment) Bill, 1985.
14. The Tamil Nadu Agricultural Produce Markets (Amendment) Bill, 1985.
15. The Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) (Amendment) Bill, 1985.
16. The Madras Metropolitan Water-Supply and Sewerage (Amendment) Bill, 1985.
17. The Tamil Nadu Appropriation Bill, 1985.
18. The Tamil Nadu Appropriation (Vote on Account) Bill, 1985.
19. The Tamil Nadu Entertainment Tax (Amendment) Bill, 1985.
20. The Tamil Nadu General Sales Tax (Amendment) Bill, 1985.
21. The Tamil Nadu General Sales Tax (Second Amendment) Bill, 1985

TAMIL NADU LEGISLATIVE ASSEMBLY

1. The Bharathiar University and the Bharathidasan University (Amendment) Bill, 1985.
2. The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Bill, 1985.
3. The Tamil Nadu Payment of Salaries (Amendment) Bill, 1985.
4. The Pachaiyappa's Trust (Taking over of Management (Amendment) Bill, 1985.
5. The Madras City Municipal Corporation (Amendment) Bill, 1985.
6. The Coimbatore City Municipal Corporation (Amendment) Bill, 1985.
7. The Tamil Municipals Council (Appointment of Special Officers) (Amendment) Bill, 1985.
8. The Madurai City Municipal Corporations (Amendment) Bill, 1985.
9. The Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) (Amendment) Bill, 1985.
10. The Tamil Nadu Panchayats (Appointment of Special Officers) (Amendment) Bill, 1985.
11. The Tamil Nadu Panchayats (Amendment) Bill, 1985.
12. The Tamil University (Amendment) Bill, 1985.
13. The Tamil Nadu Debt Relief (Amendment) Bill, 1985.
14. The Tamil Nadu Agricultural Produce Markets (Amendment) Bill, 1985.
15. The Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) (Amendment) Bill, 1985.
16. The Madras Metropolitan Water Supply and sewerage (Amendment) Bill, 1985.
17. The Tamil Nadu Entertainment Tax (Amendment) Bill, 1985.
18. The Tamil Nadu General Sales Tax (Amendment) Bill, 1985.
19. The Tamil Nadu General Sales Tax Second (Amendment) Bill, 1985.
- *20. The Tamil Nadu Appropriation Bill, 1985.
21. The Tamil Nadu Appropriation (Vote on Account) Bill, 1985.

*Awaiting assent.

22. The Tamil Nadu Panchayats (Second Amendment) Bill, 1985.
23. The Tamil Nadu District Municipalities (Amendment) Bill, 1985.
24. The Alagappa University Bill, 1985.
25. The Tamil Nadu Taxation Laws (Amendment) (Inapplicability of Limitation) Bill, 1985.
26. The Tamil Nadu Entertainments Tax (Second Amendment) Bill, 1985.
27. The Tamil Nadu Entertainments Tax (Third Amendment) Bill, 1985.

TRIPURA LEGISLATIVE ASSEMBLY

- *1. The Indian Stamp (Tripura Third Amendment) Bill, 1985.
- *2. The Tripura Eyes (Authority for Use for Therapeutic Purpose) Bill, 1985.
3. The Tripura Tribal Areas Autonomous District Council (Repeal) Bill, 1985.
- *4. The Tripura Cinemas (Regulation) Bill, 1985.
- *5. The Tripura Appropriation (No. 2) Bill, 1985.
- *6. The Tripura Professions, Trades, Callings and Employment Taxation (Amendment) Bill, 1985.
- *7. The Tripura Leapers (Repeal) Bill, 1985.
- *8. The Tripura Appropriation (Vote on Account) Bill, 1985.

UTTAR PRADESH LEGISLATIVE COUNCIL

1. Uttar Pradesh Lok Seva (Adhikaran) (Sanshodhan) Vidheyak, 1985.
2. Uttar Pradesh Zila Parishad (Alpakalik Vyavastha) (Sanshodhan) Vidheyak, 1985.
3. Uttar Pradesh Asbkari (Sanshodhan) Vidheyak, 1985.
4. Uttar Pradesh Bikri Kar (Sanshodhan) Vidheyak, 1985.
5. Uttar Pradesh Electricity Duty (Sanshodhan) Vidheyak, 1985.
6. Uttar Pradesh Motor Gadi (Karadhan) (Sanshodhan) Vidheyak, 1985.
7. Uttar Pradesh Rajya Vishwavidyalaya (Sanshodhan) Vidheyak, 1985.
8. Uttar Pradesh Viniyog (Lekhanudan) Vidheyak, 1985.
9. Uttar Pradesh Viniyog (1984-85 Ka Dwitiya Anupurak) Vidheyak, 1985.
10. Uttar Pradesh Krishi Utpadan Mandi (Sanshodhan) Vidheyak, 1985.
11. Uttar Pradesh Sakhari Samiti (Sanshodhan) Vidheyak, 1985.

UTTAR PRADESH LEGISLATIVE ASSEMBLY

1. The Uttar Pradesh Zila Parishads (Alpakalik Vyavastha) (Sanshodhan) Vidheyak, 1985.
- *2. The Uttar Pradesh Public Services (Tribunals) (Amendment) Bill, 1985.
3. The Uttar Pradesh Excise (Amendment) Bill, 1985.
4. The Uttar Pradesh Sales Tax (Amendment) Bill, 1985.

* Awaiting assent.

- *5. The Uttar Pradesh Electricity (Duty) (Amendment) Bill, 1985.
- *6. The Uttar Pradesh Motor Vehicles Taxation (Amendment) Bill, 1985.
- 7. The Uttar Pradesh Co-operative Societies (Amendment) Bill, 1985.
- *8. The Uttar Pradesh Krishi Utpadan Mandi (Amendment) Bill, 1985.
- *9. The Uttar Pradesh State Universities (Amendment) Bill, 1985.
- 10. The Uttar Pradesh Appropriation (Second Supplementary 1984-85) Bill, 1985.
- 11. The Uttar Pradesh Appropriation (Vote on Account) Bill, 1985.

UNION TERRITORIES

ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY

- 1. The Arunachal Pradesh Salary, Allowances and Pension of Members of Legislative Assembly (Amendment) Bill, 1985.
- 2. The Arunachal Pradesh Speaker and Deputy Speaker Salaries and Allowances (Amendment) Bill, 1985.
- 3. The Arunachal Pradesh Appropriation Bill, 1985.
- 4. The Arunachal Pradesh Appropriation (No. 2) Bill, 1985.

GOA, DAMAN & DIU LEGISLATIVE ASSEMBLY

- *1. The Goa, Daman & Diu General Clauses (Amendment) Bill, 1985.
- *2. The Goa, Daman and Diu Members of Legislative Assembly (Removal of Disqualification) (Amendment) Bill, 1985.
- *3. The Registration (Goa, Daman and Diu Amendment) Bill, 1985.
- *4. The Goa, Daman and Diu Town and Country Planning (Amendment) Bill, 1985.
- *5. The Goa, Daman and Diu Salary, Allowances and Pension of Members of Legislative Assembly (Amendment) Bill, 1985.
- *6. The Goa, Daman and Diu Sales Tax (Amendment) Bill, 1985.
- 7. The Goa, Daman and Diu Supplementary Appropriation Bill, 1985.
- 8. The Goa, Daman and Diu Appropriation (Vote on Account) Bill, 1985.
- *9. The Goa, Daman and Diu Mundkars (Protection from Eviction) (Amendment) Bill 1985.
- *10. The Goa, Daman and Diu Legislative Diploma (Amendment) Bill, 1985.
- *11. The Goa, Daman and Diu Sales Tax (Amendment) Bill, 1985.
- *12. The Goa, Daman and Diu Motor Vehicles (Taxation on Passengers & Goods) (Amendment) Bill, 1985.
- *13. The Goa, Daman and Diu Motor Vehicles Tax (Amendment) Bill, 1985.

*Awaiting assent.

APPENDIX VI

ORDINANCES ISSUED BY THE CENTRAL AND STATE GOVERNMENTS DURING THE PERIOD 1 JANUARY TO 31 MARCH, 1985

Sl. No.	Subject	Date of promulgation	Date on which laid before the House	Date of cessation	Remarks
1	2	3	4	5	
CENTRAL GOVERNMENT					
1	The Bhopal Gas Leak Disaster (Processing of Claims) Ordinance, 1985 (No. 1 of 1985)	20-2-85	14-3-85	—	Replaced by Legislation.
2	The Requisitioning and Acquisition of Immovable Property (Amendment) Ordinance, 1985 (No. 2 of 1985)	8-3-85	14-3-85	—	Do.
STATE GOVERNMENTS					
ANDHRA PRADESH					
1	The Andhra Pradesh Municipalities (Amendment) Ordinance, 1985	28-11-85	19-3-85	—	Do.
ASSAM					
1	The Assam Land (Requisition and Acquisition) (Amendment) Ordinance, 1984. V	22-12-84	6-3-85	—	—
2	The Assam Official Language (Amendment) Ordinance, 1984.	26-12-84	-do-	—	—
3	The Assam Town and Country Planning (Amendment) Ordinance, 1985.	19-1-85	-do-	—	—

BIHAR

1	The Bihar Intermediate Educational Council (Second) Ordinance, 1984.	22-1-85	—	—
2	The Bihar Orphanage Fund (Amendment) (Second) Ordinance, 1984	Do.	—	—
3	The Bihar Coal Mines Regional Development Authority (Second) Ordinance, 1984	Do.	—	—
4	The Bihar Opium Excise (Amendment) Ordinance, 1984.	Do.	—	—
5	The Bihar Non-Government Secondary School (Management and Control) Ordinance (Amendment) Ordinance, 1984.	Do.	—	—
6	The Bihar Entertainment Tax (Amendment) Ordinance, 1984.	Do.	—	—
7	The Bihar Private Medical (Indian Medical System) College (Adoption) Ordinance, 1985.	Do.	—	—

GUJARAT

1	The Gujarat Tax on Sale of Electricity Ordinance, 1984.	1-10-84	19-3-85	Do.
	The Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Amendment) Ordinance, 1984.	5-12-84	Do.	Do.
3	The Gujarat Private Forests (Acquisition) (Amendment) Ordinance, 1985	4-1-85	Do.	Do.
4	The Gujarat Public Moneys (Recovery of Dues) (Amendment and Validation) Ordinance, 1985.	8-1-85	Do.	Do.
5	The Gujarat Backward Classes Development Corporation Ordinance, 1985.	7-1-85	Do.	Do.
6	The Gujarat Scheduled Castes Development Corporation Ordinance, 1985.	9-1-85	Do.	Do.

1	2	3	4	5	6
7	The Gujarat Housing Board (Amendment) Ordinance, 1985.	10-1-85	19-9-85	—	Replaced by Legislation
8	The Gujarat Rural Housing Board (Amendment) Ordinance, 1985.	Do.	Do.	—	Do.
9	The Gujarat Agricultural Produce Markets (Amendment) Ordinance, 1985.	25-1-85	Do.	—	Do.
1	The Punjab Panchayat Samiti (Haryana Amendment) Ordinance, 1984.	5-11-84	6-9-85	—	Do.
HARYANA					
JAMMU AND KASHMIR					
1	The J&K Lamberdari (Revival) Ordinance, 1985.	15-1-84	29-1-85	—	Do.
2	The J&K Public Safety (Amendment) Ordinance, 1984.	11-10-84	Do.	—	Do.
3	The J&K Registration of Deeds (Validation) Ordinance, 1984.	19-11-84	Do.	—	Do.
4	The Controller of Prisons (Change in Designation) Ordinance, 1984.	11-10-84	Do.	—	Do.
KARNATAKA					
1	The Karnataka Land Revenue (Amendment) Ordinance, 1985.	9-1-85	19-3-85	—	Do.
2	The Karnataka Educational Institutions (Prohibition of Capitation Fee) (Amendment) Ordinance, 1985.	Do.	Do.	—	Do.
3	The Karnataka Improvement Boards (Amendment) Ordinance, 1985.	10-1-85	Do.	—	Do.
4	The Karnataka Khadi and Village Industries (Amendment) Ordinance, 1985.	Do.	Do.	—	Do.
5	The Karnataka Electricity (Taxation on Consumption) (Amendment) Ordinance, 1985.	Do.	Do.	—	Do.

Appendices

			Replaced by legislation
6	The Karnataka Legislature Salaries, Pensions and Allowances (Amendment) Ordinance, 1985.	11-1-85	19-3-85
7	The Karnataka Contingency Fund (Temporary Amendment) Ordinance, 1985.	13-3-85	Do.
KERALA			
1	The Kerala Command Area Development Ordinance, 1985.	11-1-85	8-3-85
2	The Kerala Co-operative Societies (Amendment) Ordinance, 1985.	22-2-85	Do.
3	The Kerala Municipalities (Amendment) Ordinance, 1985.	28-2-85	Do.
4	The Kerala Municipalities (Second Amendment) Ordinance, 1985.	Do.	Do.
5	The Kerala Municipal Corporations (Amendment) Ordinance, 1985.	Do.	Do.
6	The Kerala Panchayat (Amendment) Ordinance, 1985.	Do.	Do.
7	The Payment of Salaries and Allowances (Amendment) Ordinance, 1985.	27-2-85	Do.
MADHYA PRADESH			
1	The Madhya Pradesh Accommodation Control (Amendment) Ordinance, 1985.	16-1-85	27-3-85
2	The Madhya Pradesh Vinirdishta Bhraashita Acharan Nivaran (Sanshodhan) Adhyadesh, 1985.	17-1-85	Do.
3	The Madhya Pradesh Project Displaced Persons (Resettlement) Adhyadesh, 1985.	24-1-85	Do.

1	2	3	4	5	6
4	The Bhopal Gas Tragedy (Jangam Sampatti Ke Vikrayon Ka Shoochya Ghoshit Kiya Jana) Adhyadesh, 1985.	Do.	Do.	—	Do.
5	The Madhya Pradesh Co-operative Societies (Amendment and Validation) Ordinance, 1985.	15-2-85	Do.	—	Do.
6	The Madhya Pradesh Krishi Upaj Mandi (Sanhodhan) Adhyadesh, 1985.	Do.	Do.	—	Do.
MAHARASHTRA					
1	The Bombay Municipal Corporation, Bombay Provincial Municipal Corporations, City of Nagpur Corporation and Maharashtra Municipalities (Amendment) Ordinance, 1985.	11-2-85	20-3-85	4-4-85	Replaced by Legislation.
2	The Maharashtra Housing and Area Development (Amendment) Ordinance, 1985.	13-2-85	Do.	Do.	Do.
3	The Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sales, Management and Transfer) (Extension of Duration) Ordinance 1985.	20-2-85	Do.	1-3-85	Do.
RAJASTHAN					
1	The Rajasthan Canal Substitution of Name Ordinance, 1984.	—	9-11-84	20-4-85	—
TAMIL NADU					
1	The Tamil Nadu Debt Relief (Amendment) Ordinance, 1985.	30-1-85	14-3-85	—	Replaced by Legislation.

UTTAR PRADESH

1	The Uttar Pradesh Urban Building (Regulation of Letting, Rent and Eviction) (Amendment) Ordinance, 1985.	5-1-85	18-3-85	
2	The Uttar Pradesh Sales-Tax (Amendment) Ordinance, 1985.	19-1-85	Do.	28-3-85
3	The Uttar Pradesh Public Services (Tribunals) (Amendment) Ordinance, 1985.	28-1-85	Do.	Do.
4	The Uttar Pradesh Electricity (Duty) (Amendment) Ordinance, 1985.	1-2-85	Do.	Do.

.

Replaced by
Legislation.

APPENDIX VII

A. PARTY PORTION IN LOE SABHA (As on 15 May, 1985)

Sl. No.	Name of State/Union Territory	Seats	Cong. (I)	Telugu Desam	CPI (M)	Other Parties	Un-attached	Total	Vacancies
1	2	3	4	5	6	7	8	9	10
STATES									
1	Andhra Pradesh	42	6	30	1	4(a)	1	42	—
2	Assam	14	—	—	—	—	—	—	14
3	Bihar	54	48	—	—	4(b)	2	54	—
4	Gujarat	26	24	—	—	2(c)	—	26	—
5	Haryana	10	10	—	—	—	—	10	—
6	Himachal Pradesh	4	3	—	—	—	—	3	1
7	Jammu & Kashmir	6	3	—	—	3(d)	—	6	—
8	Karnataka	28	24	—	—	4(c)	—	28	—
9	Kerala	20	13	—	1	6(f)	—	20	—
10	Madhya Pradesh	40	40	—	—	—	—	40	—
11	Maharashtra	48	43	—	—	3(g)	2	48	—
12	Manipur	2	2	—	—	—	—	2	—
13	Nagaland	1	1	—	—	—	—	1	—
14	Meghalaya	2	2	—	—	—	—	2	—
15	Orissa	21	20	—	—	—	—	20	1
16	Punjab	13	—	—	—	—	—	—	13
17	Rajasthan	25	24	—	—	—	—	—	—
18	Sikkim	1	—	—	—	—	1	1	—
19	Tamil Nadu	39	25	—	—	14(h)	—	39	—

B. PARTY POSITIONS IN RAJYA SABHA (As on 1 April, 1985)

Sl. States/Union Territories No.	Seats	Cong. (I)	Janata	C.P.I.(M)	BJP	Other Parties	Un-attached	Total	Vacancies	
1	2	3	4	5	6	7	8	9	10	11
STATES										
1	Andhra Pradesh	18	11	1	—	—	6(a)	—	18	—
2	Assam	7	6	1	—	—	—	—	7	—
3	Bihar	22	15	1	—	3	3(b)	—	22	—
4	Gujarat	11	8	—	—	1	—	1	10	1
5	Haryana	5	4	—	—	—	1(c)	—	5	—
6	Himachal Pradesh	3	3	—	—	—	—	—	3	—
7	Jammu & Kashmir	4	—	—	—	—	2(d)	1	3	4
8	Karnataka	12	8	3	—	—	—	1	12	—
9	Kerala	9	2	—	3	—	3(c)	—	8	1
10	Madhya Pradesh	16	13	—	—	3	—	—	16	—
11	Madharashtra	19	13	2	—	—	2(f)	—	17	2
12	Manipur	1	1	—	—	—	—	—	1	—
13	Meghalaya	1	1	—	—	—	—	—	1	—
14	Nagaland	1	—	—	—	—	1(g)	—	1	—
15	Orissa	10	8	1	—	—	—	1	10	—

16 Punjab	.	.	.	.	7	5	—	—	—	—	2(h)	—	7	—
17 Rajasthan	.	.	.	.	10	6	—	—	—	1	—	—	8	2
18 Sikkim	.	.	.	.	1	1	—	—	—	—	—	—	1	—
19 Tamil Nadu	.	.	.	.	18	3	—	—	—	—	15(i)	—	18	—
20 Tripura	.	.	.	.	1	—	—	—	1	—	—	—	1	—
21 Uttar Pradesh	.	.	.	.	34	28	—	—	—	—	5(j)	—	33	1
22 West Bengal	.	.	.	.	16	1	—	—	10	—	4(k)	—	16	—
UNION TERRITORIES														
23 Arunachal Pradesh	.	.	.	.	1	1	—	—	—	—	—	—	1	—
24 Delhi	.	.	.	.	3	3	—	—	—	—	—	—	3	—
25 Mizoram	.	.	.	.	1	1	—	—	—	—	—	—	1	—
26 Pondicherry	.	.	.	.	1	—	—	—	—	—	—	—	—	1
27 Nominated	.	.	.	.	12	9	—	—	—	—	—	—	11	1
TOTAL :					244	151	9	14	8	8	44	8	234	10

(a) Telugu Desam - 5; and National Democratic Party of India - 1.

(b) C.P.I. - 3.

(c) Lok Dal - 1.

(d) National Conference - 2.

(e) Kerala Congress - 1; Muslim League - 1; and Janata (C) - 1.

(f) Congress (S) - 2.

(g) Naga National Democratic Party - 1.

(h) Abali Dal - 2.

(i) C.P.I. - 1; AIAD MK - 11; and DMK - 3.

(j) Janavadi - 1; and Lok Dal (C) - 4.

(k) Forward Block - 2; R.S.P. - 1; and CPI - 1.

C. PARTY POSITION IN LEGISLATURES OF STATES AND UNION TERRITORIES

State/Union Territory	Seats	Cong. (1)	Janata	Lok Dal	BJP	Cong. (S)	CPI (M)	CPI	Other Parties	Ind.	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11	12	13
STATES												
Andhra Pradesh L.C. (As on 1-4-85)	90	48	1		7		1	2	21(a)	7	87	3
Andhra Pradesh L.A. (As on 1-4-85)	295	49	2		8		11	11	204 (b)	4	289	6
Assam L.A. (As on 1-4-85)	126	99				1	2	1	1(c)	5	109	17
Bihar L.C. (As on 1-4-85)	96	43	3	1	..		..	7	4(d)	..	58	38
Bihar L.A. (As on 31-3-85)	325	193	12	46	15	1	1	12	10(c)	29	319	6
Gujarat L.A. (As on 31-3-85)	182	149	14	..	11					8	182	
Haryana L.A. (As on 1-4-85)	90	60	9	12	5				2(f)	1	89*	
Himachal Pradesh L.A. (As on 1-4-85)	68	55	..	1	7	..	..	..	..	2	65	3
Jammu & Kashmir L.C. (As on 1-10-84)	36	2		..	..	..	..	..	24(g)	1	27	9
Jammu & Kashmir L.A. (As on 7-6-85)	78	26	..	..	..	..	..	..	50(h)	1	77	1

Appendices

Karnataka L.C. (As on 10-4-85)	63	18	10	6	..	..	..	..	6	40*	22
Karnataka L.A. (As on 1-4-85)	225	66	138	2	..	2	4	4(i)	8	224*	..
Kerala L.A. (As on 1-4-85)	141	31	4	..	8	30	12	46(i)	8	199*	1
Madhya Pradesh L.A. (As on 1-4-85)	321	249	5	..	58	1	..	..	6	319	2
Maharashtra L.C. (As on 1-3-85)	78	34	1	..	6	3	..	5(t)	8	57	21
Maharashtra L.A. (As on 2-4-85)	289	162	20	..	16	54	2	14(l)	19	289	..
Manipur L.A. (As on 1-10-84)	60	43	1	..	..	..	1	4	8(m)	2	59
Meghalaya L.A. (As on 1-1-85)	60	..	..	..	..	..	..	..	59(n)	..	59*
Nagaland L.A. (As on 1-3-85)	60	41	..	..	..	..	..	..	18(o)	1	60
Punjab L.A. (As on 31-3-85)	117	64	..	..	1	4	8	34(p)	1	112	5
Rajasthan L.A. (As on 1-4-85)	200	113	10	27	37	..	1	..	8	196	4
Sikkim L.A. (As on 1-4-85)	32	1	..	..	..	..	..	30(q)	1	32	..
Tamil Nadu L.C. (As on 1-4-85)	63	5	..	..	..	..	1	33(r)	2	41*	21
Tamil Nadu L.A. (As on 1-4-85)	235	62	..	..	..	..	..	153(s)	18	233*	1

	1	2	3	4	5	6	7	8	9	10	11	12	13
Tripura L.A. (As on 1-4-85)		60	12					37		8(t)	3	60	..
Uttar Pradesh L.G. (As on 1-1-85)		108	40		5	1	..	..	2	13(u)	..	61	47
Uttar Pradesh L.A. (As on 1-4-85)		426	268	20	84	15		2	6	4(v)	23	432	4
West Bengal L.A. (As on 30-9-84)		295	57					170	7	58(w)	3	295	..
UNION TERRITORIES													
Arunachal Pradesh L.A. (As on 1-4-85)		30	27				..	..	..	2(x)	1	30	..
Delhi Metropolitan Council (As on 1-4-83)		61	38	1	2	19		..	..	..	..	60*	..
Goa, Daman & Diu L.A. (As on 1-4-85)		33	22		..	..	..	..	..	9(y)	2	33	..
Mizoram L.A. (As on 1-1-85)		33	23		..	..	..	..	..	9(z)	1	33	..

* Excluding the Speaker/Chairman.

(a) Telugu Desam—18; and Progressive Democratic Front—3.

(b) Telugu Desam—200; Majlis-Ittehad-ul-Muslimeem Party—3; and Marxist Communist Party of India—1.

(c) Plains Tribals Council of Assam—1.

(d) Jharkhand Mukti Morcha—1; and DMKP—3.

- (e) Jharkhand Mukti Morcha—9; and SUGI—1.
- (f) Indian National Congress(J)—2.
- (g) National Conference—24.
- (h) National Conference F —32; National Conference K —16; Panthers Party—1; and People's Party—1.
- (i) MES—3; and Nominated—1.
- (j) Indian Union Muslim League—14; Kerala Congress—15; Janata (led by Shrimati M. Kamalan)—2; National Democratic Party—4; All India Muslim League—4; Revolutionary Socialist Party—4; and Socialist Republican Party—3.
- (k) Peasants and Workers Party—2; Republican Party of India (RPI) (Gavai Group)—1; and Shiv Sena—2.
- (l) Peasants and Workers Party—13; and Nominated—1.
- (m) M.P.P.—8.
- (n) Meghalaya Democratic Front—37; and Meghalaya United Parliamentary Party—22.
- (o) Nagaland National Democratic Party—18.
- (p) Shiromani Akali Dal(L)—31; Shiromani Akali Dal (T)—2 and All India Communist Party—1.
- (q) Sikkim Sangram Parishad—30.
- (r) All India Anna Dravida Munnetra Kazhagam (AIADMK)—23; Dravida Munnetra Kazhagam (DMK)—5; Teachers-Graduates Progressive Front—4; and Gandhi-Kamraj National Congress—1.
- (s) AIADMK—131; and DMK—22.
- (t) R.S.P.—2; and Tripura Upajati Juba Samiti—6.
- (u) Shikshak Dal—7; Nirdaliya Vidhayak Paksha—3; Rashtriya Shikshak Dal—2; and Shikshak Manch—1.
- (v) Congress(J)—4.
- (w) Forward Bloc—28; Revolutionary Socialist Party—18; West Bengal Socialist Party—3; Democratic Socialist Party—2; Revolutionary Communist Party of India—2; Forward Bloc (Marxist)—2; Socialist Unity Centre of India—2; and National—1.
- (x) People's Party of Arunachal Pradesh—2.
- (y) Goa Congress—1; and Maharashtrawadi Gomantak Party (MGP)—8.
- (z) People's Conference (P.C.)—8; and Mizo Convention (M.C.)—1.

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Index to Vol. XXXI (1985)

ADMISSIBILITY OF QUESTIONS ABOUT PRIVATE COMPANIES		Joint Committee on Offices of Profit Seventh Lok Sabha by Committee Branch-I, Lok Sabha Secretariat	
Article on	425		
AHMEDABAD COMMUNAL RIOTS			52
Discussion on	323,475,491	The Kerala Subject Committees by V. M. Sudheeran	405
AIR INDIA			
Crash of Jumbo Jet, Discussion on	621	New Delhi Conference of Commonwealth Speakers—6-8 January, 1986 by Dr. Subhash C. Kashyap	549
ALBANIA			
New party leader	472	Parliament and Social Change-Eradication of the Dowry Evil by Tara Singh	31
ANDHRA PRADESH			
Expansion of Ministry	116	Parliamentary Decorum by Dr. Bal Ram Jakhar	25
Dissolution of Legislative Assembly	116	Parliamentary Diplomacy by Dr. Heinrich Klebes	571
General elections	292	Parliaments and Information Dissemination by Dr. Subhash C. Kashyap	39
New Ministry	293		
Resignation by Minister	292	Railway Convention Committee by Railway Convention Committee Branch, Lok Sabha Secretariat	234
APPENDICES	161,358,514		
	657		
AROUND THE STATES	116,292,468		
	614		
ARTICLES			
Admissibility of Questions about Private Companies by N. N. Mehra	425	Role of Opposition in the Indian Legislature by Amrendra Sarma	
Committee on Petitions by Committee Branch-I Lok Sabha Secretariat	225	Role of Parliament in Monitoring the Performance of Railways as a Public Utility by K.T.V. Raghavan	414
Human Rights in a Democratic System by Radhanandan Jha	214	ARUNACHAL PRADESH	
Indian Social System and Parliamentary Democracy by Indradeep Sinha	220	Election of Speaker	308
		General elections	120
		New Ministry	308

ASSAM		BOLIVIA	
Resignation by Ministers	614	Election of New President	617
ASSAM ACCORD	628	Resignation by Cabinet	121
Statement on	628	BOOK REVIEWS	
BANGLADESH		Francis, Pym: The Politics of Consent by Dinesh Singh	506
Expansion of Cabinet	310, 617	Greer, Ian: Right to be Heard: A guide to Political Representation and Parliamentary Procedure by Professor Hardwari Lal	650
New Cabinet	310	Jain, R.B. (ed.): The Legislative Process in Development by Dr. Sarojini Mahishi	347
Referendum for Presidentship	310	Laundy, Philip: The Office of the Speaker in the Parliaments of the Commonwealth by S. L. Shakdher	646
BARBADOS		BRAZIL	
New Prime Minister	310	New President	311,472
BELGIUM		BUDGET	
Resignation by Prime Minister	617	General	320,332
BIHAR		Railway	316,331
General elections	294	BUREAU OF PARLIAMENTARY STUDIES AND TRAINING	
New Chairman	614	Courses conducted by	87,256,444, 596
New Deputy Chairman	294	CHILE	
New Deputy Speaker	615	Resignation by Cabinet	311
New Governor	294	COMMITTEE ON PETITIONS	
New Ministry	294	Article on	225
New Speaker	294	CONFERENCES AND SYMPOSIA	
Resignation by Chairman	468	Commonwealth Parliamentary Conference (31st) Saskatchewan, Canada, 2 to 12 October, 1985	591
Resignation by Deputy Chairman	615		
Resignation by Minister	615		
BILLS			
The Constitution (Fifty-Second Amendment) Act, 1985	124		
The Representation of the People (Amendment) Act, 1985	131		
BLACK ECONOMY			
Report on	622		

Conference of Secretaries (32nd), Lucknow, 25 October, 1985		DAILY AVERAGE OF QUESTIONS	
Death Anniversary of Shri Jawaharlal Nehru (21st)		Lok Sabha	144,491,635
Inter-Parliamentary conference (73rd), Lome, Togo 25 to 30 March, 1985)	594	Rajya Sabha	152,339,502,643
(74th) (Ottawa, 2, to 7, September, 1985)		DELHI	
Inter-Parliamentary Conference on Environment	444	New Lt.-Governor	120
Inter-Parliamentary Conference on Health and Development (Bangkok, 18 to 21) February, 1985		DEVELOPMENTS ABROAD	121,310,472,617
Inter-Parliamentary Symposium on Disarmament (Mexico, 28 to 31 May, 1985)	254	DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST	
Meeting of the Standing Committee of the Conference of Commonwealth Speakers and Presiding-Officers	590	Feature on	124,314
Presiding Officers—Conference of (51st) (Lucknow 25 to 26 October, 1985)	86	EDITORIAL NOTE	1,211,403,547
Society of Clerks-at-the-Table in Commonwealth Parliaments, Annual General Meeting Saskatchewan, Canada, 7 to 10 October, 1985		EGYPT	
Symposium on "Legislators: Their Duties, Conduct and Responsibilities" (Lucknow, 28 October, 1985)		New Prime Minister	618
COSTA RICA		ESPIONAGE ACTIVITIES	
Declaration of emergency	254	Discussion on	138,318,330
CZECHOSLOVAKIA		FEDERAL REPUBLIC OF GERMANY	
Election of President	443	Resignation by Speaker	121
		FINANCIAL COMMITTEES	
		Joint Inaugural meetings, Short note on	433
	87	GANDHI, SHRIMATI INDIRA	
		Parliamentarians' Homage to	3
		GENERAL ELECTIONS	
	593	India	113
		Andhra Pradesh	292
		Arunachal Pradesh	120
		Bihar	294
	594	Goa, Daman and Diu	120
		Gujarat	295
		Himachal Pradesh	297
	595	Karnataka	298
		Madhya Pradesh	299
	472	Maharashtra	300
	473	Manipur	118

Orissa	303	GUYANA	
Pondicherry	309	New President	618
Punjab	615	New Vice-President	618
Rajasthan	304	GUJARAT	
Sikkim	305	General Elections	295
Tamil Nadu	119	New Ministry	295
Uttar Pradesh	307	Election of Speaker	296
Other countries		New Chief Minister	615
Greece	73	New Deputy Speaker	296
Singapore	112	HALF-AN-HOUR-DISCUSSIONS	
Sweden	619	Lok Sabha	144,491,635
Zimbabwe	620	Rajya Sabha	153,340,502,644
GOA, DAMAN AND DIU		HARDWARI LAL	
Expansion of Cabinet	472	Review of Right to be	
General elections	120	Heard: a guide to Political	
New Ministry	309	Representation and	
New Speaker and Deputy		Parliamentary Procedure	
Speaker	309	by Ian Gree	650
GOVERNOR		HARYANA	
Bihar	294	Expansion of Cabinet	116
Maharashtra	469	Expansion of Ministry	468
Punjab	303	MLA's election set aside	116
Sikkim	472	MLA's election upheld	468
Uttar Pradesh	308	HEPTULLA, SHRIMATI NAJMA	
West Bengal	119	Election as Deputy Chair-	
GREAT BRITAIN		man of the Rajya Sabha	21
Cabinet reshuffle	618	Life-Sketch of	23
GREECE		HIMACHAL PRADESH	
Dissolution of Parliament	473	By-election	117
General Elections	473	Dissolution of Legislative	
New Cabinet	473	Assembly	296
New President	311	General Elections	297
GRENADA		New Ministry	297
New Prime Minister	121	New Speaker	297
GUINEA		Resignation by Minister	296
Abolition of office of		Setting aside of MLA's election	116
Prime Minister	121	HUMAN RIGHTS IN A DEMOCRA-	
		TIC SYSTEM	
		Article on	214

INDIA		JUDICIAL REFORMS	
Appointment of new Minister	292	Urgent need for, discussion on	483
By-election to Lok Sabha	292	KAMPUCHEA	
By-election to Rajya Sabha	292	Election of Prime Minister	311
Cabinet reshuffle	291	KARNATAKA	
Death of Prime Minister	112	Dissolution of Legislative Assembly	298
Dissolution of Lok Sabha (Seventh)	115	General Elections	298
Election to Lok Sabha	291, 467	MLAs election set aside	117
Elections to Rajya Sabha	291, 467	New Chairman and Deputy Chairman	469
General Elections	113	New Deputy Speaker	615
New Chief Justice	468	New Ministry	298
New Ministry	114	New Speaker	298
New Parliamentary Secretary	113	Resignation by Chief Minister	117
New Prime Minister	112	Resignation by Minister	469
Nominations to Rajya Sabha	114, 468	KASHYAP, SUBHASH C.	
Resignation by Member	114, 292, 468	Article on	220
INDIAN SOCIAL SYSTEM AND PARLIAMENTARY DEMOCRACY		New Delhi Conference of Commonwealth Speakers-6-8 January, 1986	
Article on	220	Parliaments and Information Dissemination	39
IRAN		KERALA	
Election of President	618	Dismissal of plea against Speaker	117
ITALY		New Speaker	299
Election of President	473	Resignation by Minister	469
Resignation by President	473	Resignation by Speaker	117
JAKHAR, BAL RAM		THE KERALA SUBJECT COMMITTEES	
Article on Parliamentary Decorum	25	Article on	405
Election as Speaker of Eighth Lok Sabha	10	LT. GOVERNOR	
Life-sketch of	14	New appointments in Delhi	120
JAMMU AND KASHMIR		Pondicherry	120
Expansion of Ministry	117	LOK SABHA (SEVENTH)	
New Chairman	117	Dissolution of	115
JAPAN			
Polls declared unconstitutional	618		
JOINT COMMITTEE ON OFFICES OF PROFIT			
Article on	52		

LOK SABHA (EIGHTH)		MAHISHI, SAROJINI	
Composition of, Short Note on Party position in	64	Review of the Legislative Process in Development by R. B. Jain (ed.)	347
Sessional Review of First Session	200,392,539 698 132		
Sessional Review of Second Session	316,475	MALI Election of President	473
Sessional Review of Third Session	621	MALTA New Prime Minister	121
Statement showing the sittings held by the Committees of the Eighth Lok Sabha during the period 1 April to 30 June, 1985	514	MANIPUR Expansion of Ministry General Elections New Ministry New Speaker and Deputy Speaker	615 118 302 302
Statement showing the work transacted during the First Session of the Eighth Lok Sabha	161	MAURITIUS Changes in Presidentship	122
Statement showing the work transacted during the Second Session of Eighth Lok Sabha	358	MEHRA, N. N. Article on 'Admissibility of Questions About Private Companies'	425
Statement showing the work transacted during the Third Session of the Eighth Lok Sabha	657	NAGALAND Changes in Cabinet	118
Wit and Humour in	78,248,438,586	Expansion of Ministry New Speaker	471 302
LONGOWAL, HARCHAND SINGH			
Obituary reference to	630		
MADHYA PRADESH			
General Elections	299	NEHRU, JAWAHARLAL Homage to	436,444
New Ministry	299		
New Speaker	299		
Resignation by Ministers	118	NEW DELHI CONFERENCE OF COMMONWEALTH SPEAKERS-- JANUARY, 1986 Article on	549
MAHARASHTRA			
Election to Legislative Council	471		
General Elections	300	NICARAGUA New President	311
New Governor	469		
New Ministry	300,469		
New Speaker and Deputy Speaker	302	NIGERIA New President	619
Resignation by Minister	118		

OBITUARY REFERENCES			
Lok Sabha	144,329,491,636	Karnataka	117,298,469,615
Rajya Sabha	153,340,503,644	Kerala	117,299,469
		Madhya Pradesh	118,299,469
ORDINANCES ISSUED BY		Maharashtra	118,300,469,471
Central Government	187,386,533,691	Manipur	118,302,615
		Nagaland	118,302,471
State Governments	188,386,533,691	Orissa	303,471
		Pondicherry	120,309,310
ORISSA		Punjab	119,303,615
Election of Speaker	303	Rajasthan	303,304,305
Expansion of Ministry	471	Sikkim	305,472
General Elections	303	Tamil Nadu	119,305
New Ministry	303	Tripura	615
Resignation by Minister	471	Uttar Pradesh	119,306,307,308,472.
PAKISTAN		West Bengal	119
Dissolution of Cabinet	311	Other Countries	
Dissolution of Federal Council	311	Albania	472
Expansion of Cabinet	474	Bangladesh	310,617
New Council of Ministers	474	Barbados	310
New Prime Minister	312	Belgium	
Swearing-in of President	312	Bolivia	121,617
PANAMA		Brazil	311,472
New President	619	Chile	311
PARLIAMENT AND SOCIAL CHANGE-ERADICATION OF THE DOWRY EVIL.		Costa Rica	472
Article on	31	Czechoslovakia	473
PARLIAMENT		Egypt	618
Bills passed by	182,375,527,674	Federal Republic of Germany	121
		Great Britain	618
PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS.		Greece	311,473
India	112,291,467,612	Granada	121
Around the States		Guinea	121
Andhra Pradesh	116,292,293,614	Guyana	618
Bihar	294,468,614	Iran	618
Delhi	120	Italy	473
Gao, Daman and Diu	120,309,472	Japan	618
Gujarat	295,296,615	Kampuchea	311
Haryana	116,468	Mali	473
Himachal Pradesh	116,296	Malta	121
Jammu and Kashmir	117	Mauritius	122
		Nicaragua	311

Nigeria	619	New Lt.-Governor	120
Pakistan	311, 312, 474	New Ministry	309
Panama	122, 474, 619	New Speaker and Deputy Speaker	310
Peru	474	Resignation by Speaker	309
Portugal	..		
Romania	312	PORTUGAL	
Singapore	122, 312, 619	Resignation by Government	474
South Korea	312	PRESIDENT	
Sri Lanka	122	<i>New appointments in</i>	
Sudan	474	Bolivia	517
Sweden	619	Brazil	311, 422
Syria	312, 474	Czechoslovakia	473
Uganda	620	Greece	311
U.S.A.	122, 312	Guyana	618
U.S.S.R.	123, 313, 620	Iran	220
Zimbabwe	620	Italy	473
		Mali	473
PARLIAMENTARY DECORUM		Mauritius	123
Article on	25	Nicaragua	311
PARLIAMENTARY DELEGATIONS		Nigeria	619
Foreign	256, 596	Panama	474
Indian	255, 444, 595	Peru	474
PARLIAMENTARY DIPLOMACY		Romania	
Article on	571	Singapore	
PARLIAMENTARY EVENTS AND ACTIVITIES		Syria	312
Feature on	86, 255, 443, 590	Uganda	620
PARLIAMENTS AND INFORMA- TION DISSEMINATION		U.S.A.	122
Article on	39	U.S.S.R.	620
PARTY POSITION IN		PRESIDENT'S ADDRESS	
Lok Sabha	200, 392, 539, 698	Motion of Thanks on	133, 146
Rajya Sabha	203, 394, 541, 700	PRICE RISE	
State Legislatures	205, 396, 543, 702	Discussion on	481
PERU		PRIME MINISTER	
Election of President	474	<i>New appointments in</i>	
New Prime Minister	619	Barbados	310
Resignation by Prime Minister	122	Egypt	618
Swearing-in of President	619	Grenada	121
PONDICHERRY		Kampuchea	311
General Elections	369	Malta	121
		Pakistan	311
		Peru	619

- Uganda 620
- U.S.S.R. 620
- PRIVILEGE ISSUES**
- House of Commons (U.K.)*
- Threat by a member to other members while speaking on a Bill in the House in order to influence their voting on the Bill 103
- House of Representatives (Australia)*
- Alleged wrongful intimidation of members of the ruling party by the Prime Minister 100
- Question whether members enjoy any special privilege regarding possible prosecution of members in matter pertaining to national security 460
- LOK SABHA**
- Alleged attributing of motives to members by a Minister in the House 600
- Alleged misleading of the House by the Prime Minister 599
- Assaulting an ex-member by a member of Rajya Sabha in the Central Hall 601
- Legislature—a branch of Government 447
- Making an important announcement by the Prime Minister outside the House while the House was in session 602
- Making policy announcements by a Minister outside the House while the House was in session 603
- Publishing expunged portions of proceedings of the House by a newspaper. 600
- Throwing of some papers on the floor of the House and shouting from the Visitors' Gallery. 601
- Rajya Sabha*
- Casting reflections on members in a press interview by a foreign national 260
- Distorting the proceedings of the House by A.I.R. and Doordarshan. 604
- Making policy announcements by a Minister outside the House while the House was in session. 605
- State Legislatures*
- Bihar Vidhan Parishad*
- Alleged misleading of the House by the Chief Minister 264
- Karnataka Legislative Assembly*
- Convention of having no discussion immediately after presentation of Budget 288
- Karnataka Legislative Council ..*
- Alleged misleading of House by Chief Minister and another Minister 450
- Alleged suppression of facts and misleading of House by Minister 448
- Alleged threatening of member by the Chief Minister in the House 265
- Non-fulfilment of an assurance given by a Minister on the floor of the House 266
- Service of legal process within the precincts of the Assembly 93
- Madhya Pradesh Vidhan Sabha*
- Alleged leakage of the Budget by the Chief Minister 268
- Three Assembly Sessions in a Year 288

<i>Maharashtra Legislative Assembly</i>			
Production of documents connected with proceedings of the House in a court	453	Alleged ill-treatment meted out to a member by a police officer	282
<i>Maharashtra Legislative Council</i>		Casting aspersions on a member for his speech in the House and reflecting on the proceedings of the House	458
Alleged giving of distorted version of the proceedings of the House and casting of reflections on the Chief Minister and the House	269	Misreporting of the proceedings of the House by a newspaper	283
<i>Rajasthan Legislative Assembly</i>		Publication of expunged portions of the proceedings of the House by a newspaper	99
Non-intimation of the demise of ex-members to Secretariat by Government Officers	456	PROCEDURAL MATTERS	
Sending of a warrant of arrest against a member by a magistrate to Speaker for Service on member	276	<i>Lok Sabha</i>	
<i>Tamil Nadu Legislative Assembly</i>		Adoption of a resolution during discussion.	608
Assaulting a member in M.L.As' Hostel	94	Allegatory remarks by members against persons in high authority.	287
Attributing motives to Secretary of Legislative Assembly	276	Bifurcation of Calling Attention relating to two allied subjects.	287
Casting of aspersions on members by a newspaper	456	Carrying of 'Kirpan' in the House is permissible	609
Displaying of an object by a member in the House	98	Criticism of State Government on the floor of the House not permissible.	465
Threatening a member for certain remarks made by him while speaking in the House	278	Discussion on admissibility of notices of Calling Attention disallowed.	609
<i>Uttar Pradesh Legislative Assembly</i>		Discussion on conduct of the President	110
Alleged casting of reflections by a member on members of the other House in a pamphlet distributed in the precincts of that House	281	Expunction of allegations made without following prescribed procedure	285
Alleged misleading of the House by a Minister	458	Interference in internal affairs of India by a foreign country	286
Governor's Address not read by himself	229	Introduction of new Ministers to the House in absence of Prime Minister	609
<i>West Bengal Legislative Assembly</i>			
Alleged harassment of and ill-treatment meted out to Deputy Speaker by an officer	97		

The Lok Pal Bill referred to Joint Committee after suspension of proviso to rule 74		Conversion of a Calling Attention into a Short Duration Discussion	464
Member's apology in House on behalf of a member of Rajya Sabha of same party	608	Discussion on Supreme Court judgment held inadmissible	464
Members disturbing the proceedings of the House by standing in the aisle of the Chamber.	465	Suspension of rule to enable moving of demands for grants after presentation of Budget	465
Permission to a member to resume unfinished speech on coming late.	288	<i>Madhya Pradesh Legislative Assembly</i>	..
Reference to proceedings of the other House in answer to a question by Prime Minister	608	Three Assembly Sessions in a Year	288
Reflections on the President by outsiders—Deprecation by members and Speaker	285	<i>Uttar Pradesh Legislative Assembly</i>	
Speaker uses his residuary powers on Motion of Thanks		Governor's Address not read by himself	289
Suspension of Question Hour		PUNJAB	
<i>State Legislatures</i>		Constitution of new Assembly	616
<i>Gujarat Legislative Assembly</i>		Continuance of President's rule in	324
Adjournment of House earlier than the scheduled date	266	Elections in, Statement on General Elections	615
Appointing a day for presentation of budget by Governor not necessary if a new Ministry has taken over.	286	MLA's election upheld	119
		Memorandum of settlement, Statement on New Governor	303
		New Ministry	616
	110	Steps for restoration of normalcy	326
		QUESTION HOUR	
		Lok Sabha	143, 490, 635
		Rajya Sabha	152, 339, 502, 643
	610	RAGHAVAN, K. T. V.	
<i>Karnataka Legislative Assembly</i>		Article on Role of Parliament in Monitoring the performance of Railways as a Public Utility	414
Adjournment of House on demise of member	465		
Convention of having no discussion immediately after presentation of Budget	288	RAILWAY CONVENTION COMMITTEE	
		Article on	234

RAILWAY CONVENTION COMMITTEE BRANCH		RECENT LITERATURE OF PARLIAMETARY INTEREST	
Article on Railway Convention Committee	234	Feature on	155, 353, 510, 652
RAJASTHAN		ROLE OF PARLIAMENT IN MONITORING THE PERFORMANCE OF RAILWAYS AS A PUBLIC UTILITY	
General Elections	304	Article on	414
New Chief Minister	303	ROLE OF OPPOSITION IN THE INDIAN LEGISLATURE	
New Ministry	304	Article on	566
New Speaker	305	ROMANIA	
Resignation by Chief Minister	303	Election of President	312
RAJYA SABHA		SARMA, AMRENDRA	
Party position in	203, 394, 541, 700	Article on Role of Opposition in the Indian Legislature	566
Sessional Review of Hundred and Thirty-Second Session	144	SESSIONAL REVIEW	
Sessional Review of Hundred and Thirty-Third Session	329	<i>Lok Sabha</i>	
Sessional Review of Hundred and Thirty-Fourth Session	491	Ahmedabad Communal Riots	323, 475
Sessional Review of Hundred and Thirty-Fifth Session	636	Andhra Pradesh Legislative Council (Abolition) Bill, 1985	488
Statement showing the work transacted during Hundred and Thirty-Second Session of Rajya Sabha	168	Anti-national activities of certain employees in sensitive position	138
Statement showing the work transacted during the Hundred and Thirty-Third Session of Rajya Sabha	363	Anti-reservation agitation and communal incidents in Gujarat	626
Statement showing the work transacted during the Hundred and Thirty-Fourth Session of Rajya Sabha	515	Apartheid in South Africa	628
Statement showing the work transacted during the Hundred and Thirty-Fifth Session of Rajya Sabha	662	Arms (Amendment) Bill, 1985	488
		Assam accord	628
		Bhopal Gas Leak Disaster (Processing of Claims) Bill, 1985	327

Briefing held in U.S. Congress Annexe on the so-called human rights issue in the Punjab	477	Need to ensure remunerative Prices for agricultural produce	323
Conflict between Iran and Iraq	322	Obituary references	144,329,491
Constitution (Fifty-second Amendment) Bill, 1985	142	Obituary reference to Sant Harchand Singh Longowal	630
Continuance of President's rule in Punjab	324	Plot to assassinate the Prime Minister during his impending U.S. visit	484
Crash of Air India Jambo Jet	621	President's Address	133
Daily Average of Question	144,491,635	Prime Minister's visits abroad	623
Elections in Punjab	632	The Question Hour	143,490,635, 643
Erection of barbed-wire fencing along Indo-Bangladesh border	637	Railway Budget	316
Essential Services Maintenance (Amendment) 1985	633	Recent espionage activities	318
Finance Bill, 1985	485	Recent rise in prices of essential commodities	481
Foreign Contribution (Regulation) Amendment Bill, 1985	141	Report on Aspect of Black Economy in India	622
General Budget	320	Representation of the people (Amendment) Bill, 1985	140
Government of Union Territories (Amendment) Bill, 1985	327	Series of bomb explosions in Delhi and other parts of Northern India	481
Half-an-Hour Discussions	144,491,635	Situation in Sri Lanka	148,318
High Court and Supreme Court Judges (Conditions of Service) Amendment Bill, 1985	487	Steep rise in Prices	627
Inquiry into allegations of organised violence in Delhi	480	Steps for restoration of normalcy in Punjab	326
Judges (Protection) Bill, 1985	635	Supreme Court (Number of Judges) Amendment Bill, 1985	634
Memorandum of Settlement regarding Punjab	625	Terrorist Affected Areas (Special Courts) Amendment Bill, 1985	634
Motion regarding Six-Nation Summit on Nuclear Disarmament	139	Terrorist and Disruptive Activities (Prevention) Bill, 1985	489
		Terrorist and Disruptive Activities (Prevention) Amendment Bill, 1985	652

Tragic accident in Union Carbide Factory at Bhopal	136	Motion of Thanks on President's Address	146
Training of Indian terrorists in a mercenary school in Alabama	624	National Security (Amendment) Bill, 1985	336
Urgent need for judicial reforms	483	Obituary References	153,340,503,644
Violence in Sri Lanka	138	Outbreak of Meningitis in Delhi and its adjoining areas	329
<i>Rajya Sabha</i>			
The Administrative Tribunals Bill, 1985	151	The Payment of Bonus (Amendment) Bill, 1985	498
The Appropriation (No. 4) Bill, 1985	499	Question Hour	152,339,502,643
Bhopal Gas Leak Disaster (Processing of Claims) Bill, 1985	334	Reported training to Indian terrorists in the United States	636
Bomb explosions in Delhi and the neighbouring States	496	Situation arising out of anti-reservation stir in Gujarat	491
Budget (General) 1985-86	332	Statements correcting answers to Questions	153,503,644
The Budget (Railways) 1985-86	331	Steep rise in prices of essential commodities	638
The Constitution (Fifty Second Amendment) Bill, 1985	149	The Terrorist and Disruptive Activities (Prevention) Amendment Bill, 1985	642
Daily Average of Question	152,339,502,643	The Terrorist and Disruptive Activities (Prevention) Bill, 1985	501
Espionage activities	330	Tragic Accident at Bhopal	145
I. Estate Duty (Distribution) Amendment Bill, 1985; II. Union Duties of Excise (Distribution) Amendment Bill, 1985; and III. Additional Duties of Excise (Goods of Special Importance) Amendment Bill, 1985	338	Working of the Ministry of External Affairs	492
Felicitations to Chairman	145	Working of the Ministry of Information and Broadcasting	494
The Finance Bill, 1985	500	<i>State Legislatures</i>	
Half-an-Hour Discussion	153,340,502,644	<i>Andhra Pradesh Legislative Council</i>	
The Indira Gandhi National Open University Bill, 1985	640	Tributes to former Chairman	153
		<i>Bihar Legislative Council</i>	
		Governor's Address	340,341
		Obituary references	341

Ratification of Constitu- tion (53rd Amendment) Bill, 1984	340	Obituary references	344
<i>Gujarat Legislative Assembly</i>		Ratification of Constitu- tion (53rd Amendment) Bill, 1984	344
Governor's Address	341	<i>Rajasthan Legislative Assembly</i>	
Motion for Welcoming Punjab Accord	644	Governor's Address	504
Obituary references	644	Obituary references	504
<i>Himachal Pradesh Legislative Assembly</i>		<i>Sikkim Legislative Assembly</i>	
Governor's Address	341	Financial Business	504
Obituary references	342,503	Governor's Address	344
Ratification of Constitu- tion (53rd Amendment) Bill, 1984	342	Obituary references	344
<i>Karnataka Legislative Assembly</i>		<i>Tamil Nadu Legislative Council</i>	
Governor's Address	342	Ratification of Constitu- tion (53rd Amendment) Bill, 1984	504
Obituary references	342	Obituary references	504
Ratification of Constitu- tion (53rd Amendment) Bill, 1984	504	<i>Tripura Legislative Assembly</i>	
<i>Karnataka Legislative Council</i>		Governor's Address	344
Ratification of Constitu- tion (53rd Amendment) Bill, 1984	503	Obituary references	344
<i>Madhya Pradesh Legislative Assem- bly</i>		<i>Uttar Pradesh Legislative Assembly</i>	
Constitution (53rd Amend- ment) Bill, 1984	154	Governor's Address	345
Governor's Address	343	Obituary references	345
No-Confidence Motion	154	Ratification of Constitu- tion (53rd Amendment) Bill, 1984	345
Obituary references	343	Union Territory Legislatures	
<i>Manipur Legislative Assembly</i>		<i>Arunachal Pradesh Legislative As- sembly</i>	
Governor's Address	343	Governor's Address	345
Obituary references	343	Obituary references	345
Ratification of Constitu- tion (53rd Amendment) Bill, 1984	343	<i>Delhi Metropolitan Council</i>	644
<i>Orissa Legislative Assembly</i>		Obituary references	645
Governor's Address	344	<i>Mizoram Legislative Assembly</i>	
		Governor's Address	344
		Obituary references	344
		Ratification of Constitu- tion (53rd Amendment) Bill, 1984	344

SHAKDHER, S. L.		SOUTH KOREA	
Review of the Office of the Speaker in the Parliament of the Commonwealth		New Cabinet	312
		SPEAKER	
	646	<i>New appointments in—</i>	
SHORT NOTES		<i>India</i>	10
		<i>States</i>	
Colloquium on Social and Policy Implications of New Emerging Technologies with Special Reference to Information Technology	73	Arunachal Pradesh	308
		Bihar	294
		Goa, Daman and Diu	309
		Gujarat	296
Composition of the Eighth Lok Sabha	64	Karnataka	298
		Kerala	299
		Madhya Pradesh	299
Exhibition of 'Parliament of India—Activities and Achievements, 1980-84'	242	Maharashtra	300
		Manipur	302
Homage to Pandit Jawaharlal Nehru	436	Nagaland	302
		Orissa	303
Joint Inaugural Meeting of the Financial Committees of Parliament	433	Pondicherry	310
		Rajasthan	305
		Sikkim	305
Supreme Court on the Constitutional Validity of Explanation on Poll Expenses	245	Tamil Nadu	305
		Uttar Pradesh	308
		SRI LANKA	
SIKKIM		New Chief Justice	122
General Elections	305	SRI LANKA'S SITUATION	
New Governor	472	Discussion on	138,148,318
New Ministry	305	STATE LEGISLATURES	
New Speaker and Deputy Speaker	305	Activities of	174,368,520
		Bills passed by	183,377,528
SINGAPORE		Ordinances issued by	188,386,533
Election of President	619	Party position in	205,396,543
General Elections	122	Privilege issues in	93,264,448
Resignation by President	312	Procedural matters in	111,288,465
		Sessional Review of	153,340,503
SINHA, INDRADEEP		SUDAN	
Article on Indian Social System and Parliamentary Democracy	220	Removal of President	474

SUDHEERAN, V.M.		U.S.A.	
Article on the Kerala Subject Committees	405	Election of President	122
		Swearing in of President and Vice-President	312
SWEDEN			
General Elections	619	U.S.S.R.	
		Death of President	313
SYRIA		New Defence Minister	123
New Ministry	474	New President	620
Re-election of President	312	New Prime Minister	620
TAMIL NADU			
General Elections	119	UTTAR PRADESH	
New Ministry	305	Election to Legislative Council	306
New Speaker and Deputy Speaker	305	Expansion of Ministry	472
		General Elections	307
TARA SINGH		New Deputy Speaker	616
Article on Parliament and Social Change-Eradication of Dowry Evil	31	New Governor	308
		New Ministry	119, 307, 616
		New Speaker	308
THAMBI DURAI, M.		VENKATARAMAN, R.	
Election as Deputy Speaker of Lok Sabha	17	Felicitations on his election as Chairman of Rajya Sabha	145
A Life-sketch of	19		
TRIPURA		WEST BENGAL	
Resignation by Minister	616	New Governor	119
Appointment of new Minister	616		
UGANDA		WIT AND HUMOUR IN PARLIAMENT	
New President	620	Feature on	78, 248, 438, 586
New Prime Minister	620		
UNION CARBIDE FACTORY		WORKING OF MINISTRIES	
Tragic accident in, Discussion on	136, 145	External Affairs	492
		Information and Broadcasting	494
UNION TERRITORIES		ZIMBABWE	
Developments in	120, 308, 472	General Election	620

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