

***THE JOURNAL OF  
PARLIAMENTARY  
INFORMATION***

**VOLUME XXX, No. 4**

**December, 1984**

CONTENTS

	PAGE
EDITORIAL NOTE	... 569
HOMAGE TO SHRIMATI INDIRA GANDHI	... 572
ADDRESSES AND SPEECHES	
Farewell to Shri M. Hidayatullah, Vice-President of India	... 577
Address by Dr. Bal Ram Jakhar, Speaker, Lok Sabha at the Presiding Officers' Conference	... 582
ARTICLES	
The Leader of the House and the Whips in U.K. and India —Pranab Mukherjee	... 598
The Multi-Dimensional Roles of Parliament —V.N. Gadgil	... 605
Legislative Business —Ram Niwas Mirdha	... 612
Rules of Procedure and Conduct of Business of the Representative Assembly during French Regime <i>vis-a-vis</i> the Legislative Assembly of Pondicherry of the present set-up —M.O.H. Farook	... 619

	<b>PAGE</b>
<b>SHORT NOTES</b>	
<b>The Election of the Vice-President of India</b> ...	<b>631</b>
<b>Laying down of office by Shri M. Hidayatullah,     Vice-President of India</b> ...	<b>636</b>
<b>WIT AND HUMOUR IN PARLIAMENT</b> ...	<b>640</b>
<b>PARLIAMENTARY EVENTS AND ACTIVITIES</b> ...	
<b>Election of Dr. Bal Ram Jakhar, Speaker, Lok     Sabha, as Chairman of Executive Committee     C.P.A.</b> ...	<b>647</b>
<b>Conferences and Symposia</b> ...	<b>647</b>
<b>Indian Parliamentary Delegations Abroad</b> ...	<b>652</b>
<b>Bureau of Parliamentary Studies and Training</b> ...	<b>652</b>
<b>Seminar on "Facilities for Effective Functioning     of Legislators"</b> ...	<b>654</b>
<b>Homage to Shri M.N. Kaul</b> ...	<b>662</b>
<b>PRIVILEGE ISSUES</b> ...	<b>665</b>
<b>PROCEDURAL MATTERS</b> ...	<b>686</b>
<b>PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS</b> ...	<b>691</b>
<b>DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY     INTEREST</b> ...	<b>702</b>
<b>SESSIONAL REVIEW</b>	
<b>Lok Sabha</b> ...	<b>708</b>
<b>Rajya Sabha</b> ...	<b>725</b>
<b>State Legislatures</b> ...	<b>736</b>

	PAGE
<b>BOOK REVIEW</b>	
Dr. R.N. Pal: <i>The Office of the Prime Minister of India</i> ...	737
—N. G. Ranga	
<b>RECENT LITERATURE OF PARLIAMENTARY INTEREST</b> ...	743
<b>APPENDICES</b>	
I. Statement showing the work transacted during the Fifteenth Session of the Seventh Lok Sabha. ...	751
II. Statement showing the work transacted during the Hundred and Thirty First Session of the Rajya Sabha. ...	757
III. Statement showing the activities of the Legislatures of States and Union Territories during the period 1 July to 30 September, 1984. ...	763
IV. List of Bills passed by the Houses of Parliament and assented to by the President during the period 1 July to 30 September, 1984. ...	770
V. List of Bills passed by the State Legislatures during the period 1 July to 30 September, 1984. ...	772
VI. Ordinances issued by the Central and the State Governments during the period 1 July to 30 September, 1984. ...	776
VII. Party Position in Lok Sabha, Rajya Sabha and Legislatures of States and Union Territories. ...	788
<b>INDEX TO VOLUME XXX (1984)</b> ...	799





# THE JOURNAL OF PARLIAMENTARY INFORMATION

(Vol. XXX, No. 4, December, 1984)

## CORRIGENDA

- Page 569, line 11: for 'institution' read 'institutions'
- Page 572, line 1: for 'tallets' read 'tallest'
- Page 572, line 4: for 'crusador' read 'crusader'
- Page 573, line 8: for 'wold' read 'world'
- Page 576, line 5 from bottom: for 'sweet' read 'sweat'
- Page 596, line 3 from bottom, for 'was elected'  
read 'I was elected'
- Page 598, line 11: for 'Jesmings' read 'Jennings'
- Page 598, line 12: for 'formal' read 'formal decision'
- Page 598, line 12, for 'Unit 1942' read 'Until 1942'
- Page 599, line 5 from bottom: for 'mattere' read  
'matters'
- Page 600, line 11 from bottom: for 'busiaess'  
read 'business'
- Page 602, line 3: for 'Opposion' read 'Opposition'
- Page 607, line 11 from bottom: for 'a Member of the  
Legislature, Parliament and Cabinet.'  
read 'a Member of the Legislature.'  
Parliament and Cabinet'
- Page 610, line 2: for 'things now' read 'things obscure'
- Page 610, line 11 from bottom: for 'Public money.  
Committee' read 'Public Accounts Committee'
- Page 610, line 11 from bottom: for 'accounts' read  
'money'
- Page 611, line 9 from bottom: for 'lunched of people'  
read 'hundreds of people'
- Page 611, line 2 from bottom: for 'tvouplace' read  
'took place'
- Page 615, line 8 from bottom: for 'legislative  
reassure' read 'legislative measure'
- Page 619, line 1: after 'namely' add 'Pondicherry'
- Page 622, line 8: for 'de nove' read 'de novo'
- Page 625, line 20: for 'Seeretaries who were clected'  
read 'Secretaries who were elected'

(P. T. O.)

- Page 625, lines 10, 9 & 8 from bottom: for 'metting' read 'meeting'
- Page 626, line 2: for 'minuts' read 'minutes'
- Page 641, line 7 from bottom: for 'provid' read 'proved'
- Page 643, line 11 from bottom: for 'Babu' read 'Baba'
- Page 644, line 12: for 'Sisgh' read 'Singh'
- Page 644, line 13: for 'Babu' read 'Baba'
- Page 652, line 3 from bottom: for 'and Office of the Speaker' read 'Office of the Speaker'
- Page 660, line 3: for 'commended' read 'recommended'
- Page 661, line 18: for 'Kapoori' read 'Karpoori'
- Page 663, line 4 from bottom: for 'a meeting' read 'in a meeting'
- Page 678, line 11: for 'Gaikward' read 'Gaikwad'
- Page 690, line 6, for 'such' read 'said'
- Page 693, line 4: for 'Hedayatullah' read 'Hidayatullah'
- Page 694, line 16: for 'Remo el' read 'Removal'
- Page 731, line 1 in the footnote: for 'was' read 'as'
- Page 737, line 6 from bottom: for 'nf' read 'of'
- Page 739, line 1 from bottom: for 'cobinet' read 'cabinet'
- Page 740, line 9: for 'Janta' read 'Janata'
- Page 741, line 15 from bottom: for 'The' between 'rights' and 'was' read 'This'
- Page 742, line 8 from bottom: for 'from' read 'form'

## EDITORIAL NOTE

On 31 October, 1984, the late Prime Minister of India and Leader of the Lok Sabha, Shrimati Indira Gandhi was assassinated by her own security guards at her residence. This was a most cruel, dastardly and barbarous act on the part of the two individuals in whom Shrimati Gandhi had reposed her full trust and the responsibility for her personal security.

It is with deep anguish in our hearts that we mourn the tragic loss to the nation and pay our respectful homage to her. A dauntless crusader for disarmament, non-alignment, world peace and international understanding, she was listened to with respect and admiration all over the world and in the highest international fora. Passionately committed to representative democratic institution; she was a great parliamentarian. It was a real pleasure and rare intellectual treat to listen to her in Parliament; her quick wit and humour and sharp repartees delighted one and all in the House.

In Shrimati Gandhi's passing away, our nation has lost a peerless woman, a passionate defender of the poor and the downtrodden and an indefatigable champion of communal harmony and unity and integrity of the nation. She lived and died for these noble principles on which our polity is based.

We open this issue with our humble "Homage to Shrimati Indira Gandhi".

We also mourn the death of Shri M.N. Kaul, the first Secretary of Lok Sabha and former member of Rajya Sabha, a familiar figure in international parliamentary circles, who passed away in New Delhi on 20 November, 1984. Shri Kaul was the founder Editor of this *Journal of Parliamentary Information* and the prime artificer of what we call the Lok Sabha Secretariat today. In his demise the country has lost a distinguished parliamentarian, an erudite scholar, a renowned author and expert on parliamentary procedure.

The office of the Leader of the House is an important institution in our system of representative parliamentary democracy. In the words of Gladstone, it is he who "suggests, and in a degree, fixes the course of all principal matters of business, supervises and keeps in harmony the actions

of his colleagues, takes the initiative in the matter of ceremonial procedures and advises the House in every difficulty as it arises". In the opening article of this issue on "The Leader of the House and the Whips in U.K. and India" Shri Pranab Mukherjee, Union Finance Minister, makes a comparative study of the role of the two parliamentary institutions in U.K. and India. He also expresses the view that "once, elected or constituted, an assembly must have leaders to direct its deliberations and crystallize its will. The leaders must oversee the direction of the governmental machinery which gives effect to that will. An understanding of the role and position of these premier parliamentary offices provides a useful insight into the internal working of parliamentary wings of political parties". In regard to Whips he says: "The Whips are not only shock-absorbers, but also indicators of the party; they are not only advisers to the leader, but also the binding force in the party; they are not only barometers of the different regions and opinions but also the counsellors of members."

In the second article on "The Multi-Dimensional Roles of Parliament" Shri V.N. Gadgil, Union Minister of State for Communications, discusses the various roles of Parliament. He feels a sense of satisfaction that the Parliament of India has played its role regarding ventilation of public grievances quite admirably and goes on to say that he "can claim with pride that our Parliament, whichever party be in power, performs better than any other Parliament in the world."

Shri Ram Niwas Mirdha, the Minister of State for External Affairs, in his article on "Legislative Business" describes at length the broad legislative framework under which our Parliament functions. He exhorts the members to take the legislative work more seriously because it "gives a tremendous opportunity to serve the people". He strongly feels that "we are duty bound to reflect the opinion of our constituencies by asking questions which concern the welfare of the people and to see whether the development works are being done or not."

M.O.H. Farook, Speaker of the Legislative Assembly of Pondicherry in his article on "Rules of Procedure and Conduct of Business of the Representative Assembly during French Regime *Vis-a-Vis* the Legislative Assembly of Pondicherry of the present set up" makes an analytical comparison between the working of the two legislative bodies. It is a piece of valuable research and, it is hoped, would be read with great interest.

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 Legislatures of States and Union Territories.

We congratulate and offer our felicitations to Dr. Bal Ram Jakhar, Speaker, Lok Sabha, on his recent election as the Chairman of the Executive Committee of the Commonwealth Parliamentary Association at Douglas (Isle of man). It is for the first time that anyone from India or from a country in Asia has been elected to this office. We also offer our felicitations to Shri Mangat Ram Sharma and Malik Ghulam Din on their election as Speaker and Deputy Speaker respectively of the Jammu and Kashmir Legislative Assembly and Shri N. Venkataratnam on his election as Speaker of the Andhra Pradesh Legislative Assembly.

Needless to add that as usual all suggestions for further improvements in this *Journal* will be most welcome. The effort is towards making it more and more useful for members and others.

—*Subhash C. Kashyap*

## HOMAGE TO SHRIMATI INDIRA GANDHI

---

One of India's tallest leaders, late Prime Minister, Shrimati Indira Gandhi was brutally assassinated by her security guards on 31 October, 1984. The tragic incident plunged the entire nation into deep anguish and profound sorrow, Great crusador for peace and international understanding and the current Chairperson of the Non-aligned movement, Shrimati Indira Gandhi like her illustrious father, Jawaharlal Nehru, belonged not only to the people of India but to all humankind. In her demise the world lost an outstanding statesman.

Born at Allahabad on 19 November, 1917, Indira Gandhi was influenced in her childhood by Mahatma Gandhi, Motilal Nehru, Jawaharlal Nehru and other great leaders of the Indian freedom movement. From her early years she was active in the national liberation struggle. She became a member of the Indian National Congress in 1938. She attended the session of the All India Congress Committee in August, 1942, which adopted the famous 'Quit India' resolution. Soon thereafter she was arrested and imprisoned, she was released from jail in May, 1943.

Her public activity entered a new phase with India's Independence in 1947. She took over the responsibility of running the Prime Minister's House. Besides, she was deeply involved in social and child welfare work. The Congress, which had been her political home ever since her childhood, soon drew her into leading political roles, first as member of the Congress Working Committee in 1955 and later as member of the Central Parliamentary Board in 1958. In 1959, she was elected President of the Indian National Congress.

When Jawaharlal Nehru died in May, 1964, Indira Gandhi joined Lal Bahadur Shastri's Cabinet as Minister of Information and Broadcasting. On 19 January, 1966, after the death of Lal Bahadur Shastri, she was elected

leader of the Congress Parliamentary Party and sworn in as Prime Minister on 24 January, 1966. Having steered her party to success in the General Election of 1967, she undertook a series of moves in the direction of radical social and economic policies. Her fight against the *status-quo* and vested interests produced sharp ideological conflicts leading to the Congress split of 1969. During the 1971 conflict with Pakistan she guided the country with rare courage leading to the surrender of over 90,000 personnel of Pakistan forces which is a world record of its own. In the general election of 1971 she returned to power with a decisive majority—a clear vindication of people's approval of her decisions. In 1978, she had to face another split in her party.

During 1977—80 Indira Gandhi was out of power. But, in the General Election held in January, 1980, the people recalled her to power with a landslide majority.

In the eventful years of Indira Gandhi's leadership, Indian society underwent profound changes. While maintaining continuity of the basic strategies and policies of the Nehru period, she transformed the structure of politics by placing the issue of poverty in the forefront of national debate. Her commitment to a just social order was manifested in a series of historic measures beginning with the nationalisation of banks and the abolition of privy purses. This process culminated in the formulation and implementation of the 20-Point Programme with focus on ameliorating the condition of the poor masses.

Indira Gandhi's vision of a modern, self-reliant and dynamic economy found concrete expression in the rapid strides made by Indian agriculture, industry and science. The technological transformation of our agriculture has made the country self-sufficient in foodgrains, an achievement few thought was in the realm of possibility. The wide base of our industrial structure and the strength and resilience of the infrastructure, especially of the energy section, are in no small measure due to the strong impulse of modernisation she transmitted to the planning process.

Indira Gandhi epitomised the aspirations of the entire human race. She was dedicated to the ideals of the United Nations and principles of its Charter. She was one of the world's foremost champions of total disarmament. She stood for an international order in which power was tempered by compassion, and knowledge and capability were at the service of humanity. She was unstinting in her support for the liberation of dependent countries. Like her illustrious father, she was against all forms of exploita-

tion and considered political and military blocs as impediments to world peace. She was also the foremost voice advocating a lessening of economic disparities among nations.

Indira Gandhi was in the front rank of the Non-Aligned Movement, to which she provided content, dynamism and cohesion.

As a mark of esteem in which Indira Gandhi was held by hundreds of millions of her countrymen and women the nation conferred its highest award 'Bharat Ratna' on her in 1972.

To Indira Gandhi the preservation of the unity and integrity of the country was a sacred mission to which everything else had to be subordinated. For defending the unity of the country she fought boldly and vigorously against communalism, obscurantism, revivalism and religious fundamentalism of all types.

On 7 November, 1984, in a tribute paid by the Government of India to the late Prime Minister, Indira Gandhi, it was stated that "Rarely in history has one single individual come to be identified so totally with the fortunes of a country. She became the indomitable symbol of India's self-respect and self-confidence. In the tragic death of Indira Gandhi, India has lost a leader of unwavering dedication and consistent brilliance at a crucial moment of political and economic development. The nation owes a great debt of gratitude to this decisive, radiant and compassionate personality...." It was further stated that "The nation grieves the untimely passing of this great daughter of India and places on record its admiration and gratitude for her work for the country's integrity, strength and advance."

In a message to the people on 7 November, 1984, the Prime Minister, Shri Rajiv Gandhi said "I thank you all for the sympathy you have shown me in such overflowing measure. You and I have suffered a loss which can never be made good. You and I must work together to continue and complete the tasks which Indira Gandhi left unfinished.

Indira Gandhi died as she had lived : unafraid, with courage abiding. Her name and her work will remain deathless."

In a condolence message, Dr. Bal Ram Jakhar, Speaker, Lok Sabha said : "The most savage and treacherous assassination of our revered and beloved Prime Minister, Shrimati Indira Gandhi, has shocked the entire nation. In her death, the country has lost her most illustrious leader and the world one of the most outstanding statesman." "Shrimati Gandhi", he added:



“steered clear the ship of the Indian Nation during some of the most difficult times and against heavy odds and obstacles. She always fought communalism and stood steadfastly and fearlessly for the unity of the nation, freedom of the individual and social justice. She was devoted to principles of representative democracy and secularism, socialistic order of society and removal of poverty and squalor.”

Describing Shrimati Gandhi's death as a great personal loss, Dr. Jakhar, said : “Something within me has died for ever. It shall never be the same again. I find it impossible to describe my agony.” Shrimati Gandhi's martyrdom, Dr. Jakhar said, has strengthened further the noble cause of national integration and communal harmony within the country for which she lived and died. Her life was a saga of sacrifice, devotion to her people and love for her motherland. The best tribute that the people could pay to her memory was to follow her high ideals and translate them into action by 'shedding hatred and not blood' as she had once said.

On 5 November, 1984, the officers and staff of the Lok Sabha Secretariat at a condolence meeting held in Parliament House Annexe passed a Resolution on the sad demise of the Prime Minister, Shrimati Indira Gandhi. The Resolution said:

“Officers and Staff of the Lok Sabha Secretariat assembled together in this meeting, place on record their deep sense of shock and sorrow at the untimely and sad demise of the late Prime Minister, Shrimati Indira Gandhi. Our shock is magnified by the grim irony that she was assassinated by the very persons who were entrusted with the specific task of defending and protecting her life. As her countrymen and as Public employees we all have reasons to hang our heads in shame.

Shrimati Gandhi as the Prime Minister of India and the Chairperson of the NAM, was the acknowledged leader of the non-aligned world. A dauntless crusader for disarmament, non-alignment and world peace, she was listened to with respect and admiration all over the world and in the highest international fora.

Shrimati Gandhi led the country successfully whenever the country faced foreign aggression and under her able guidance, the country achieved notable advances in the fields of space, science, technology and agriculture.

Shrimati Gandhi was, above all a great Parliamentarian whose services to our parliamentary institutions shall be written in letters of gold. In her demise, the nation has lost a peerless woman, a passionate defender of the poor and the downtrodden and

an indefatigable champion of communal harmony and national integrity, principles for which she lived and died.

In this hour of national grief, we offer our heartfelt condolences to Shri Rajiv Gandhi and other members of the bereaved family.

It is further resolved unanimously that in order to make adequate preparations for the new Lok Sabha and to clear all arrears, we the officers and staff of the Lok Sabha Secretariat shall voluntarily work an extra hour each day as a mark of respect to the memory of Shrimati Gandhi. Also, punctuality in attendance, cleanliness in office and efficiency and promptness in disposal of work shall be our watchwords and our humble homage to the illustrious leader."

Commenting on the resolution, *The Statesman* of 12 November, 1984, *inter alia* said that the employees of Parliament House have clearly set a constructive, indeed shining, example in deciding to work an extra hour every day as their homage to the late Mrs. Gandhi...One wishes the employees of other Ministries and indeed of all government and semi-government establishments here and elsewhere, would emulate that example. If they cannot work an extra hour, they could surely decide to be punctual in arriving at their office in the morning and to put in a full day's honest work before returning home. Even that would be something.

---

*Shri Sunder Singh* : Mahatma Gandhi said :

" 'Earn thy bread by the sweat of thy brow,' says the Bible. Sacrifices may be of many kinds one of them may well be bread labour if all laboured for their bread and no more, then there would be enough food and enough leisure for all."

(*L. S. Deb.*, 25 August, 1984)

---

**FAREWELL TO SHRI M. HIDAYATULLAH, VICE-PRESIDENT OF INDIA**


---

On 24 August, 1984, the members of Parliament at a function held in the Central Hall of Parliament House bid farewell to Shri M. Hidayatullah who was due to lay down the office of the Vice-President of India on 30 August, 1984. We reproduce below the Farewell Address from the members of Parliament read out by Dr. Bal Ram Jakhar, Speaker of Lok Sabha and the speech by Shri M. Hidayatullah.

*—Editor*

---

**FAREWELL ADDRESS PRESENTED TO SHRI M. HIDAYATULLAH,  
VICE-PRESIDENT OF INDIA, BY MEMBERS OF PARLIAMENT\***

We, the Members of both the Houses of Parliament have gathered here today to express our profound respect and regard for you and to bid you farewell on the eve of your relinquishing the office of the Vice-President of India which you have adorned for the last five years with distinction.

Sir, on this occasion we are overwhelmed by an emotion that naturally inhibits our expression. Parting is a sad affair and parting company with you, Sir, is sadder still. Your deeply humane approach and your scholarly and enlightened leadership have endeared you to all of us.

You have had a meteoric rise in life. This rise you earned by your sustained hard work. The exemplary success story of your life has been a saga of outstanding achievements. You are a happy blend of all that is best in life. You received education both in India and the U.K. You were a study fellow of the famous Trinity College, Cambridge and you were called to the Bar from Lincoln's Inn. Early in your professional career you

---

\*Address delivered by the Speaker in Hindi.

practised and taught law with an unusual fervour. No wonder, therefore, that at the age of 38 you became the youngest Advocate General in India. This was fittingly followed by your being the youngest Chief Justice of the Nagpur High Court and the youngest Judge of the Supreme Court. You reached the pinnacle of your distinguished judicial career when you were elevated to the office of the Chief Justice of India in 1968.

Public life awaited you with all its honours. You were chosen as a consensus candidate for the office of the Vice-President of India in 1979. That was a measure of your eminence. This office assumed added lustre on your occupying it. As Chairman of Rajya Sabha you have indeed won the hearts of all of us in Parliament. You have brought to bear on the office your objectivity and impartiality. We are greatly inspired by your impeccable integrity, deep scholarship, undimmed eloquence, rare sense of humour and above all, abiding sincerity and simplicity. The combination of your politeness and firmness, as well as your serious and lighter interventions held the House together and ensured the smooth transaction of its business even in tumultuous times.

Sir, you have also occupied the highest public office in the country. Twice you had the honour of acting as the President of the Republic of India, for brief periods, in 1969 and 1982. You discharged the functions and shouldered the heavy responsibilities of the office of the Head of the State in the most befitting manner.

Apart from your professional and public services of a high order, you are a rare person of varied interests and rich accomplishments. Your extraordinary intellectual excellence and contribution to contemporary law have earned for you, besides numerous academic honours and awards, a lasting place in the hearts of intellectuals and scholars. A reputed author, you have written a number of books which have enriched the store-house of knowledge on a variety of subjects. Your acts of bravery are legendary. It is with a great sense of pride that we recall on this occasion that you received the highest awards for gallantry from the Boy Scouts Association, twice.

It is the personal qualities that mark out a person as distinct from the rest of the humanity. Regardless of the offices you occupied, your qualities of head and heart entitle you to be ranked among the most eminent men of our times. Your austerity, dedication, objectivity and secular outlook are some of the qualities which we shall cherish for ever. These are the virtues that added grace and charm of the offices that you held with distinction.

Mr. Vice-President, we shall miss you badly. The Parliament will be no more the same without you. But this cannot be the end of your public life. A man of your vision and urge cannot rest in retirement. The nation will continue to benefit from your services in some capacity or the other. May we wish you, Sir, a long life of sound health and a continued service to the motherland.

SPEECH BY SHRI M. HIDAYATULLAH, VICE-PRESIDENT  
OF INDIA

I feel overwhelmed by your kindness in inviting me amidst you this afternoon and in speaking of me in such undeserved and yet glowing terms. I am tremendously impressed by the kindness of the Hon'ble Speaker whose friendship I have enjoyed and whose love and affection have been the high water-marks of my existence in Parliament. Perhaps, Hon'ble members do not know that he and I were always in very close collaboration and we used to consult each other whenever we found ourselves in a tight corner, which very often happens in public life especially in Parliament. He has always been a friend, philosopher and guide to me. Although neither of us possessed the experience which is necessary to run a House of this calibre, we were able to pool our intellect and find out ways and means of tackling any difficult problem. I now acknowledge my indebtedness to him. But that is the very least part of it. He won my heart by his suave manners, by his gentility and a perfect gentlemanliness which has always impressed upon my mind. He was always at my assistance and gave me the best of what he could. I would always remember him.

I made friends in Rajya Sabha and in the Lok Sabha also. Naturally I did not come to know of members of the other House because I had a very little dealing with them except some members who came to my House as Ministers. I knew them well. If they represent the kind of persons who are in Lok Sabha. I can assure you that Lok Sabha must be a very nice place to work in. I do not make any comparisons which are odious, otherwise, you might think that Rajya Sabha is not the proper place to work in. Rajya Sabha has its angularities and possesses many difficulties. But because of shortness of numbers the voice production is less than in Lok Sabha. Often I heard in my chamber the kind of noise that came from the other House and I was not quite sure which was the noise here from—one which I presided over or the one over which Bal Ramji presides.

Well, I shall be taking leave of you all. I am happy that at last I have been able to make acquaintance with all the members of Parliament and

especially the members of Lok Sabha. I go back home with great feelings of deprivation. But I can assure you that there is also, as I said in the other House, tremendous relation because I am going to be in the Company of my grand-children. To tell you what the pleasantness would mean, may I be permitted to recount one incident about my grand-daughter Tarika, who is three years and three months old? One day, her mother called her. Tarika said: Please do not disturb me; I am working. Her mother said: All right, all right, work hard. She said: No, at the moment, mummy, I am working soft.

This kind of thing does not happen to one all the lifetime. These are pleasant aspects and sides of domestic life which I have missed for five years. I hope to take them up and be with my family and in the heart of my family. That is the recompense which is there for me. Although the deprivation of the company and the friendship which I have met will be telling on me quite often, but I hope that I shall be in and out of Delhi and some of you will be kind enough to visit me in Bombay. You may be quite sure of a very warm welcome whether you be from one House or the other, and if you come to me. I am sure my wife and I will be very happy to have you with us.

The Rajya Sabha, of course, did honours to me by welcoming me and today they are bidding me good-bye. The Lok Sabha, of course, did not welcome me because they did not call me to the House when I came. But they are bidding me good-bye in great style with all the presents and all the nice words that have been said. It reminds me of a story with which I will conclude. A guest was coming to visit a society. There was some confusion. They went to the railway station to receive him but he came by road. When they returned empty-handed to the meeting where the guest was to be welcomed, they found him already there ahead of them. The Chairman thought that he will make amends like Dr. Bal Ram Jhakar by explaining that they were not able to welcome him, so they said, 'we are very sorry that we did not welcome you but we should be extremely glad to see you off'. And that is how the Lower House has bid me good-bye. But I can assure you, whether you welcome me or not, I carry with me very happy memories of such friendships that have been created and they would be lingering spots in my memory. I may assure you that I had a difficult time. I came under two disabilities, firstly that I was for 25 years a judge and had to look at everything from the point of view of equity and fairness, and secondly, I came as the representative not of one party but of all the parties because there was a consensus on my name and it was extremely difficult for me to hold the

scales even between one party and another and also between the Ruling party and the Opposition. Sometimes I was not able to please one side or the other. It was something like what an Urdu poet Iqbal said :

मैं ज़हरे हलाहल को कभी कह न सका कंद

So, I had to speak with this poison and not sugar. That is how I was not able to please everybody. I did indulge in quips, indulge in levities, indulge in reciting couplets and so on and now I think when you remember me, you would probably be doing what another Urdu poet Mir said about himself :

याद आएंगी अब बातें हमारी यहाँ

I think you would remember me sometimes when there is an occasion when you would have difficulties which I might have solved by my levity or by any astuteness that I possessed. I said this morning in the Rajya Sabha that our country is very fortunate in having the Vice-President and the Chairman that they have elected. I can assure you that there is no man for whom I have greater regard and respect—of course, barring my friend here, he must not misunderstand me—then I have for Venkataraman. His disarming smile, his charming manners and his competence are sure guarantee of his success, both as Chairman of Rajya Sabha and Vice-President. I congratulated the Prime Minister on having chosen him. I can assure you that no better man could have been chosen than him, including myself. I wish him long life and a very successful career, of which I am sure.

Now I take leave of you. I thank you for the kindness that you have shown to me by inviting me this evening amongst yourself and also making such nice remarks about me and, on top of it, giving me this bowl, which I will treasure and keep near me.

ADDRESS BY DR. BAL RAM JAKHAR, SPEAKER, LOK SABHA  
AT THE CONFERENCE OF PRESIDING OFFICERS HELD  
AT CALCUTTA ON 29 OCTOBER, 1984\*

---

After the last Conference at Bombay in January, 1984, I had appointed a Committee of Presiding Officers under the Chairmanship of Shri G. Lakshmanan, Deputy Speaker, Lok Sabha to consider the issues arising out of the privilege cases pending in the Supreme Court relating to the Andhra Pradesh Legislative Council and Kerala Legislative Assembly which are of considerable constitutional importance involving the legislature, the judiciary and the Press. We also met at the Emergent Conference at New Delhi on 25 April, 1984, and reviewed the developments in the matter. As you are aware, in a unanimous resolution adopted at the conclusion of the Conference, we had while reiterating the supremacy of the legislature under the Constitution and faith in the independence of the judiciary and the freedom of the Press, resolved that under the Constitution, the legislatures in India were intended to have exclusive jurisdiction to decide all matters relating to their privileges without any interference from the courts of law or any other authority and if it was necessary, an amendment might be made in the Constitution so as to place this position beyond all shadow of doubt. It was also decided that the Committee of Presiding Officers might continuously monitor further progress in the privilege cases and make suitable recommendations to the present Conference. Since there has been no further development in the matter, the Committee did not meet thereafter.

In pursuance of the decision taken at the Bombay Conference, another Committee of Presiding Officers was also appointed to examine the desirability of basic uniformity in the Rules of Procedure and

---

\*Edited version of the Address.



Conduct of Business in all the Legislatures in the country. The Committee has so far held three sittings at New Delhi, Bhopal and Calcutta.

We have a well knit Committee structure in our parliamentary system and various parliamentary committees—'ad hoc' as well as 'Standing'—have functioned vigorously since their inception. They have played a significant role in the oversight of administration through their several reports which they have presented to the House from time to time, I may, in particular, like to mention about an important Report (Ninth Report) presented by the Joint Committee on Offices of Profit during the Budget Session, 1984, on evolving of uniform principles in regard to the determination of disqualification for holding office of profit under articles 102 (1) and 191 (1) of the Constitution. The Committee were of the opinion that offer of blandishment to members through their appointments to various offices of profit in certain Corporations/Undertakings/Boards etc. constituted by the State Governments and exempting those offices from disqualification through legislative enactments were being resorted to freely and increasingly in recent times. The relevant enabling clauses of the Constitution which were meant to be used sparingly and basically for the purpose of saving from disqualification the members of a Legislature who were to serve in various committees constituted by the legislature, were availed of indiscriminately to save all sorts of offices of profit. The Committee felt that such exemptions could be legally tenable but were morally unsustainable and would be tantamount to abuse of power. I hope, the State Governments as well as State Legislatures would ensure that the enabling exemption provisions contained in article 191 of the Constitution are kept within its bounds and restricted in its scope as otherwise the object of the imposition of the disqualifications as envisaged in the Constitution would be meaningless.

While the useful work done by the Committees in enforcing the accountability of the administration to Parliament is acknowledged on all hands, the fact remains that the Financial Committees occupy a pivotal position in our parliamentary system. Complete freedom of opinion and free exercise of minds are characteristics of the proceedings of the Committees: but the final voice that emerges from the Committees represents the collective wisdom and consensus of their members. Fortunately, in our Financial Committees, we have built up a tradition of detachment and objectivity of approach and this, to a great extent, accounts for the high esteem in which their recommendations are always held. Painstaking research, incisive analysis and close deliberations precede the formulation of their recommendations. Moreover, the work of the Committees does not end with the mere presen-

tation of reports. They pursue the recommendations made and watch their implementation.

Our Financial Committees have given an excellent account of themselves. Besides making a significant impact in ensuring economy and efficiency and plugging loopholes by streamlining administrative procedures, these Committees have from time to time made remarkable contributions for the improvement of the financial system and the financial accountability. The useful work done by these Committees in maintaining a vigil over governmental spending and performance and that too on a continuing basis, has won general approbation.

At present the whole process of discussion and voting of the Demands for Grants and the passage of Appropriation and Finance Bills is to be completed within a specified period, as a result of which the Demands for Grants relating to a number of Ministries/Departments have to be guillotined without discussion in Lok Sabha. It may interest you to know that during the Budget Session this year, the Demands for Grants of 24 Ministries/Departments could not be taken up for discussion. Of these, Demands of 14 Ministries/Departments were not discussed at any time earlier in the present Lok Sabha. The need for a detailed pre-voting scrutiny of the Demands for Grants was brought into sharp focus in the Third Regional Commonwealth Parliamentary Association Seminar on Parliamentary Practice and Procedure held in New Delhi in January, 1984.

Soon thereafter, I had a proposal prepared for the setting up of *ad hoc* Budget Committees for pre-voting scrutiny of the Demands for Grants of all Ministries/Departments of the Government of India. This was placed before the Rules Committee for consideration.

To begin with, the following pattern was proposed to be adopted on an experimental basis:—

- (i) The number of Committees (which may be designated as "Budget Committees") may be nine.
- (ii) Committees may be set up (by the Speaker) by a Resolution of the House after the general discussion on the Budget and may become *functus officio* after presenting their reports to the House.
- (iii) The House may adjourn for a recess of three to four weeks after the general discussion on the Budget.

- (iv) The function of the Committees may be to scrutinise the Demands for Grants in depth and report on changes in the Estimates, if any, without increasing the total amount of any Demand.
- (v) Provisions for any new policies/programmes and significant variations, specially increases over previous years, may receive particular attention with an overall eye on the need for economy and efficiency and relationship between expenditure and needs.
- (vi) The number of members in each Committee may not exceed 45. Every member of the House (other than Minister) should be a member of one or the other Committees. Ministers concerned may be associated as *ex officio* members. Choice or priorities indicated by the members may be taken into consideration while allocating members to one or the other Committee. As far as possible, the partywise complexion of the House may be reflected in the composition of the Committees.
- (vii) Members and Chairmen of the Committees may be appointed by the Speaker.
- (viii) The Committees may have three to four weeks' time for scrutiny and report to the House. The verbatim proceedings of the Committees may not be recorded but minutes may be kept. The reports of the Committees may be precise and to the point.
- (ix) The Committee discussions may be based on brief background memoranda provided by the Ministries and Departments of the Government. Senior Government officials concerned may be present during the sittings to assist the Committees in their deliberations.
- (x) In all other matters, the rules that apply to the existing Financial Committees may apply to the Budget Committees.
- (xi) The Committee sittings may not be open to the Press.

Members of the Rules Committee, however, felt that in view of the far reaching importance of the matter it could better be left for consideration in the next Lok Sabha. I hope the Presiding Officers will bestow their attention to this important aspect of parliamentary democracy and consider what improvements can be effected in this direction in their respective legislatures.

In the legislature of a democratic society, the Presiding Officer is the pivot of the entire system and his position is of great importance. He has

to see that divergent views representing the contending forces in a pluralistic democratic Society get harmonised through orderly debate and discussion in the House. He is the guardian of the dignity and privileges of the House. He has to promote acceptance by political parties of healthy conventions and traditions which are very necessary for a functioning democracy. He has to be a happy blend of firmness and persuasiveness and inspire a feeling that he can handle any situation in the House with objectivity, calmness and fairness. It is his duty to see that justice is done to each side of the House and each point of view is allowed to be heard. He has to abide by the constitutional provisions and the rules framed by the House.

The office of the Speaker unfortunately became matter of controversy recently in Jammu and Kashmir and Andhra Pradesh. There is no doubt that we, the Presiding Officers, have been elected on certain party tickets. That has to be so because in India we do not so far have the tradition of the Speaker's seat being not contested in the general election. In the U.K. at least the major political parties do not contest it. We have therefore, to ponder over the situation in order to arrive at some consensus for making the position of the Speaker unassailable. In spite of this handicap, which at present exists, I am sure, you will agree with me that the interests of our people, who are our masters, should always remain uppermost in our minds.

As Speaker, I have felt this, when I came to this Chair by the collective will of the House, I felt that this was a very great responsibility. The Speaker's position is much more vulnerable than that of a private member. It is something which can make or mar a democracy. It throws on the incumbent responsibilities the magnitude of which even I cannot comprehend. You have to rise to the occasion in spite of the fact that your seat is contested. Your election is contested, but at the same time the Opposition and also the ruling party want us to be fair. That is very much a one-way going, it is a one-way traffic. Still, in spite of that hurdle, because we have opted for democracy, the best form of government in the world today in which the people participate directly and indirectly also, we have to nurture this tree with sacrifice, perseverance, sincerity and dedication. It is simply to rise above ourselves. Once one realises that he is the Speaker, he has to be impartial and fair, to all sections of the House. By that, you will not only taking care of the plant of democracy itself but you will also be doing something good to yourselves and also good to the party which has put you in power because it is done on a party-wise basis—whichever party comes to power put their Speaker. If the Speaker is party-conscious, if he mishandles or misuses his position, then I think it goes against the

party itself. That has to be seen in that perspective. So, we have to rise above something which is very common as a human failing. We are all human beings, and we have the self-interest also. But we have to rise above this self-interest.

As is customary, let me now refer to some interesting procedural developments that have taken place at the Centre since our last Conference held at Bombay in January, 1984.

As you are aware normalcy in Punjab is fast returning after a long spell of disturbances there claiming scores of innocent lives. Naturally the events in the State and the activities of the terrorists continued to engage the attention of the Lok Sabha throughout. On 23 February, 1984, the opening day of the Budget Session, I expressed my deepest sorrow and anguish at the loss of life in the disturbances in Punjab and Haryana and expressed a hope that amity will again prevail and in the future we shall see the dawn of reasoning and fellow feeling and a love for human life. Later, on 3 April, a Resolution expressing grief at the dastardly killing of Professor V.N. Tewari, a member of Rajya Sabha, by extremists at Chandigarh was unanimously adopted by the House. On 23 July, as decided at the Leaders meeting with me held on the eve of the Monsoon Session, I paid homage on behalf of the whole House to the personnel of the armed forces, para-military forces and police who laid down their lives for upholding secular ideals and sanctity of holy places and to civilians and other innocent people killed by the terrorists in Punjab.

The Punjab issue was raised on several occasions through various devices such as Adjournment Motion, Calling Attention, Ministerial Statements, Short-Duration Discussions etc. On 24 February, I gave my consent to the moving of an Adjournment Motion regarding "situation in Punjab leading to communal violence and confrontation between the CRPF and sections of the people both in Punjab and Haryana" in view of seriousness of the matter even though debate on the President's Address was scheduled to commence on 27 February. After leave was granted by the House I proposed to consult Leaders of party/groups to fix the date and time for taking up the discussion. Several members contended that once leave had been granted by the House, debate on the Adjournment Motion could not be delayed beyond the stipulated time *viz.* 16.00 hours on that very day, in terms of rule 61 of the Rules of Procedure and Conduct of Business in Lok Sabha. Thereupon, the Minister of Parliamentary Affairs, with my permission, moved a motion for suspension of rule 61 in its application to the Adjournment Motion, which was adopted by a voice vote. Thereafter, some

members of Opposition walked out of the House in protest. There were no sittings of Lok Sabha on the next two days. On 27 February, immediately after the Question Hour, I informed the House that as agreed to by Leaders of party/groups, the discussion on the Adjournment Motion would be taken up at 16.00 hours on 28 February.

The discussion which commenced as scheduled on that date continued for eight hours at the end of which the Motion was negated by voice vote. In the Monsoon Session, the "White Paper on the Punjab Agitation" was laid on the Table of the House on 23 July, the opening day of the Session. Copies of the White Paper had been distributed to members during the inter-session period on the day on which it was released to the Press and others. It was discussed for three days on the Motion of the Minister of Home Affairs which was adopted on 27 July.

I may mention here that as per convention matters relating to the State Legislatures are not raised in Lok Sabha. However, during a discussion regarding developments in a State resulting in change in Government, a general reference might be made without levelling allegations against individual Members of a State Legislature. On 31 July, 1984, when a member referred to alleged removal of the Speaker of the Jammu & Kashmir Assembly physically from the House, several members including the Minister of Home Affairs raised objection to the raising of matters relating to the State Legislature in the House. The Deputy Speaker disallowing the member observed that the proceedings or the conduct of any Legislature in the country could not be discussed in the House. Later when I took the Chair, members continued to make submissions on the subject. I permitted the member to make a general reference without criticising or alleging anything against the conduct of the Members of the State Legislature.

Earlier, on 23 July, 1984, I had declined to suspend the Question Hour to take up an Adjournment Motion given notice of by several members regarding dismissal of the Jammu & Kashmir Ministry headed by Dr. Farooq Abdulla. Withholding my consent to the Adjournment Motion on the ground that responsibility of the Central Government was not involved, I observed that a discussion would be allowed on some subsequent date in conformity with the agreement arrived at the meeting held by me with the Leaders of party/groups held on 22 July. Members belonging to the Opposition were not satisfied. Amidst continuing noisy scenes I had to adjourn the House for fifteen minutes. When the House reassembled, members, continued pressing for suspension of the Question Hour. On my refusal

to reconsider the matter several members of Opposition walked out of the House and boycotted the proceedings of the House for rest of the day.

Similarly, on 17 August, 1984, I had to adjourn the House four times as members persistently demanded admission of Adjournment Motion regarding dismissal of Telugu Desam Ministry in Andhra Pradesh which I had held inadmissible under rules.

The conduct of the Governor of a State can be discussed in Lok Sabha only on a substantive motion and to the extent the Governor acts in his discretion or on Central advice. A Motion seeking disapproval of the "action of the Governor of Andhra Pradesh in dismissing the Ministry headed by Shri N. T. Rama Rao" was discussed in Lok Sabha on 21 August, 1984, and negatived. However, on an earlier occasion, when a member sought on 5 March, to refer to an Adjournment Motion given notice of by him regarding a public speech reportedly made by the Governor of Madhya Pradesh criticising the policy of reservation for Harijans and Adivasis in admission to educational institutions and provision of jobs to them, I withheld my consent observing that the conduct of the Governor of a State could be discussed only on a substantive motion and not on an Adjournment Motion. Similarly, on 27 March, 1984, when some members sought to refer to the reported move by the Congress (I) Party in sponsoring the name of a sitting Judge of Calcutta High Court for election to Rajya Sabha, I withheld my consent and observed that the conduct of a Judge could be discussed only on a substantive motion.

A letter of resignation dated 27 January, 1984, of a member resigning his seat in Lok Sabha was delivered in my office by someone other than the member himself on 1 February. The member was asked through a letter on 3 February, to confirm whether his resignation was voluntary and genuine in terms of the constitutional provision on the subject. The member concerned personally met me and confirmed the genuineness of his resignation. I thereupon, accepted his resignation with effect from 23 February, and made an announcement to that effect in the House on the same day. In another case, on 21 August, a member without giving any prior intimation suddenly stood up in the House and wanted to make a statement in explanation of his proposed resignation from the membership of Lok Sabha. I did not permit him to do so and pointed out that he had to submit his resignation to me in the prescribed form as provided in the rules. Later on the same day, I declined to permit him to speak on a motion under discussion. Thereupon, he presented to me his resignation letter resigning the membership of Lok Sabha in the House itself. I accepted the resignation then and there and made an announcement in the House.

There was to be no regular sitting of the House on 29 February, 1984, due to a Parliamentary Holiday on account of 'Maha Shivratri'. However, in accordance with the established practice of presenting the General Budget on the last working day of February, a sitting was specially fixed at 17.00 hours on that day.

On 23 March, 1984, the House paid homage to National Martyrs, Bhagat Singh, Rajguru and Sukhdev who were hanged on that day in 1930 by British Imperialists and who sacrificed their lives for the cause of the freedom of Mother India while declaring their faith in Republican, Democratic, Secular and Socialist India. The resolution proposed by me was adopted unanimously by the House with all members standing.

On 30 March, 1984, after the Deputy Speaker, who was in the Chair, made obituary references to the passing away of two former members, a member submitted that the convention regarding the presence of the Leader of the House during obituary references should not be given up. The Deputy Speaker stated that there was no set practice regarding presence of the Leader of the House during obituary references in all cases and observed that the Minister of Parliamentary Affairs, who was present in the House, represented the Government.

Earlier, during Half-an-Hour discussion on 21 March, 1984, a member insisted on the presence of the concerned Cabinet Minister in the House to reply to the discussion on the ground that the Minister of State could not deal with a policy matter. The Deputy Speaker who was in the Chair observed that since it was the joint responsibility of the Council of Ministers any Minister could represent the Government and give a reply.

Under Lok Sabha rule 363 if a Minister quotes in the House a despatch or other State paper which had not been presented to the House, he is required to lay the relevant paper on the Table of the House. On 4 April, 1984, the Minister of Home Affairs, while replying to the debate on a Short Duration Discussion regarding Akalis' demands concerning the amendment of article 25 of the Constitution of India and incidental matters, referred to a letter received from Shiromani Akali Dal (Longowal Group) which *inter alia* made a mention of the need for a separate personal law for Sikhs. Several Members belonging to the Opposition demanded that the communication under reference might be laid on the Table of the House. Disallowing the points of order raised by members, I observed that I could not direct the Minister to lay on the Table a document of which he had given only a gist to the House without actually quoting therefrom.



During the joint discussion on 13 August on the Statutory Resolution regarding disapproval of the National Security (Second Amendment) Ordinance, 1984, and the Bill replacing the Ordinance; a member wanted to quote from a private letter written by another member to the Deputy Chief Minister of Maharashtra. Since a member is not allowed to refer to or lay on the Table private correspondence by another member, only general references were permitted to go on record. No quotations from the letter in question were allowed by the Chair.

A calling Attention notice regarding situation arising out of the reported decision of the Government of Sri Lanka to impose military rule in Jaffna and renewed spate of killings of Tamilians of Indian Origin was included in List of Business for 5 April, 1984. When the item was reached, there was a demand from all sections that it should be converted into a Short Duration Discussion so that members from all sides could participate in it. On the House agreeing to the suggestion, the Calling Attention was converted into Short Duration Discussion. The five members whose names had already appeared on the Calling Attention notice were shown on the Short Duration Discussion, which was held on 6 April. Another occasion to convert a Calling Attention notice into a Short Duration Discussion had earlier arisen on 29 March. The reported economic crisis in the language news agencies leading to strike and lockout in Samachar Bharti and the strike notice by the workers of "Hindustan Samachar" was the subject of a Calling Attention included in the List of Business for that day. On demand being made in the House, it was converted into a Short Duration Discussion which was held on 19 April.

As a matter of interest I might mention that on 23 July, 1984, our Deputy Speaker participated in the discussion on the Motion for consideration of the Industrial Disputes (Amendment) Bill, 1984, from the seat allotted to him.

The Business Advisory Committee (BAC) in their Report presented on 31, July, 1984, had recommended that a combined discussion under rule 193 regarding (i) communal riots and (ii) atrocities on Harijans and backward classes might be held during the following week. On 1 August, when the Motion for adoption of the Report was taken up, certain members who had tabled notices of amendments to the Motion for having separate discussions on the two subjects under reference, moved their respective amendments accordingly. After some discussion, it was decided to refer back the particular recommendation to the BAC for reconsideration on an amendment moved by the Minister himself. There-

after, the Motion as amended was adopted. On reconsideration of the matter, the BAC in its Report presented on 6 August, recommended that discussions on (i) communal riots and (ii) Reports for Scheduled Castes and Scheduled Tribes, might take place separately on 8 and 14 August respectively. The Report was adopted on 7 August, 1984.

Lok Sabha created history on 23 August, 1984, when it passed as many as five Constitution Amendment Bills in a single day. Earlier, on 22 August, the Motion for consideration of the Constitution (Forty-seventh Amendment) Bill, 1982, seeking to amend article 330 of the Constitution to provide for reservation of seats in Lok Sabha for Scheduled Tribes in Meghalaya, Nagaland, Arunachal Pradesh and Mizoram and article 332 to provide for similar reservation in the Legislative Assemblies of Nagaland and Meghalaya in order to meet the aspirations of the local tribal population, could not be carried by the special majority in accordance with the provisions of article 368 despite unanimous support from all sides of the House. Considering the unanimity in the House over the proposed measure I allowed, as a special case, the Constitution (Fifty-third Amendment) Bill, 1984, containing the same provisions, to be introduced, considered and passed the next day, after suspending the relevant rule.

Turning to some important privilege issues, I would like to inform you that the Eighth Report of the Committee of Privileges regarding alleged assault on a member, Shri Satyanarayan Jatiya, and use of abusive remarks against him by the police at Ujjain on 15 December, 1981, was presented to the House on 9 May, 1984. After a careful consideration of the evidence, the Committee had come to the conclusion that Shri Jatiya was assaulted and beaten by the policemen under the orders of the then Superintendent of Police, Ujjain, who had also used abusive language in respect of the member, which was highly derogatory. However, in view of the unconditional and unqualified apology tendered by the Superintendent of Police, the Committee were of the opinion that no further action need be taken in the matter.

The Committee were distressed that of late there had been several cases of assault on Members of Parliament and use of insulting language and abusive remarks against them by police authorities. The Committee urged that the Ministry of Home Affairs might take appropriate steps to curb the growing tendency on the part of law enforcing authorities of assaulting and ill-treating Members of Parliament and other elected representatives of the people, and of using abusive language in respect of them.

The Committee desired that the Ministry of Home Affairs be asked to issue necessary instructions to all the concerned authorities to ensure that such incidents might not recur and, if any officer acted in that manner serious action should be taken against him. In pursuance of the above observations of the Committee of Privileges, the Ministry of Home Affairs issued a circular letter on 21 July, 1984, to the Chief Secretaries of all State Governments and Union Territory Administrations drawing their attention to the observations of the Committee and instructed them to impress upon all the law enforcing authorities to take due note of the observations made by the Committee. They have also been instructed to make clear to all concerned to ensure that such instances of improper behaviour towards Members of Parliament should not occur in future and that serious action would be taken against those contravening these instructions.

In another case, a member sought to raise a question of privilege regarding reference of another question of privilege against the Union Minister of Law, Justice and Company Affairs on 21 February, 1984, by the Andhra Pradesh Legislative Assembly to their Committee of Privileges for allegedly turning down the resolution passed by the Legislative Assembly proposing abolition of the Legislative Council of Andhra Pradesh. On 22, August 1984, I observed in the House that it was a well established convention that if *prima facie* case of breach of privilege or contempt of the House was made out against a member who belonged to another Legislature, the matter should be referred to the Presiding Officer of that Legislature for taking such action as he considered necessary. I also added that it was exclusively for the Union Government to choose the time and occasion to initiate legislation on a particular subject and bring it before Parliament. Further, even if it was considered to be violation of the Constitutional provision with regard to abolition or creation of Legislative Councils in States as contained in Article 169 of the Constitution it was a matter to be decided by the courts of law and no question of parliamentary privilege would arise. I further expressed the hope that all concerned would take into account relevant facts while dealing with this sensitive and important issue.

As you are aware the Third Regional Seminar on Parliamentary Practice and Procedure for Asia, South-East Asia and African Regions of the Commonwealth Parliamentary Association (CPA) was held in New Delhi from 21 to 25 January, 1984, under the auspices of the Indian Parliamentary Group and was attended by 19 delegates from CPA Branches overseas *viz.*, Sri Lanka, Tanzania, Zambia, Malaysia, Botswana, Malawi, Mauritius and Zimbabwe and 39 delegates, including a number of Presiding Officers, from Parliament and State Legislatures in India. Mr. G. R.

Ottenheimer, Chairman, CPA Executive Committee, Members of CPA working Party, Sir Robin Vanderfelt, Secretary-General, CPA and officers of CPA Headquarters Secretariat also attended the Seminar as special invitees. The subjects discussed at the Seminar were "Time of the House : Focus on Important Issues" and "Financial Accountability to Parliament: How to make it more effective?" The Seminar afforded a very valuable opportunity for exchange of views on subjects of topical and contemporaneous importance and to share experience.

Following the past tradition, a meeting of members of Parliament was organised in the Central Hall of Parliament House on 24 August, 1984, to bid farewell to Shri M. Hidayatullah, who laid down his office as Vice-President of India on 30 August, 1984, on completion of his term. On behalf of the Members of Parliament, I had the privilege of delivering the Farewell Address.

As in the past, at a meeting held on 26 May, 1984, in Parliament House Annexe, the Members of Parliament paid their respectful homage to Pandit Jawaharlal Nehru on the occasion of his 20th Death Anniversary. Shri B. R. Nanda addressed the meeting. To mark the occasion, a pictorial exhibition on "Nehru" was also set up.

The Bureau of Parliamentary Studies and Training. I am happy to say, has continued to make steady progress. Two Seminars on "Private Members' Business" and "Facilities for Effective Functioning of Legislators" were organised under the joint auspices of the Bureau and the IPG. These Seminars were attended by Members of Parliament and State Legislatures and the Associate Members of the IPG. I am glad to mention that the Presiding Officers of Jammu and Kashmir, Haryana and Himachal Pradesh Legislative Assemblies also participated in these Seminars and evinced keen interest in the proceedings. The discussions at the Seminars were found to be very interesting and useful.

From this year, the Bureau has started organising Orientation Programmes for new legislators as and when elections are held to the Houses of various legislatures. Through these Programmes, it is intended to provide opportunities to participating members to analyse various aspects of parliamentary processes and procedures, familiarise themselves more closely with the operational mechanics of parliamentary institutions and exchange ideas and experience for further improvement. A beginning in this direction was made in early May when the Bureau organised in collaboration with the Rajya Sabha Secretariat, an Orientation Programme of three days' duration

for the new members of Rajya Sabha who were elected in the biennial elections held in April, 1984. Later, in July the Bureau organised another week-long Orientation Programme for the new members of Mizoram Legislative Assembly. The participants of the two Orientation Programmes were addressed by Union Ministers and eminent parliamentarians. Needless to say, the Bureau would be happy to organise similar Programmes for the legislators from other States after the ensuing elections.

With a view to improve the functional skills of the Middle Level Officers of Lok Sabha, Rajya Sabha and State Legislature Secretariats and to enable them to sharpen their perspectives, the Bureau organised two Specialisation Courses for imparting training in the working of the (i) Committee on the Welfare of Scheduled Castes and Scheduled Tribes and (ii) Financial Committee besides an Attachment Programme for two officials of the Madhya Pradesh Vidhan Sabha Secretariat. The Bureau also organised, as in the past, Appreciation Courses in Parliamentary Processes and Procedures for the benefit of senior Government Officers and Probationers of All-India and Central Services besides study visits for Mr. Nils Svedberg, former Member of the Supreme Audit Institution of Sweden, Dr. James Teah Tarpeh, Vice-Chancellor of Liberia and Mr. John Brudenall, Deputy Parliamentary Librarian in Parliament of Australia.

As you may be aware the Bureau has also been organising "Attachment Programmes" of eight to ten weeks' duration for Foreign Parliamentary Officials under the Colombo Plan, Special Commonwealth African Assistance Plan (SCAAP) etc. Currently, the Bureau is organising one such "Attachment Programme" for Shri Bhupendranath Dwarka, Clerk Assistant, Legislative Assembly, Mauritius to enable him to familiarise himself with the processes and procedures obtaining in the Indian Parliament and also in the two State Legislatures of Tamil Nadu and Karnataka. It may interest you to know that instead of organising these programmes on an *ad hoc* basis, it has now been decided that a regular Parliamentary Internship Programme (PIP) of eight weeks' duration may be organised once a year. Participants in each programme will be drawn from countries covered under the Colombo Plan, SCAAP or other similar aid programmes. The first such Parliamentary Internship Programme is proposed to be organised from 14 October to 7 December, 1985, and steps have been taken to inform various foreign Parliaments and, Parliamentary Associations accordingly.

I might also mention in the end a few other developments of parliamentary interest which are in the offing. Some of the major projects already approved by the appropriate Parliamentary Committees are : setting

up in the precincts of Parliament a system of Closed Circuit Television (C.C.T.V.); use of computer in the information services of Parliament, establishment of a Hall of National Achievements, and developing a Parliamentary Museum and Archives. For the success of the last two of our prestigious projects mentioned above *viz.*, 'Hall of National Achievements' and 'Parliamentary Museum and Archives', we need and look forward to all the help and cooperation from the State Legislatures. We are also going to install a Telex system of our own in the Parliament House Complex in order to facilitate speedy receipt and transmission of messages from and to our sister legislatures in India. Foreign Parliaments, our missions abroad, the Commonwealth Parliamentary Association, the Inter-Parliamentary Union and others. I may also inform you that photocopying facilities which already exist for the parliamentary work of members, free-of-charge, are also proposed to be provided to them for their non-parliamentary work on nominal payment. You may also be glad to know that the proposal for the construction of the Parliament Library Building which has been pending for a long time, has since been finalised. The foundation stone of the Building, which may accommodate Parliament Library, the Reference, Research, Documentation and Information Service, Hall of National Achievements, Parliamentary Museum and Archives, the Bureau of Parliamentary Studies and Training etc., is proposed to be laid very shortly. The LARRDIS which as you know caters to the information needs of Members of Parliament, has already stepped up its activities effectively during the current year and has ambitious plans ahead. You will be glad to learn, that besides their regular periodicals, the LARRDIS published several Documentation Lists on current developments, a Brochure on the 20-Point Economic Programme, an Information Bulletin on Administrative Tribunals, Background Note on the Life Insurance Corporations Bill and the first two studies on National Education Policy and National Health Policy in a new series on national policies. Apart from the LARRDIS publications, there are proposals regarding various Guide-books, Hand books and Books of Abstracts on various procedures like Adjournment Motion, Calling Attention, Point of Order, Half-an-hour Discussion, Short Notice Question etc. which will be brought out before the next Lok Sabha meets.

As you all know the election of the office of the Chairman of the Executive Committee of the Commonwealth Parliamentary Association was held recently in Douglas, Isle of Man at its General Assembly meeting on 4 October was elected to this high office in a straight contest. Inasmuch as it is for the first time that anyone from India or from any other country in Asia has been elected to this most important office in the CPA, I regard it as

an honour to our nation and a matter a great pride for all of us. However, it was unfortunate that five of our own compatriots who had gone there as our delegates, left the Conference before its conclusion and could not therefore use their valuable vote when their country was a candidate and needed their support. I would urge you, Friends, that in future when you send your delegates to these Conferences or yourself go as delegates it must be ensured that no one ignores the work of the Conference and no one leaves the venue before the conclusion of the Conference.

Before I conclude, it is my pleasant duty to express my heartfelt thanks to our distinguished host Shri Hashim Abdul Halim, Speaker, West Bengal Legislative Assembly, Shri K.N. Mukherjee, Secretary, West Bengal Legislative Assembly and other officers and staff of the West Bengal Legislative Assembly Secretariat for the excellent arrangements made by them to ensure the success of the Conference as also to look after our comfortable stay in Calcutta.

Friends, Conferences like this provide valuable opportunities to us to come together for evolving procedures for the smooth functioning of our parliamentary institutions. I do hope that our deliberations here will be fruitful and many constructive and healthy suggestions would emerge so as to further strengthening our parliamentary institutions and procedures.

---

*Mr. Speaker :* Tomorrow after finishing all official business we will take up the Sri Lanka debate.

*Professor Madhu Dandavate :* Let us cross the bridge when we come to it.

*Mr. Speaker :* I will plan it and then go to the bridge.

(L. S. Deb., 21 August, 1984)

THE LEADER OF THE HOUSE AND THE  
WHIPS IN U.K. AND INDIA\*

PRANAB MUKHERJEE

---

Once elected or constituted an assembly must have leaders to direct its deliberations and crystallize its will. The leaders must oversee the direction of the governmental machinery which gives effect to that will. An understanding of the role and position of these premier parliamentary offices provides a useful insight into the internal working of parliamentary wing of political parties.

*The Leader of the House in United Kingdom*

In United Kingdom, the member of the government who is primarily responsible to the Prime Minister for arrangement of the Government business in the House of Commons is known as the Leader of the House. The leadership of the House in the British parliamentary system is not a statutory office. As Sir Ivor Jemings points out, "the British constitution has a way of creating offices without legislation and without any formal." Unit 1942, Prime Ministers in the twentieth century, with the single exception of Lloyd George, acted as Leader of the House of Commons. During World War-II Churchill devalued the post, and this practice has been followed ever since. The Leader is not formally appointed by the Crown ; the Prime Minister designates a member of the Cabinet to lead the House on his behalf.

---

\*Adapted from the talk by the author to the probationers of the Indian Administrative Service, under the auspices of the Bureau of Parliamentary Studies and Training, Lok Sabha Secretariat, on 17 February, 1984.



The Leader's most important function is the arrangement of government business in the House of Commons. He is Chairman of the Committees of the Cabinet which draw a broad plan for legislation over the lifetime of a Parliament and choose the bills to be brought before Parliament in each session. The day-to-day details of the business for each session are worked out by the Chief Whip after consulting the Opposition Chief Whip. But the Leader of the House remain responsible for the general arrangements. It is he who in answer to a question asked by the Leader of the Opposition every Thursday states the business for the next week, and it is he who then deals with requests from Member to find time for debates on matters currently interesting them. This is the wider aspect of his office. Besides, being the Cabinet member responsible to the Prime Minister for the government's programme in the House he is the custodian of the rights of the different sections of the House—government, opposition, other parties and backbench Members. He guide the House on questions of privilege and procedure, himself taking the Chair of the important and long established Committee of Privileges. He also leads on matters of domestic concern, often being Chairman of the Houses' Services Committee which inquires into delicate questions as the accommodation and living conditions of Members and the publication and broadcasting of House debates.

In the absence of the Prime Minister, he has the responsibility of expressing the sense of the House of Commons on formal occasions like moving motions of thanks or congratulations. His role, however, is not confined to government business alone. The government must come to a decision on private Members' motions and Bills and it is for the Leader of the House to decide whether the Whips are to be put against this business or in support of this business or whether the questions should be left to free vote. These decisions are taken by the government on the recommendations of the Leader of the House. The Leader of the House leads the House behind the Speaker and in company with the Leader of the Opposition to listen to the Queen's speech in the House of Lords. He proposes the election or re-election of the Speaker and moves a vote of thanks when the Speaker retires. In short, the Leader of the House, in the words of Mr. Gladstone, "Suggests, and in a degree, fixes the course of all principal matters of business, supervises and keeps in harmony the actions of his colleagues, takes the initiative in matter of ceremonial procedures and advises the House in every difficulty as it arises."

In the House of Lords, the role of the Leader is more or less the same as in the Commons. In the Houses there is a Leader of the House and a Leader

of the Opposition, each supported by a Chief Whip and other Whips. Special problems may be posed for the Lords leadership of a kind not found in the House of Commons as a result of the differing powers of the two Houses.

### *Position of Leader of the House in India*

In India, the position with regard to the Leader of the House is somewhat different. Here, the Prime Minister is invariably the Leader of the House in Lok Sabha. He/She is the leader of the majority party in Parliament consisting of Members of both houses in which capacity he/she functions as Prime Minister. The Rules of Procedure and Conduct of Business in Lok Sabha clearly provide that there should be a Leader of the Lok Sabha and the duties of the Leader of the House are defined in the Rules of Procedure. Similar provisions exist in the Rules of Procedure of the Rajya Sabha also and the Leader of the House in Rajya Sabha is appointed by the Prime Minister from amongst members of his/her Cabinet.

The Leader of the House is an important parliamentary functionary and exercises direct influence on the course of parliamentary business. The whole policy of the government, especially in so far as it is expressed in the House and in measures dealing with the course of its business, is concentrated in his person. The arrangement of government business is the ultimate responsibility of the Leader of the House, though the details are settled, subject to its approval, by the Chief Whip. The leader of the House makes proposals for the dates of summoning and prorogation of the House for the approval of the Chair. He has to draw up the programme of official business to be transacted in the session of Parliament. He fixes *inter se* priorities for various items of business to ensure their smooth passage. After settling tentative programme for the whole session, he maps out weekly and daily programme depending upon the state of progress of work and announces the programme to the Members in advance every week. He is a member of the Business Advisory Committee which determines the allocation of time for government bills and other business on the basis of suggestions made by or received from him from time to time.

The Leader of the House in Lok Sabha, *viz.* Prime Minister, does not sit in the Business Advisory Committee; he or she is represented by the Minister for Parliamentary Affairs in the Committee. This is another departure from British practice in our system of parliamentary functioning. As regards Rajya

Sabha we have developed a convention that the Leader of the House in Rajya Sabha must be a member of the Business Advisory Committee. He shapes the course and content of legislation inasmuch as he is often the final voice in deciding as to what amendments will be acceptable, which private Members' Bill will receive support of the Government, and whether a question should be left to a free vote.

There are a number of other areas of working in which the Leader of the House is assigned a prominent role. For example, he is supplied in advance with a copy of the personal statement which a Member may make in explanation of his resignation from the office of Minister. He can request the Presiding Officer to fix a day or part thereof for sitting the House in secret. He is available to the Presiding Officer for consultation on behalf of the Government. He is consulted by the Chair in regard to the arrangement of government business and allocation of time for discussions.

The Leader of the House is consulted by the Chair also in regard to discussion on, and voting of the Demands for Grants; discussion of "No-day-Yet Named Motion", discussion on matters of urgent public importance for short duration; and also consideration and passing of an amendment to any regulation, rule, sub rule, bye-law, etc. laid before the House. He is generally consulted when a motion for suspension of a Member from the service of the House is moved, or a question involving a breach of privilege, either of a Member or of the House, or of a Committee, is raised in the House.

In the matter of privilege also practice in India differs slightly from that in Britain. In the Lok Sabha normally the leader of the House is not a member of the Committee of Privileges. But in respect of any penal decision the Committee may take, it is the responsibility of the Prime Minister, as Leader of the House, to move a motion in the Lok Sabha, for approval of the House. But in the Rajya Sabha, by convention, the Leader of the House is also a member of the Committee of Privileges. In respect of whatever decision the Committee of Privileges may take, it is the responsibility of the Leader of the House, as a spokesman of the House to move a motion in the Rajya Sabha for the approval of the House. In his day-to-day activities, the Leader of the House acts as Leader of his party, but on occasions, he acts as the spokesman and representative of the whole House. When the House speaks as a corporate body, the Leader of the house speaks on its behalf. The responsibility of the Leader of

the House is not only to the Government and its supporters in the House, but to the Opposition and to the House as a whole also. He maintains liaison between the Government and the Opposition groups in the House. He is the guardian of the legitimate rights of the Opposition as well as those of the Government. He is among the foremost champions of the rights and privileges of the House as a whole.

### *Role and Position of Whips*

Having said about the Leader of the House, let me now come to the role of Whips. Outside Parliament, party control is exercised by national and local organizations. Inside Parliament, it is exercised by Officers known as Whips. The British term 'Whip' is the hunting-field, where the Whipper-in drove the Hounds with the whip back into the pack so as to prevent them from straying. The term 'Whip' is now applied both to a Member of a particular party in Parliament whose duty is to secure the attendance of Members of that party, and to the written appeal or circular notice by which he summons Members of his party and informs them of the programme of parliamentary business.

All parties in Parliament have some kind of whip to give their activities coherence and organisation. In United Kingdom special and important duties are assigned to the government's Chief Whip in House of Commons. He regularly attends Cabinet meetings. He is assisted by the Deputy Chief Whip and upto 13 junior whips. The Government Chief Whip is directly answerable to the Prime Minister and the Leader of the House of Commons. Subject to the Cabinet, the overriding responsibility for the organisation of business in the House of Commons and the progress of the government's legislative programme rests with the Leader of the House. Under the authority of the Leader, the government Chief Whip in the Commons attends the Cabinet and makes the day-to-day arrangements for the government's programme of business. The Chief Whip also has responsibilities for securing majorities for the government.

The main function of the Whip is to keep Members of their party within the sound and range of the division bell whenever any important business is under consideration in the House. During sessions, the Whips of different parties send to their supporters periodic notices, also sometimes called 'Whips';

warning them as to when important divisions are expected. The importance of the division is indicated by underscoring the notice by a number of lines, or a couple of very thick lines. Sometimes, we call them two-line whips or three-line whips.

The Whips have to know their men, their knowledge or their interests, special aptitudes, qualities and potentialities. In the interest of quality of debate and deliberations the Whips take these aspects into account while sending the list of Speakers to the Chair. They keep Members supplied with information about the business of the House and enforce party discipline. The Whips are the active agents within the parties and serve as a channel of communication whereby one party negotiates with another concerning topics for debates or conduct of business in the House.

The Chief Whip of the government party in Lok Sabha is the Minister of Parliamentary Affairs and he is directly responsible to the Leader of the House. It is a part of his duties to advise the government on parliamentary business and to maintain a close liaison with Ministers in regard to parliamentary business affecting their Ministries and Departments. The Chief Whip is the eyes and ears of the Leader of the Party so far as the Members are concerned. During sessions, in his capacity as adviser to the Leader, he has to be in constant touch with the Prime Minister. The Chief Whip is assisted by the Minister of State and two Deputy Ministers. He ensures that during sittings, there is quorum in the House, and that adequate number of Members of the party is present at the time of voting. He sends them advance intimation through the system of ordinary one, two and three-line whips to indicate the degree of urgency attaching to a particular measure before the House. The responsibility of keeping everybody at his post and keeping his party united, strong and well-knit, falls on him. He selects members for Select/Joint Committees and other parliamentary and government assignments keeping in view the background, experience, aptitude, qualifications, etc. of Members of his party.

The Whips are not only shock-absorbers, but also indicators of the party; they are not only advisers to the Leader, but also the binding force in the

party; they are not only barometers of the different regions and opinions but also the counsellors of Members.

The Whips of the government and of parties in the opposition come into contact with each other to sort out matters of common interest and to understand and accommodate each other on many crucial occasions. Whips of the Ruling party as well as those of the Opposition thus play a very significant role in the smooth and efficient functioning of parliamentary democracy.

---

*Shri Krishna Chandra Halder* : I came before 11 O'clock. The ruling party Members are late. Valuable time is lost.

*Mr. Speaker* : During the school days we used to go in deputation to the Headmaster saying, 'This is a very fine day.' So let us have a fine day. That should be the mood.

(*L.S. Deb.*, 3 August, 1984).

## THE MULTI-DIMENSIONAL ROLES OF PARLIAMENT\*

V.N. GADGIL

---

Our Constitution-makers carefully examined several alternatives and came to a decision that the future constitutional set-up of the Indian polity should be federal in nature and parliamentary in character. Parliamentary democracy was therefore adopted in our country. Historically, this system was imposed on us by the British. During the freedom struggle and in pre-Independence days, certain parliamentary traditions had developed in the country. The Constitution-makers, therefore thought that this was probably the best system that should be adopted for the country.

Democracy contemplates that the people should make laws and they should obey them. It is not possible for all the people in a large country like ours to come together and take decisions. Therefore, we have chosen the system of representative democracy. We have divided the country into various constituencies. The people elect their representatives. The largest single party or the majority party forms the government. The government remains in power so long as it enjoys the confidence of the Lok Sabha. That is the correct description of a parliamentary democracy.

### *Representational Role of Parliament*

Parliament in the first place must be truly representative of the people. The Constituent Assembly considered various alternative methods of represen-

---

\* Adapted from the inaugural address by the author to the Probationers of the Indian Postal Service under the auspices of the Bureau of parliamentary Studies and Training, Lok Sabha Secretariat, on 26 July, 1984.

tation. But they chose what is known as the first-past-the-post-system. In this system, sometimes distortions come in; sometimes even absurdities creep in. A party which has got the least number of votes may get the maximum number of seats and it forms the government. But no other alternative is workable in India. It has not worked even in some advanced countries.

There are a number of other systems, *viz.* list system; the preferential voting system and the proportional representation system. It has been noticed that the largest percentage of invalid votes are found in the proportional representation system in graduate constituencies rather than in the general elections. If graduates can make mistakes, it is doubtful whether we can adopt that kind of a system for the general electorate. So, it may be that sometimes the ~~people's desires are not exactly reflected in the number of seats held by a political party.~~ But now it appears that there is no other alternative. The system which we have chosen is the correct system. Thus, the first role that it should be representative of the people's wishes, has been performed by and large by our Parliament in the last several years.

#### *Integrational Role*

The second role of Parliament is that of integrating the country. In spite of some of the events that have taken place in the last few months, Parliament does help the forces of integration in the country. In this context an example may be cited: In 1956, I left the Congress Party on the question of separating Maharashtra from Bombay and breaking the family tradition, I joined the Opposition for a few years. We are agitating for the inclusion of the city of Belgaum in Maharashtra. One of our top leaders was elected to Parliament, and after a few years, when we asked him, "Why are you not speaking about Belgaum in Parliament?". His reply was very significant. He said, "From Delhi, Belgaum looks very small". That is the integrating process. It is not that the local issues, the regional passions and the parochial loyalties disappear. But they dilute when we come to Parliament.

If one sits in the Public Gallery or the Central Hall of Parliament House, for four or five days and just watch the members wearing various dresses - some wearing long shirts coming below the knees, some wearing very short shirts, some wearing *dhotis* and some wearing best westernised tailored suits—one sees miniature India—persons from various States inter-mingling very freely, chit-chatting, taking tea and coffee in the Central Hall and so on. All kinds of



exchanges take place there and we see the picture of an integrating India. The role of integrating the country is thus satisfactorily performed by our Parliament.

### *Throwing up of Leadership Role*

The third role of Parliament is to throw up leadership. There is an in-built constitutional advantage in the parliamentary system for this role. Every Minister in the Government has to be a Member either of Lok Sabha or Rajya Sabha. He can continue without being a Member of either House for a maximum period of six months. Parliament, therefore, does provide a forum where leadership is thrown up. It is only through Parliament that leadership in Government comes. That is in-built in the system itself to a certain extent. It is exactly the opposite in the United States of America. In India, a Minister has to be a Member of the legislature whereas in the United States, a Minister can not be a Member of the legislature. A Secretary of State has to resign if he is a Member of the Congress, with the result that sometimes important leaders do not become Ministers there. The story goes that President Roosevelt of the United States appointed a lady as a Minister of State for Labour. Nobody knew who she was. One of the newspapers wrote an article "Who is this lady?" Journalists questioned President Roosevelt and ultimately privately he told them "Don't tell anyone. My wife wanted her to be appointed and you know how one has to yield sometimes and, therefore, I have appointed her Minister for Labour". Thus, the process of throwing up of leadership in government does not come from the Senate there. In India the function of throwing up of leadership is satisfactorily performed by our parliament partly because of the in-built constitutional provision that a Leader must be a Member of the legislature, Parliament and Cabinet. The parliamentary system requires that the majority party should choose the Leader who becomes the Prime Minister. He or she forms the Government and it remains in power so long as it enjoys the confidence of the Lok Sabha. It is the Lok Sabha which creates the Ministry. It is the Lok Sabha which sustains it and it is the Lok Sabha which can destroy it. In the parlance of Hindu mythology, the *Trimurti*, i.e. *Brahma*, *Vishnu* and *Mahesh* create, sustain and destroy the world. Similar is the role of the Lok Sabha. The role of the Cabinet is that of coordination. On one side is the Lok Sabha which represents the will of the people and the other side is the civil service which executes the policies of the Government. According to Bagehot,

some people have fascination for double barrel names like John-Brown. They are supposed to be from the aristocratic family. The hyphen between the two names is regarded as very important. In his words, the Cabinet is the hyphen that joins and the buckle that fastens. That is the role of the Cabinet as the coordinator between the Parliament and the executive. Parliament also performs the mediatory role, *i.e.* to mediate between the people and the Government and the Cabinet mediates between the Lok Sabha and the executive. If the people in any country start feeling that their problems will not be solved by Parliament but they will be solved by coming on the streets, by resorting to agitations, fasts, gheraos, bandhs, etc., if they start losing their faith in Parliament's efficacy, that may perhaps be the end of the parliamentary democracy. Therefore, the correct role of Parliament in the Indian polity is to remain the centre of political gravity. The people must feel that every important decision will be taken in Parliament. Parliament is the centre and the forum where decisions will be taken. Parliamentary democracy contemplates that decisions shall be preceded by dialogue, debate and discussion. And that dialogue, debate and discussion must take place in Parliament. That is the very logic of the parliamentary system.

### *Delegated Legislation*

In a parliamentary democracy, Parliament has mainly five functions and we can judge the Indian Parliament since 1952 with reference to these functions.

The first and the primary function of Parliament is to legislate. But in a Modern State it is no longer the primary function of Parliament. It may have been so a hundred years back, but now-a-days the State is required to interfere in almost every aspect of social activity. Any such intervention must have the sanction of law and the law must be passed by Parliament. The functions of a modern State have become so large that no Parliament in the world finds enough time or talent to pass legislative measures in detail. Even if Parliament sits day and night all the 365 days in a year, it cannot go into details of every thing. For example, if Parliament has to decide in which areas the post offices should remain open and from what time or how the accounting should be done between the various centres of postal services, if Parliament starts legislating on such things, then it will have no time for legislating on policy matters. Therefore, in the last 60 or 70 years, a new phenomenon has occurred in Parliaments

all over the world which is known as 'delegated Legislation' or 'subordinate legislation'. Parliament prepares the framework of law and delegates the powers to the executive. That is why in every law passed by Parliament there is provision for delegation of powers.

Apart from time, Parliament does not have experts in all subjects. In every Parliament the Volume of legislation has increased on an enormous scale. In a democracy law touches our lives at every point of time. Everything has to be done according to the law. As soon as we are born, our birth is registered under some rule made under some Act. When someone dies and taken to the crematorium we have to obtain a pass for his cremation. That is also under some rule made under some Act. According to Professor Robson the law thus touches our lives from "womb to tomb". As the Parliament does not have the time, to make detailed laws it delegates powers to the Government and it delegates them to the Cabinet and the Cabinet to the Minister and the Minister delegates to the Secretary and so on all along the line. Actually it is the law or rule that is made by the Tehsildar on some such official that governs our lives and not the law made by Parliament. He is the real law-maker. Again, to quote Professor Robson, the law made by Parliament does not govern our lives; it is the great, great grand-child of that Act that governs our lives. So, our representatives do not make laws for us, it is the Tehsildar who makes laws for us. That is inevitable in a modern democracy. That is why our Parliament has provided for certain checks under the relevant rules. Any Member of Parliament is entitled to raise the matter in Parliament if a subordinate legislation exceeds its powers. There is a Committee on Subordinate Legislation of which I was Chairman for two years. We found that in many cases the subordinate legislation exceeded its powers. In the British Parliament, I remember one Opposition Member got up, read out a rule and asked the Minister, "What is the meaning of this?". The order was 'Control of Tin Cans Kegs Order 1942 as amended by the Control of Tin Cans Kegs Order 1943 upto 1947-48 as further amended by substituting sub-clause (b) by clause (a) of Section (4) of Schedule X annexed to the Act.' and it shall come into force on such date and it shall be known as Control of Tin Cans Kegs Act as amended...and all the rest of it. The order provides that if one breaks this rule he will be punished with fined £ 500 or one month simple imprisonment. So he asked the Minister, 'Suppose I do X thing, do I break this or I do not?' The Minister said, 'I know nothing about it. I will ask the Secretary.' He asked the Secretary who said that a certain type of tobacco was not allowed to be packed in a certain kind of tin. Then he asked, 'Why do you not say it in

simple language?' But some people in the executive take delight in making things now. The *Guinness Book of Records* has given a delightful example. The order reads as follows: "In the Nuts (unground) (other than groundnuts) Order, the expression nuts shall have reference to such nuts, other than ground nuts, as would but for this amending Order not qualify as nuts (unground) (other than ground nuts) by reason of their being nuts (unground)". One High Court Judge in England said, 'With all my experience of 25 years I cannot tell you what it means.' So one danger of delegated legislation is obscurity. The second is exceeding powers, etc. But that is inevitable and we have to control it.

### *Control of the Executive*

The second function of Parliament is to control the executive. Democratic theory assumes that the Lok Sabha or the House of Commons should control the Ministries. Nothing of that kind happens about it is the other way. In practice *i.e.* in modern times, it is the Government that controls Parliament. We should not be under the impression that it is Parliament that controls the executive. Nowhere in the world is it so. It is the executive which controls Parliament. However, the control of Parliament is latent. It is always there. There were five or six occasions in our parliamentary history and a number of occasions in several other countries where a debate or a discussion in Parliament has changed the Government's policy. For example, the British Labour Government's policy towards Israel was changed because there was a stormy debate in the House of Commons. And, compensation was paid to an Irishman because of a similar a discussion in the British House of Commons in the 20s.

### *Controller of Public Accounts*

The third function of Parliament is to keep an eye on public accounts. That is why there is a Public money. Committee in our Parliament. In this matter, the experience of most of the countries in the world is that Parliament cannot exert influence everyday. It cannot have financial control everyday in every case. That suits the persons auditing the accounts. They never tell us what should be done. They say that let the Government commit the mistake first and then they will tell us what is the mistake! Similarly, the Public Accounts Committee tells what went wrong. The theory is that there can be no taxation without the sanction of Parliament, and no expenditure without the approval of Parliament. So, Parliament must exercise financial control over the executive.

*Ventilation of Grievances*

The fourth function of Parliament is ventilation of public grievances, I can claim with pride that our Parliament, whichever party be in power, performs better than any other Parliament in the world. We have an interesting and a searching Question Hour. We have devised a new procedure known as Calling Attention which is the innovation of the Indian genius and we do not find it anywhere in the world. Besides, we have Adjournment Motion, No-Confidence Motion and various other ways by which the people's grievances are very ably ventilated in Parliament.

The Question Hour is most interesting. During the British regime when an Englishman named Raisman was the Finance Minister, a discussion was taking place on salt tax. The Congress Party during Freedom Struggle, had said that "We will not pay the tax on salt", So, with this in mind a Member got up and asked "Which salt does the hon. Finance Member take?" My father (Shri N.V. Gadgil) got up and said that he only takes somersault! Because of Members like late Shri Pilloo Mody, the Question Hour becomes an interesting hour. The Question Hour is the true test of a Minister whether he has the grasp of the subject or insight into the working of the Ministry. It is the test of the leadership also. I can say that the Question Hour is better performed in the Indian Parliament than anywhere else in the world. A large number of people come to witness the proceedings of the Parliament in India than anywhere else in the world. It has almost become a place for tourists. Every day, there are lunched of people waiting at the residences of MP's for getting passes to the Visitor's Galleries of Parliament.

The last but not the least function of Parliament is, what Mr. Winston Churchill called to provide "a Grand Forum of the Nation and a Grand Inquest of the Nation". Occasions arise when all Members of Parliament rise above party lines and a very serious high level discussion takes place debating national problems and finding solutions to them. This function is also well performed by our Parliament for example the debates that took place during the Bangladesh War.

## LEGISLATIVE BUSINESS\*

RAM NIWAS MIRDHA

---

As the word 'legislature' indicates the most important task of a legislature is to legislate. There are other functions as well. But, passing laws and legislating is a very important aspect of a legislature's functioning.

Under our Constitution we have three legislative lists. Some subjects belong to the Union Government ; some to the State Governments ; and there is a concurrent list of subjects on which the State Governments as well as the Central Government can make laws. Neither a State Legislature nor a State Government is subordinate to Parliament in any sense. Under our Constitution, the powers given to a State Legislature cannot be interfered with and it has the full power and responsibility to work under our constitutional set-up. Same is the case with Parliament which has a certain area of work in which it is supreme and can legislate. So, every legislature, whether at the Centre or in the States, has full authority so far as subjects allotted to them under the Constitution.

A Bill passes through many stages before it becomes a law. There are two types of Bills, viz, the Private Members' Bills, and the Government Bills. In our legislatures we have a fixed day for non-official business. On a particular day set apart for the purpose, the Private Members' Bills or Resolutions are taken up. There are, however, very rarely accepted. Many a time the Government appreciates the spirit behind these Resolutions or Bills and promises to bring forward appropriate legislation in that behalf.

\* Adapted from the talk by the author to the New Members of the Mizoram Legislative Assembly under the auspices of the Bureau of Parliamentary Studies and Training Lok Sabha Secretariat, on 11 July, 1984.

The idea of legislation starts with the election manifestoes of the political parties. During the election the parties say "If we come into power, these are the things that we will do—land reforms, change of money lending rules and regulations etc." When they come to power, they take up some of those ideas and try to work on them and give shape to them by introducing legislation. The concerned Department examines what are the things that should be incorporated in the legislative programme of the Government which will be the implementing authority etc. All these are administrative matters and the concerned administrative Department sends them to the Law Department for drafting the Bill. The procedure is long drawn out and complicated. For example, before drafting a legislation it has to be seen whether we can get that thing from some other legislations. A little drafting defect can defeat the Bill. The court might turn it down and say, "it is not properly drafted. The intention is not clear. What you are doing is beyond your competence". So, the draftsman of a Bill has a very important role to play and from his experience of drafting he tries to fit in the ideas of the administration. He gives them shape in the form of a Bill. Then it comes before the House and undergoes various stages.

There are three readings before a Bill is passed. First is the introduction of the Bill. At that stage generally there is no opposition but there have been instances when there was a short discussion and then it was allowed to be introduced. The next stage is very important. The general principles underlying the Bill are debated—why this legislation is necessary, how does it fit in with the general policies of the Government. The Members of the Opposition criticise the Government that the principle of the Bill is ill-conceived. It is not necessary. It is redundant. It is anti-people. Whatever the Opposition has to say at this stage by way of criticism of the principles of the Bill is said in a general way only. After that, some Bills are referred to either a Select or Joint Committee. Important Bills need more scrutiny. If we are in some Select Committee, we can play a good role because of our experience in the field. We can say how it will affect the people, whether it would not be putting too much restriction on the movement or the discretion of the people, and whether those restrictions are necessary, whether the reforms that are sought to be introduced would be acceptable to the people etc. We should take the work in a Select Committee very seriously. We learn a lot about the functioning of the concerned Department and the law on the subject. This is true of all Committees.

The Committee system in the Parliament and the State Legislatures performs an important task by keeping a check on the working of the executive. Various Committees—financial and others—play a very important role. We enrich our knowledge very much by working in these Committees. If we take the Committee work seriously, we would come to know of the working of the Department in some respects much more than the Minister concerned himself. It is because he does not have the opportunity of questioning the concerned officers in the way we are doing. One good feature of our parliamentary system is that the officers come prepared before the Committees. They take the work of the Committees seriously because they would not like any remark or recommendation against their Department. The way we ask questions, the way we raise debates in the House, the way we function in the Committees puts the administration on its toes. The Minister and his officers therefore really take parliamentary duties very seriously and they have a great deal of respect for Members. It is a very good development. They do not want adverse remarks against the administration to go into the report of a Committee. So, as any other Committee, a Select Committee is one where we should really devote our attention and our time and we would be the gainer for this. The Members should therefore make serious efforts to get a grip over the whole matter under consideration. We would be respected for this. We would be feared even, for this. We should ask questions pointedly to the Government in a situation where they have to give some assurances. It would be to our credit and the Government would respect us. They would know that so and so Member cannot be taken lightly. What he says has weight in it : what he says is as a result of his study and observation and they cannot lightly be brushed aside. This is the type of reputation we should be able to build.

In our system, under the Rules of Procedure, so many devices are available to us like Questions, Short-Notice Questions, Call-Attention Notices, Half-an Hour Discussions and so on. We have provided so many procedural devices which we can use in such a way as to keep the executive on its toes. Modern administration is really a complicated one. So much power are given to the government and the field officers that sometimes they themselves do not even know what powers they are having and how they are exercising them. So, it is very complex situation. It is getting increasingly more so as we go along. Therefore, the legislature and its committees have to be vigilant to keep a check on the wrong actions or the aberrations of the Government—which includes the Minister, the Council of Ministers and the officers. And that is



why, we should function effectively. This applies to the Ruling Party Members as well as Opposition Members. If we listen to the debates or questions asked and answered on the legislative floor, we would notice that a Ruling Party Member uses the same tone as the Opposition uses. Sometimes, the Opposition uses harsh language and indulges in personal attack on the Minister which, of course, a Member of the Ruling Party may not and cannot do. However, so far as his constituency is concerned and so far as his public activities are concerned, a Member of the Ruling Party wants to be as active as an Opposition Member. Sometimes, the Ruling Party Members do not take the work seriously and ultimately they really are the losers in the process. Sometimes a Ruling Party Member may think "I will not sit in the House; I will go to the Minister and get these things done." Thereby he loses the opportunity of using the House for debates, of learning the procedures of the House to enhance his own effectiveness and prestige, of representing his constituency and getting the grievances of the public redressed. He would be a very mistaken man if he takes his duties inside the House lightly. It is wrong to think that it is only the Opposition who have to participate in debates and discussions. To keep the administration and the executive on its toes, the Ruling Party Members have to play as important a role as the Opposition. The Opposition may have a different angle. But the basic responsibility of a legislator remains the same, irrespective of the party to which he belongs.

If we are Members of a Select Committee, we should attend the meetings regularly and study the papers thoroughly before attending a meeting. Sometimes witnesses are called before the Select Committee, for example, on a Bill on rural administration, Panchayat representatives may be called. Some lawyers, some organisations and citizens may want to appear. They should be encouraged to come and say what they wish to say and their viewpoints should be considered. We may wish to accept their suggestions, or modify them. The committee stage is a very important stage, particularly in the case of a legislative reassurance which has got several aspects. The Committee also visits places for on-the-spot study of matters connected with the Bill under consideration. During such visits we gather first hand information.

When the Select/Joint Committee submits its report and the Bill comes before the House, clause-by-clause consideration takes place, we can move amendments to the clauses of the Bill. Here, the Ruling Party Members also move amendments. The Minister sometimes accepts them, sometimes he requests the Members to withdraw them saying that he will take note of them. It means,

the Government have taken note of the suggestion to be kept in mind at the time of implementation and an amendment to that effect is not necessary. It is not to be put in the state of law. That is how, Things go on. Clause-by-clause consideration, is very important. Here, we can send as many amendments as we like. Then the third reading stage is reached. At this stage a general discussion takes place on the Bill as it has emerged from the clause-by-clause consideration. Here we accept the Bill or oppose the Bill as it is. After the Bill has been passed, it goes for assent to the President or the Governor—to the President in the case of a Bill passed by the Houses of Parliament and in the case of State Legislative to the Governor. Upon assent the Bill becomes a law. The law may come into force immediately or it may be brought into force later. Sometimes, it is from the date of its publication, the Government may need time for implementation because they have to make a lot of rules. Subordinate legislation is sometimes very necessary. In many legislative measures, there is a clause which gives power to the Government to make rules for the proper implementation of the law. These rules spell out the responsibilities of the various officials and lay down in detail the procedures and the machinery for the implementation of the provisions of the Bill. Sometimes, the making of rules gets delayed and the Committee on Subordinate Legislation criticises the Government for not implementing an Act for years.

One common criticism is that we are passing too many laws. Why are we doing so? It is because our life is getting very complicated. It is not a simple type of life as we used to have in the olden days. There were not than these complications. The people stayed at a particular place. They had a neighbourhood and did not have to go beyond a certain area. At the most, they would go to a certain district once in a while. But today the people have to move about; education is expanding, there are jobs abroad; the business transactions are held all over the country; the transport has to be regulated; the licensing of shops has to be done; the movement of essential commodities has to be regulated so that the merchants do not take advantage of shortages. So, there are bound to be so many laws. Thus the criticism is not valid because, if we do not regulate all these things, the poor people will be exploited.

On the other hand, the businessmen say that there are too many restrictions of them. The industrialists say that the licensing system is bad. But the licensing system has to be there for industries. It is not that we are putting restrictions for the sake of restrictions. If we make all industries free from

restrictions, no one will go in for the heavy industry. More and more consumer industries will come up. We want consumer industries to come up. But we also want heavy industry to come up because we want to be self-sufficient. So, all the restrictions are there to see that the development process goes on in the direction in which we want it to go and not in the direction in which the businessmen and the industrialists want it to go. They will do everything possible for the maximum benefit and profit for themselves. They are welcome to do that in their own sphere. But there are certain areas which we want to strengthen for development. We want proper regulation of the country's development.

This broadly is the legislative framework under which we work. If the Members take the legislative work seriously, it gives a tremendous opportunity to serve the people. We are duty bound to reflect the opinion of our constituencies by asking questions which concern the welfare of the people and to see whether the development works are being done or not. A legislator is not only representing his constituency but he is also a part of the State legislature and he has to take a wider view about the interest of the State/country as a whole.

The people criticise us by saying that amongst legislators there is a lot of indiscipline: they shout, they do not obey the Speaker, or his rulings are not accepted. Such things are said all the time. This is happening in the other countries also. That is because in the present day there is so much of tension in life. For example, there is a strike going on. It may be right or wrong, but the people who represent the workers want to assert their leadership and shout in the House. Some of these things can be tolerated in the sense that if we have strong feelings, we can express them in the House. But there is a limit to that. After all, we cannot go beyond a certain point. That is the essence of democracy. We have to respect the majority opinion. The minority has a right to express its opinion. That is what our parliamentary system is. There is a Government side and an Opposition side. Our parliamentary system is not a mere majority party rule where the minority should sit quietly. It involves the working of the Opposition also. It is for the involvement of all the Members of the House. That is why in England and even in our country the Leader of the Opposition gets official recognition. He gets the status of a Minister. Why? One can say, "He is opposed to us. Why should we give him all these facilities?" This is a recognition of the fact that the Opposition has an important role to play for the success of the parliamentary system.

Two things follow from this. Firstly, the majority party has a mandate from the people to do what it wishes to do within the limits of the Constitution and that should not be obstructed beyond a certain point. But at the same time, it is not just a majority rule. The majority cannot ride roughshod over the wishes of the Opposition all the time. Once in a while, if it is a matter of principle, we can stick to our stand. For example, if we wanted to do a certain thing which is mentioned in our party manifesto, we should do it even if there is an opposition to that. But it implies an obligation on the Opposition also. The Opposition should not behave as if they are there just to oppose the Government all the time. If that is so, the Government would not care for the Opposition.

So, democracy is a very difficult system to work with. Its success depends on the way we work it from day-to-day. There are no quick solutions. In a dictatorship or one-party rule, it is a simpler affair. We get an order from above and it is obeyed. There cannot be any dissent. Fortunately, we have not opted for this system. We have opted for a system under which we have a right to speak out, to criticise the Government, to dissent within the limits of rules and procedures, in a constitutional way. It is through a cooperative functioning of the Opposition and the Government that democracy runs. That is where the essence of parliamentary system lies. This is how our parliamentary system works and it calls for accommodation on both sides. We cannot say, ours is the last word on this.

Take, for example, the White Paper on Punjab. We see that whenever there was a negotiation, the Akalies insisted that certain demands must be met, even if they concerned other States. No Government can accept such demands which concerns other States without their consent or consultation? The Akalis would not listen to this. This is not a democratic way of functioning. That is why certain drastic steps had to be taken. We just cannot accept that any party or a group of people have a right to veto the country's progress. They must accept the position that they cannot have a veto power to obstruct the country's progress and legislative procedures.

**RULES OF PROCEDURE AND CONDUCT OF BUSINESS OF THE  
REPRESENTATIVE ASSEMBLY DURING FRENCH  
REGIME *VIS-A-VIS* THE LEGISLATIVE ASSEMBLY OF  
PONDICHERRY OF THE PRESENT SET-UP**

**M.O H. FAROOK**

---

The former French settlements consisting of four regions, namely, Karaikal, Mahe and Yanam became part of India under the Treaty of Cession with effect from 16 August, 1962. The territory, however, had been under the *de-facto* administration of the Government of India from 1 November, 1954. These areas were constituted into a Union territory under the Constitution (Fourteenth Amendment) Act, 1962. Popular Government was established under the Government of Union Territories Act, 1963 which came into force with effect from 1 July, 1963. On that date the Legislative Assembly substituted the then Representative Assembly of Pondicherry and every Member of the then Representative Assembly, except those who were not the citizens of India, were deemed to have been elected to be a Member of the Legislative Assembly.

Section 33 of the Government of Union Territories Act, 1963 provides for making of rules by the Legislative Assembly for regulating its procedure and conduct of its business and states that until rules are made as such, the rules or procedure and standing order with respect to the Legislative Assembly of the State of Uttar Pradesh in force immediately before the commencement of that Act shall have effect in relation to the Legislative Assembly subject to such modifications and adaptations as may be made therein by the Administrator. Accordingly, the Rules of Procedure and Conduct of Business of the

Uttar Pradesh Legislative Assembly, 1958, with certain modifications and adaptations as were found necessary, were made applicable in regard to the Legislative Assembly of Pondicherry, till its own Rules of Procedure were formulated and adopted by the House on 24 March, 1966.

By virtue of the agreement dated the 21 October, 1954, entered into between the Government of India and the Government of France, the Government of India had jurisdiction in and in relation to the State of Pondicherry. Hence it was considered expedient that the Decree dated the 25 October, 1946, passed by the Government of France instituting a Representative Assembly 'to manage the interests which are suitable to the territory' in the then French settlements in India should be amended to make it accord with the changed circumstances. Therefore, the Government of India had made an order called the State of Pondicherry (Representative Assembly Decree Amendment Order), 1955, amending certain provisions in the Decree stated above.

If we compare the provisions in the Rules of Procedure and Conduct of Business of the present Legislative Assembly with that of the former Representative Assembly in Pondicherry certain interesting deviations can be noticed.

The purpose of this article is to outline only the material changes in the procedure of the Representative Assembly when compared to that of the Legislative Assembly.

The Rules of Procedure of the Representative Assembly were framed in exercise of the powers conferred under article 28 of the Decree (just like the present Act) dated 25 October, 1946. The Rules of Procedure of the Representative Assembly contained only 57 articles (rules).

#### *Sessions of the Representative Assembly/Legislative Assembly*

Two ordinary sessions were to be held every Year; the first between the 1st March and the 1st April and the second called the Budget session, in the course of the month of August. However, these dates could be modified by means of a Decree in exceptional circumstances. The duration of an Assembly session could not exceed 30 days. In addition to these two ordinary sessions, the Representative Assembly could hold extraordinary sessions also, the duration of which could not exceed 15 days. The extraordinary session may

be either on the own initiative of the Head of the Territory (who was called the Governor) or on the written petition of two-thirds of the Members addressed to the president (Speaker) of the Representative Assembly. But this provision does not exist in the Legislative Assembly set-up. The Government of Union Territories Act, 1963, deals with summoning of the Legislative Assembly in the following terms : "The Administrator shall from time to time summon the Legislative Assembly to meet at such time and place as he thinks fit, but six months shall not intervene between its last sitting in one session and the date appointed for its first sitting in the next session". Even though, by this provision, at least two sessions are ensured, the Member of Legislative Assembly have no say statutorily on the summoning of the Assembly. But in the previous set-up *i.e.* of the Representative Assembly, session of the Assembly could be convened, as stated earlier, on the written application of two-thirds Members. If such an application was put up, the Governor had to summon the extraordinary session of the Representative Assembly. The analogous provisions which existed in the Representative Assembly to that of the Legislative Assembly in the matter of summoning and prorogation is that the Assembly can be summoned and prorogued by an order of the Head of the Territory (Governor). However, the dissolution or suspension of the Representative Assembly could be pronounced by a Decree passed by the Central Government.

#### QUORUM

At present the quorum to constitute a meeting of the Legislative Assembly shall be one-third of the total Members of the House. In the Representative Assembly the quorum was half plus one of the sitting Members. If that quorum was not formed on the date fixed for the opening of the session, the session would stand automatically postponed to the third day that followed, excluding Sundays and holidays. The deliberations would then be valid, whatever might be the number of Members present. But, this automatic postponing of the session to the third day does not exist in the Legislative Assembly set-up.

#### *Officers of the Assembly*

In the Legislative Assembly set-up, the officers of the Assembly are the Speaker and the Deputy Speaker who are elected by the House and whose term continues till they cease to be Members of the Assembly or their resignation or their removal from the office by way of passing a resolution to

that effect. Even when the Assembly is dissolved, the Speaker can continue in Office until immediately before the first meeting of the Legislative Assembly after the dissolution. But in the Representative Assembly, there were one President (Speaker), three Vice-Presidents (Deputy Speakers), four Secretaries and Quesor. All were Members of the Representative Assembly and elected by the House every year. The office bearers were eligible for re-election. A regular feature in the opening session of every year was the election of office-bearers of the Representative Assembly *de novo* and the address of the Head of the Territory. Since there would be no elected President for that opening session the eldest among the Member present discharged the duties of the President, (just like the present Spcaker *pro tem*) and the youngest among those of the Secretary. The senior Member of the Representative Assembly informed the Governor through a message that Members of the Assembly had met together. It may be seen thereform that the Secretaries of the Representative Assembly also were the Members of the Assembly and the Members themselves had looked after all the affairs pertaining to the Representative Assembly.

#### *Address of the Head of the Territory (Governor)*

In the opening session every year, the Head of the Territory (Governor) addressed the Members of the Representative Assembly. When the Governor came to deliver his address, a delegation of four Members drawn by lot received him at the outer entrance of the meeting hall and took him in a procession to the Chair reserved for him. The same delegation accompanied him when he left the hall. At the opening session, the senior Member took his seat by the side of the Governor. Around them the Heads of Administration and members of the Council of Government were seated.

The deviation from the present practice which may be noticed is the seating arrangement of the Heads of Administration who were Government Officers and the Councillors of Government (just like the present Ministers) around the Governor, while delivering his Address. The delegation of four members drawn by lot by the Representative Assembly to receive the Governor and send him off is also worth noting.

#### *Election of Office-Bearers*

In the March session, immediately after the Governor had left the meeting hall, the Representative Assembly would proceed to elect the President, three



Vice-Presidents, four Secretaries and one Questor every year by means of secret ballot, During election if the first ballot did not give any result, or second ballot would be taken between the two candidates who had secured the highest number of votes. In the case of equality of votes in the second ballot, the eldest Member would be appointed. Voting would take places by ballot for a single Member for the election of the President and by ballot for a list for the Vice-Presidents and for the Secretaries.

Voting procedure for election of Presiding Officers in the Legislative Assembly set-up is different from that of the Representative Assembly pattern. In the Legislative Assembly, where more than two candidates have been nominated for election as a Presiding Officer, and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes will be excluded from the election until one candidate obtains more votes than the aggregate votes of the remaining candidates where at any ballot any two or more candidates obtain an equal number of votes, the candidate to be excluded from the election will be determined by draw of lots.

#### *Duties and responsibilities of Office-Bearers*

The President was the custodian of the powers of the Representative Assembly and he was in-charge of maintaining order in the Assembly. He could cause any person disturbing the order to be expelled from the meeting hall or arrested. He had to enforce respect for the rules, to grant leave to speak to members, and to see that no Member deviated from the subject of the discussion. He was the spokesman of the Representative Assembly. Only through him the Assembly could send its remarks on various matters it would like to convey in the interest of the territory with the exception of problems of a political nature as well as its opinion on the situation and needs for various public services.

The Vice-President would act as President in the case of absence or prevention of the latter. Since there would be three Vice-Presidents the order of their substitution would be fixed at the first meeting of the office bearers by secret ballot. The four Secretaries would be substituted by the youngest amongst the Members present and not by secret ballot as in the case of Vice-Presidents.

The Questor was in charge of the accounts and sundry expenses of the Representative Assembly. At the end of each session he had to submit his

accounts for the approval of the Assembly. By the appointment of Questor from amongst the Members of the Assembly with statutory responsibility on him to submit his accounts, the interference of the executive in the internal financial matters connected with the Representative Assembly was done away with.

The duties of the Secretaries were to record the deliberations of the Assembly, to read them out, to enter in view of the discussion the names of the Members in order of their request, to count openly the votes and to keep note of decision taken and/or adjournments decided.

Besides these office-bearers elected by the Assembly from amongst its Members, a Record Keeper, an Assistant Record Keeper and one or more Draftsmen were also to be appointed by the Assembly. These staff members were generally appointed from among the Government servants paid from Government revenues. The Record Keeper and the Assistant Record Keeper were entrusted with the care of the records of the Assembly and safe custody of the correspondence. They would be proposed by the office-bearers and appointed by the Assembly by an absolute majority of the Members present. The services of one or more draftsmen would be placed at the disposal of the Secretaries during the session to assist them in recording the deliberations of the Assembly. These draftsmen would be appointed by the President (speaker). In case of death, resignation or prevention of the Record Keeper, the President of the latest session could fill the vacancy temporarily.

The Record Keeper and the Draftsmen would communicate the minutes, records and other documents in their custody, only to the Members of the Assembly and to the Administration. From this it may be noticed that the office-bearers barring the President and Vice-President were discharging duties and responsibilities which are entirely different to that of the present Legislative Assembly set-up.

### *Meetings*

The President (Speaker) would commence the meeting of the Representative Assembly and at the conclusion thereof he had to declare that the meeting had come to a close. But, before adjourning, he had to consult the Assembly about the date and time of commencement of the next meeting

to be held and to announce the same in the Assembly itself at the end of the meeting. He had also to announce the Agenda (List of Business) for the next meeting. By this provision, the President of the Representative Assembly was put in check by the Assembly on the commencement and conclusion of a meeting of the Assembly and on the Business which were to be transacted.

In the case of meetings of the Representative Assembly, a main deviation from the present Legislative Assembly set up is that the Head of the Territory (Governor) could be present at all the meetings of the Representative Assembly, except for auditing the accounts. He may even take part in the discussion and attend to vote. Another deviation is that the Secretary-General of the Government or, in his absence another officer appointed by the Head of the Territory could attend, if necessary with one or more commissaries, all the meetings of the Representative Assembly as a matter of right as representative of the Government and express their views on the matter which was under discussion. The Assembly may hear the heads of Departments or of administration in the matter which was within their powers. This provision does not exist in the present Legislative Assembly set-up.

### *Minutes of Meetings*

In those days, the record of proceedings was not written verbatim. The Secretaries who were elected by the Assembly from amongst its members had to record, of course, with the assistance of one or more draftsman, the deliberations. While recording, there were possibilities that some important points which the Assembly thought as such might have been left out. To avoid this, the Rules of Procedure of the Representative Assembly had made it obligatory that at the beginning of each meeting the minutes of the previous meeting should be read out for approval by the Assembly. However, if the minutes of the previous meeting were not ready by that time, the Assembly could very well postpone the reading of the same to another meeting.

The minutes would contain the date of the meeting, names of Members who were present and absent, announcement and production of documents, the analysis of the deliberations, decisions, adjournments, Agenda, and communications made to the Assembly. While reading the minutes, correction, if any, had to be carried out in that meeting itself. After that no change or rectification could be made in the minutes. If the Assembly desired the minutes might be published in the Official Gazette.

After approval of the minutes, the drafts there of would be signed by the President and the Secretaries. Then the minutes would be forwarded by the President to the Head of the Territory. The administration would publish it and a copy there of would be made available to the Members of the Assembly and the Representatives of the Territory (just like the present Secretaries to the Government and Heads of Departments).

There were possibilities that at the prorogation of a session of the Assembly minutes of certain meetings of the Assembly might not have been read out in the Assembly and its approval obtained. In that case, a Committee consisting of five Members in addition to the Office-bearers would be appointed. That Committee would examine the minutes and approve or modify them with the view of disposing them of quickly. In the meeting of that Committee, Members of the Assembly, if they so desired, might participate in this task and could even speak and vote. Thus the minutes of the meeting were disposed of by the Members of the Assembly themselves without any sort of interference of the executive and outsiders. In the end, the minutes would be deposited in the Records.

The President (Speaker) would himself entertain the correspondence work and he was required to maintain a correspondence register for this purpose. In the case of correspondence with the Members, the Record Keeper would do so on the request made by the Members.

#### *Rules to be observed while speaking*

Only after obtaining permission from the President the Members would speak. While speaking a Member has to stand up. On the same question in the same meeting the Members were permitted to speak twice to explain their opinion thereon. But if a Member wanted to speak more than twice, on the same question, permission of the Assembly had to be obtained.

During discussion, the members who were for or against a question or proposal had to speak alternatively. The Members could speak like this till such time the Assembly declared the debate as closed. One important deviation from the rules of the Present Legislative Assembly was the right of the President of the Representative Assembly to speak on matters which were under its consideration. Now the Speaker can speak as other Members of the Legislative Assembly taking a seat along with the Members only at the time of

consideration of the No-confidence motion against him. But the President of the Representative Assembly could, if he so desired take part in the discussion like the rest of the Members on any question which was under consideration of the Representative Assembly. But at that time he had to leave the Chair and sit along with other Members. He had to resume the Chair only after a vote had been taken on the question in which he had participated and expressed opinion. In such a case, the Chair would be occupied by any one of the Vice-Presidents and in the absence of all three Vice-Presidents, by the senior Member of the Assembly.

### *Preservation of Order*

The President of the Representative Assembly had to preserve order in the House. If any Member behaved disorderly, he would be named by the President. If the Member even after this behaved in a disorderly manner, the President would direct to mention it in the minutes. If he still persisted, the Assembly had to decide without debate the mention in the minutes with censure stating the reasons thereof. Even after this, if the meeting tended to become tumultuous, the President would ring the bell. If the confusion continued the President would announce that he would adjourn the meeting. Then he would suspend the meeting for fifteen minutes. After this suspension the meeting would automatically be resumed. The president had powers to cause any person disturbing the order to be expelled from the meeting hall or even arrested. In case of a crime or offence the President would draw up a report and refer the same immediately to the 'Procureur de la Republique.'

### *Division*

Division would take place when demanded by Members for deciding a question which was put. Amendments may be moved to any resolution or motion. The important thing worth noting here is that the Members might give sub-amendments i. e., amendments to amendments to a motion or resolution. Even though previous notice was not prescribed for giving amendments or sub-amendments they had to be handed over to the President in writing duly signed. Verbal amendments were not allowed. On any question, the sub-amendment would be first to be put to vote and then the amendment. After they had been disposed of, the original motion or resolution would be put to vote. Before putting to the vote all amendments and sub-amendments

would be read out and priority would be given always to the most important ones.

The votes would be taken generally by raising of hands or by Members remaining seated. The point to be noted here is that the vote might be taken again in case of any doubt. Voting would be taken by secret ballot when the motion or resolution relate to a person or when more Members demanded for it and the majority of the Members of the Assembly were in favour of it. In the case of such ballot, every Member would put a ballot paper in a box with the word "Yes" for adoption of the question which was under consideration and "No" for rejection. They might drop blank paper also which meant abstention. The counting of votes would be made by the President with the assistance of Secretaries. The result of counting would be recorded by the Secretaries and announced by the President.

In the case of equality of votes a second ballot would take place immediately. If equality still persisted, the motion put to vote would be declared lost. It may be seen therefrom that the President would not be having the powers of casting vote.

A motion which had been settled in a session could not be taken up again in the same session. Any Member who desired to put a motion should hand it over to the President in writing, dated and signed and seconded by another Member. The President would read it out to the House. The motion which had been given by a Member could not be taken *suo motu*. The motion would come up for discussion in the Assembly on the date which would be fixed by the President in consultation with the Assembly. In this also, the Assembly (and not the President) was having a final say whether the motion was worthy of being discussed in the Representative Assembly.

#### *Leave, absence and resignations*

In the Legislative Assembly set-up a Member can remain absent for a period of sixty days without permission of the Assembly. For more than this period the Assembly's permission by a Member to remain absent from its meetings has to be obtained. Otherwise the Assembly may declare his seat vacant.

But in the Representative Assembly no Member could remain absent from the meetings of the Assembly without the leave of the Assembly. However, in case of absolute necessity the President might grant leave of absence subject to the condition that he (the President) should inform the Assembly about it. If a Member of the Representative Assembly remains absent for two ordinary sessions during his tenure without valid excuse (which had to be accepted by the Assembly) the Representative Assembly would, as a matter of course, declare him to have resigned his seat, in the last meeting of the second session.

*Petitions to the Assembly*

As per the Legislative Assembly Rules, petitions may be presented or submitted with the consent of the Speaker on :

- (a) a Bill which has been published before introduction or which has been introduced in the House ;
- (b) any matter connected with the business pending before the House; and
- (c) any matter of general public interest provided that it is not one :
  - (i) which falls within the cognizance of a Court of Law or a Court of Enquiry etc. ;
  - (ii) which can be raised on a substantive motion or resolution ;
  - (iii) for which remedy is available under the law, including rules, regulations and byelaws.

But in the Representative Assembly pattern the public might submit any petition to the Assembly duly stamped, written in French and signed by the petitioner. In case the petitioner was unable to sign in French it would be, in addition, signed by the draftsman. Any petition in a language other than French was to be accompanied with a translation thereof in French. The petitions would be opened by the President and sent with a serial number to the Committee concerned for consideration. After this the Committee would consider whether any action had to be pursued on the matter and any resolution was necessary to give effect to it, if it was considered necessary.

**BADGES**

The Members of Representative Assembly were compelled to wear a badge on the model which was fixed by the Head of Territory (Governor) by an arrete. This sort of badge has not been prescribed for Members of the present Legislative Assembly.

*Salary and allowances*

Unlike the present set up the Members of the Representative Assembly were not paid any salary. But they could receive during the period of the sessions refund of travelling allowances incurred and a fixed daily allowance.

These in a nutshell are the main deviations noticed between the Rules of Procedure and Conduct of Business of the Legislative Assembly and the Representative Assembly of Pondicherry.

-----

*Shri M.S. Sanjeevi Rao* : Mr. Speaker, Sir, I would like to bring to the notice of the august House some of the basic facts...

*Professor Madhu Dandavate* : August House in the month of August !

(L.S. Deb., 8 August, 1984)



## THE ELECTION OF THE VICE-PRESIDENT OF INDIA

---

The Vice-Presidential election held in August, 1984, was the eighth of such elections to the office of the Vice-President of India. The earlier elections to this high office of the land were held in 1952, 1957, 1962, 1967, 1969, 1974, 1979.

The term of office of Shri M. Hidayatullah, Vice-President of India was due to expire on 30 August, 1984. Article 68 (1) of the Constitution of India provides that election to fill a vacancy caused by the expiration of the term of office of the Vice-President shall be completed before the expiration of the term. The Presidential and Vice-Presidential Elections Act, 1952, and the rules framed thereunder regulate all matters relating to or connected with the election to the office of Vice-President of India.

The process of election started on 25 June, 1984, when the Election Commission after taking the consent of the Speaker, Lok Sabha, issued a notification appointing Dr. Subhash C. Kashyap, Secretary-General, Lok Sabha, as the Returning Officer for the Vice-Presidential election. Another notification appointing Shri N.N. Mehra, Joint Secretary, Lok Sabha Secretariat as Assistant Returning Officer was also issued on the same day.

On 20 July, 1984, the Election Commission issued a notification fixing 3 August, 1984, as the last date for receiving nominations; 4 August, 1984 as the date for scrutiny of nominations; 6 August, 1984, as the last date for withdrawal of candidature; and 22 August, 1984, as the date on which a poll, if necessary, be taken.

The Returning Officer issued a Public Notice on the same day, *i.e.* on 20 July, 1984, of the intended election detailing the procedure, the dates for filing of the nominations and of election and about the place where the nominations could be delivered.

The notification issued by the Election Commission and the Public Notice issued by the Returning Officer were published in the Gazette of India and the Gazettes of all States and Union Territories on 20 July, 1984. Copies of Public Notice were also sent to All India Radio, Doordarshan (T.V.), various news agencies etc. for publication/broadcast/telecast.

A total of 27 nomination papers were filed for 17 candidates. Of these four nominations were in respect of Shri R. Venkataraman and two nominations were in respect of Shri B.C. Kamble. Seven nomination papers of five candidates had been rejected at the time of presentation on the ground that certified copy of electoral role bearing the candidate's name as elector had not been enclosed. The scrutiny of the remaining 20 nomination papers of 12 candidates was held by the Returning Officer in his room in the Parliament House at 11 A.M. on 4 August, 1984. Six nomination papers of the two candidates—four of Shri Venkataraman and two of Shri Kamble—were found to be in order in all respects and were accepted. 14 nomination papers of the remaining ten candidates were rejected mainly on the ground that they were not subscribed by any proposers or seconders.

By 3 P.M. on 6 August, 1984, when the time for withdrawal of candidature expired, none of the two candidates whose nomination papers had been accepted withdrew his candidature. Thereupon a list of contesting candidates was issued by the Returning Officer. The list was also published in the Gazette of India Extraordinary as well as in the Gazettes of all States and Union Territories.

The poll for the election was taken on 22 August, 1984, in Room No. 62, Parliament House between 10 A.M. and 4 P.M. At the time of poll there were 20 vacancies in Lok Sabha and one Member was not entitled to vote as his election had been declared void by the High Court and he had been granted a limited stay order by the Supreme Court in an election petition. Therefore, out of a total membership of 544, the number of electors from Lok Sabha eligible to vote was 523. In Rajya Sabha when the poll commenced there were five vacancies but subsequently intimation regarding election of one Member

(Shri A.P. Sharma) to Rajya Sabha was received reducing the number of vacancies to four. Thus, out of total membership of 244, there were 240 electors from Rajya Sabha. Out of this, two Members of Rajya Sabha being under detention cast their votes through postal ballots which were received by the Returning Officer before 1 P.M. The number of members of Parliament who were entitled to vote at Parliament House was 761 (523 of Lok Sabha and 238 of Rajya Sabha).

The polling from the very beginning was very brisk. The first elector to cast his vote was the Speaker, Lok Sabha. Within the first hour many Ministers including the Prime Minister and Leaders of parties and groups cast their votes. In all, 743 Members voted in Parliament House. The total number of votes polled was 745, including two postal ballots.

The poll closed at 4 P.M. Counting of votes was taken up at 5 P.M. A total of 743 ballot papers were found in the ballot box which tallied with the number of ballot papers issued. Out of 745 votes cast, 30 votes were found to be invalid and were rejected. Out of 715 valid votes, Shri B.C. Kamble secured 207 votes and Shri R. Venkataraman secured 508 votes,

On 22 August, 1984, Shri R. Venkataraman was declared elected to the office of the Vice-President of India. The declaration was read out to the press and others by Dr. Subhash C. Kashyap, the Returning Officer in Parliament House. For the first time, the Returning Officer, read out the declaration first in Hindi and thereafter in English.

Shri Ramaswamy Venkataraman took office of the Vice-President of India on 31 August, 1984.

*Shri Ramaswamy Venkataraman—a Life Sketch*

Born on 4 December, 1910, at Rajamadam, Tamil Nadu, Shri Ramaswamy Venkataraman obtained his M.A. and B.L. degrees from the Madras University. He was married to Smt. Janaki in 1938 and has three daughters.

RV, as he is affectionately called by his friends and admirers, was enrolled as an Advocate of the Madras High Court in 1935 and later as an Advocate of the Supreme Court. But soon he was drawn into the freedom struggle and his participation in the 'Quit India Movement 1942' resulted in his detention for two years under the Defence of India Rules. In 1946, he was deputed by the Government of India as one of the Panel of Lawyers to defend the Indian

nationals charged with offences of collaboration during the Japanese occupation of Malaya and Singapore. From 1947 to 1950, he was the Secretary of the Madras Provincial Bar Federation.

In 1950, Shri Venkataraman was elected to the Provisional Parliament. He was elected to Lok Sabha in 1952, and again in 1957, 1977 and 1980. While in Parliament, he was Secretary of the Congress Party in Parliament during 1954-55; Member (i) Standing Finance Committee; (ii) Privileges Committee; (iii) Estimates Committee and (iv) Public Accounts Committee. As a Member of the Planning Commission during the period 1967-71 he looked after Industry, Labour, Power, Transport, Communications and Railways.

He was a member of the Madras Legislative Council during 1957-67 and was also a Minister in Tamil Nadu Government during the same period. He also then functioned as Leader of the House. As a Minister, he held the portfolios of Industries, Labour, Cooperation, Power, Transport and Commercial Taxes. The intense efforts made by him in industrialisation of the State earned him the title of 'Father of Industrialisation' in Tamil Nadu. He was appointed Union Minister for Finance and Industry in 1980. On 15 January, 1982, he was shifted to Defence. He resigned in August, 1984 to contest the election for the Office of Vice-President.

Shri Venkataraman has been Chairman of a number of organisations, viz. (i) the Major Ports Commission; (ii) Indian Institute of Foreign Trade; (iii) National Research Development Corporation; (iv) Committee on Automation; and (v) the Committee of Inquiry into the working of State Electricity Boards. He has been trustee of a number of national institutions, viz. the Jawaharlal Nehru Memorial Fund and the Gandhi Gram Trust.

Shri Venkataraman represented India at many international forums. He was member of the Indian Delegation to (i) the Commonwealth Parliamentary Conference, New Zealand, 1950; and (ii) the Inter-Parliamentary Conference, Vienna, 1978; Leader, (i) Labour Delegation to Metal Trades Committee of the International Labour Organisation, Geneva, 1952; and (ii) Indian Delegation to the 42nd Session of the International Labour Conference, Geneva, 1958; and India's Delegate to the United Nations General Assembly in 1953, 1955, 1956, 1958, 1959, 1960 and 1961.

Shri Venkataraman received many awards for his distinguished service in the field of education, art, science etc. He was awarded 'Tamra Patra' for participation in freedom struggle, the Honorary Doctorate of Law by the Madras

University, Soviet Prize for his Travelogue on late Shri K. Kamaraj's visit to the Socialist countries, and the title of 'Sat Seva Ratna' by His Holiness Shankaracharya for his services rendered to the temple. He was elected Member of the U.N.O. less Administrative Tribunal, 1955—79, and its President 1968—79. He was given a souvenir by the Secretary-General, U.N.O., for his distinguished service as President of the Tribunal.

Shri Venkataraman has been the Founder-Editor of the '*Labour Law Journal*' since 1949.

He has visited U.S.S.R. and Socialist countries, West European Countries, U.S.A., Canada, South-East Asia, Far East, Australia, New Zealand and Fiji several times on official visits.

-----

*Shri R.R. Bhole* : I have asked this question from the hon. Minister. I am from Bombay .But Bombay and Calcutta are sisters. Of course, Calcutta from where you are coming is a big sister.

*Professor Madhu Dandavate* : What is important is not sister but mother-in-law !

(*L.S. Deb.*, 26 July, 1984)

LAYING DOWN OF OFFICE BY SHRI M. HIDAYATULLAH,  
VICE-PRESIDENT OF INDIA\*

---

In the afternoon of 30 August, 1984, Shri M. Hidayatullah laid down the office of the Vice-President of India and Chairman, Rajya Sabha, after completing a term of five years. On 24 August, 1984, the Rajya Sabha bade a very touching and affectionate farewell to him. The Prime Minister, the Deputy Chairman, the Leader of the House and the Leaders of political groups paid rich tributes to him for his qualities of learning, wit and wisdom with which he had conducted the proceedings of the House during his chairmanship.

On behalf of the Government, the party and on her own behalf, the Prime Minister expressed very best wishes to Shri Hidayatullah and Shrimati Pushpa Hidayatullah and hoped that his gifts of mind and heart and his wide experience would continue to be at the service of the people. Speaking on the occasion the Prime Minister said :

“Sir, you came to us after a distinguished legal and judicial career where you had attained the highest position. This dignity and long experience you brought to the Rajya Sabha...you have been not merely a distinguished Presiding Officer but also a guide, philosopher and friend to all of us, combining knowledge with humour and understanding. Even when your rulings may have been unpalatable to some on this side or on that side, they were readily accepted because of your fatherly and friendly manner. You deflated pomposity of

---

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

any kind. If arguments became too heavy, you introduced lightheartedness, and if they were too flippant or superficial, you inducted the serious note which the subject deserved. Your apt quotations have enlivened the debates. Your witty remarks have often defused tension and brought harmony to the proceedings. I hope hon. Members will appreciate and will emulate your spirit of sportsmanship”.

The Deputy Chairman, Rajya Sabha, associated himself with the sentiments expressed by the Prime Minister and Leaders of various parties in the House and wished Shri Hidayatullah a happy, cheerful and long life. The Deputy Chairman said that the Chairman had assigned him many important responsibilities which until then had been normally performed by the Chairman and it showed the extent of confidence the Chairman had reposed in him. The Deputy Chairman observed that the rulings given by the Chairman in regard to privilege cases, would act as guiding principles in times to come. He further stated that with his sense of humour and wit the Chairman had many a time been able to defuse the tense atmosphere in the House.

The Leader of the House, Shri Pranab Mukherjee while associating himself with the sentiments expressed by the Prime Minister and Leaders of various groups said :

“During the five-Year tenure as Chairman of this House you have institutionalised a part of the rules. The rules which required a thorough revision, were done under your direction: certain new modes of raising discussion were introduced, and I have no doubt, as some of your illustrious predecessors are still remembered and will be remembered in future shaping the scope and areas of discussion on the floor of this House. Your rulings and your observations and your efforts to institutionalise some of these things, will be remembered in future...”

Commenting on the sense of wit of Shri Hidayatullah Shri Mukherjee said :

“But here I would like to say one thing that you have disproved your most favourite author, Shakespeare whom very often you have quoted. In one place, Shakespeare said ‘When age is in, wit is out’. But, Sir in your case, you have disproved it at the age of 69, that despite age, wit is in, not out.”

While replying to the farewell references Shri Hidayatullah regaled the House with anecdotes and reminiscences. Referring to his unopposed election

to the office of Vice-President, he recollected that his choice was foreclosed when he was asked to accept the office 'for the sake of the country'. "I did not even know what was in store for me and when I came to this House I realised that fools rush in where angels fear to tread," Shri Hidayatulla added. He further said :

"It has been a great pleasure to be with you all. Sometimes, it was not very happy and I must say that if I have hurt anybody's feelings I apologise most properly and publicly for any grievance I may have caused to you."

Concluding his observations, Shri Hidayatullah spoke highly of the human equalities, learning and rich experience of Shri R. Venkataraman, the incoming Chairman of Rajya Sabha.

In the evening of 24 August, 1984, Members of both Houses of Parliament bade an emotional farewell to Shri Hidayatullah in the Central Hall of Parliament House ranking him "among the most eminent men of our times." In an Address presented to Shri Hidayatullah at the function on behalf of the members of Parliament, the Speaker, Lok Sabha, Dr. Bal Ram Jakhar said that Shri Hidayatullah's "austerity, dedication, objectivity and secular outlook" were qualities which would be missed by members. He said that members had been greatly inspired by Shri Hidayatullah's "impeccable integrity, deep scholarship, undimmed eloquence, rare sense of humour and above all abiding sincerity and simplicity."

The same evening members of the Rajya Sabha for the first time arranged a farewell function to honour their outgoing Chairman. The Leader of the House, Shri Pranab Mukherjee presented an Address and a Silver Salver to the Chairman. The Address describing Shri Hidayatullah as a "radiant example of integrity and virtuosity" paid the following encomiums for his role as Chairman, Rajya Sabha :

"Under your stewardship, the Rajya Sabha has had the privilege of being guided in its deliberations by a person of outstanding merit and judicial temperament. Sometimes, situations in the House became tense and tumultuous, tempers ran high, more heat was generated than light; words were uttered and gestures shown which could have been avoided. But by your exemplary patience, tremendous indulgence and extraordinary forbearance you helped us overcome the 'near impasse' and calm down to orderly discussion. Your liberal



approach, amiable disposition and largeness of heart served as a balm to heal wounds and soften hurt feelings. But more than these what came to your succour and our relief to defuse the tension was your sparkling wit and spontaneous humour....As Chairman of the House, you have also delivered some very important rulings which will go down as landmarks in our parliamentary history for their content and literary fervour. You have displayed an abiding sense of impartiality in delivering rulings and have conducted the proceedings of the House without prejudice, bias, fear or favour."

Furthermore the Address bade farewell to the Chairman as did Caesar to Octavia in Shakespeare's *Antony and Cleopatra*:

"Fare thee well; the elements be kind to thee and make thy spirits all of comfort."



*Shri Satyasadhan Chakraborty*:...I still remember the face of the Home Minister—not your face but the face of the previous Home Minister. It was almost listless, philosophical.

*An hon. Member* : *Buddham Sharanam Gachchami*

(*L.S. Deb.*, 24 July, 1984).

## 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. This feature which we hope to continue, is the result of our endeavours to capture the moments of wit and humour and to share them with our readers.

—Editor

---

## LOK SABHA

*Shri G. Narsimha Reddy* :...There is no point in going on electrifying the villages by putting poles and wires when electricity does not flow into them. Instead, it is better for the REC (Rural Electrification Corporation) to see that those villages for which funds were allotted are fully electrified, not for name's sake but in real practice.

*Mr. Deputy Speaker* : If there is no electricity, but only poles and wires, you and I are responsible for that. Before elections, we want the poles to be erected.

*Shri G. Narsimha Reddy* : It may be so in your State Sir, but not in mine.

*Shri Arif Mohammad Khan* : By electrification, does he mean to say that current should be there and not poles and other infrastructure ?

(L.S. Deb., 23 July, 1984)

---

*Shri M. Ramgopal Reddy* : Sir, just now, the hon. Member belonging to CPM has mentioned that it is a white elephant. Sir, the atomic energy programme was started by late Pandit Jawaharlal Nehru and now it is being used

effectively. I want to know from the hon. Minister whether he is going to dismiss this idea and say that is not a white elephant. If at all there is any white elephant in this country, it is the Opposition Party which should not waste the time of this august House. ((*Interruptions*))

*Shri V. Shivraj Patil* : We do not subscribe to the idea that atomic energy programme is a white elephant.

*Mr. Speaker* : He would like to call it a 'red elephant' !

(*L.S. Deb.*, 25 July, 1984)

---

*Mr. Speaker* : Please conclude now.

*Shri Indrajit Gupta* : I should not be penalised for not making any noise throughout these two or three days.

*Shrimati Indira Gandhi* : You have got an advantage because others have not made any noise.

*Mr. Speaker* : You are making an uninterrupted speech.

(*L.S. Deb.*, 25 July, 1984)

---

*Rao Birendra Singh* : Research programme can be taken up but the setting up of a joint venture for wine under the protocol or making wine under the public sector, is a different matter about which I cannot reply. It depends upon the initiative coming from the State or from public sector undertakings or from the State Agro-Industries Corporations or from the private industry.

*Professor Madhu Dandavate* : Sir, even without wine the Government get drunk, what will happen if wine is manufactured ?

*Mr. Speaker* : Minus into minus makes plus.

*An Hon'ble Member* : They are power drunk.

(*L.S. Deb.*, 30 July, 1984)

---

*Professor Saifuddin Soz* : ...As I told you, if it is provided that slogans were raised in Shri Farooq Abdullah's drawing room or bed room, I will resign from the National Conference. Similarly, if it is proved that a Swamiji was murdered at the behest of somebody in the National Conference, I will resign.

*Mr. Deputy Speaker* : How many times will you resign ? You can resign only once.

(*L.S. Deb.*, 30 July, 1984)

---

*Shri Vasant Sathe* : Mr. Deputy Speaker, Sir, I want to thank all the hon. Members who have participated in the debate and I must say this is probably a unique occasion when every single Member who participated has supported the Bill and the action taken by us,

*Shri Ranigopal Reddy* : We also supported.

*Shri Vasant Sathe* : Yes, those who stand, sit and wait also supported.

*Mr. Deputy Speaker* : Don't mention the Member who supported !

*Shri Satyasadhan Chakraborty* : John Milton "On his blindness", said they also serve who stand and wait. So, there are many people who are standing and waiting also.

*Shri Vasant Sathe* : With apologies to John Milton, they also sit and keep quiet.

(L.S. Deb., 6 August, 1984)

*Shri Satyasadhan Chakraborty* : . . . Now, if you do not nationalise, what will happen ? It is the public sector which is like the wife and the private sector like the mistress wife getting children and mistress getting money. You should abolish it and actually nationalise it. You take the burden and you take the benefit. Otherwise, why should they pass on the burden and you allow it ?

*Dr. Subramaniam Swamy* : That means Marxists believe in mistresses also.

*Shri Pranab Mukherjee* : Obviously they do believe. I do not say that nationalisation is not the solution . . .

(L.S. Deb., 7 August, 1984)

*Shri P. Shiv Shankar* : The quality of coal deserves to be improved. Hon. Members have expressed time and again about the shells and stones, including me. I have no objection to that. Still my quality has also to improve.

(Interruptions)

*Shri Satyasadhan Chakraborty* : Black is always beautiful. I am proud of my black hair.

(L.S. Deb., 7 August, 1984)

*Shri K. Brahmananda Reddy* : Under administrative upgradation you get money, under grants-in-aid also you get money, under distribution of five per cent extra to deficit States also West Bengal gets money . . . (Interruption).

*Shri Satyasadhan Chakraborty* : Progressively diminishing.

*Shri K. Brahmananda Reddy* : Mr. Chakraborty, know thyself.  
(*L.S. Deb.*, 8 August, 1984)

---

*Shri Somnath Chatterjee* : If you have an open mind our efforts may be of some assistance or use to you. If you have a closed mind, then there is no use in making any suggestion, but I would earnestly appeal to you that you should not go down in history as the Finance Minister who has tinkered with or played second fiddle to a constitutional body like the Finance Commission. It is very disastrous for the people. You should not take this advice lightly. We wish you well. We wish you success in the onerous task before you.

*Shri Satyasadhan Chakraborty* : Except in the election !  
(*L.S. Deb.*, 8 August, 1984)

---

*Shri Subramaniam Swamy* : . . . I really would not find fault with speeches made here and there. If the passion was not there what can a speech do ?

*An Hon. Member* : If the speech raised passion ?

*Mr. Deputy Speaker* : He has not interrupted when you spoke. Why do you interrupt him ?

*Shri M.M. Lawrence* : But if he is not talking sense . . . (*Interruptions*)

*Dr. Subramaniam Swamy* : Sir, that is a compliment to me. If a communist says that I do not speak sense I must be speaking sense.  
(*L.S. Deb.*, 8 August, 1984)

---

*Shri Satyasadhan Chakraborty* : Sir, should the words 'Babu Buta Singh' go on record ?

*Mr. Speaker* : As you say 'dada', it can be a 'baba' also.

*Professor Madhu Dandavate* : That lends dignity to the Minister, Sir.  
(*L.S. Deb.*, 13 August, 1984)

---

(*On Question regarding Agricultural Prices Commission*)

*Mr. Speaker* : I had heard that APC is a type of powder and it is taken when there is headache. How can it be APC if it gives you headache ?

*Shri Rajesh Pilot* : Sir, today every doctor prescribes APC for different types of headache.

(*L.S. Deb.*, 13 August, 1984)

---

*Shri P. Venkatasubbaiah* : ...When he compared this Bill to the Rowlett Act, my heart sank. That was the time when we were fighting a foreign power...

*Professor Madhu Dandavate* : You have preserved your heart to sink.

*Shri P. Venkatasubbaiah* : If I lost it, I will have your heart because you are a man of very stout heart.

*Professor Madhu Dandavate* : It will be made available to you on a silver platter.

(L.S. Deb., 16 August, 1984)

---

*Shri P.V. Narasimha Rao* : ...If the House wants and if you have the time you can have another discussion on Punjab. I have no objection. I am here to reply. Only I had to request Baba Buta Singh... (*Interrnptions*)

*Babu Buta Singh* : I think it is high time that I go with folded hands and become real Baba.

(L.S. Deb., 23 August, 1984)

---

*Shrimati Indira Gandhi* : The whole question of big brother is something which irritates our smaller neighbours and also certain countries which are not so close to us, exceedingly. We like to say we have special cultural relations and so on. It may boost our pride, but it is not welcome there.

*Dr. Subramaniam Swamy* : What about big sister ?

*Shrimati Indira Gandhi* : Either big sister, or big brother or any other relation you like. When we say we are equal, it can be equal sister or equal brother, just as you like.

(L.S. Deb., 25 August, 1984)

---

*Shri Krishna Chandra Halder* : Sir, today is the farewell day for the Seventh Lok Sabha.

*Mr. Speaker* : I think, if we can just be on a very nice and good wicket, then we shall be scoring sixers and do something good for the country.

*Dr. Subramantam Swamy* : What is the significance of training on the last day ? Is there any significance ?

*Mr. Speaker* : It means prosperity.

*Professor K.K. Tewari* : Prosperity for the ruling party.

*Mr. Speaker* : Prosperity for the entire country.

*Shri Harikesh Bahadur* : It is after the Opposition leaders started meeting at the Ramlila Grounds. Otherwise, there was a complete drought.

*Dr. Subramantam Swamy* : I hope, the ruling party will be washed away by the floods.

(L.S. Deb., 27 August, 1984)

---

*Shri Indrajit Gupta* : We protest against this. You want to rush through legislative business ?

*Dr. Subramantam Swamy* : Is there going to be any Seventh Plan or they have decided to scrap it ? ...*(Interruptions)*

*Shri Satyasadhan Chakraborty* : If you can guarantee that there will be a session, then it does not matter.

*Mr. Speaker* : There is bound to be a session. Don't worry. There is bound to be a session. You know I never go back my word. There is going to be a session.

*Shri Satyasadhan Chakraborty* : Seventh Lok Sabha or Eighth Lok Sabha ?

*Mr. Speaker* : That is something I cannot say.

(L.S. Deb., 27 August, 1984)

---

*Shrimati Geeta Mukherjee* : I do not know who are the persons professionally engaged in promoting welfare of the people and doing social work in

the field. I hope, they are not the people as in the case of the Marriage Bill. In any case, whatever non-official persons are being conceived, they are being conceived only as an associate. . .

*Professor Madhu Dandavate* : Probably, they are treating husbands as professionals.

*Shrimati Geeta Mukherjee* : There are husbands and husbands. Say, for example, if Professor Madhu Dandavate will be on it, I will vote for it.

(L.S. Deb. 27, August, 1984)



## PARLIAMENTARY EVENTS AND ACTIVITIES

---

### ELECTION OF DR. BAL RAM JAKHAR, SPEAKER, LOK SABHA, AS CHAIRMAN OF EXECUTIVE COMMITTEE OF C.P.A.

On 4 October, 1984, the General Assembly of the Commonwealth Parliamentary Association at its meeting held at Douglas (Isle of Man) elected Dr. Bal Ram Jakhar, Speaker, Lok Sabha as Chairman of the Executive Committee of the Commonwealth Parliamentary Association for a three-year term. It is for the first time that any one from India or from a country in Asia has been elected to this office in the Commonwealth Parliamentary Association.

### CONFERENCES AND SYMPOSIA

*72nd Inter-Parliamentary Conference* : The 72nd Inter-Parliamentary Conference was held in Geneva from 24 to 29 September, 1984. The Indian Delegation to the Conference was led by Dr. Bal Ram Jakhar, Speaker, Lok Sabha and consisted of Shri Satish Agarwal, MP, Professor Madhu Dandavate, M.P., Shri J.K. Jain, M.P., Shri B. Krishna Mohan, M.P., Shri P. Namgyal, M.P., Shri G. Narasimha Reddy, M.P., and Shri Rameshwar Thakur, M.P., Shri Sudarshan Agarwal Secretary-General, Rajya Sabha was Secretary to the Delegation.

The Conference discussed and adopted resolutions on the following subjects :—

1. The need for parliamentary and other actions to formulate initiatives that will achieve equal rights and responsibilities for men and women.

2. The contribution of Parliaments to the elimination of colonialism, racism, racial and ethnic discrimination, especially the apartheid regime in South Africa, and to the termination of that country's illegal occupation of Namibia.

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

**“The crisis in Central America”**

During the Conference period, meetings, of the Inter-Parliamentary Council and Standing Study Committees of the Inter-Parliamentary Union were also held. The Association of Secretaries-General of Parliaments also met in Geneva during that period. Shri Sudarshan Agarwal, Secretary-General, Rajya Sabha attended the meetings of the Association.

*30th Commonwealth Parliamentary Conference:* The thirtieth Commonwealth Parliamentary Conference was held in the Isle of Man from 25 September to 4 October, 1984. The Indian Delegation to the Conference was led by Dr. Bal Ram Jaxhar, Speaker, Lok Sabha. Other members of the Delegation were Shri Shyam Lal Yadav, Deputy Chairman, Rajya Sabha, Shri G. Lakshmanan, Deputy Speaker, Lok Sabha, Shri Sontosh Mohan Dev, M.P., Shri J.P. Goyal, M.P., and Shri Atal Bihari Vajpayee, M.P., Dr. Subhash C. Kashyap, Secretary-General, Lok Sabha was Secretary to the Delegation.

Shri Hashim Abdul Halim, Speaker, West Bengal Legislative Assembly ; Shri Sharad Shankar Dighe, Speaker, Maharashtra Legislative Assembly; Shri G. Swaminathan, Deputy Chairman, Tamil Nadu Legislative Council ; Shri Brij Bhushan Mehra, Speaker, Punjab Vidhan Sabha ; Sardar Gulzar Singh, Deputy Speaker, Punjab Vidhan Sabha ; Shri D.B. Chandre Gowda, Speaker, Karnataka Legislative Assembly ; Shri Poonam Chand Bishnoi, Speaker, Rajashtan Legislative Assembly ; Shri Natwarlal Shah, Speaker, Gujarat Legislative Assembly ; Syed Mukassir Shah, Chairman, Andhra Pradesh Legislative Council ; Sardar Tara Singh, Speaker, Haryana Vidhan Sabha ; Sheikh Chand Mohammad, Speaker, Assam Legislative Assembly ; Shri Dharam Singh, Speaker, Uttar Pradesh Vidhan Sabha ; Shri Vijai Kumar Joshi, Acting Speaker, Himachal Pradesh Legislative Assembly ; Shri Ram Kishore Shukla, Speaker, Madhya Pradesh Vidhan Sabha; Shri Vakkom B. Purushothaman, Speaker, Kerala Legislative Assembly ; Shri Radha Nandan Das, Speaker, Bihar Vidhan Sabha ; Shri Mangat Ram Sharma, Speaker, Jammu and Kashmir Legislative Assembly ; Shri Ira R. Marak, Deputy

Speaker, Meghalaya Legislative Assembly ; Shri E. Thungjamo Ezung, Deputy Speaker, Nagaland Legislative Assembly ; Shri Prasanna Kumar Das, Speaker, Orissa Legislative Assembly ; and Shri Ngurdinglien, Minister of Agriculture, Manipur also attended as Delegates of their respective State Branches of Commonwealth Parliamentary Association.

Shri B.N. Sinha, Secretary, Bihar Vidhan Sabha, Shri G.S. Nande, Secretary, Maharashtra Legislative Assembly and Shri Abdur Rashid, Secretary, Jammu and Kashmir Legislative Assembly also attended the Conference as Secretaries from the State CPA Branches in India.

The following subjects were considered at the conference :—

1. The Commonwealth, the arms race, and world peace.
2. The threat from terrorism to democratic Governments and to Parliamentary Institutions.
3. The cabinet system *versus* the presidential system in Commonwealth countries.
4. Government by regulation in a parliamentary democracy with particular reference to the position of delegated legislation in Commonwealth countries.
5. Parliamentary privilege with special reference to confidentiality.
6. The role of Parliament and parliamentarians in influencing the direction of the economy.
7. The freedom of the individual, human rights and responsibilities, and the authority of Government in a parliamentary system.
8. Opinion polls and the political process.
9. Unemployment and its social consequences.
10. The problem of drought in Commonwealth countries.
11. The security of small states.

All members of the Delegation actively participated in the discussion of various subjects in plenary/panel sessions.

*Conference of Presiding Officers* : The fiftieth Conference of Presiding Officers of Legislative Bodies in India was held in Calcutta (West Bengal) on 29 and 30 October, 1984. Dr. Bal Ram Jakhar, Speaker of Lok Sabha and Chairman of the Conference, presided. Almost all the Presiding

Officers of the Legislative Bodies in India as also the Deputy Chairman of Rajya Sabha and the Deputy Speaker of Lok Sabha attended the Conference.

The following resolution was adopted by the Conference to felicitate Dr. Bal Ram Jakhar, Speaker, Lok Sabha on his election to the Office of the Chairman of the Executive Committee of the Commonwealth Parliamentary Association :

“This Conference of Presiding Officers of Legislative Bodies in India held at Calcutta on 29 and 30 October, 1984 warmly felicitates Dr. Bal Ram Jakhar, Speaker, Lok Sabha on his election to the high office of the Chairman of the Executive Committee of the Commonwealth Parliamentary Association. He is the first person to be elected to this august office from the Asian Region. His election has brought honour and glory to the Nation.”

The Conference discussed the following points of the Agenda :—

1. *Select Committee* : When a Minister is Presiding as Chairman at a meeting of the Select Committee in which he is not entitled to vote for not being a member of the House, how can any question in the Select Committee be decided when there is an equality of votes on any question ?
2. *Legislatures* : Improving the effectiveness of Legislatures in the changing milieu.
3. *Budget* : Whether in order to make the annual Budget debate effective and purposeful *ad-hoc* Budget Committees of the House may be constituted to which the Budget, after being presented in the House, be referred for scrutiny and report within a stipulated period during which the House may not meet, with the rider that such a procedure will not curtail the discussion on demands for grants in the House as is the practice at present ?
4. *Privileges* : Privileges of the Legislature and the Press.
5. *Committee on Public Undertakings* : Whether the Public Undertakings Committee can scrutinize the financial affairs and examine the working of the commercial units run in the Cooperative Sectors where major finances involved are of the Government ?

6. *Presiding Officers' Conference* : Need for constituting a Committee of Presiding Officers at each Conference to report to the next Conference on the follow-up action pursuant to decision/consensus points at the Conference.
7. Proposal for constitution of an "All India Presiding Officers Forum".

*Conference of Secretaries* : The Thirtieth Conference of Secretaries of Legislative Bodies in India was held on 28 October, 1984. Shri Sudarshan Agarwal, Secretary-General, Rajya Sabha and Chairman of the Conference presided. Dr. Subhash C. Kashyap, Secretary-General of Lok Sabha and Secretaries of almost all the State and Union Territory Legislatures attended the Conference.

After the welcome speech by Shri K.N. Mukherjee, Secretary, West Bengal Legislative Assembly, Shri Sudarshan Agarwal addressed the Conference.

The Conference discussed subjects of parliamentary and administrative interest.

*Symposium on "Parliamentary Decorum"* : A Symposium on the subject of "Parliamentary Decorum" was held in the Assembly House, Calcutta, on 31 October, 1984.

The Speaker of Lok Sabha, Dr. Bal Ram Jakhar, Chairman of the Conference of Presiding Officers, presided and delivered the opening address. The Inaugural Address was delivered by Shri Binoy Krishna Chowdhury, Minister-in-charge of Land and Land Reforms Department of West Bengal. The Deputy Chairman, Rajya Sabha, the Deputy Speaker, Lok Sabha, the Presiding Officers of State Legislatures, MPs and M.L.As from West Bengal participated in the Symposium. The Symposium was adjourned after receiving the news about the attempt on the life of late Prime Minister, Shrimati Indira Gandhi. The following resolution was adopted at the Symposium :

"This meeting of the Presiding Officers and Members of Parliament and Members of the West Bengal Legislative Assembly has learnt with a sense of great shock, grief and anxiety the news of a cowardly and dastardly attempt on the life of the Prime Minister, Shrimati Indira Gandhi,

"With prayers and ardent wishes for her speedy recovery, the meeting unanimously resolves to adjourn and to cancel all further programmes in connection with the Presiding Officers' Conference."

#### INDIAN PARLIAMENTARY DELEGATION ABROAD

*Parliamentary Delegation to Zambia:* On the invitation of the National Assembly of Zambia, an Indian parliamentary Delegation led by Dr. Bal Ram Jakhar, Speaker, Lok Sabha, visited Zambia from 30 August to 6 September, 1984. Besides the leader, the Delegation consisted of Shri Bhogendra Jha, M.P., Shri Anantha Ramulu Mallu, M.P., Shri George Joseph Mundackal, M.P., Shri D.K. Naikar, M.P., Shri Santosh Kumar Sahu, M.P. and Shri Sultan Singh, M.P. Shri Sudarshan Agarwal, Secretary-General, Rajya Sabha was Secretary to the Delegation.

#### BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period 1 July to 30 September, 1984, the following Programmes/Courses were organised by the Bureau of Parliamentary Studies and Training, Lok Sabha Secretariate :

*Orientation Programme for new Members of Mizoram Legislative Assembly:* An Orientation Programme for new Members of Mizoram Legislative Assembly was held from 9 to 14 July, 1984, in Committee Room (Main), Parliament House Annexe.

It was attended by ten Members of Mizoram Legislative Assembly. Shri G Lakshmanan, Deputy Speaker, Lok Sabha, inaugurated the Orientation Programme on 9 July, 1984. Shri Om Mehta, the Honorary Adviser, Bureau of Parliamentary Studies and Training, addressed the participants on "Role and Functions of Legislators inside and outside the Legislature." The discussion on "Privileges of Legislatures" was initiated by Shri P. Shiv Shankar, Minister of Energy. Shri Ram Niwas Mirdha, Minister of State in the Ministry of Irrigation and Shri S.M. Krishna, Minister of State in the Ministry of Finance spoke on "The Legislative Business" and "The Financial Business", respectively. "Accountability of the Executive to Legislature" and "and Office of the Speaker" were the themes of talks delivered by Shri Nihar Ranjan Laskar, Minister of State in the Ministry of Commerce and Shri B.R. Bhagat, M.P. and former Speaker of Lok Sabha.

At the conclusion of the Orientation Programme, panel discussions were held on (i) "Parliamentary Customs, Conventions and Etiquettes" and (ii) "How to be an effective Legislator?". Discussion on the first theme was initiated by Shri Shivraj V. Patil, Minister of State in the Departments of Science and Technology, Atomic Energy, Space, Electronics and Ocean Development, while Shri Yogendra Makwana, Minister of State in the Ministry of Agriculture spoke on the second theme.

The other eminent parliamentarians who addressed the participants on parliamentary processes and procedures were as follows :

1. Shri Satish Agarwal, M.P.
2. Dr. Subramaniam Swami, M.P.
3. Shrimati Margaret Alva, M.P.
4. Shri R.S. Sparrow, M.P., Chairman, Committee on Subordinate Legislation.
5. Shri Braja Mohan Mohanty M.P.
6. Shri P. Parthasarathy, M.P., Chairman, Joint Committee on Salaries and Allowances of Members of Parliament.

The participants had discussions with Secretary-General, Lok Sabha and Secretary-General, Rajya Sabha, on 12 July, 1984.

Chairman, Delhi Metropolitan Council hosted a reception for the Members of the Mizoram Legislative Assembly.

*Appreciation Courses for Probationers/Officers of All India/Central Services* : Four Appreciation Courses in parliamentary processes and procedure were organised by the Bureau viz., the Fifth Appreciation Course for Indian Postal Service Probationers—26 to 28 July, 1984 ; the Eighth Appreciation Course for Indian Customs and Central Excise Service Probationers—6 to 10 August, 1984 ; the Appreciation Course for Section Officers/Assistant Civilian Staff Officer Probationers—10 to 13 September, 1984 ; and the Eighth Appreciation Course for Officers of the rank of Director, Deputy Secretary and Under Secretary to the Government of India—17 to 20 September, 1984.

*Attachment Programme:* An Attachment Programme on "Working of Committee of Privileges and Privilege matters" was organised by the Bureau from 2 to 12 July, 1984, for the official of the State Legislature Secretaries.

*Study Visits:* A study Visit was organised on 13 and 14 August, 1984, for Mr. John Brudenale, Deputy Parliamentary Librarian, Parliament of Australia to enable him to study the working of the Bureau and the Parliament Library and Reference, Research, Documentation and Information Service.

The Bureau also organised 17 Study Visits for, among others, a group of (i) Officers of the rank of District/Additional Districts and Sessions Judges, SPs etc. attending an Advanced Course in Criminology at the Institute of Criminology and Forensic Science; (ii) Participants attending a Training Course in Administrative Vigilance at ISTM; and (iii) Employment Officers attending a Course at CIRTES, Department of Labour.

#### SEMINAR ON FACILITIES FOR EFFECTIVE FUNCTIONING OF LEGISLATORS

A Seminar on "Facilities for Effective Functioning of Legislators" was held under the joint auspices of the Bureau of Parliamentary Studies and Training Lok Sabha Secretariat, and the Indian Parliamentary Group (IPG) on 17 to 19 August, 1984, in the Committee Room (Main) of Parliament House Annex.

Besides Members of Parliament and of the Indian Parliamentary Group, representatives from State Legislatures also participated in the Seminar. The Seminar was inaugurated by Dr. Bal Ram Jakhar, Speaker, Lok Sabha, on 17 August, 1984. It was attended by 32 members of Parliament, 15 associate members of Indian Parliamentary Group and 38 Members from State Legislatures including Shri Mangat Ram Sharma and Sardar Tara Singh, Speakers of Jammu and Kashmir Legislative Assembly and Haryana Vidhan Sabha respectively.



The following were the Panel Speakers :

1. Shri Shivraj V. Patil,  
Minister of State in the Departments of Science & Technology,  
Atomic Energy, Space, Electronics and Ocean Development.
2. Professor Madhu Dandvate, M.P.
3. Shri S.S. Mohapatra, M.P.
4. Shri Eduardo Faleiro, M.P.

Besides the above mentioned panel Speakers, in all one Member of Parliament, five associate members of IPG and 26 members of the State Legislatures took part in the discussions.

In his inaugural address, the Speaker, Dr. Bal Ram Jakhar, while welcoming the distinguished participants at the Seminar, said :

“The core function of the legislature in the parliamentary system is to oversee the executive to debate its policies and programmes, to examine its actions and to question its omissions. Then, of course, there is its traditional law-making function. Though because of the complicated nature of modern-day legislation the initiative has come to be with executive which has all the necessary technical expertise and informational wherewithal it would be unrealistic to deny legislature’s role in law-making. What emerges from the administrative corridors is but a draft to be refined in the crucible of member’s field insights, to make it a socially relevant measure. As representatives of the people and social investigators, it is the legislators who by articulation of all the shades of public opinion and of the various affected interests exercise a moulding influence on the content and contour of the emerging legislation....”

Dr. Jakhar further said, “In spite of all that we hear about the mounting power and dominating position of the government, the legislature remains still the essential intermediary of the people with considerable power to determine the nature and quality of the government.”

Referring to the effective participation of the members in the work of the House, Dr. Jakhar said :

"I would like to stress here, a member must have a really good grasp of the Rules of Procedure so as to be able to choose the proper procedural device to achieve his objective. Observance of parliamentary procedures, practices and conventions not only make for orderly and expeditious transactions of business but also enables members from every side to make their contribution to the business before the House. Further, a member must be time-conscious and use every minute of the time of the House most purposefully, which we rather in these days, at present, tend to forget. An effective legislator must not also lose sight of the rule of relevancy which alone—I can vouch for this from my experience as a Presiding Officer—ensures telling effect...

Dr. Jakhar further said that in order that the legislators performed their duties without undue financial worry or mental strain, there was no denying that they needed, besides the fundamental facility of freedom of speech and facility of procedural devices for raising matters in the House, essential facilities like housing, office premises, secretarial and research assistance, and postal, telecommunication and transportation facilities. It was also in public interest and indeed essential for the efficient functioning of democratic government, for legislators to travel, to correspond and even telephone fairly widely within the country. A legislator must know what was happening around.

In the opinion of Dr. Jakhar the facility of research and information was of paramount importance to the job of a legislator. With the present-day information explosion, it was patently not a question of lack of information; it was a problem of selective information management for the legislator who was hard-pressed for time. The legislature had to have its own institutionalised system of research and information and dissemination procedures, so that the members had "balanced, unbiased and fair presentation of all facts" on what they wanted to inform themselves about and on what they needed to be informed about in regard to the matters before or likely to come before the House. In his view, the Legislative Research and Information Services must be oriented to providing information within the minimum time, with the minimum volume and with the greatest pay-off potential in terms of parliamentary efficiency and effectivity.

Wishing the participants all success in their deliberations Dr. Jakhar observed :

"I would only like to add that though working conditions of the legislators have to be made efficient—and as fully as possible within our resources—in the ultimate analysis the effectiveness of a legislator depends not so much on the objective facilities but on his own subjective resources. How successfully the legislator is able to discharge his responsibility depends upon his inner facility of job-orientation, that is, on his own personal attributes—his knowledge, his habit of hard work, his keenness to study and to identify himself with people's needs and problems, his capacity to meaningfully utilise the available parliamentary opportunities and, last but not least, his faith in the representative institution as an instrument for the balanced development of the society."

A brief resume of the discussion on important points and suggestions made by the participants at the Seminar is given below :

Opening the discussion on 17 August, 1984. Shri S.S. Mohapatra, M.P., said that legislators should know their subject thoroughly and properly in order to become competent legislators because they represent the people. Members should take interest both in national as well international affairs. They should have some sort of training. In fact, there should be a host of trained persons in parliamentary practice. Also libraries in Parliament and State Legislatures should be well equipped and Research/Reference staff should be well informed and expert in their subject fields.

In order to be effective and influential, legislators should specialise in their subject fields. The Minister of Parliamentary Affairs should select a legislator to participate in the debate in accordance with the subject of his specialisation.

Professor Nilmohan Singh M.L.A. (Bihar) said that a legislator to be effective needs his serious involvement in the proceedings of the House and he should follow rules of procedure strictly. Members who want to speak on a subject must get the opportunity to speak. He said that legislators should try their best to make laws in accordance with the wishes of their electorates.

Professor Singh suggested that the proceedings should be televised to enable the people to watch and assess the functioning of their representatives and analyse their performance. Computer-based information should be installed in Parliament and State Legislatures which would make the legislature more effective. Information is not a scarce commodity but selection is a problem, he added.

Most of the participants pleaded for providing of more and more library, reference and research facilities for the legislators. Shri Shashikant Lakhani, M.L.A. (Gujarat) felt that secretarial assistance should be given to members as in other countries.

Shri Rammanohar Tripathi, M.L.C. (Maharashtra) suggested that books on parliamentary procedure should be translated into various regional languages.

Shri Varkala Radhakrishna, M.L.A. (Kerala) suggested that there should be discussion on the Budget excluding the tax proposals by a Committee of the legislature before its presentation to the House. He felt that there should be rethinking in regard to the functioning of the Financial Committees.

Shri Eduardo Faleiro, M.P. said on 18 August, that responsibilities of members of Parliament or State Legislatures were two-fold : (i) firstly, towards the legislature ; and (ii) secondly, towards the constituents. He stressed that members must get the necessary facilities to articulate the aspirations of the people whom they represented. He felt that if the library and research services were strengthened, members would be enabled to perform their duties more effectively. Shri Faleiro said that he had gone to U.S.A. and found that the research facilities provided to members of the Congress were of a high quality. There, research personnel were highly qualified. They had gained specialisation in various fields. They attended Seminars on related subjects. Some of them had been studying the problems for the last 20 years or so. Therefore, the research notes prepared by the researchers there for the use of members were analytical and of a very high standard. He said that in India the level of Library should be raised in such a way that it did not remain a Reference Library but became a Research Library.

Shri Gian Chander Dwivedi M.L.C. (Uttar Pradesh) pointed out that in his State legislators faced a great difficulty in getting an appointment to meet the Chief Minister or a Minister. When a legislator wrote letters to Ministers on any matter, their replies were received from officers and not from Ministers. Therefore, he suggested that a code of conduct should be prepared wherein it should be laid down that replies to communications from legislators would invariably be given by Ministers and not by their officers.

Shri Roop Singh Thakur, M.L.A. (Himachal Pradesh) suggested that in each legislature there should be a Research Cell which should provide the legislators guidance in the matter of drafting questions, preparing supplementaries, giving Calling Attention Notices, etc. He further suggested that members of various Financial Committees should be fully briefed by officers about irregularities etc. of expenditure before the Committees took evidence etc.

Shri Humphrey Hadem, M.L.A. (Meghalaya) suggested that with a view to perform his duties effectively both outside and inside the legislature, a legislator should be provided with the following facilities : (i) a vehicle to keep contact with his constituents ; (ii) a stenographer or clerk to do work in relation to his constituency ; (iii) training facilities by the Centre ; (iv) opportunities to witness deliberations of other legislatures.

Shri Ishwarsinh Chavda, M.L.A. (Gujarat) said that necessary facilities, e.g. telephone, medical accommodation, super bazar, pensionary benefits etc. should be made available to them. Most of the participants pleaded for providing more and more facilities to the legislators so as to enable them to function effectively.

Master Chand Singh, M.L.A. (Punjab) expressed his concern about the reduction in the duration of sessions of the State Legislatures. He said that sessions should be of longer duration so that more time could be given to members to participate in the business of the House. He also wanted that useful suggestions made by the Opposition on various matters should be given due consideration by the Government.

Shri Narendra Singh Mahida, ex-M.P., pointed out that fighting an election was a costly affair and it was not possible for a person of meagre resources to meet the expense. He, therefore, suggested that the Government should create a fund to finance election expenses incurred by the candidates.

The Minister of State in the Departments of Science and Technology, Atomic Energy, Space, Electronics and Ocean Development, Shri Shivraj V. Patil, said that in the House members participated in policy-making, general debate on the Budget, etc. They thus contributed their share in the oversight and scrutiny of the performance of the Government and redressal of public grievances. Outside the House, the members had to give a lot of attention to the development programmes in their constituencies. The Minister stated that in his State *i.e.* Maharashtra, committees had been con-

stituted to look after developmental work at Talukā and District levels. In these committees, legislators elected from the District or Taluka were included. He commended the formation of such committees in other States where they had not been formed as yet.

Shri Satyanand Sahu from Orissa stressed the need for collection of data and the scientific analysis of the material available in the Library for the use of the legislators.

Shrimati Tara Bai Vartak, M.L.A. (Maharashtra) said that the legislators should be given executive powers, particularly at Taluka level in connection with the implementation of the 20-point programme.

Shri Om Prakash Gupta M.L.A. (Punjab) said that the new legislators were unaware of the rules and methods of functioning of the House. There should be some Branch in the legislature to guide them. He emphasised that research facilities were lacking in many State legislatures. He said that due to paucity of time with the legislatures, legislators were unable to explain their views ; they had no opportunity to speak. He suggested that all the Bills slated for consideration during a session should be made known to legislators sufficiently in advance before the session started so that they could formulate their amendments. He stressed that immediate action should be taken at all levels to implement recommendations of the various Parliamentary Committees.

Opening the discussion on 19 August, 1984, Professor Madhu Dandvate, M.P. said that the office of a parliamentarian should be treated as a profession. He could not afford to be on a part time job. He has to go through debates, records, rules etc. to be effective during the deliberations in the House. It is essential that he acquired a thorough knowledge of precedents. Citing several anecdotes, Professor Dandvate stressed the importance of a sense of humour for a parliamentarian to be effective.

On the question of redressal of grievances he said that they should certainly be reflected on the Floor of the House but the legislators must observe one particular norm, *i.e.* not to raise local and personal issues in the House and in any case individual cases should not be raised.

Professor Dandvate stressed the necessity of a sort of code of conduct between the Ruling party and the Opposition in the exchange of notes and the Minister of Parliamentary Affairs should serve as a bridge between the two.

Shri V.M. Suddheeran, M.L.A. (Kerala) said that the members were responsible for upholding the dignity of the House by maintaining decorum. He felt sore that no publicity was given in the press to members' speeches who really studied hard while better coverages were given to others who only shouted. Private Members Bills' were not given sufficient time ; the floor time was actually monopolised by the Government. He felt that members in the State Legislatures were not provided with background material ; they needed to be properly briefed by such material. He suggested constitution of Budget Committees on the pattern of subject Committees in Kerala. He felt that in the House even in Budget discussion the speeches by the members were dominated by political matters.

Shri Amar Nath Vidyalankar, ex-M.P. felt that he found from his experience that members preparing hard and doing home work were often denied time to speak in the House. This resulted in a discouragement to them to come prepared again. He said that the members should ask for floor only if they had something important to say.

Shri Gudadinni, M.L.C. (Karnataka) pleaded for proper facilities including better salary and allowances for the members. Shri Kapoori Thakur, M L.A. (Bihar) posed an important question whether all the facilities which were made available to the members were actually being made use of by them. He said that there should be a willingness in the members to become effective legislators. A power of resolution in the legislators was very necessary to make parliamentary democracy a success. In this connection, he felt that the selection of candidates by the political parties was most important. In his view only persons who were hard working and were willing to learn should be selected.

Shri Thakur expressed the view that the time factor determined effectiveness of members, he suggested longer duration of sessions of legislatures. He, however, expressed the view that what was more important for the legislators to be more effective was for them to uphold the values rather than simply looking for opportunities to make speeches in the House. In this context, he stressed the importance of continuous contact by the legislators with the people in the constituencies. He desired that whatever information they could collect from the Government in the House or otherwise should be presented to the people at large.

Professor Ajit Kumar Mehta, M.P. suggested development of expertise by the members in crucial areas of their interest, not only among the Ruling party but also in the Opposition parties. In fact, he said a convention

might be allowed to develop for formation of shadow cabinets by the Opposition parties. He also desired proper presentation of the views expressed by the members through the Government media, viz. Radio and T.V.

Dr. Sushila Nayar, ex-M.P. expressed the view that the M.P.s and legislators should have direct contact with the Ministers and not with Government officials. She expressed the view that orientation courses regarding Rules of Procedure for new legislators should be organised after election.

Shri N.C. Pal, M.L.A. (Himachal Pradesh) stressed the importance of research cells in every legislature. He desired that it was necessary that facilities in all legislatures were provided in equal measure.

Shri Deva Prasad Sarkar, M.L.A. (West Bengal) said that effective functioning of a legislator demands, among others, his sincere and serious concern for the cause of miseries of the people and ventilation and redressal of their sufferings and grievances through integrating parliamentary and extra-parliamentary activities.

Shri Herculano Dourado, M.L.A. (Goa), criticised lack of democracy within party. He said that for the legislators to be effective they should be empowered to call for development officers and also write their confidential reports.

Shri Ram Pal Upadhyay, M.L.A. (Rajasthan) said that measures should be taken to educate the youth about Parliament and the State Legislatures. He suggested that the legislators should not be appointed as Chairmen of corporations.

Winding up the discussion, Shri Om Mehta, Honorary Adviser, B.P.S.T. thanked the participants and stressed the importance of provision of research and information services in the legislature Secretariats. He pointed out that the question of providing office accommodation and other facilities to the legislators could best be looked after by the respective legislatures.

#### HOMAGE TO SHRI M.N. KAUL

On 20 November, 1984, Shri M.N. Kaul, the first Secretary of Lok Sabha and former Member of Rajya Sabha passed away in New Delhi at the age of 83. Widely travelled all over the world, Shri Kaul was a familiar figure in international parliamentary circles.



Shri M.N. Kaul was an Economics Tripos from Cambridge and Bar-at-law from Middle Temple. He practised for nearly a decade before the Allahabad High Court with the great legal luminary Sir Tej Bahadur Sapru. He was the Editor of the prestigious *Allahabad Law Journal* during the years 1931-37. He was also the Founder Editor of the *Journal of the Parliamentary Information* during the period 1955-64.

Shri Kaul was Secretary to Constituent Assembly (Legislative), Provisional Parliament and Lok Sabha during the period 1947-64. He retired in 1964 after occupying the position of Secretary, Lok Sabha, for 17 years. In appreciation of his long and distinguished service to Parliament, he was made an Honorary Officer of the House for life. He was appointed as Public Trustee in 1964 and nominated a member of Rajya Sabha in 1966 and again in 1970.

A well recognised authority on parliamentary procedure and practice and constitutional law, Shri Kaul played a monumental role in the framing of the articles of the Constitution relating to Parliament and later in establishing sound Parliamentary practices, procedures and conventions which have stood the test of time.

Shri Kaul's interest in parliamentary procedures never waned. His latest book "*Parliamentary Institutions and Procedures*" was published in 1979.

The monumental treatise on "Practice and Procedure of Parliament" co-authored by Shri M.N. Kaul with Shri S.L. Shakhder and the Secretariat of Lok Sabha built by Shri Kaul shall constitute lasting memorials to him.

On 21 November, 1984, the officers and staff of the Lok Sabha Secretariat and some members of Parliament paid their respectful homage to late Shri M.N. Kaul outside the Parliament House where his body was kept for some time. Wreaths were laid on the body of Shri Kaul on behalf of Dr. Bal Ram Jaxhar, Speaker, Lok Sabha and by Dr. Subhash C. Kashyap, Secretary-General, Lok Sabha and Shri Sudershan Aggarwal, Secretary-General, Rajya Sabha. Almost all officers and staff of Lok Sabha Secretariat and many officers of Rajya Sabha Secretariat went past by the body laying flowers.

Earlier, a meeting the officers and staff of the Lok Sabha Secretariat condoled the sad demise of Shri Kaul. A condolence Resolution was adopted at the meeting recalling the services rendered by Shri Kaul in the parliamentary field. The Resolution says :

"In his demise the country has lost a distinguished parliamentarian, an erudite scholar, a renowned author and expert on parliamentary procedure. He laid brick by brick the foundations of an efficient and independent Lok Sabha Secretariat ; the seeds sown by him have blossomed in later years and stand testimony to his wisdom and far sightedness. In a sense more than one Shri Kaul was the father of Lok Sabha Secretariat."

While paying tributes to late Shri Kaul, Shri S.L. Shakhder, former Secretary-General, Lok Sabha said : "In our humble way we have paid heart-felt tribute to the great soul, whose passion was always to make Parliament very strong and its Secretariat an instrument of carrying out objectively the tasks entrusted to them in the service of Parliament. He has left behind true ideals for his successors to follow and I am sure his work and words will guide all those who follow him and us in the future."

---

*Professor Madhu Dandavate ... They served warrant and asked "Where is the gentleman ?" The lady of the House said "Four years back he was dead and if you want to serve the warrant, go to Heaven"! That was the incident and there were so many of them.*  
(L.S. Deb., 6 August 1984)

## PRIVILEGE ISSUES

## LOK SABHA

*Reference of question of privilege against a Union Minister and a member of Lok Sabha by a Legislative Assembly to their Committee of Privileges :* On 22 August, 1984, the Speaker (Dr. Bal Ram Jakhar) observed in the House that a member (Professor K.K. Tewari) had sought to raise a question of privilege regarding referrence of a question of privilege against Shri Jagan Nath Kaushal, a member of the House and the Union Minister of Law, Justice and Company Affairs on 21 February, 1984, by the Andhra Pradesh Legislative Assembly to their Committee of Privileges for allegedly turning down the resolution passed by the Assembly proposing abolition of the Legislative Council of Andhra Pradesh. In this behalf, the Speaker had not received any communication either from the Minister or from the Speaker of the Andhra Pradesh Legislative Assembly.

Referring to an established convention, the Speaker said that if a *prima facie* case of breach of privilege or contempt of the House was made out against a member who belonged to another Legislature, the matter was reported to the Presiding Officer of that legislature for taking such action as he considered necessary. This convention was established in pursuance of the recommendations contained in the Report of the Committee of Speakers adopted by the Presiding Officers Conference on 17 September, 1956. He further said that as laid down in article 75(3) of the Constitution, the Council of Ministers is collectively responsible to Lok Sabha ; the responsibility is joint and indivisible. There is no specific provision in the Constitution laying down the individual responsibility of a Minister and his accountability to Parliament for the acts of omission and commission in his departmental charge.

In the present case, the Speaker observed that the Minister of Law, Justice and Company Affairs was stated to have informed the Chief Minister of Andhra Pradesh on 31 December, 1983, that the Government of India had carefully considered the matter. They had not found it possible to agree to the proposal for undertaking legislation for abolition of the Legislative Council in Andhra Pradesh. In this context, referring to article 169 of the Constitution, under which the resolution for abolition of the Legislative Council of Andhra Pradesh was passed by the Legislative Assembly, the Speaker said that the article does not have the effect of imposing any obligation on the Government of India to take action for initiating legislation in Parliament for the purpose. This question had also figured before Lok Sabha in 1970 and in reply, then Law Minister had made a statement on 8 December, 1970, that "Parliament has to exercise its discretion and judgement; for, the word used in the Article is 'may' and not 'shall' ... 'may' denotes discretion and therefore Parliament is not bound blindly to implement the State Assembly resolution. The Parliament cannot only choose the time for the implementation of the resolution but also decide against it. The answer...is therefore that it is optional."

In view of the above, while expressing his opinion, the Speaker observed that it was exclusively for the Government to choose the time and occasion to initiate legislation on a particular subject and bring it before Parliament. Moreover, even if it was considered to be a violation of constitutional provisions contained in article 169, it was a matter to be decided by courts and no question of parliamentary privilege would arise.

## STATE LEGISLATURES

### ANDHRA PRADESH LEGISLATIVE COUNCIL

*Casting of reflections on the Chair by a newspaper* : On 31 March, 1983, some members had given notice of a question of privilege against the Printer, Publisher and Editor of the *Indian Express* for allegedly casting reflections on the Chair in an editorial captioned "Andhra's Upper House" published in the newspaper in its issue of 30 March, 1983, which *inter alia* read that on the very eve of the election, the outgoing Vijayabhaskar Reddy Government got three of its persons nominated to the Council by the Governor, and the Chairman of the Council, belonging to the Congress (I) party, administered the oath to them with undue haste. That was totally *malafide*,

On 5 April, 1983, the Chairman (Syed Mukhasir Shah) referred the matter *suo motu* to the Committee of Privileges for inquiry and report.

The Committee of Privileges in their Twelfth Report, presented to the House on 27 February, 1984, reported *inter alia* that the Committee had examined Shri S.G. Bhargava, Resident Editor of the *Indian Express* at its sitting held on 5 July, 1983, and had directed him to publish an apology in the *Indian Express* for making derogatory remarks about the Chairman, Andhra Pradesh Legislative Council.

The Committee considered the apology published by the Editor, *Indian Express* in its issue of 9 July, 1983, which *inter alia* read that the thrusts of the editorial was against the nomination of Congress (I) supporters to the Council on the eve of an election. Administration of oath to the nominated persons by the Chairman was incidental to the development and not Central to it. So the expression 'with undue haste' did not apply specifically to him. Similarly, the statement 'that was totally mala fide', referred to the executive action in nominating party members to the Council on the eve of an election and not to the administration of the oath to them by the Chairman of the Council. In any event no aspersion was sought to be cast on the Chair. We would like to express our regrets to the Chairman if such an impression had inadvertently been created, the Editor said.

In view of the unconditional apology tendered by the Editor, *Indian Express* for his editorial comments and also for publishing the correction as suggested by the Committee in its issue of 9 July, 1983, the Committee decided to drop the privilege motion.

On 6 March, 1984, the House adopted the Report of the Committee of Privileges.

#### KARNATAKA LEGISLATIVE COUNCIL

*Alleged refusal by the Government to hand over to the Chairman the possession of annexe to his official residence:* On 18 January, 1983, the Government allotted Kumara Krupa Annexe II to the Chairman of the Legislative Council (Shri K. Rahman Khan) as his official residence. On 24 January, 1983, when the Chairman occupied the said building he came to know that the annexe to that building known as 'home office' had been occupied by one Dr. Chandrashekhar, Assistant Professor of Cardiology Bowring and Lady Curzon Hospitals, who was the Medical attendant to the former Chairman.

On 18 January, 1983, a letter was written to Dr. Chandrashekar to vacate the House. On 27 January, 1983, the Secretary, Karnataka Legislature had also written a letter to the Assistant Engineer, Public Works Department (P.W.D.) requesting him to arrange for the vacation of the said building and to handover its possession to the Chairman. Subsequently, the Chairman had meetings with the Chief Secretary to the Government and the Chief Engineer of Public Works Department and had asked them to take appropriate action to get the House vacated. On 21 February, 1983, the Chairman wrote a letter to the Chief Secretary, reminding him about the discussion he had with him and asking him to take immediate action. In the meanwhile, the Chairman had discussion with the Deputy Secretary, Department of Personnel and Administrative Reforms (Protocol). On 2 March, 1983, the Chairman wrote to the Secretary, P.W.D., explaining in detail the delay in handing over the possession of the annexe. When there was no proper response either from the Chief Secretary or from the Secretary, P.W.D., the chairman wrote to the Chief Minister explaining the whole matter and requesting him to take appropriate action in the matter.

On 18 March, 1983, during discussion in the House, the Chairman expressed his unhappiness over the matter. He also observed that he had not received any reply even to his letter addressed to the Chief Secretary to the Government. On 21 March, 1983, the Chief Secretary wrote to the Chairman, justifying the occupation of the annexe by Dr. Chandrashekar and informing that action was being taken to evict him. Later on, it was understood that the Government order terminating the order of allotment of home office to Dr. Chandrashekar had been issued on 7 March, 1983, and the annexe was vacated by Dr. Chandrashekar on 1 June, 1983. The possession of the annexe was, however, not handed over to the Chairman.

On 28 July, 1983, a member (Shri T. N. Narsimha Murthy) had given notice of a question of privilege regarding the alleged refusal of the Government to hand over to the Chairman, Legislative Council, the possession of the home office attached to his official residence, with particular reference to the conduct and attitude of the Government officers, which had affected the prestige and dignity of the office of the Chairman and of the House. Later, on the same day, the Chairman made the following observations in the House :

"I would like to make a few remarks in this regard. It is not the annexe to my residence, which is important in this issue. All I have done in these six months is only to uphold the dignity and

honour of this Chair. I have been telling the officials that the matter involves the respect and honour of the Chair... That is why taking the consensus of the House, I am referring this matter to the Privileges Committee."

The Committee of Privileges, after examining Shri R.A. Naik, Chief Secretary to the Government and other officers of the Public Works Department (P.W.D.) and the Department of Personnel and Administrative Reforms (D.P.A.R.) in their Eighth Report, presented to the House on 17 January, 1984, reported *inter alia* that the Executive Engineer in his letter of 8 June, 1983, had stated that the nomenclature of the building as per the building register maintained in the Office was 'Guest quarters at Kumara Krupa Annexe-II' and under column by whom and how occupied, it had been noted as 'Minister's residence'... It was evident from the register that the Guest quarter was part and parcel of the residence of the Chairman, Legislative Council. The Committee was surprised how the D.P.A.R. had treated the quarter as a separate unit, when the same was part and parcel of the main building, according to their own records.

The Committee observed that it was evident that the concerned officers of the Government had shown disrespect to the office of the Chairman, Legislative Council in the matter of allotment of quarter to him and had taken indifferent attitude in the whole affair just to protect the interest of Dr. N. Chandrashekar. The letters from Private Secretary to Chairman and Secretary Legislature to Executive Engineer, Buildings Division, Bangalore, on 18 January, 1983, and 27 January, 1983, requesting for vacation of quarter and Chairman's discussion with Shri R.A. Naik, Chief Secretary and Chief Engineer (C & B) on 18 March, 1983, and letter from Chairman to the Chief Secretary on 21 February, 1983, regarding vacation of quarter and handing over its possession had not been acted upon and had fallen on the deaf ears of the bureaucracy in the D.P.A.R. and the P.W.D.

The Committee further observed that Dr. N. Chandrashekar was only designated as Medical attendant of Shrimati Basavarajeswari, the former Chairman, Legislative Council, during her term temporarily. After her vacation of the quarters in September, 1982, the doctor was expected to vacate the quarter given to him, but he did not do so and continued to stay with the support of the bureaucracy. The officers of P.W.D. did not care to evict him from the quarter though his term as medical attendant had been terminated. He did not even pay the rent for building and continued to stay unauthorisedly. All that the Committee inferred from the events

narrated above was that the bureaucracy had been favouring the doctor to continue the unauthorised occupation of the building since the time of vacation of the building by the former Chairman.

The Committee expressed the expectation that the Chief Secretary could have taken immediate action in the matter and had got the quarter vacated but in his letter of 21 March, 1983, addressed to the Chairman, he had justified occupation of the quarter by Dr. Chandrashekar and only informed the Chairman that action was being taken to evict him. Thus Dr. Chandrashekar was allowed deliberately to stay in the quarter. The Committee felt that the officers of the D.P.A.R. or the P.W.D. had not taken any action nor evinced interest in evicting the Doctor from the quarter and handing over its possession to the Chairman.

In the opinion of the Committee the utter indifference and negligence on the part of the officers of the Government in the D.P.A.R. towards the office of the Chairman was nothing but a calculated move to lower the dignity of the office. The administrative machinery in the D.P.A.R. in particular had tried their utmost to help an individual ignoring the claim of the Presiding Officer of the Council with a view to causing inconvenience to him. It was clear and evident that the officers of the D.P.A.R. and the P.W.D. had colluded in regularising the allotment of the quarter to the doctor which was contrary to rules.

In his evidence before the Committee, Shri R.A. Naik, then Chief Secretary to the Government...stated that there was no intention to show any disrespect to the Chairman and nobody would think of doing it...None in the Government had taken steps which would mean disrespect to the Chairman. He also had stated that as soon as the present Chairman wanted the premises for his use, the Government initiated necessary proceedings. The Government also never had taken a stand that it would not be allotted to the Chairman nor did they take the stand that Dr. Chandrashekar had any right to the premises.

After examining the evidence tendered by the then Chief Secretary and other officers and going through the records furnished to the Committee, the Committee regretted to observe that in dealing with the case, the officers had not shown any respect that should have been shown to the Chairman. If the then Chief Secretary and the officers of the D.P.A.R. and the P.W.D. had taken proper action at the appropriate time and acted with diligence, the unfortunate incident could have been avoided. The Committee had come to the conclusion that the then Chief Secretary and the officers of the D.P.A.R.



and the P.W.D. had shown undue consideration to Dr. Chandrashekar, ignoring the rightful claim of the Chairman. Dr. Chandrashekar also had not acted properly...and instead tried to exert pressure on the officers. This was not expected of a government servant. The doctor's conduct throughout this episode was highly deplorable and objectionable. The Committee recommended that suitable disciplinary action might be taken against the doctor and also other officers concerned who colluded with him. The Committee further desired that the action taken by the Government against all the concerned officers and the doctor might be intimated to the Committee.

The Committee hoped that the officers of the Government in the D.P.A.R. and the P.W.D., at least in future, would not give room for such unfortunate incident to occur and would extend all the respect and courtesy due to the Presiding Officer of a Legislative body, which was sovereign and supreme.

In the light of the above facts, the Committee had come to the conclusion that the whole episode had assumed such proportions only due to mishandling of the whole matter and the indifferent attitude on the part of the then Chief Secretary and other concerned officers. In the opinion of the Committee, in this entire episode the part played by the then Chief Secretary and the Deputy Secretary (Protocol) D.P.A.R. was highly deplorable. With the above observations and recommendations for action, the Committee recommended that no further action need be taken in this regard and the matter might be treated as closed.

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

#### MADHYA PRADESH VIDHAN SABHA

*Attachment of bank account of member by Court* : On 19 August, 1983, some members (Sarvashri Satyanarayan Sattan, Devi Lal Rekwai, Lakshmi Narayan Sharma and Narmada Prasad Kinkar) had given notice of a question of privilege against (i) Shri Arjun Singh, Chief Minister and Minister-in-charge of Home Department, (ii) Shri K.S. Sharma, Secretary, Home Department, Government of Madhya Pradesh, (iii) Shri Dharmendra Verma, Special Public Prosecutor, Bhopal, (iv) Shri K.P. Singh, Deputy Superintendent of Police (D.S.P.), C.I.D., Economic Offences Cell, Police, Bhopal, and (v) Shri Mandlik, District Judge, Bhopal, regarding attachment of the bank account of a member and former Chief Minister (Shri Virendra Kumar Saklecha).

On 29 September, 1983, the Deputy Speaker (Shri Ram Kishore Shukla) observed\* in the House that the facts as mentioned in the notice of question of privilege were that in a criminal case filed in the court of the Sessions Judge, Bhopal, by the Madhya Pradesh Government against Shri Virendra Kumar Saklecha, Shri Dharmendra Verma, Special Public Prosecutor, Bhopal, as per instructions of the Government and other officers, submitted an application to the court to the effect that the amount of Salary and allowances received by Shri Virendra Kumar Saklecha as a member of the Vidhan Sabha had been received through criminal act and the allowances for attending the meetings of the committee of the Vidhan Sabha were also received by him through criminal act. An affidavit to this effect was also submitted to the court by Shri K.P. Singh, D.S.P., C.I.D., Economic Offences Cell, Police, Bhopal, under instructions of the Madhya Pradesh Government and Secretary, Home Department. Shri Dharmendra Verma had requested in the application that the amount of Rs. 30,000/- in account No. 987 of Shri Saklecha in the State Bank of India, MLA Rest House Branch, Bhopal, be attached since this amount was received by him as salary and allowances in his capacity as a member. An order was passed by the Sessions Judge on 11 July, 1983, attaching the above-mentioned amount along with the other amounts of Shri Saklecha. It was, therefore, the contention of the members that the above-mentioned five persons had committed a breach of privilege of Shri Saklecha and a contempt of the House.

In this connection, information was called for from Shri K.S. Sharma, Secretary, Home Department and Shri K.P. Singh, D.S.P. They stated in their separate replies that the action taken neither amounted to a breach of privilege of Shri Saklecha nor to a contempt of the House. Submission of application by Shri Dharmendra Verma and an affidavit by Shri K.P. Singh had been admitted. Attachment of the above-mentioned amount on the orders of the court had also been admitted but in their defence both of them had stated that it was not true that the salary and allowances received by Shri Saklecha as a legislator had been attached. No order had been passed by the court for the attachment of salary and allowances being received by Shri Saklecha. It had also been denied that it was averred in the application submitted to the court that Shri Saklecha had earned the salary and allowances as a legislator through any criminal act.

It had been further stated in the replies of Sarvshri K.S. Sharma and K.P. Singh that a case was registered against Shri Saklecha under the Prevention of Corruption Act, 1947, because he had earned an amount of

---

\*Original in Hindi.

Rs. 57,61,102 which was disproportionate to his known sources of income. Under section 3(1) of the Criminal Law (Amendment) Ordinance, 1944, Madhya Pradesh Government authorised Shri Dharmendra Verma as Special Prosecutor to file an application in the court for the attachment of the property equivalent to the above amount in value. Accordingly, the court ordered the attachment of property equivalent to the above amount but property worth Rs. 48,43,621.76 only could be attached. The balance of the amount could not be attached. While inviting attention to section 3(1) of the Criminal Law (Amendment) Ordinance, 1944, it had been stated that if property earned by the criminal acts is not available, other property equal to that amount might be attached. It had also been contended in the replies that the money so attached was the personal property of Shri Saklecha at the time of such attachment and it had lost its identity as salary or allowances received from the Vidhan Sabha.

After hearing both the parties and having a thorough study of the facts and legal position, the Deputy Speaker had come to the conclusion that there was no case of contempt of the House or breach of privilege of Shri Saklecha against any one of the above named five persons. As regards legal position he observed that the salary and allowances received as a legislator had become the personal property of the person concerned on being deposited in a bank account and lost their identity as salary and allowances. The court had only to satisfy that the property proposed to be attached was the personal property of that person. It was not necessary to ascertain whether the property proposed to be attached was earned through criminal acts or not. Since property equivalent to the amount earned through criminal acts was attached and the case was pending before the court, the Deputy Speaker did not admit the notice of question of privilege and also did not grant permission to raise the matter in the House.

*Alleged casting of reflections on a member in a Report of the Lokayukt :*  
On 30 September, 1983, the Deputy Speaker (Shri Ram Kishore Shukla) observed\* in the House that a notice of question of privilege had been given by a member (Shri Babulal Gaur). In his notice he had stated that the report regarding Plot No. 15, Govindpura Industrial Area, Bhopal, belonging to M/s. Electrical Transformer Company, Bhopal, submitted by Shri P. V. Dikshit, Lokayukt, to the Madhya Pradesh Government and released by the Directorate of Information and Publication on 10 April, 1983, for publication in the newspapers, contained certain objectionable remarks by the

---

\*Original in Hindi.

Lokayukt against him. The member, had, therefore, contended that it amounted to an interference in his right to speak as a member in the House, that the prestige, honour and dignity of the members of the House had been thereby lowered and that the Lokayukt had thus committed a contempt of the House.

The Deputy Speaker further observed that in the last session Shri Babulal Gaur had put a Starred Question which was replied to by the then Industry Minister (Shri Jhumuk Lal Bheria). The question and the answer thereto had been mentioned in the copy of the Report of the Lokayukt, produced by Shri Gaur. In the reply given by the Minister, the names of Shri Ajay Singh and Shrimati Bina Singh, had also been mentioned as partners of the said firm. On going through the Report, it was seen that the Chief Minister had written a letter to the Lokayukt on 13 March, 1983, requesting him to go through the relevant papers and report whether undue influence had been exerted on behalf of the Chief Minister on those officers, who had to take the decision regarding the allotment of land and granting of loan of Rs, 9,80,000.00 to the firm.

In his Report, the Lokayukt had stated that there was nothing to suggest that the officers who were responsible for making the allotment of land to the company were weighed down by the consideration that two of the partners of the company were close relations of the Chief Minister (Shri Arjun Singh). The veiled embarrassing *innuendo* against the Chief Minister contained in that part of the question put by Shri Gaur, which enquired about the names of the partners of the company was entirely without foundation.

In the opinion of the Deputy Speaker the Lokayukt had a right to express his views about the question by Shri Gaur in the manner he had done because when a judicial enquiry was conducted, it was the discretion of the judge to see how to express his sentiments and views. If a restriction was imposed that such views should not be expressed perhaps the Lokayukt might find himself unable to function. From a perusal of the Report it was clear that he did not have any *mala fide* intentions against the member.

Observing that the institution of the Lokayukt was new in Madhya Pradesh, the Deputy Speaker said that it was necessary to establish fair conventions so that this institution functioned in a proper manner. The Lokayukt was appointed in order to check and investigate into on behalf of the House, any corruption in the functioning of the Government. The Lokayukt was appointed by the Governor in consultation with the Leader of the Opposition

and he could be removed from his office by the order of the Governor on a resolution supported by a majority of total membership of Vidhan Sabha and by a majority of not less than two-thirds of the members of that House present and voting and presented to the Governor in the same session. Therefore, the Deputy Speaker observed that in a manner of speaking the Lokayukt was an Officer under the Vidhan Sabha and in his opinion, it would not be a proper convention if any discussion was held in the House about him.

In view of the above, the Deputy Speaker did not find any justification in giving consent to the raising of this question in the House and disallowed the notice of question of privilege.

#### MAHARASHTRA VIDHAN SABHA

*Assaulting a member by a police officer inside the precincts of the House :* On 8 September, 1981, a member (Shri J.P. Gavit) stated\* in the House that on that day when he had gone to collect passes for guests in the Vidhan Bhavan Complex, one of the police officials caught hold of him and had taken him to the police station, though he had told him several times that he was a member of the Vidhan Sabha.

Another member (Shri Shantaram Bapu Wavare) then stated that he was standing by the side of the member when this incident took place. The police official caught hold of him by the collar and took the member with him. He tried to tell him that Shri Gavit was a member. But he did not care for either his or Shri Gavit's pleadings. On the other hand, he had spoken insultingly saying that he had never seen that person in the House.

The Speaker (Shri Sharad Dighe) then adjourned the House for ten minutes. When the House reassembled, the Speaker observed that considering the complaint of Shri Gavit and the information supplemented by Shri Wavare, the Government had taken the step of suspending Shri Ashok Lakshman Gaikwad, Sub-Inspector of Police, Yellow Gate, Police Station. As far as the question of privilege was concerned, the matter had been referred to the Privileges Committee.

The Committee of Privileges, after considering the written statements of and after examining in person the members (Sarvashri J.P. Gavit and Shantaram Bapu Wavare) and Shri A.L. Gaikwad, Sub-Inspector of Police, other police officials as well as witnesses cited by Shri Gaikwad, in their

---

\*Original in Marathi.

Report presented to the House on 24 December, 1982, reported *inter alia* that the Committee framed following issues : (i) Whether Shri A.L. Gaikwad, Sub-Inspector of Police behave with the member (Shri J.P. Gavit) in the manner alleged by him ? (ii) Whether the conduct of Shri Gaikwad towards Shri Gavit constituted a breach of privilege and contempt of the House ? (iii) If so, what were the recommendations ?

The Committee issued notice to Sarvashri Gavit, Wavare and Gaikwad to appear before the Committee. The request of Shri Gaikwad to appear through a Counsel was considered but was not acceded to. He was, however, given the fullest opportunity to cross-examine Sarvashri Gavit, Wavare, M.R. Pawar, and Shri R. Purohit, Inspector of Colaba Police Station and Shri Johari. S.I. and also to present his witnesses and lead any other evidence which he might desire to do. He had accordingly cited the names of a number of witnesses who appeared before the Committee and tendered their evidence. Shri Gaikwad and Shri Gavit and also other members of the Committee examined or cross-examined the witnesses. Shri Gaikwad was thereafter allowed to file his written arguments and also to plead his case orally. Shri M.R. Pawar, Shri Johari, (S.I.), and Shri R. Purohit. Inspector were called by the Committee to tender evidence.

The facts of the case were that on 8 September, 1981, Shri A.L. Gaikwad, S.I., was sitting on a bench with his cap kept beside him when the member (Shri J.P. Gavit) came near the bench, kept his foot on it and with that support he was signing some papers stated to be application forms for passes to the Visitors' Gallery. After some exchange of words between them the member was taken towards the police tent within the Council Hall premises where Shri Johari, S.I., was stationed along with his superior officers. On the way Shri M.R. Pawar, an official of the Maharashtra Vidhan Sabha Secretariat intervened and told Shri Gaikwad that the person whom he was taking with him was a member of Vidhan Sabha. In spite of this the member was taken to the police tent and Shri Johari was informed by Shri Gaikwad that the person brought by him had misbehaved and he should be proceeded against under section 110 of the Bombay Police Act. Shri Wavare, M.L.A. had arrived there by then and he also told Shri Johari that the person was an M.L.A. The Police Station diary which was maintained by Shri Johari (S.I.) recorded the incident and particularly the fact that a person was brought by Shri Gaikwad, S.I., and that Shri Johari was asked to proceed against that person. Shri Pawar's information that the person was an M.L.A. was also recorded but there was no mention about Shri Wavare, M.L.A.

The contention of Shri Gaikwad, S.I. was that even after politely asking him twice to remove his foot from the bench where he was sitting and where also his cap was kept, Shri Gavit did not remove his foot but remarked "Why do you show so much of your authority and arrogance? Police have become very much arrogant and show too much of their authority? He was therefore taken to the police tent and he did not know that the person was a member of the Vidhan Sabha. On the other hand, the contention of Shri Gavit was that he had told the S.I. that he would sign the application forms and go away and had informed him that he was a member. He also had attempted to show his identity card but it was of no avail, for the S.I. had already caught him by his collar and asked him to accompany him to the police tent saying that he 'would show him what the M.L.A.s were'.

After a careful examination of the evidence tendered by the witnesses before the Committee and after considering the arguments, written as well as oral, of the Shri Gaikwad, (S.I.), the committee was convinced that Shri Gaikwad the (S.I.) had brought Shri Gavit, M.L.A. in the manner as alleged by him.

In view of the finding of the Committee in regard to the first issue, it appeared that the act of the (S.I.) would constitute a breach of privilege. The member (Shri Gavit) was actually signing the application forms when this incident took place. It might be contended that signing of application forms was not a duty of the member and it was true that there was no compulsion on a member to sign an application form for Gallery pass. But it must be admitted that every member had a right to sign application forms. When once he chose to exercise his right and actually started signing application forms, it could be readily realised that his right had transformed into duty and, therefore, any interruption or obstruction caused when he was signing the application forms for passes would become an obstruction in the performance or discharge of his duty. In the instant case such an obstruction did take place when he was applying for the passes and that too in the precincts of the House. Besides, when Shri Gaikwad (S.I.), had taken him to the police tent for the purpose of taking action against him under the law and when he had actually put his hand on his shoulder, he had virtually restrained the member from acting according to his volition and then he was literally within the power and control of the S.I. during the period he was being taken to the police tent. This restraint, the Committee felt, was nothing but an assault or obstruction in the premises and the Committee was convinced that the act of Shri Gaikwad constituted a breach of privilege and contempt of the House. The fact that initially some provocative words might have been uttered by the member or that eventually

prosecution was not launched against the member, could not alter the fact that an assault and obstruction did take place in the precincts of the House. If there was provocation by the member that might only help in mitigating penalties to be inflicted. The Committee's finding in regard to the second issue was, therefore, that a breach of privilege and contempt of the House had been committed in this case, in as much as a member had been assaulted and obstructed while discharging his duties in the premises of the Council Hall.

In regard to the third issue, so far as recommendation of the Committee was concerned, the Committee considered the matter in all its aspects and felt that if Shri Gaikward had been prudent and alert enough to find out who the person was at the very start of the incident, it could perhaps have been avoided ; he was, therefore, negligent in his duties. Even admitting that Shri Gavit might have disclosed his identity that he was a member of the Vidhan Sabha, Shri Gaikwad had the occasion to know that the person he was taking to the tent was a member when Shri M.R. Pawar, an official of the Vidhan Sabha Secretariat, intervened. The fact that even after that he did not immediately let him off but had taken him to the police tent to proceed against him shewed that no courtesy was shown to the member. The whole incident had taken place in public view and within the Council Hall premises and it was highly disappointing that a police officer of about ten years' service should have shown such a scant respect to the member of the Vidhan Sabha. Even when he had appeared before the Committee and submitted his written as well as oral arguments, he did not express a sense of remorse or offer an unqualified apology. Some of the general comments he had made against the member or witnesses were very disparaging and only showed his attitude and want of fact even while appearing before the Committee to defend his case. Still, the Committee would not wish to recommend a stringent punishment to him, for the reason that he must have acted against the member in the manner he did because he felt provoked that the member had slighted him and his dignity. The Committee considered that, in the circumstances of the case, it would be a condign punishment if he was called before the Bar of the House and admonished.

The Committee also made a few observations on the evidence tendered before the Committee by one Shri Nikalje. Some of his statements were so patently false that the incidents mentioned by him could never have happened. Still, he maintained that he was an eye witness to those incidents. Giving false evidence before the Committee particularly when on oath, clearly constituted contempt of the House and would call for stern punishment.



Shri Nikalje had thus rendered himself liable to punishment. The Committee considered his evidence ludicrous and incredible. In its view, he was obviously a tutored witness not realising the implications of his statements. The committee, however, felt that serious notice need not be taken of his conduct and consulting the dignity of the House, the comic interlude he provided by his evidence could best be ignored and dismissed with the contempt it deserved. The Committee therefore recommended no action against him.

On 11 April, 1983, the Speaker observed in the House that Shri A.L. Gaikwad, S.I., would be summoned before the Bar of the House and admonished for committing breach of privilege and contempt of the House. On such an occasion the House acted like a Court of Law. Hence, having regard to the solemnity of the occasion the members were expected to observe utmost silence. On the order of the Speaker, Shri Gaikwad was then brought to the Bar of the House and the Speaker observed as follows :

“Shri Ashok Lakshman Gaikwad, Police Sub-Inspector, since you have behaved in a disrespectful manner with Shri Jiwa Pandu Gavit, M.L.A. on 8th September 1981 within the precincts of the Council Hall and thus committed breach of privilege and contempt of the House, this House has held you guilty for this act. It is a matter of regret that member of the Legislature should have been meted with such a disrespectful treatment and that too within the precincts of the Council Hall. I therefore admonish you in the name of the House for the offence committed by you.”

*Alleged misleading of the House by Minister :* On 7 April 1983, the Speaker (Shri Sharad Dighe) observed\* in the House that he had received a notice of question of privilege from some members stating, *inter alia* that on 31 March, 1983, the Health Minister (Dr. Lalita Rao) in her statement pertaining to an adjournment motion had given incorrect information regarding the transfer of Dr. Santosh Sarogi with a view to deliberately misleading the House.

In her explanation the Health Minister stated that what she said during the discussion in the House was that Dr. Santosh Sarogi had not complained in writing or given her statement in writing even after she had been requested to do so. The basis for her mentioning that she wanted transfer to J.J. Hospital was that she had met the Director of Medical Education and

---

\*Original in Marathi.

Research at his residence on 30 March, 1983, and had expressed the desire to get a transfer to J.J. Hospital.

The Minister further stated that her statement that Dr. Santosh wanted transfer to J.J. Hospital was based on the account given to her by the Director of Medical Education and Research. Therefore, she did not furnish false information to the House nor did she intend to mislead the House in the matter.

In view of the above, the Minister requested the Speaker not to allow the special privilege motion against her.

Thereupon, the Speaker observed that the main point raised in the notice of question of privilege was that the Minister, while replying to a question some time back in the House had said that Dr. Santosh Sarogi was not prepared to lodge a complaint and that she had desired for transfer to J.J. Hospital. According to the members who had given notice of question of privilege the information was not correct and they felt that the House had been deliberately misled. In support of his argument Shri Datta Patil had enclosed a copy of the statement of Advocate Ashok Sarogi, brother of Dr. Santosh Sarogi. It was a simple statement made on oath. As it did not bear signature of magistrate, it was not a legal affidavit. It could not be said that the Minister's information was wrong on the basis of a statement made by Advocate Ashok Sarogi.

The Speaker further observed that the Minister had given information in the matter and there was no statement from Dr. Santosh Sarogi ; only her brother had submitted a written statement. Therefore, it would not be proper to admit the notice of question of privilege on the basis of that statement which was not an affidavit. He, therefore, accepted the explanation offered by the Health Minister and refused consent to the raising of question of privilege.

*Making of a policy statement outside the House while the House in session :* On 7 April, 1983, the Speaker (Shri Sharad Dighe) observed\* in the House that he had received a notice of question of privilege from two members (Sarvashri Babasaheb Thube and Sudam Deshmukh) stating that the Deputy Chief Minister (Shri Ram Rao Adik) had said in a press interview that if the mill owners in Bombay expressed their desire to shift their industrial concerns outside Bombay in rural areas, the Government would

---

\*Original in Marathi.

give them consent to do so. This was a policy matter and the Deputy Chief Minister had made this statement when the House was in session. Propriety and convention demanded that Ministers should not make any policy statement outside the House when the House was in session. By departing from the well established norms of propriety and convention, the Deputy Chief Minister had caused a breach of privilege of the House. Another member (Shri Datta Samant) had also given a notice of question of privilege on the same issue.

The Deputy Chief Minister (Shri Ram Rao Adik) stated that the privilege notice was based on press reports. He had been pleading for the last two to three years that industrial concerns should be shifted from Bombay to rural areas in order to check pollution and ever growing population of Bombay and for generating employment potential in rural areas. So, if any body wanted permission to set up industries outside Bombay and if it was going to create employment opportunities it would be considered. There was no question of pressurising the mill workers ; he did not have that intention when he made the statement.

The Speaker then observed that it was reported in the newspapers that if the mill owners in Bombay expressed their desire to shift their industries to rural areas, they would be granted permission. The Deputy Chief Minister had explained that he had made his views known for the past many years. He had only said that if the mill owners wanted to set up their industries outside Bombay, it would be welcomed as an anti-pollution measure. He had observed on a number of occasions that making an important policy statement outside the House while the House was in session involved impropriety but did not cause breach of privilege of the House as such. The Ministers should be careful not to cause impropriety. The Minister had only reiterated a view which was being expressed for the past few years. He had not announced any important policy of the Government. He, therefore, refused consent to the privilege notice.

*Alleged non-implementation of an assurance given by a Minister on the floor of the House :* On 21 April, 1983, the Speaker (Shri Sharad Dighe) observed\* in the House that a member (Shri K.N. Deshmukh) had given a notice of question of privilege that on 15 March, 1983, while replying to a Starred Question regarding lathi charge on a morcha of drought affected

---

\*Original in Marathi

persons on 22 October, 1982, and the supplementary question thereto by the Leader of the Opposition (Shri D.B. Patil) regarding the extent of damage to the Government property, the Minister of State for Home Affairs (Shri Shivajirao Deshmukh) had promised that the relevant information would be placed on the Table of the House within two days. However, it had not been laid on the table of the House even though the period of two days was over. The member alleged that the deliberate non-implementation of an assurance was a breach of privilege of the House. The matter may, therefore, be referred to the Committee of Privileges.

In his explanation the Minister of State for Home Affairs stated that the Starred Question regarding *lathi* charge on the morcha at Paranda was scheduled for answer on 15 March, 1983. In view of the answers and supplementary questions which followed the main question, he had assured the House to lay certain information on the Table of the House within two days. However, in the light of the discussion on the question the Speaker directed it to be discussed again on 22 March, 1983. He had given all the information on that day as he had assured the House earlier.

The Speaker observed that he had gone through the record in connection with the question of privilege. It appeared that the Leader of the Opposition had asked a question about the damage to the Government property in the *lathi* charge. In reply to this supplementary the Minister had stated that he did not possess the necessary information. When the same question was repeatedly asked, the Minister said that he would lay the information on the Table of the House within two days. Some more supplementary questions were also asked in this connection. As the Minister did not possess all the information, it was decided that the same question should be discussed again on 22 March, 1983. The question was discussed on that day and many supplementaries were asked. The Speaker further observed that the Minister had assured the House that he would lay the information on the Table of the House within two days. The same question was discussed again and while replying to the supplementary regarding the damage to the Government property, the Minister appeared to have kept his assurance. Therefore, he did not think that the matter should be referred to the Committee of Privileges. Secondly, non-implementation of an assurance was not a matter of breach of privilege. *Prima facie* it did not amount to a breach of privilege. He, therefore, refused consent to the question of privilege. He however, observed that it was not proper not to lay certain information on the Table of the House after giving an assurance in that regard only because the same issue was rediscussed on a subsequent date. He felt that information should have been laid on the Table of the House.

## MAHARASHTRA VIDHAN PARISHAD

*Alleged giving of incorrect information to the House by a Minister :*

On 22 March, 1983, the Chairman (Shri J.S. Tilak) observed\* in the House that a member (Shri Pramod Navalkar) had given a notice of question of Privilege stating that the Minister for Prisons (Shri S.M.I. Asecr) had informed the House in reply to a Calling Attention Motion tabled by Shri Matade and others on 17 March, 1983, that the Superintendent of Prisons had asked the publisher of the book entitled 'Yes, I am Guilty' to obtain the necessary permission from the Secretary, Home Department. However, Shri Gogate, the publisher of the book published it without obtaining the necessary permission. Shri Gogate had published a statement in daily *Navashakti* of 19 March, 1983, that the book had been published only after obtaining the necessary permission. The member alleged that if Shri Gogate's statement was to be believed, the Minister had misled the House regarding a very important and sensitive issue and had caused breach of privilege of the House by giving incorrect information.

On 31 March, 1983, the Chairman observed that the Minister of Prisons in his explanation had stated that Shri Sharad Gogate of Shubhda Publications had sought consent to interview four culprits involved in 'Joshi Abhyankar murders' with a view to obtaining investigative information useful in thoroughly understanding the personality, mental make-up and thinking of the criminals. Only one of the four criminals, Munnawar Shah had expressed his willingness for such an interview. Therefore, permission had been granted to interview him. However, while giving consent for interview it was specifically mentioned in the letter from the Home Department that before publishing the interview, Shri Gogate should get the approval of Superintendent of Prisons. From this it would be clear that the Government had given permission only to interview the criminal and in order to fulfil the conditions stipulated by the Government, Shri Gogate ought to have obtained the approval of the Superintendent of Prisons.

According to the Minister Shri Gogate's statement in *Navashakti* of 19 March, 1983, that he had already obtained the necessary permission was not correct because he had been given the permission only to interview the criminal and not to publish the interview. The information supplied by him to the House was not at all misleading but was quite correct, the Minister added.

---

\*Original in Marathi.

The Chairman further observed that Shri Pramod Navalkar had given notice of question of privilege against the Minister for Prisons for giving incorrect information to the House regarding publication of the book 'Yes, I am Gully'. Shri Navalkar had contended that the information given by the Minister in response to the Calling Attention on the subject by Shri Matade and others and the statement of Shri Gogate published in daily *Navashakti* were contradictory and the Minister had caused a breach of privilege of the House by giving incorrect information. In this connection, he had read the explanation received from the Minister concerned. It was quite clear from his explanation that he had not given any incorrect information in response to the Calling Attention and the House had not been misled. He, therefore, refused consent to the question of privilege.

#### WEST BENGAL LEGISLATIVE ASSEMBLY

*Making of an important announcement outside the House while the House was in Session :* On 12 April, 1983, the Speaker (Shri Hashim Abdul Halim) observed in the House that a member (Shri Debaprasad Sarkar) had given notice of a privilege motion under rule 226 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly that the Minister-in-charge of the Home (Transport) Department and the Chief Minister had made announcements on 7 and 8 April, 1983 respectively outside the House regarding the new bus and tram fare structure, which had been reported in the newspapers. In the opinion of the member such an announcement on an urgent issue outside the House, while the House was in session, amounted to a serious breach of privilege of the House.

In this connection, the Speaker pointed out that technically no privilege of Parliament was involved if statements on matters of public interest were not first made in the House and were made outside. Of course, the normal practice was that the statements on important matters of public interest were first made by the Ministers on the floor of the House but the deviation from this did not constitute any basis on which breaches of privilege could be founded.

The Speaker, therefore, disallowed the notice of Shri Sarkar. However, drawing the attention of the Ministers he observed that when the Assembly was in session all matters of public importance of statements relating to matters of public interest should first be made in the House and then these were to be made outside.

*Alleged misleading of the House by a Minister :* On 14 April, 1983, the Speaker (Shri Hashim Abdul Halim) observed in the House that a notice of question of privilege had been received from a member Shri Subrata Mukherjee) on 12 April, 1983, under rule 226 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly. In his notice, the member had alleged that the Minister in-charge of the Department of Public Works and Housing (Shri Jatin Chakraborty) had made a false and misleading statement on 4 April, 1983 to the effect that the installation of a lift at the residence of the Chief Minister was under consideration and that no final decision had been taken in this regard. In support of his allegation the member had furnished a copy of the letter of Superintendent Engineer (Electrical), P.W.D., of 22 February, 1983, addressed to Messrs Otis Elevator Company (India) Ltd., Calcutta.

The Speaker further observed that the matter of privilege sought to be raised by Shri Mukherjee was not entertainable as it had not been raised at the earliest opportunity as required under rule 227. From the notice of Shri Mukherjee it was evident that though he had got the opportunity of giving notice of this motion on 11 April, 1983, he did not do that ; instead he sought to raise this matter straightway on the floor of the House on that day and subsequently on the following day submitted this notice.

Referring to a ruling of 17 August, 1966, on a question of privilege in Lok Sabha the Speaker observed that the notice given by Shri Mukherjee could not be entertained.

## PROCEDURAL MATTERS

## LOK SABHA

*Announcements regarding election, demise and resignation of members :*

A member (Shri Tayyab Hussain), who was elected to the Haryana Vidhan Sabha in a bye-election, handed over on 4 June 1984 his letter of resignation dated 4 June, 1984, personally to the Secretary-General (Dr. Subhash C. Kashyap) resigning his seat in Lok Sabha with effect from 7 June, 1984. The member also signed a certificate about the veracity of his resignation in the presence of the Secretary-General. Since all other requirements were satisfied, the Speaker (Dr. Bal Ram Jaxhar) accepted the resignation with effect from the date so specified by the member. Another letter of resignation dated 10 June, 1984, of a member (Shri Amarender Singh) tendering his resignation from the membership of Lok Sabha was delivered at the Speaker's residence by some person other than the member himself on that day. With a view to ensuring that the resignation was voluntary and genuine, the member was requested under Speaker's direction through a letter on 13 June, 1984, to confirm whether his resignation was voluntary and genuine. The member in his written reply confirmed that his resignation was voluntary and requested the Speaker for its early acceptance. The Speaker, thereupon, accepted his resignation with effect from 18 July, 1984. The resignation by the two members was announced in Lok Sabha on 23 July, 1984. Next day, when a member (Shri Kamal Nath) pointed out that the Chair made announcements regarding election, demise and resignation of members in the House, no such announcement was made as and when a member defected and changed his party affiliation, the Speaker humorously observed that the existing announcements were enough ; else there might be demands for announcements of marriages as well !



*Allegations against outsiders :* While speaking on the motion for consideration of Levy Sugar Price Equalisation Fund (Amendment) Bill, 1984, on 24 July, 1984, a member (Shri M. Kandaswamy) made certain disparaging remarks against the Chief Minister of Tamil Nadu (Shri M.G. Ramachandran) which were not recorded in the proceedings. Explaining the position, the Deputy Speaker observed that no allegation could be made in the House unless advance notice was given in writing to the Chair.

On another occasion, 26 July, 1984, during the debate on the Estate Duty (Amendment) Bill, 1984, a member (Shri Ramavatar Shastri) referring to a newspaper report mentioned the names of certain outsiders. On objection being raised by some members, the Deputy Speaker observed that the names of the outsiders who were not present in the House to defend themselves should not be mentioned, unless advance notice was given in writing to the Chair. Subsequently, the names mentioned by Shri Shastri during his speech were ordered by the Chair to be expunged.

*Matters connected with Speaker's office :* On 26 July, 1984, a member (Shri Ram Vilas Paswan) referred to the notice of an Adjournment Motion tabled by him regarding reported refusal to allow two Akali leaders to enter the Parliament House on 25 July, 1984, inspite of the fact that they had valid passes with them to watch the proceedings of the House. Shri Paswan demanded a thorough enquiry to maintain the dignity of the House. Thereupon, the Speaker observed that matters connected with the Speaker's office could be discussed with him in his Chamber and not raised in the House.

*Conduct of proceedings in State Legislatures :* On 31 July, 1984, when a member (Professor Saifuddin Soz) was about to make a reference to some incidents in the Jammu & Kashmir Legislative Assembly, the Deputy Speaker observed in his ruling that normally the conduct of proceedings in a State Legislature could not be discussed. The Speaker, who took the Chair later observed that only general references without any allegations or derogatory remarks could be made.

*Quotations from the private letters :* On 13 August, 1984, during the joint discussion on the Statutory Resolution regarding disapproval of the National Security (Second Amendment) Ordinance, 1984, and the Bill replacing the Ordinance, a member (Shri George Fernandes) wanted to quote from a private letter written by another member to the Deputy Chief Minister of Maharashtra. Since a member is not allowed to refer to or lay on the Table private correspondence by another member, only general references were permitted to go on record. No quotations from the private letter in question were allowed by the Chair.

## STATE LEGISLATURES

## TRIPURA LEGISLATIVE ASSEMBLY\*

*Leave of the House to introduce a Private Member's Bill* : On 14 September, 1984, when the motion for leave to introduce a Private Member's Bill to amend Salaries & Allowances Act of the members of the Tripura Legislative Assembly was due to be taken up and the mover (Shri Shyama Charan Tripura) was asked by the Speaker (Shri Amarendra Sharma) to move his motion for leave to introduce the Bill, the member citing certain instances from the Lok Sabha pointed out that a motion for leave to introduce a Private Member's Bill in the House should not be put to vote. The Chief Minister requested the Speaker to examine the rules in this respect and he suggested that the Bill would be taken up for consideration on 17 September, 1984.

The Speaker observed that rule 114 of the Rules of Procedure and Conduct of Business in the Tripura Legislative Assembly contains provisions which are substantially the same as in the Rules of Procedure of Lok Sabha. Rule 114 provides that if a motion for leave to introduce a Bill is opposed it has to be put to vote. In such a case, however, the rule also permits a short discussion in the shape of explanatory statement from the member who moves the motion and the member who opposes it.

Referring to a similar case in the House, the Speaker ruled that he was unable to accept the contention of the member and he would ask the member to move his motion for leave to introduce the Bill which would be put to vote as per rule.

## UTTAR PRADESH VIDHAN SABHA\*

*Sessions/sittings of the Vidhan Sabha* : On 11 September, 1984, a member (Shri Mohan Singh) raising a point of order said that the Rules of Procedure provided that there should be three sessions and 90 sittings of Vidhan Sabha in one year. He further said that taking into consideration the sittings held during the Budget session of the Vidhan Sabha and the programme of the present session, it appeared that the Government was violating the rules and superseding the powers of the Vidhan Sabha by not holding its requisite sittings.

The Speaker, while giving his ruling on 17 September, 1984, recalled that according to the member 40 sittings of the Vidhan Sabha had been held during the Budget session in 1984. In fact only 39 sittings were held in that

---

\*Contribute by the Uttar Pradesh Vidhan Sabha Secretariat (Original in Hindi).

session. Referring to rule 14 of the Rules of Procedure which provided for three sessions and 90 sittings of the Vidhan Sabha during a year, the Speaker observed that the said rule had two provisos, viz session of the House should be called under article 174 of the Constitution and the word "ordinary" had been used. The Speaker, therefore, ruled that if three sessions of the House were not called, it could not be said that the Rules of Procedures had been violated. He, however, observed that the administration should make efforts that the sessions of the House were held for maximum number of days.

*Business of the House :* On 11 September, 1984, a member (Shri Riyasat Hussain) raising a point of order said that in the sitting of 18 April, 1984, the Minister of Parliamentary Affairs had moved a motion to take up next day's business, i.e. of 19 April, 1984, on that day itself. In this regard neither any recommendation had been made by the Business Advisory Committee nor the permission of the Speaker had been sought under rule 313 of the Rules of Procedure for moving such a motion. The business of the House, too was conducted without making the List of Business available to the members as per rule 22-A. Therefore, the member said, the motion in question was unconstitutional. Besides this, he said, the Finance Minister had made an announcement regarding the issue of an ordinance relating to travelling allowance of the members, though the House was in session, which was a violation of the Constitution. In spite of the said announcement, however, neither an ordinance had been issued nor any Bill was introduced during the current session.

In his ruling on 17 September, 1984, the Speaker observed that he did not like to elaborate upon the arguments put forth by the member but only wanted to say that the House possessed unlimited powers to determine the procedure of its proceedings and if the House on 18 April, 1984, had decided to take up certain items fixed for 19 April, 1984, the decision could not be called as irregular or unconstitutional.

*Making of important announcements outside the House :* On 12 Sept. 1984, a member (Shri Mohan Singh) raising a point of order said that on several occasions the Chair had issued directives that when the House was in session no announcement regarding administrative policy decisions would be made outside the House. But many announcements such as expenditure on land for rural development, financial assistance to the poor of urban areas by banks, transfers of primary school teachers etc. had been made by many Ministers outside the House while the House was in session. There was no justification for these announcements and no orders had been issued

so far about their implementation. Expressing his views on the matter, the Chief Minister stated that provisions for implementation of the announcements had been made in the proposed supplementary grants and there should not be any objections regarding such announcements.

Another member (Shri Bheekha Lal) also raising a point of order such that there were matters in which financial expenditure was involved, for which there was no provision in the Budget, and supplementary grants had not been passed by the Vidhan Sabha. He wanted to know if it was leakage of Budget to make announcements on such matters.

Rejecting the point of order raised by Shri Mohan Singh, the Speaker observed that when session was in progress the Ministers should make important announcements only in the House but the announcements referred to above were made prior to the commencement of the session of the House, *i.e.* before 10 September, 1984. He, therefore, held that in the instant case there was no violation of the Rules of Procedure. The Speaker also disagreed with the point of order raised by Shri Bheekha Lal and observed that there was no leakage of Budget as a result of announcements made in relation to the matter in question.

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS  
(1 July to 30 September, 1984)

---

INDIA

DEVELOPMENTS AT THE CENTRE

*By-elections to Rajya Sabha* : Shri C. Silvera was declared elected to the Rajya Sabha on 6 July from Mizoram, defeating Shri F. Lawmkima.

Former West Bengal Governor, Shri A.P. Sharma was also declared elected uncontested to the Rajya Sabha on 21 August from the Bihar State Assembly constituency.<sup>1</sup>

*Cabinet Reshuffle* : In a minor reshuffle in the portfolios of some Union Ministers on 19 July, the External Affairs Minister Shri P.V. Narasimha Rao was given the Home portfolio in Place of Shri P.C. Sethi who was shifted to Planning. The Prime Minister, herself, took the charge of External Affairs Ministry. Planning Minister, Shri S.B. Chavan was made Minister without portfolio and given the task of assisting the Prime Minister in running the Ministry of External Affairs.

In an another reshuffle on 2 August, Shri S.B. Chavan, Minister without portfolio was made Defence Minister in place of Shri R. Venkataraman who resigned from the council of Ministers and filed his nomination papers for Vice-Presidentship. Planning Minister Shri P.C. Sethi was given temporary charge of Ministry of Irrigation. Shri Ram Niwas Mirdha, Minister of State for

---

<sup>1</sup> *Times of India*, 7 July, 1984 and *Hindustan Times*, 22 August, 1984

Irrigation was shifted to the Ministry of External Affairs. Shri Harinath Mishra, Minister of State in the Ministry of Rural Development was shifted to the Ministry of Irrigation to assist Shri P.C. Sethi. Shrimati Mohsina Kidwai, Minister of state for Health was appointed as the Minister of State for Rural Development.

On 7 September, some more changes were made in the portfolios of the following Ministers;

Shri Vishwanath Pratap Singh relinquished the office of the Minister of Commerce, Industry and Supply:

Shri Pranab Kumar Mukherjee, Minister of Finance was also given, temporarily, the charge of the Ministry of Commerce and Supply:

Shri K. Vijaya Bhaskara Reddy assumed the office of Minister of Industry in place of Shipping and Transport;

Shri Veerendra Patil, Minister of Labour and Rehabilitation also assumed temporarily, the office of the Minister of Shipping and Transport:

Shri S.M. Krishna was made Minister of State in the Ministry of Commerce and in the Department of Supply in place of Minister of State in the Ministry of Finance and

Shri Nihar Ranjan Laskar relinquished the office of the Minister of State in the Ministry of Commerce and in the Department of Supply and assumed the office of the Minister of State in the Ministry of Industry.<sup>2</sup>

*New Deputy Chief Election Commissioner* : Shri V. Ramakrishnan, Chief Electoral Officer of Meghalaya, was appointed Deputy Chief Election Commissioner on 10 August.<sup>3</sup>

*Resignation by M.P.* : Shri Kamal Nath Jha, Member of Parliament, resigned his seat in Lok Sabha on 21 August in protest against the way the N.T. Rama Rao Ministry was dismissed in Andhra Pradesh.<sup>4</sup>

*New Vice President* : Shri R. Venkataraman, former Defence Minister, was elected in the eighth Vice-Presidential election held on 22 August, defeating his only rival, the combined opposition candidate Shri B.C. Kamble.

2. *Indian Express*, 20 July and 3 August, 1984 and *Tribune*, 8 September, 1984

3. *Times of India*, 11 August, 1984.

4. *Statesman*, 22 August, 1984.

Shri Venkataraman secured 508 votes as against 207 polled by Shri Kamble. Thirty votes were declared invalid. He was sworn in on 31 August as the Seventh Vice-President by President Giani Zail Singh, succeeding Shri M. Hedayatullah.<sup>6</sup>

## AROUND THE STATES

### ANDHRA PRADESH

*Changes in Ministry:* On 16 August, the Governor Shri Ram Lal dismissed the Ministry headed by Shri N.T. Rama Rao after being satisfied that he had lost the majority support in the Assembly and sworn in Shri Bhaskara Rao, the leader of the rival Telugu Desam faction, as new Chief Minister. The Governor also directed the new Chief Minister to prove his majority in the Assembly within a month. Twenty more Ministers, including the Speaker and Deputy Speaker of the Assembly who had resigned their offices, were sworn in on 19 and 29 August, raising the strength of the Ministry to 21.

Shri Bhaskara Rao resigned from the office on 16 September after having failed to prove his majority in the House within the stipulated period of one month. The same day, Shri N.T. Rama Rao was again sworn in as Chief Minister by the Governor Dr. Shankar Dayal Shatma. Shri Rama Rao proved his majority in the Assembly on 20 September.<sup>6</sup>

*New Governor :* Dr. Shankar Dayal Sharma was sworn in on 29 August as Governor of Andhra Pradesh by the acting Chief Justice of Andhra High Court Shri Chennakesava Reddy following the resignation of Shri Ram Lal.<sup>7</sup>

*Change in Speakership :* On the resignation of the then Speaker, Shri T. Satyanarayana before his induction into the Andhra Pradesh Cabinet of Shri Bhaskara Rao, the office of Speaker fell vacant, Shri N. Venkataratnam was elected Speaker of the Legislative Assembly on 20 September.<sup>8</sup>

### ASSAM

*Expansion of Ministry :* Five new Ministers, namely Sarvashri Dor Singh Teron, Bargaram Deugi, Nepal Das, Jiba Kanta Gogoi and Mithius Tudu were inducted into the Council of Ministers on 9 July. Two more Ministers of State

5. *Ibid*, 23 August, 1984 and *Indian Express*, 1 September, 1984.

6. *All India Radio News Bulletin*, 16 August, 1984; *Tribune*, 20/30 August and 17 September, 1984 and *Times of India*, 21 September 1984.

7. *Times of India*, 25 August, 1984 and *Tribune*, 30 August, 1984.

8. *Times of India*, 21 September, 1984.

viz. Sarveshri Kulbahadur Chitri and Shah Jallal Ali were sworn in on 22 July. One Parliamentary Secretary and six Deputy Ministers were elevated as Ministers of State.<sup>9</sup>

#### BIHAR

*Induction of one more Minister* : Shri Ram Sharan Das was inducted into the State Cabinet on 25 August, raising the strength of the Ministry to 41.<sup>10</sup>

#### HARYANA

*MLA allowed to sit in Assembly* : Shri Brij Mohan Members of Legislative Assembly whose election from Jind constituency was set aside by the Punjab and Haryana High Court, was declared entitled to sit in the Assembly and sign the register by the Supreme Court on 27 July.<sup>11</sup>

*Expansion of Ministry* : Four new Ministers, two of Cabinet rank and two Ministers of State were appointed by the Governor Shri S.M.H. Burney on 14 September.<sup>12</sup>

#### HIMACHAL PRADESH

*Removal of Speaker* : Shri Thakur Sen Negi, Speaker of Legislative Assembly, was removed from the office on 14 September through a motion which was adopted by the state Assembly by 36 to 29 votes.<sup>13</sup>

#### JAMMU AND KASHMIR

*New Ministry* : A New 15-member Ministry headed by Shri G.M. Shah, leader of a section of the National Conference, was sworn in by the Governor, Shri Jagmohan on 2 July with the condition to prove its majority in the Assembly within one month. Earlier, the Ministry headed by Dr. Farooq Abdullah, the then Chief Minister, was dismissed by the Governor after being satisfied that it had been reduced to a minority in the 76-member Assembly when some National Conference legislators and an independent member withdrew their support to the Ministry. Three more Ministers were sworn in on

9. *Statesman*, 10 and 23 July, 1984.

10. *Hindustan Times*, 26 August, 1984.

11. *Indian Express*, 28 July, 1984.

12. *Ibid*, 15 September, 1984.

13. *Hindu*, 15 September, 1984 and *Information received from Himachal Pradesh Vidhan Sabha Secretariat*.



16 August, raising the strength to 18. The allocation of portfolios among the Ministers was as follows :

### *Cabinet Ministers*

Shri G.M. Shah, Chief Minister : *General Department, Home, Hospitality and Protocol* ; Shri D.D. Thakur: Deputy Chief Minister : *Finance, Planning and Development and Labour*; Shri Hissam-ud-Din Bandey : *Food, Supplies and Transport*; Shri Ali Mohammad Naik : *Revenue, Relief and Rehabilitation and Education* ; Shri Munshi Habibullah : *Forest and Ladakh Affairs* ; Shri Mohammad Dilawar Mir : *Agriculture and Horticulture, Housing and Urban Development* ; Shri Tabib Hussain : *Works and Irrigation and Public Health Engineering* ; Shri Mahboob Beg : *Health and Medical Education* ; Shri Sanaulah Dar ; *Industries and Commerce* ; Shri Sheikh Abdul Jabbar : *Co-operatives, Rural Development and Panchayats* ; Shri Ghulam Hassan Mir : *Law and Local Self-Government* ; Gurbachan Kumari Rana : *Social Welfare, Excise and Taxation* ; Shrimati Khem Lata Wakhloo : *Tourism and Estates* ; Shri Mohammad Khalil Jawhar : *Information and Publicity, Parks and Gardens* and Shri Hakim Mohammad Yasin : *Animal Husbandry*.

Shri Shah secured a vote of confidence in the Assembly on 31 July with 43 Members supporting the Government.<sup>14</sup>

*New Speaker and Deputy Speaker* : Shri Mangat Ram Sharma was elected Speaker of the Legislative Assembly on 31 July following removal of Shri Wali Mohd I too through a no-confidence motion. The same day Shri Malik Ghulam Din was elected Deputy Speaker in place of Shri Dilawar Mir who was made Minister for Agriculture and Housing.<sup>15</sup>

### KARNATAKA

*Resignation by Ministers* : The Labour Minister Shri Aziz Sait and Social Welfare Minister Shrimati Chandra Prabha Urs resigned on 27 July from the Council of Ministers, headed by Shri Hegde.<sup>16</sup>

*Cabinet reshuffle* : In a major reshuffle of the Council of Ministers, three Ministers were dropped on 16 August and eight Cabinet Ministers and eight

14. *Tribune*, 3 July, 1984; *Times of India*, 4 July and 17 August, 1984 and *Free Press Journal*, 1 August, 1984.

15. *Hindu*, 1 August, 1984 and *Information received from the Jammu and Kashmir Legislative Assembly Secretariat*.

16. *Times of India*, 28 July, 1984.

Ministers of State were sworn in on the next day, 17 August, by the Governor, Shri A.N. Banerji, raising the strength of the Ministry to 34. The allocation of portfolios was as follows :

#### *Cabinet Ministers*

Shri Ramkrishna Hegde, Chief Minister : *Cabinet Affairs, Ecology, Environment, Science and Technology, Irrigation and Command Area Development* ; Shri S.R. Dommai : *Finance* ; Shri B. Rachaiah : *Home* ; Shri D. Manjunath : *Planning* ; Shri V.L. Patil : *Large and Medium Industries* ; Shri Bapu Gowda Darshanapur : *Small Scale Industries* ; Shri Abdul Naseer Sab : *Rural Development, Panchayat Raj* ; Shri B.L. Gowda : *Agriculture* ; Shri R.L. Jalappa : *Corporation* ; Shri A. Lakshmisagar : *Law and Parliamentary Affairs and Public Grievances* ; Shri R. Raghupathi : *Education* ; Shri V.S. Krishna Iyer : *Urban Development* ; Shri M. Chandrasekhar : *Public Works Department* ; Shri H.L. Thimme Gowda : *Health* ; Shri J.S. Deshmukh : *Power* ; Shri Vyjanath Patil : *Horticulture* ; Shri P.P. Hegre : *Social Welfare*.

#### *Ministers of State*

Shri Jeevaraj Alva : *Information, Youth Services and Sports* ; Shri P.G.R. Scindhia : *attached to Chief Minister in Irrigation and Command Area Development* ; Shri P. Prakash : *Transport* ; Shri B.A. Jivijaya : *Forests* ; Shri Amarnath Shetty : *Tourism and Religious Endowments* ; Shri Ramesh Jigajinigi : *Excise* ; Shri S. Ravanna : *Prisons and Small Savings* ; Shri R.N. Lakshmi- pathi : *Housing* ; Shri Rajavardhan : *Fisheries and Ports* ; Shri Sangameshwar Sardar : *Health* ; Shri B.R. Yavagal : *Rural Development* ; Shri B. Somashekhar : *Primary and Adult Education* ; Shri H.N. Narayana Gowda : *Animal Husbandry and Veterinary Services* ; Shri Siddaramaiah : *Sericulture* ; Shri A.S. Bandi Siddegowda : *Marketing and Warehousing* ; Shri D.B. Inamdar : *Mines and Ecology*.<sup>17</sup>

#### MADHYA PRADESH

*Cabinet reshuffle* : In a minor reshuffle of portfolios in the Council of Ministers on 9 August, Shri Sharvan Kumar Patel was appointed Minister of State for Sports and Youth Welfare in addition to Commerce and Industry. Shri Patel was sworn in on 10 August. Shri B.S. Porte was allotted Higher Education while Shri S.N. Aggarwal shifted to Agriculture. The portfolio of Forest was given to Shri B.L. Malviya. Shri M.L. Chaudhary was made

17. *Hindu*, 17 August 1984; *Free Press Journal*, 18 August, 1984 and *Indian Express*, 19 August, 1984.

Minister for Minor Irrigation and Shri S.P. Singh was given Public Health Engineering. Shri Mahesh Joshi took over as Minister of State or Urban Welfare.<sup>18</sup>

#### TAMIL NADU

*Changes in the Ministry :* Shri S.D. Somasundaram, Minister of Food, was dismissed on 3 September by the Governor Shri S.L. Khurana on the advice of Chief Minister Shri M.G. Ramachandran. On 5 September Sarvashri T. Veeraswami and K.K.S.S.R. Ramachandran were sworn in as Ministers by the Governor, raising the strength of the Ministry to 25. Shri Veeraswami was allotted the portfolio of Food, Price Control and Census whereas Shri Ramachandran was given Cooperation.<sup>19</sup>

#### UTTAR PRADESH

*New Ministry :* Shri Narain Dutt Tiwari was sworn in as Chief Minister on 3 August by the Governor Shri C.P.N. Singh following the resignation of Shri Sripati Misra on 1 August. Forty seven more Ministers were sworn in by 13 August. The three-tier Ministry included 18 Cabinet Ministers, 25 Ministers of State and four Deputy Ministers. The allocation of the portfolios was as follows :

##### *Cabinet Ministers*

Shri Narayan Dutt Tiwari, Chief Minister : *General Administration, Home, PWD, Jail, Hill Development, Science, Secretariat Administration, Appointments, Administrative Improvement, Secret Vigilance, Home, Information, Home guards, Civil Defence, Language, Public Works Department, Estate Department, Elections, 20-Point Programme ;* Shri Brahm Dutt : *Finance and Power, Sales Tax, Entertainment Tax, Stamps and Court Fees ;* Shri Vir Bahadur Singh : *Industries and Irrigation ;* Shri Lokpati Tripathi : *Health ;* Shri Balram Singh Yadav : *Village Development and Panchayati Raj ;* Shri Ram Singh Khanna : *Legislative Work, Political Pension and Protocol ;* Shri Vidya Bhushan : *Urban Development, Water Works and Urban Land ;* Shri Vasudeo Singh : *Excise and Prohibition ;* Shri Baldeo Singh Arya : *Revenue, Scarcity and Help and Rehabilitation ;* Shri Abdul Rehman Khan Nashtar : *Information ;* Shri Yashpal Singh : *Agriculture and Agricultural Education ;* Shri Surendrapal Singh : *Cane Development and Sugar Mills ;* Shri Swami Prasad Singh : *Food and Civil Supplies and Rent Control ;* Shri Sukh Dev Prasad : *Harijan and Social Welfare* .

18. *Statesman*, 10 August, 1984 and *Hindu*, 11 August, 1984.

19. *Statesman*, 4 September, 1984 and *Indian Express*, 6 September, 1984.

*and Soldiers' Welfare* ; Shri Saidul Hasan : *Housing and Muslim Waqfs* ; Shri Azizur Rehman : *Justice and Legislature* ; Shri Narendra Singh : *Planning and Economic and Statistics* ; and Shri Vir Sen : *Education, Culture and National Integration*.

### *Ministers of State*

Shri Chandra Mohan Singh Negi : *Transport (Independent)*; Shri Hari Singh Valmiki : *attached to Health Minister*; Shri Mohammad Amin Ansari : *attached to Industries and Irrigation Minister*; Shri Ram Ratan Singh : *attached to Legislative, Political Pensions and Protocol Minister and Cane Development Minister*; Shri Gopal Ram Das : *attached to Harijan and Social Welfare Minister* ; Shri Ranjit Singh Judeo : *attached to Urban Development Minister and Water Works* ; Shri Sunil Shastri : *Labour and Employment (Independent charge)* ; Shri Sanjay Singh : *Forest and Animal Zoos, Cattle, Milk and Fish, Sports and Youth Welfare (Independent charge)* ; Shrimati Sunita Chauhan : *attached to Education Minister* ; Shri Shyam Surat Upadhyay : *attached to Industries and Irrigation Minister* ; Shrimati Premwati Tiwari : *attached to Food and Civil Supplies Minister* ; Shri Sitaram Nished : *attached to Excise and Prohibition Minister* ; Shri Ram Sajivan Singh : *attached to Housing Minister* ; Shrimati Beni Bai : *attached to Agriculture Minister* ; Shri Arun Kumar Singh : *attached to Rural Development/and Panchayati Raj Minister* ; Shri Raghbir Singh Yadav : *attached to Finance and Energy Minister* ; Shri Rajyapal Tyagi : *attached to Finance and Energy Minister* ; Shri Gopi Nath Dixit : *Institutional Finance and Power* ; Shri Krishna Vir Singh Kaushal : *attached to Education Minister* ; Shri Shivnath Kushwaha : *Tourism and Civil Aviation, Science and Technology* ; Shri Ram Singh Saini : *Home* ; Shri Gulab Singh : *Hill Development* ; Shri Ram Naresh Shukla : *Public Services* ; and Shri Praveen Kumar Sharma : *Rural Engineering Service*

### *Deputy Ministers*

Shri Shyam Lal Bajpai : *attached to Chief Minister* ; Shri Shiv Balak Pasi : *attached to Rural Development, Panchayati Raj and Social Welfare Minister*; Shri Satyendra Chandra Gujiya : *attached to Industries and Irrigation and Cane Development Minister* ; and Km. Saraswati Ammal : *attached to Agriculture and Revenue Minister*.<sup>20</sup>

20. *Statesmen*, 2, 4 and 11 August, 1984; *Indian Express*, 6 August, 1984 and *Times of India*, 14 and 24 August, 1984.

WEST BENGAL

*New Governor* : Shri Uma Shankar Dikshit was appointed Governor on 24 September following the resignation of Shri A.P. Sharma from the office 15 August<sup>21</sup>

UNION TERRITORIES

GOA DAMAN AND DIU

*New Lt. Governor* : Dr. Gopal Singh was appointed Lieutenant Governor on 17 September.<sup>22</sup>

PONDICHERRY

*New Lt. Governor* : Shri Tribhuvan Prasad Tewary was appointed Lt. Governor on 17 September.<sup>23</sup>

DEVELOPMENT ABROAD

BOURKINAFASSO (UPPER VOLTA)

*Dissolution of Government* : Captain Thomas Sankara, Head of State of Bourkinafasso (formerly Upper Volta) dissolved the revolutionary Government on 20 August.<sup>24</sup>

CANADA

*General election* : In the general elections held for 282 seats of House of Commons on 4 September, the Conservative Party secured an absolute majority by winning 211 seats as against 40 seats won by the liberals. New Democrats won 30 seats whereas one seat was won by an independent.<sup>25</sup>

COSTA RICA

*Resignation by the Cabinet* : The entire Cabinet formed by President Luis Alberto Monge's resigned on 12 August.<sup>26</sup>

---

21. *Indian Express* 16 August, 1984 and *Times of India*, 25 September, 1984.

22. *Statesman*, 18 September, 1984.

23. *Ibid*, 18 September, 1984.

24. *Hindu*, 21 August, 1984.

25. *Statesman*, 6 September, 1984.

26. *Indian Express*, 13 August, 1984.

## ECUADOR

*New President* : Mr. Leon Febres Cordero took over as President on 11 August, replacing Mr. Osvaldo Hurtado.<sup>27</sup>

## EGYPT

*New Government* : A new 32 Member Cabinet, headed by Mr. Kamal Hassan Aly was appointed by President Mr. Hosni Mubarak on 17 July, following the resignation of the Government led by Mr. Kamal Hassan on 16 July.<sup>28</sup>

## FEDERAL REPUBLIC OF GERMANY

*New President* : Mr. Richard Von Weizsaecker was sworn in on 1 July, as President.<sup>29</sup>

## FRANCE

*New Ministry* : The Minister for Industry and Research, Mr. Laurent Fabius was appointed Prime Minister on 17 July following the resignation of Mr. Pierre Mauroy. M. Fabius formed a 17-member Cabinet on 19 July excluding the Communists who had been junior partners in the previous Government.<sup>30</sup>

## GUINEA-BISSAU

*New Ministry* : On 20 July, President Mr. Joan Bernard Vieira formed a new Cabinet. Vice-President Mr. Paulo Correia was made Minister for Justice and Local Power and Assistant Vice President Mr. Iafal Camara was the new Defence Minister Mr. Julio Semedo was appointed new Foreign Minister.<sup>31</sup>

## ISRAEL

*General Elections* : Elections were held on 23 July for the 120-Member Knesst (Parliament). The ruling Likid Front won 41 seats while Labour Party got 44. The Techiya Party got 5 seats. The other seats were won by some new parties.<sup>32</sup>

27. *Indian Express*, 12 August, 1984.

28. *Ibid*, 17 July, 1984 and *Hindustan Times*, 18 July, 1984.

29. *Indian Express*, 2 July, 1984.

30. *Hindu*, 18 July, 1984, and *Hindustan Times* 20 July, 1984.

31. *National Herald*, 21 July, 1984.

32. *The Times*, 27 July, 1984.

*New Prime Minister* : Mr. Shimon Peres, Leader of Labour Party, was sworn in as Prime Minister on 14 September after non-party national unity Government won a parliamentary confidence motion by 89 votes to 18.<sup>33</sup>

#### NEW ZEALAND

*General Election* : In the general election, held on 14 July for 95 seats of Parliament, the Labour Party got an absolute majority by winning 56 seats as against 37 won by the ruling National Party. The remaining two seats were won by the Social Credit Party.<sup>34</sup>

*New Government* : A new Labour Party Government, headed by Mr. David Lange was sworn in on 25 July by the Governor-General Sir David Beattie.<sup>35</sup>

#### SOUTH AFRICA

*New President* : Mr. Pieter Willam Botha was sworn in as President on 14 September under a new Constitution that denies the vote to the non-white majority.<sup>36</sup>

#### ZAIRE

*Election of President* : Mr. Mobutu Sese Seko was re-elected President on 5 August, securing 99.16 per cent votes in the election.<sup>37</sup>

---

33. *Times of India*, 15 September, 1984.

34. *Keesing's Contemporary Archives*, August, 1984

35. *Ibid.*

36. *Times of India*, 15 September, 1984.

37. *Hindu*, 6 August, 1984.

DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY  
INTEREST

---

[Five constitutional amendment bills namely 47th, 48th, 49th, 50th and 53rd were passed by Lok Sabha on 23 August, 1984 and by Rajya Sabha on 25 August, 1984. The Constitution 47th and 48th Amendment Bills got the president's assent on 26 August, 1984 while the Constitution 49th and 50th Amendment Bills got the assent on 11 September 1984. The Constitution (Fifty-Third Amendment) Bill, 1984 has been sent to the State Legislatures for ratifications.

we reproduce below the texts of the four constitution Amendment Acts and of the 53rd constitution Amendment Bill.

Editor]

---

THE CONSTITUTION (FORTY-SEVENTH AMENDMENT) ACT, 1984

*An Act further to amend the Constitution of India*

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

1. *Short title:* This Act may be called the Constitution (Forty-seventh Amendment) Act, 1984.

2. *Amendment of the Ninth Schedule:* In the Ninth Schedule to the Constitution, after entry 188 and before the Explanation, the following entries shall be inserted, namely:—

“189. The Assam (Temporarily Settled Areas) Tenancy Act, 1971 (Assam Act XXIII of 1971).

190. The Assam (Temporarily Settled Areas) Tenancy (Amendment) Act, 1974 (Assam Act XVIII of 1974).



191. The Bihar Land Reforms (Fixation of Ceiling Areas and Acquisition of Surplus Land) (Amendment) Amending Act, 1974 (Bihar Act 13 of 1975).

192. The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Act, 1976 (Bihar Act 22 of 1976).

193. The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Act, 1978 (Bihar Act VII of 1978).

194. The Land Acquisition (Bihar Amendment) Act, 1979 (Bihar Act 2 of 1980).

195. The Haryana Ceiling on Land Holdings (Amendment) Act, 1977 (Haryana Act 14 of 1977).

196. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1978 (Tamil Nadu Act 25 of 1978).

197. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979).

198. The Uttar Pradesh Zamindari Abolition Laws (Amendment) Act, 1978 (Uttar Pradesh Act 15 of 1978).

199. The West Bengal Restoration of Alienated Land (Amendment) Act, 1978 (West Bengal Act XXIV of 1978).

200. The West Bengal Restoration of Alienated Land (Amendment) Act, 1980 (West Bengal Act LVI of 1980).

201. The Goa, Daman and Diu Agricultural Tenancy Act, 1964 (Goa, Daman and Diu Act 7 of 1964).

202. The Goa, Daman and Diu Agricultural Tenancy (Fifth Amendment) Act, 1976 (Goa Daman and Diu Act 17 of 1976)".

#### THE CONSTITUTION (FORTY-EIGHTH AMENDMENT) ACT, 1984

*An Act further to amend the Constitution of India.*

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

1. *Short title:* This act may be called the Constitution (Forty-eighth Amendment) Act, 1984.

2. *Amendment of article 356:* In article 356 of the Constitution, in clause (5), the following provision shall be inserted at the end, namely:—

**'Provided that in the case of the Proclamation issued under clause (1) on the 6th day of October, 1983 with respect to the state of Punjab, the reference in this clause to "any period beyond the expiration of one year" shall be construed as a reference to "any period beyond the expiration of two years".'**

**THE CONSTITUTION (FORTY-NINTH AMENDMENT) ACT, 1984**

*An Act further to amend the Constitution of India.*

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

**1. Short title and commencement:** (1) This Act may be called the Constitution (Forty-ninth Amendment) Act, 1984,

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

**2. Amendment of article 244:** In article 244 of the Constitution, in clauses (1) and (2), for the words "and Meghalaya", the words, "Meghalaya and Tripura" shall be substituted.

**3. Amendment of the fifth Schedule:** In the Fifth Schedule to the Constitution, in paragraph 1, for the words "add Meghalaya", the words, "Meghalaya and Tripura" shall be substituted.

**4. Amendment of the sixth Schedule:** In the Sixth Schedule to the Constitution,—

(a) in the heading, for the words "and Meghalaya", the words "Meghalaya and Tripura" shall be substituted;

(b) in sub-paragraph (1) of paragraph 1, for the words and figures "Parts I and II", the words, figures add letter "Parts I, II and IIA" shall be substituted;

(c) after paragraph 12A, the following paragraph shall be inserted, namely;—

**"12AA. Application of Acts of Parliament and of the Legislature of the State of Tripura to the autonomous district and autonomous regions in the State of Tripura.—Notwithstanding anything in this Constitution,—**

(a) if any provision of a law made by the District or a Regional Council in the State of Tripura with respect to any matter specified in sub-paragraph

(1) of paragraph 3 of this Schedule or if any provision of any regulation made by the District Council or a Regional Council in that State under paragraph 8 or paragraph 10 of this Schedule, is repugnant to any provision of a law made by the Legislature of the State of Tripura with respect to that matter, than, the law or regulation made by the District Council or, as the case made be, the Regional Council whether made before or after the law made by the Legislature of the State of Tripura, shall, to the extent of repugnancy, be void and the law made by the Legislature of the State of Tripura shall prevail;

(b) the President may, with respect to any Act of Parliament, by notification, direct that it shall not apply to the autonomous district or an autonomous region in the State of Tripura, or shall apply to such district or region or any part thereof subject to such exceptions or modifications as he may specify in the notification and any such direction may be given so as to have retrospective effect.”;

(d) in paragraph 17, after the words “or Meghalaya”, at both the places where they occur, the words “or Tripura” shall be inserted;

(e) in paragraph 20,—

(i) in sub-paragraph (1),—

(A) after the words and figures “in Parts I, II”, the figures and letter “IIA” shall be inserted;

(B) after the words “the State of Meghalaya”, the words “,the States of Tripura” shall be inserted;

(ii) in sub-paragraph (2), for the words “Any reference in the table below”, the words and figures “Any reference in Part I, Part II or Part III of the table below” shall be substituted;

(iii) after sub-paragraph (2), the following sub-paragraph shall be inserted, namely:—

“(3) The reference in Part IIA in the table below to the “Tripura Tribal Areas District” shall be construed as a reference to the territory comprising the tribal areas specified in the First Schedule to the Tripura Tribal Areas Autonomous District Council Act, 1979”;

(f) in the Table, after Part II and the entries relating thereto, the following Part shall be inserted, namely:—

## "PART IIA

## Tripura Tribal Areas District."

## THE CONSTITUTION (FIFTIETH AMENDMENT) ACT, 1984

*An Act further to amend the Constitution of India.*

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

1. *Short title:* This Act may be called the Constitution (Fiftieth Amendment) Act, 1984.

2. *Substitution of article 33:* For article 33 of the Constitution, the following article shall be substituted, namely:—

"33. Parliament may, by law, determine to what extent any of the rights conferred by this part shall, in their application to,—

(a) the members of the armed Forces; or

(b) the members of the Forces charged with the maintenance of public order; or

(c) persons employed in any bureau or other organisation established by the state for purposes of intelligence or counter intelligence; or

(d) persons employed in, or in connection with, the telecommunication system set up for the purposes of any Force, bureau or organisation referred to in clauses (a) to (c), be restricted or abrogated so as to ensure the proper discharge of their duties and the maintenance of discipline among them".

## THE CONSTITUTION (FIFTY-THIRD AMENDMENT) BILL, 1984\*

*A Bill further to amend the Constitution of India.*

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

(1) *Short title and commencement:* (1) This Act may be called the Constitution (Fifty-first Amendment) Act, 1984.

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

2. *Amendment of Article 330:* (1) In article 330 of the Constitution, in clause (1), for sub-clause (b), the following sub clause shall be substituted, namely:—

"(b) the Scheduled Tribes except the Scheduled Tribes in the autonomous districts of Assam; and".

\* Ratification by State Legalator awaited.

(2) The amendment made to article 330 of the Constitution by sub-section (1) shall not affect any representation in the House of the People until the dissolution of the House of the People existing at the commencement of this Act.

**3. Amendment of Article 332:** (1) In article 332 of the Constitution, in clause (1), for the words “except the Scheduled Tribes in the tribal areas of Assam, in Nagaland and in Meghalaya”, the words “except the Scheduled Tribes in the autonomous districts of Assam” shall be substituted.

(2) The amendment made to article 332 of the Constitution by sub-section (1) shall not affect any representation in the Legislative Assembly of the State of Nagaland or the Legislative Assembly of the State of Meghalaya until the dissolution of the Legislative Assembly of the State of Nagaland or the Legislative Assembly of the State of Meghalaya existing at the commencement of this Act.

## SESSIONAL REVIEW

## SEVENTH LOK SABHA

## FIFTEENTH SESSION

The Fifteenth Session (Monsoon Session) of the Seventh Lok Sabha commenced on 23 July, 1984 and adjourned *sine die* on 27 August, 1984. A brief resume of the important discussions held and other business transacted during the Session is given below :

## A. DISCUSSIONS

*President's Proclamation regarding Sikkim :* On 23 July, 1984, the Minister of Home Affairs, Shri P. V. Narasimha Rao moved a statutory resolution seeking the approval of President's Proclamation issued on 25 May, 1984 regarding dissolution of the Legislative Assembly of Sikkim. Commending the resolution to the House, Shri Rao said that the Ministry of Shri Nar Bahadur Bhandari was dismissed by the Governor under article, 164(1) of the Constitution on 11 May, 1984 and a new Ministry headed by Shri Bhim Bahadur Gurung was sworn in immediately thereafter. In view of frequent shifts in loyalties of the legislators since 21 May, 1984, the Governor considered it futile to engage in any further discussion with the members of the Sikkim Legislative Assembly to form an alternative Government and came to the conclusion that a situation had arisen in which the Government of the State could not be carried on in accordance with the provisions of the Constitution and as such recommended the issuance of a Proclamation by the President under article 356 of the Constitution and the dissolution of the State Legislative Assembly.

The Statutory resolution was adopted.

On 27 August, 1984, the House adopted a resolution moved by Shri P.V. Narasimha Rao regarding the continuance in force of the Proclamation,

issued by the President, for a further period of six months with effect from 25 November, 1984.

*White Paper on Punjab situation :* On 24 July, 1984, the Minister of Home Affairs, Shri P.V. Narasimha Rao moved a motion for taking into consideration the White Paper on the Punjab Agitation which was laid on the Table of the House on 23 July, 1984. Participating in the discussion, Shri Satyasadhan Chakraborty said that all Sikhs were not extremists and it was the duty of the ruling party to create a congenial atmosphere to fight the communal forces and isolate them politically and not to depend on administrative measures alone.

Taking part in the discussion, Professor Madhu Dandavate alleged that the White Paper had tried to conceal the failure of the Government to bring about the settlement of Punjab negotiations on the one hand and their total failure to check the extremist activities, to prevent induction of arms and also restrain Shri Bhindrawale on the other.

During the resumed discussion on 25 July, 1984, Shri Atal Bihari Vajpayee also expressed the view that the White Paper was not complete as it did not contain any reference to the powers responsible for the rise of terrorism in Punjab and foreign powers supporting the demand for Khalistan. The unity of the country, he asserted, should not be made a political issue. Shri C.T. Dandapani demanded that Army should be immediately withdrawn from the Golden Temple. Raising the same demand, Shri Indrajit Gupta felt that prolonged stay of the Army inside the Golden Temple would be counter-productive in the long run. He pleaded for the withdrawal of censorship of newspapers in the State.

Intervening in the discussion, Prime Minister, Shrimati Indira Gandhi refuted the argument that Congress-I had regarded only the Akalis as the representative of the Sikhs. National unity and integrity were her party's supreme objectives and nothing could be allowed to come in its way. What had happened in Punjab, she pointed out, was not simply a story of cruelty or merciless violence against the innocent people but a concerted attempt of a combination of internal and external forces to encourage divisive forces and if possible to divide the country. Dealing with the question of naming the foreign hand in Punjab, Shrimati Gandhi pointed out, "We are not sitting in a court of law. We are dealing with historic forces and movements." She further said that the Government could not ignore the remarkable coincidence of troubles in Punjab with the rearming of India's neighbour and

the strong revival of secessionist forces in Jammu and Kashmir. Referring to the demands of Akalis, the Prime Minister said that after the second meeting, they had come forward with two demands regarding water and territory. The Government's stand had been that Chandigarh could not go to Punjab unless Haryana got something in its place. Akali Dal, on its part, had not given up Anandpur Sahib Resolution and were not willing to accept terrorism from the Golden Temple and piling up of arms there. The Government, she reiterated, did not want the police to go in and to interfere with religion. The army action had to be taken only when the matter came to a dead end. She was deeply pained in taking the action. But it had to be done in the national interest. She assured the House that the army would not stay there permanently and would be withdrawn as soon as the Kar Seva was completed.

Participating in the discussion, Shri A. Neelalohithadasan Nadar said that a democratic Government which used army to control law and order situation had no moral authority to remain in power.

Participating in the resumed discussion on 27 July, 1984, Shri Rajiv Gandhi, at the outset, contended that the decision taken in May to send army to the Golden Temple was the hardest one since Independence and only a strong Government could take such a decision. Referring to the demands of Akalis, he pointed out that these had been so nebulous and vacillating that it was very difficult to reduce them to a specific issue. The Anandpur Sahib Resolution, which had never been dropped by the Akalis, was against the integrity of the country. The Government, he added, had been very clear right from the beginning about their demands and there was no question of accepting any demand that could affect the integrity of the country. The Government and his party, he affirmed, stood on communal harmony. Denying the charge of involvement of the Congress with certain extremists and Akali leaders, Shri Gandhi blamed the opposition for not only confusing the situation, but had led Akalis to the garden path. He appealed to the opposition not to try to get political mileage out of the current situation, instead all heads be put together to try to finish off violence and terrorism.

Shri Dharam Bir Sinha said that no Opposition Party had ever supported the Akali Dal's suggestion of referring Anandpur Sahib Resolution to Sarkaria Commission by the Government.

Speaking on the motion the Minister of Parliament Affairs, Sports and Housing, Shri Buta Singh said that the entire responsibility of the happenings



in Punjab rested with Shiromani Akali Dal and Sikh Gurudwara Prabandhak Committee (SGPC). The SGPC and the terrorists were wholly responsible for the damage done to Akal Takt and other places in the Golden Temple. He appealed to the Akalis to make an effort to refurbish the image of Punjab on which Guru Saheban, Sikh brothers and other Indians took pride. The Army, Shri Buta Singh observed, was not being retained in Punjab to give protection to Baba Santa Singh, but to provide protection to the citizens from the danger, posed by the Shahidhi Jathas and the terrorists at large.

Participating in the discussion, Dr. Karan Singh suggested the creation of a fund for the welfare of families of Jawans killed during army action.

Replying to a three-day discussion in which 16 other members\* took part, Shri P.V. Narsimha Rao admitted that though the White Paper did not contain information which every one wanted to know in the country, it did bring out the essentials of what the present generation and the posterity needed to know. Shri Rao recalled that there were forces opposed to a settlement between the Government and the Akalis. The moment a solution was in sight, fresh killings took place, as a result of which an action which the Government wished to avoid, had to be taken. Shri Rao added that had the action been taken in the beginning itself, that would have been a point of much greater hurt and distress and anguish than it had actually become. Shri Rao claimed that on the whole, it was a right action at the right time and in the right manner and as had been described, with the utmost sacrifice and patience on the part of the Army. No one, he said, had won and no one had lost. It was secularism that had triumphed.

The motion was adopted.

*Recent developments in Jammu and Kashmir:* Making a statement on 26 July, 1984, the Minister of State in the Ministry of Home Affairs, Shri P. Venkatasubbaiah informed the House that certain elements in the State had been indulging in anti-national and secessionist activities in the State since the latter half of 1983. Further, though the All India Sikh Students Federation (AISSF) was declared an unlawful association in March, 1984, its

---

\* Other members who took part in the discussion were : Sarvashri Ashoke Sen, Swami Indervesh, B. R. Bhagat, Mani Ram Bagri, Y.B. Chavan, G. S. Nihal Singhwala, R.S. Sparrow, Chiranji Lal Sharma, K. T. Kosalram, Chandrajit Yadav, Chitta Basu, Eduardo Faleiro, Jaipal Singh Kashyap, Abdul Rashid Kabuli and N.G. Ranga.

unlawful activities continued in the State. The action taken by the State Government had been inadequate and often belated and, therefore, made little impact. The activities of such elements, therefore, continued unabated, including the hijacking of an Indian Airlines plane.

In another development, the Minister said that the Governor of the State dismissed the Ministry headed by Dr. Farooq Abdullah on 2 July, 1984 and sworn-in Shri G.M. Shah as Chief Minister to form a new Government under the provisions of the Constitution of the State of Jammu and Kashmir. Stressing the need to effectively check the activities of those seeking to undermine the integrity and unity of India in sensitive border State of Jammu and Kashmir, Shri Venkatasubbaiah appealed to the members to view the recent developments in the State in their right perspective and strengthen the hands of the Government.

The statement of the Minister was discussed in the House on 30 July, 1984. Initiating the discussion, Shri Chitta Basu, alleging that the Governor had usurped all the rights of the legislature and the authority of the Election Commission, urged his recall.

Intervening, the Minister of State in the Ministry of Energy, Shri Arif Mohammad Khan said that the Governor of Jammu and Kashmir had no option but to dismiss the Government of Dr. Farooq Abdullah since he had lost the majority support in the Assembly. The terrorists, he added, were imparted training in violent activities in that State and after the army action in Punjab, the extremists set on fire the Houses of minorities, in Jammu and Kashmir and the Government there had failed to check them.

Participating in the resumed discussion on 31 July, 1984, Shri Indirajit Gupta pointed out that developments taking place in Jammu and Kashmir would weaken the unity of the people and help destabilise forces in the State. Shri C.T. Dandapani said that the Assembly alone was the supreme authority to decide whether a party had the majority or not.

Replying to the 2-day discussion in which 21 other members\* participated, the Minister of Home Affairs, Shri P.V. Narasimha Rao said that

---

\* Other members who took part in the discussion were : Sarvashri E. Balanandan, Zainul Basher, K. Brabmanand Reddy, George Fernandes, Seif-ud-Din Soz, B.R. Bhagat, Rajesh Kumar Singh, P. Namgyal, Ram Jethmalani, Ashoke Sen, K.P. Uanikrishna, G.L. Dogra, Harikesh Bahadur, Kamaluddin Ahmed, Subramaniam Swamy, Acharya Bhagwan Dev, Maghanbhai Barot, Puchalapalli Penchalaiah, A.K. Roy, Chandrajit Yadav and Smt. Rajendra Kumari Bajpai.

while the immediate cause for the dismissal of Dr. Farooq Abdullah Ministry was his loss of majority, eventually an increasingly disquieting trend in Jammu and Kashmir would have attracted Central Government. The Government had evidence that there had been a lot of arms flowing around in border areas, in sensitive areas and some officials had been usually "soft" in giving licences there. Defending the action of the Governor, Shri Rao said that the Governor had exercised his pleasure in dismissing the Ministry, the moment it had lost the confidence of the majority. There had not been a single case in the country, where the majority of a Chief Minister had been actually tested on the floor of the House. Shri Rao said that in view of the recent ruling of the High Court, the legislators who had withdrawn support to Farooq Abdullah should not be treated as defectors. The Government, he added, was very seriously considering the anti-defection law and a Cabinet committee was seized of the question.

*Report of Eighth Finance Commission:* On 1 August, 1984, the Minister of Finance, Shri Pranab Mukherjee moved a motion for consideration of the Report of the Eighth Finance Commission together with Memorandum showing action taken thereon which was laid on the Table of the House on 24 July, 1984. Continuing his speech on 8 August, 1984, Shri Mukherjee informed the House that the financial implications of the recommendations of the Commission were a little more than Rs. 1400 crores and the share of the Central Government would be reduced from 60 per cent to 50 per cent. The constraints such as incidence of additional taxation and rise in the amount of deficit financing had compelled the Government to put off the implementation of the recommendations of the Commission from 1 April, 1984.

Participating in the discussion, Professor Madhu Dandavate suggested that the guidance of the judiciary should be sought in order to get the general mandate and a general direction for all years to come regarding implementation of the recommendations of the Finance Commission.

Replying to the two-day discussion on 9 August, 1984, in which 15 other members\* participated, Shri Mukherjee affirmed that while the

---

\* Other members who Participated in the discussion were : Sarvashri K. Brahmanand Reddy, Somnath Chatterji, Gulsher Ahmed, Jagpal Singh, Y.S. Mahajan, Satish Agarwal, Chintamani Panigrahi, Narain Chand Parashar, V. Kulandaivelu, K.P. Unnikrishnan, Chitta Basu and S.T.K Jakkayan, Shrimati Nirmala Kumari Shaktawat, Smt. Geeta Mukherjee and Smt. Jayanti Patnaik.

major recommendations of the Finance Commission had been accepted by the Government, it could not accept the argument that the Commissions' recommendations were awards and could not be changed.

Shri Mukherjee informed the House that the Centre had stepped up the Plan assistance of the States by 10 per cent for which it had no constitutional obligation. Had the recommendations of the Finance Commission been implemented, there would have been a change of States' dues from the Centre so far as income tax and excise duty were concerned. In regard to transfer of the resources, Shri Mukherjee affirmed that both in absolute terms and in term of percentage, it had increased by 36 per cent and Government of India had no intention to discriminate between any State.

The motion was adopted.

*Situation in Sri Lanka:* Making a statement on 8 August, 1984, the Minister of State in the Ministry of Tourism and Civil Aviation, Sri Khursheed Alam Khan said that recent reports of sharp deterioration in the security situation and encounters between Sri Lankan State security forces and Tamil militants in the northern part of Sri Lanka resulting in large-scale loss of human life and property was causing deep concern to India. India, Shri Khan added, had expressed her opposition to all forms of violence and had reaffirmed her support for Sri Lanka's integrity and unity and had taken all steps to curb any activities which might be directed against Sri Lanka from Indian soil. The Prime Minister, in her reply sent to President Jayawardane, had emphasised the necessity of utmost restraint on the part of all concerned and determined pursuite of the political process to find a viable and acceptable solution.

Sharing the anguish of the whole nation over tragic events in Sri Lanka, the Minister of State in the Ministry of External Affairs, Shri Ram Niwas Mirdha said, on 16 August, 1984 that the Government had been doing everything possible so that indiscriminate killings and large scale operations directed against the Tamil population in Sri Lanka were stopped. On every possible occasion, India had urged upon President Jayawardane and his Government to lay stress on the security forces of Sri Lanka to exercise maximum restraint and reduce their visible presence which had a provocative effect. The ethnic problem in Sri Lanka, Sri Mirdha maintained, could not be solved by military action.

The statement was discussed in the House on 25 August, 1984. Initiating the discussion, Professor Madhu Dandavate suggested that India, as Chairperson of the non-aligned group of nations, should take the initiative in the comity of the international world and bring about maximum international pressure for solving the problem. He was supported in this by Shri C.T. Dhandapani.

Replying to the discussion in which 9 other members\* participated, Prime Minister, Shrimati Indira Gandhi strongly refuted the alleged Indian plan of invading the Island State in last September as reported in an Indian Journal, *India 2000*, produced by the Prime Minister of Sri Lanka in his Parliament.

She informed the House that India had apprised many leaders of other countries, about the happenings and escalating of violence and crime in Sri Lanka. India had put forth her viewpoint before those countries who were going to provide military and other assistance to Sri Lanka to put down what was called Tamil terrorism. She affirmed that India did not believe in the "big brother" attitude but in the equality of all nations.

Referring to her talks with President Jayawardane or with his representative, Shrimati Gandhi said that her efforts had been to arrive at some solution acceptable to the Tamils and all the other communities. President Jayawardane had first mentioned establishment of a Second Chamber which was unacceptable to Tamil United Liberation Front (TULF). The willingness of Sri Lankan Government to consider Provincial Councils as units of devolution for the entire country seemed to be an improvement on the proposals which were outlined by the President at the All Parties' Conference on 23 July. She hoped that such ideas would be fully discussed in the All Parties Conference scheduled to be reconvened and a viable political solution worked out and that a place of honour and security for the Tamil population would be found within a united Sri Lanka through the democratic process of negotiations.

*Recent communal riots in different parts of the country:* Initiating a discussion on the subject on 8 August, 1984, Shri Atal Bihari Vajpayee pleaded for the reorganisation of police and creation of a system of

---

\* Other members who took part in the discussion were: Sarvashri Eduardo Faleiro, M.M. Lawrence, Era Anbarasu, K.T. Kosalram, Subramaniam Swamy, Jagpal Singh, K.A. Rajan, Harish Kumar Gangwar and R.L.P. Verma.

National Guards instead of deploying the army to deal with the situation in the affected areas. Participating in the discussion, Shri C.T. Dhandapani sought proper representation of minorities in the Police force.

Replying to the discussion in which 21 other members\* participated, the Minister of Home Affairs, Shri P.V. Narasimha Rao pointed out that law and order was a State subject and the Central Government had to respect that delineation given in the Constitution. However, the Government had taken seriously the various suggestions or decisions emerging at several meetings of National Integration Council etc.

Detailing some of steps taken by the Government, the Minister said that the Controller of Insurance had been directed to work out a riot-insurance scheme to cover both life and property in riot-prone areas by paying nominal premium. Besides, the Government had recently decided to raise the Special Force which would be specially recruited, trained and equipped with suitable weaponry to deal with terrorists effectively.

*Governor's action in Andhra Pradesh:* On 21 August, 1984, Professor Madhu Dandavate moved a motion speaking disapproval of the action of the Governor of Andhra Pradesh in dismissing the Ministry headed by Shri N.T. Rama Rao without ascertaining its majority on the floor of the Legislative Assembly. The motion also sought to recommend to the President for dismissal of the Governor. Initiating the discussion, he alleged that the recent action of the Governors in Jammu and Kashmir and in Andhra Pradesh had clearly established that the Centre was proceeding further with their grand 'operation destabilisation' of Non-Congress (I) States. He demanded that Constitution should be amended to ensure that the Governor and the President do not exercise their powers beyond a certain limit.

Intervening in the discussion, Prime Minister Shrimati Indira Gandhi asserted that the conclusion of the Governor that Shri N.T. Rama Rao had lost the majority in the Legislative Assembly was based entirely on his judgement and was not in any way influenced by her, her govern-

---

\* Other members who took part in the discussion were : Sarvashri Zainul Basher, M.M. Lawrence, R.R. Bhole, Rasheed Masood, K.S. Narayana, Ratansinh Rajda, Bheravadan K. Gadhavi, Kamaluddin Ahmed, Narayan Choubey, Eduardo Faleiro, K.P. Unnikrishnan, A. Neelalohithadasan Nadar, Acharya Bhagwan Dev. A.K. Roy, Madhusudan Veirale, Ebrahim Sulaiman Sait, Jamilur Rahman, Subramaniam Swamy, Uttam Rathod and Abdul Rashid Kabuli and Smt. Vidya Chennupati.

ment or by her party at the Centre. The Governor had, at no stage, consulted her in his decision to dismiss Rama Rao Ministry or to invite Shri Bhaskara Rao to form the Government.

Refuting the charge that the Centre was toppling governments, she indicated that wherever a State Government had fallen, it was because of its own internal dissensions.

Participating in the discussion, Shri Charan Singh said that the statement of the Prime Minister was not correct. Demanding immediate dismissal of the Governor of Andhra Pradesh, Shri Samar Mukherjee suggested that in order to prevent the misuse of office, the Governor should be elected by the State Legislature. Shri Indrajit Gupta demanded calling of a session of the Andhra Pradesh Legislative Assembly for testing the majority.

Intervening in the discussion, in which 11 other members\* participated, the Minister of Home Affairs, Shri P.V. Narasimha Rao maintained that Governors had become target for no fault of their. While agreeing with the suggestion for examination of the discretionary powers etc. of the Governor on the basis of past experience, he felt that as matters stood, it was very difficult to conclude that a Constitution amendment was going to do the trick. The Government, had also found the suggestion of giving guidelines and making the positions of Governors more rigid, very difficult and unpractical.

The motion was negatived.

#### B. LEGISLATIVE BUSINESS

*National Security (Second Amendment) Bill 1984\*\**: On 13 August, 1984, moving that the Bill be taken into consideration, the Minister of Home Affairs, Shri P.V. Narasimha Rao said that the Bill sought to clear certain doubts relating to the grounds of detention. Earlier, moving the statutory resolution regarding disapproval of the National Security (Second Amendment) Ordinance, Shri George Fernandes contended that the Bill would be used against political leaders, the opposition and the trade unions.

---

\* Other members who took part in the discussion were : Sarvashri B.R. Bhagat, K.K. Tewari, Ram Jethmalani, Kusuma Krishna Murthy, P. Namgyal, K. Mayathevar, Kamaluddin Ahmed, Anantha Ramulu Mallu, V. Kishore Chandra S. Deo, Subramaniam Swamy and G.M. Banatwala.

\*\* The Bill was introduced by the Minister of State in the Ministry of Home Affairs Smt. Ram Dulari Sinha on 6 August, 1984.

Winding up the combined discussion on the statutory resolution and the Bill in which 15 members\* participated, Shri Narasimha Rao reiterated that the amendment was to get over certain difficulties created by the multiplicity of judicial judgements.

After Shri George Fernandes replied to the debate, the statutory resolution was negatived, the motion for consideration of the Bill was adopted and the Bill passed.

*Terrorist Affected Areas (Special Courts) Bill, 1984\*\** : On 14 August, 1984, moving that the Bill to replace the Ordinance promulgated by the President on 14 July, 1984, be taken into consideration, the Minister of State in the Ministry of Home Affairs, Shri P. Venkatasubbaiah said that the aim of the Bill was to safeguard the territorial integrity and sovereignty of the country and to put down terrorist activities which were causing great harm to the country's interests. It would, in no way, obstruct any legitimate trade union activities. The Bill, he added, had been made applicable throughout the country keeping in view certain happenings in the North Eastern Region and other parts of the country.

Earlier, moving a statutory resolution for disapproval of the Ordinance, Shrimati Geeta Mukherjee apprehended that a large number of offences listed in various other acts, brought under the Ordinance, would deprive the people of normal assistance of law. It would also bring the activities of trade unions besides offences relating to harming national integration under its purview.

Replying to a two-day discussion on 16 August, 1984, in which 18 other members\*\*\* participated, Shri Venkatasubbaiah said that the Govern-

\* Other members who took part in the discussion were : Sarvashri Subodh Sen, Jagannath Rao, Rajesh Kumar Singh, G. Narasimha Reddy, N.K. Shejwalkar, Ram Pyare Panika T. Nagaratnam, Braja Mohan Mohanty, Vijay Kumar Yadav, Uma Kant Mishra, Chitta Basu, Girdhari Lal Vyas, G.M. Banatwalla, Virdhi Chander Jain and A.K. Roy.

\*\* The Bill was introduced by the Minister of Home Affairs, Shri P.V. Narasimha Rao on 6 August, 1984.

\*\*\* Other Members who took part in the discussion were : Sarvashri Satyasadhan Chakraborty, Jagannath Rao, Rajesh Kumar Singh, Chiranji Lal Sharma, Chitta Basu, Ram Nagina Mishra, Ravindra Verma, Era Mohan, P. Namgyal, Suraj Bhan, Mool Chand Daga, V. Kishore Chandra S. Deo, Girdhari Lal Vyas, R.N. Rakesh, A.T. Patil, G.M. Banatwalla, Chandrajit Yadav and Smt. Nirmala Kumari Shaktawat.



ment had come forward with the Bill in the wake of the extra-ordinary situation resulting from terrorists trying to disrupt the country and raising slogans of independent Khalistan. He assured the members that judicial process would not be circumvented by the setting up of special courts as these would be presided over by serving judge, appointed with the concurrence of High Court. There was also provision in the Bill for direct appeal to the Supreme Court against convictions. The Minister further said that '*in camera*' trial had been provided to safeguard the witnesses. There could be an "open trial" on the application of a witness and on request by the prosecution with the trial judge agreeing to it. Referring to powers of Central Government in declaring any areas as terrorist affected, Shri Venkatasubbiah observed that the terrorists activities were relatable to the security and integrity of the country. As such, the Central Government must have the initiative in dealing with such a situation. However, a provision did exist for delegating powers to State Governments.

The statutory resolution was negatived. The motion for consideration of the Bill was adopted and the Bill was passed.

*Dowry Prohibition (Amendment) Bill, 1984\** : On 17 August, 1984, moving that the Bill be taken into consideration, the Minister of Law, Justice and Company Affairs, Shri Jagan Nath Kaushal said that the existence of dowry system was a social problem and the remedy could be found by creating social awareness in the society. The strategy which the Government had adopted was to concentrate on the evil through legislation and to attack it where it was most felt in the worst form. The proposed Bill, like the Criminal Law (Second Amendment) Act, was a measure to deal with dowry menace. Its provisions were based to a large extent on some of the important recommendations of the Joint Committee.

Winding up the discussion in which 5 members\*\* participated, Shri Kaushal observed that the evil of dowry would not go merely by passing of a law or by making it more stringent. He exhorted the youngmen and women of the country to rise up against the evil.

The Bill, as amended, was passed.

---

\* The Bill was introduced by the Minister of Law, Justice and Company Affairs, Shri Jagan Nath Kaushal on 9 May, 1984.

\*\* Other members who took part in the discussion were, Sarvashri Mool Chand Daga, P. Namgyal and Sunder Singh, Smt. Jayanti Patnaik and Smt. Shalini V. Patil.

*Constitution (Forty-Seventh) Amendment Bill, 1984\** : On 22, August 1984, moving that the Bill be taken into consideration, the Minister of State in the Ministry of Home Affairs, Shrimati Ram Dulari Sinha said that the Bill sought to amend article 330 of the Constitution to provide for reservation of seats in Lok Sabha for Scheduled Tribes in Meghalaya, Nagaland, Arunachal Pradesh and Mizoram and article 332 to provide for similar reservation in the Legislative Assemblies in Nagaland and Maghalaya.

Winding up a brief discussion in which 11 members\*\* participated, Shrimati Sinha stated that tribals had an apprehension that unless a Constitutional guarantee was given to them, political power could pass out of their hand in due course because of influx of outsiders in their areas. With that background, it had been considered necessary to provide safeguards to the tribals and to allay their apprehensions by reservation of seats for Scheduled Tribes in the Lok Sabha as well as in all the State Assemblies.

The motion was declared as not carried in accordance with Rule 157 of the Rules of Procedure and in accordance with the Constitution.

On 23 August, 1984, an identical Bill *viz.* The Constitution (Fifty-Third Amendmend) Bill was introduced by the Minister of Home Affairs, Shri P.V. Narasimha Rao after a motion for suspension of rule 338 of the Rule of Procedure and Conduct of Business in Lok Sabha in its application to the Bill had been adopted by the House. The Bill, as amended, was passed, by the requisite majority in accordance with the provisions of article 368 of the Constitution.

*Constitution (Forty-Eighth) Amendment Bill, 1984\*\*\** : On 22 August, 1984, the Minister of State in the Ministry of Rural Development, Shrimati Mohsina Kidwai moved that the Bill be taken into consideration.

---

\* The Bill was introduced by the then Minister of Home Affairs, Shri P. C. Sethi on 5 November, 1982.

\*\* Other members who took part in the discussion were : Sarvashri Rajesh Kumar Singh, Mool Chand Daga, Bapusaheb Parulekar, Giridhar Gomango, Amal Datta, Giridhari Lal Vyas, Mohendra Ngangom, Harikesh Bahadur, N.G. Ranga, Chitta Basu and Bajuben R. Kharlukhi.

\*\*\* The Bill was introduced by the Minister of State in the Ministry of Rural Development, Smt. Mohsina Kidwai on 19 August, 1983.

On 23 August, 1984 Winding up a two-day discussion in which 24 members\* took part, Shrimati Kidwai said that the Bill proposed to include 14 land laws in the Ninth Schedule of Constitution to ensure immunity from challenge in the court of law. The Bill, she added, was for the protection of a section of the society which needed such umbrella.

The Bill, as ammended, was passed.

*Constitution (Fiftieth Amendment) Bill, 1984\*\** : On 23 August, 1984, moving that the Bill be taken into consideration, the Minister of Home Affairs, Shri P.V. Narasimha Rao said that although the Punjab Legislative Assembly was in suspended animation and a popular Government could be installed, yet having regard to the prevailing situation in the State, the continuance of the Proclamation beyond 5 October, 1984 might be necessary. The Bill proposed to amend clause (5) of article 356 so as to make the conditions mentioned therein inapplicable for the purposes of the continuance in force of the Proclamation upto one year more, from 6 October, 1984.

Opposing the Bill Shri Indrajit Gupta felt that the amendment could have been avoided by calling the Assembly for one or two days and then dissolving it and imposing Preident's rule again.

Intervening in the discussion, the Minister of Parliamentary Affairs, Sports and Works and Housing, Shri Buta Singh said that Kar Seva was monopoly of none and was open to all sections of the society.

Winding up the discussion in which 14 other members\*\*\* participated, Shri P.V. Narasimha Rao observed that the proposed amendment never

---

\* Other members who took part in the discussion were : Sarvashri Amal Datta, Virdhi Chander Jain, Rajesh Kumar Singh, Mool Chand Dgaa, Ajit Kumar Mehta, Keyur Bhushan, Krishan Kumar Goyal, Ram Pyare Panika, V. Kulandaivelu, Ram Nagina Mishra, Vijay Kumar Yadav, Narain Chand Parashar, Chitta Basu, Rajagopal Naidu, Krishan Datta Sultanpuri, Girdhari Lal Vyas, Braja Mohan Mohanty, Ram Singh Yadav, D.P. Yadav, Ramavatar Shastri, Sunder Singh, Sudhir Giri, M. Ramgopal Reddy and Eduardo Faleiro.

\*\* The Bill was introduced by the Minister of Home Affairs, Shri P.V. Narasimha Rao on 17 August, 1984.

\*\*\* Other members who took part in the discussion were : Sarvashri Amal Datta, G.L. Dogra, Bheravadan K. Gadhavi, Jagpal Singh, R.L. Bhatia, Suraj Bhan, K. Mayathevar, Acharya Bhagwan Dev, K.P. Unnikrishan, Chitta Basu, Harikesh Bahadur, Jaipal Singh Kashyap, Chandrajit Yadav and Smt. Pramila Dandavate.

meant that Centre did not want a popular Government in Punjab. Bringing normalcy and cleaning up the administration in Punjab needed some time and something gone wrong there could be righted in its own time. That was why the Government wanted to equip itself with the provision which was confined to a situation obtaining in Punjab.

The Bill, as amended, was passed.

*Constitution (Fifty-First Amendment) Bill 1984\** : On 23 August, 1984, moving that the Bill be taken into consideration, the Minister of Home Affairs, Shri P.V. Narasimha Rao said that the Bill sought to meet aspirations of the tribal population by giving the Autonomous District Council in Tripura a constitutional sanctity. Under the proposed amendment, the areas covered by the Sixth Schedule in Tripura would be known as Tripura Tribal Areas District which would be co-terminus with the tribal areas specified under the Tripura Tribal Areas Autonomous District Council Act, 1979. The Autonomous District Council, he hoped, would provide the necessary impetus to rapid development of tribal areas and ensure self-government by them.

Winding up the discussion, in which 14 members\*\* participated, Shri Rao contended that the Bill was a totally non-controversial amendment of the Constitution.

The Bill, as amended, was passed.

*Constitution (Fifty-Second) Amendment Bill, 1984\*\*\** : On 23 August, 1984, moving that the Bill be taken into consideration, the Minister of Home Affairs, Shri P.V. Narasimha Rao said that the Constitution empowered Parliament to enact laws determining to what extent any of the fundamental rights could be restricted or abrogated to ensure the proper discharged of duties by armed forces or the forces charged with the maintenance of public

---

\* The Bill was introduced by the Minister of Home Affairs, Shri P.V. Narasimha Rao on 17 August, 1984.

\*\* Other members who took part in the discussion were : Sarvashri Ajoy Biswas, Giridhar Gomango, Rajesh Kumar Singh, Ram Vilas Paswan, Mool Chand, Daga, N. Gouzagin, R.L.P. Verma, V. Kulandaivelu, Harish Kumar Gangwar, Dileep Singh Bhuria, Narayan Choubey, Ram Pyare Panika, N.E. Horo and Pius Tirkey.

\*\*\* The Bill was introduced by the Minister of Home Affairs, Shri P.V. Narasimha Rao on 22 August, 1984.

order. The Bill sought to bring within the ambit of article 33 of the Constitution the personnel working in certain other organisation whose charter of duties was akin or complementary to such armed forces, *i.e.* collection of intelligence and for transmission and reception of messages relating to law and order. Shri Indrajit Gupta observed that the purpose of the Bill was to create a sort of intimidatory atmosphere.

Winding up the discussion, in which 5 other members\* participated, Shri P.V. Narasimha Rao asserted that the Government was equally wedded to human rights and the laws had been made with the security of the country in view and the rules framed, thereunder, had been upheld by the Supreme Court. There was a machinery for redressal of grievances and the Government would consider suggestions made by members to strengthen and streamline it.

The Bill, as amended, was passed.

*Family Courts, Bill, 1984*: On 27 August, 1984, moving that the Bill, as passed by Rajya Sabha be taken into consideration, the Minister of Law, Justice and Company Affairs, Shri Jagan Nath Kaushal explained that the objective of the Bill was to provide for a radical new procedure for speedy settlement of family disputes by laying emphasis on conciliation and achieving socially desirable results. It would help in avoiding long and arduous court procedures and would considerably reduce the work load of the civil courts.

Winding up the discussion in which 12 members\*\* participated, Shri Kaushal assured the House that every endeavour would be made to appoint such persons as judges who had a sense of commitment and who believed in conciliation in family affairs. Preference would be given to lady judges, he

---

\* Other members who participated in the discussion were : Sarvashri Somnath Chatterjee, Rajesh Kumar Singh, Ravindra Verma, N.K. Shejwalkar and G M Banatwalla.

\*\* Other members who took part in the discussion were : Sarvashri Rajnath Sonkar Shastri, Krishna Kumar Goyal, Harish Kumar Gangwar and G.M. Banatwalla, Smt. Susheela, Gopalan, Smt. Nirmala Kumari Shaktawat, Smt. Promila Dandavate, Smt Jayanti Patnaik, Smt. Vidya Chennupati, Smt. Geeta Mukherjee, Smt. Kishori Sinha and Smt. Usha Prakash Choudhari.

said. As the presence of lawyers would prolong the case, legal practitioners, he added, had been excluded from the purview of these courts.

The Bill was passed.

### C. THE QUESTION HOUR

In all, 11,660 notices of Questions (7,760 Starred, 3,869 Unstarred and 31 Short Notice Questions) were received during the Session. Out of these, 478 Questions were listed as Starred and 4806 as Unstarred (including 63 Questions which appeared through supplementary lists of Questions). No Short Notice Question was admitted during the Session.

*Daily average of Questions* : Each list of Starred Questions contained 20 Questions except those of 31 July, 1984, 6, 8, 9, 17, 22 and 23 August, 1984 which contained 21 Questions each and those of 10, 13 and 24 August, 1984 which contained 22 Questions each and those of 26 July and 1 August, 1984 which contained 23 and 25 Questions respectively. The Questions in excess of 20 in these lists were postponed or transferred Questions. On an average, five Questions, per sitting, were orally answered on the floor of the House. Maximum number of Starred Questions orally answered was 7 on 2, 3, 10 and 13 August, 1984 and the minimum number of Questions orally answered was 2 on 23 July, 1984.

*Half-an-Hour Discussion* : In all, 42 notices of Half-an-Hour Discussions were received during the Session. Out of these, 2 notices were admitted and discussed.

### D. OBITUARY REFERENCES

During the Session, obituary references were made to the passing away of Shri K. B. Choudhari, sitting member, Sarvashri Purushottamdas, S. Radhakrishnan, M. G. Uikey, Biswanath Das, G. P. Mangalathumadom, Udavrao Sahibrao Patil, K. Balakrishnan, Devulapalli Venkteswara Rao, P. N. Rajabhoj, Ramji Ram, Basheshwar Nath Bhargava, Madhav Prasad Tripathi and R.K. Sinha, Shrimati Ganga Devi and Shrimati Shyamkumari Devi, 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-FIRST SESSION\*

The Rajya Sabha met for its Hundred and Thirty-First Session on 23 July, 1984 and adjourned *sine die* on 29 August, 1984. A resume of some of the important discussions held and other business transacted during the Session is given below.

## A. DISCUSSIONS

*White Paper on Punjab Agitation* : On 24 July, 1984, the Minister of State in the Ministry of Home Affairs, Shri P. Venkatasubbaiah moved a motion for consideration of the White Paper on the Punjab Agitation laid on the Table of the House on 23 July, 1984. Intervening in the discussion, Prime Minister Shrimati Indira Gandhi said that Punjab was one of India's most prosperous States and part of the problem had arisen out of its prosperity. The problems were not arising where there was real hardship. She said that the Anandpur Sahib Resolution was passed in 1973. In 1977, the Janata Party formed the Government at the Centre, and the Akali Dal in Punjab. For three years they had ample opportunity to go into the demands and the grievances of the people in Punjab, because some of the demands were State demands and some were of a political nature. With regard to waters, the Prime Minister felt that it might be a mistake that the Janata Government had given it to the Supreme Court. It was taking so long. However, the Chief Ministers, the Ministers of Law, Irrigation and Agriculture met together spending long hours and something came into being which was thought to be helping all of them and helping Punjab more, giving Punjab more water than it had got before. However, the Akali Dal did not accept the proposal. Some admitted that this was a fair deal. But they said they wanted more. The Government offered to refer the matter to the Tribunal. But there was a major block and that was the Anandpur Sahib Resolution.

The Prime Minister further said that the Akali Dal was not ready to discuss the extremists issue. What action the Government took was certainly not against the Sikh community ; it was not against the Golden Temple or the Sikh religion in any way ; and it was not even against the Akali

---

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

Dal. It was against only those people who had gained control of the situation. Saying that "Kar Seva" was not to divide the Sikhs, she firmly declared that there could be no separate State and no religious place or, for that matter, any place should become an arsenal or a shelter for criminals. The sort of thing that had happened in the Golden Temple should not be repeated anywhere. The Akali Dal and a few other people would like to keep the Akal Takht as a monument damaged. All would agree that this should not happen because the seeds of bitterness would go very deep down in the hearts of the Indian people and between communities. That was why the government was anxious that this should be rebuilt and it was being done.

The Minister of Home Affairs, Shri P.V. Narasimha Rao, replying to the debate,\* on 25 July, 1984, said that the main thrust of the White Paper had been given by the Prime Minister. It was not true that the Sikh Guru-  
dwar 1 Prabandhak Committee (SGPC) was kept out of Kar Seva. But they wanted first every armyman, even in mufti, to go. Kar Seva had got nothing to do with the army. They were there in order to meet a particular situation.

While agreeing that normalcy in Punjab had to be restored and hurt feelings had to be assuaged, the Minister observed that nothing would be done at the cost of unity of the nation. The Government was moving in the right direction and in the right spirit.

*Concentration of naval forces of big powers in Indian Ocean :* On 13 August, 1984, Dr. (Shrimati) Najma Heptulla called the attention of the Minister of Defence to the serious situation arising out of the concentration of naval forces of big powers in the Indian Ocean, posing a threat to the security of the country and the action taken by Government in that regard. Making a statement on the subject, the Minister of Defence, Shri S.B. Chavan said that the Indian Ocean and the seas on its north, namely the Arabian Sea and the bay of Bengal, were vital to India, also from the view of external trade. Indian ports handled over 100 million tonnes of the cargo annually and the country's large and growing merchant navy needed to ply these waters freely in accordance with international laws. This freedom was of

---

\* Other members who took part in the discussion were Shri Lal K. Advani, Shrimati Amarjit Kaur, Sarvashri K. Mohanan, Darbara Singh, Shushil Chand Mohunta, Sultan Singh, Satya Prakash Malaviya, Indradeep Sinha, Harvendra Singh Hanspal, Parvathaneni Upendra, Khushwant Singh, Vishvajit Prithvijit Singh, Madan Bhatia, Murasoli Maran and S.W. Dhabe.



equal importance to all the littoral countries. India had always advocated that the Indian Ocean should remain a zone of peace, but the strategic location of these waters, their vast potential for yielding natural resources and the volume of trade that was carried across it had, unfortunately, resulted in a new awakening of interest in this region by non-littoral countries. Significant initiatives were taken, for instance in the United Nation's *Ad hoc* Committee on the Indian Ocean as also within the frame-work of the Non-Aligned Movement, leading to the final declaration in the Seventh Non-Aligned Summit in which the Non-Aligned countries reaffirmed their determination to continue their endeavour for the implementation of the 1971 UN resolution.

Replying to the points raised by the members, the Minister said that the Government had plan for increase in maritime reconnaissance and anti-submarine war capability especially through the induction of appropriate aircraft in this area. Superior submarines were also being acquired apart from making an endeavour to upgrade the electronic warfare capabilities.

*Approach to Seventh Five Year Plan* : On 13 August, 1984, the Minister of Planning, Shri P.C. Sethi moving a motion for consideration of the document entitled 'the Approach to the Seventh Five Year Plan 1985-90' said that "Food, Work and Productivity" were the Government's basic priorities in the Seventh Plan. The strategy was built around higher agricultural growth which would involve increase in agriculture.

Productive employment was the second of the basic priorities in the Plan. In agriculture this would mean promoting accelerated growth of labour-absorbing activities, promoting village and rural industry in cottage, tiny and small units.

The Plan would aim to ensure relative price stability through judicious micro-economic policies and through adequate availability of food and raw materials. The fulfilment of the Seventh Plan objective required a growth rate of a little over 5 per cent. The public sector outlay in the Seventh Plan would be of the order of Rs. 180,000 crores at 1984-85 prices, the Minister stated.

The Minister informed the House that the National Development Council which met on 12 and 13 July, 1984, under the Chairmanship of the Prime Minister, had approved the document.

Replying to the discussion\*, Shri Sethi said that there would be particular emphasis in Central and State Plans on scientific and technological programmes. The improvement of the quality of functioning of public services, hospitals and educational institutions would be given the utmost importance in the Seventh Plan. The basic theme of the Seventh Plan was food, work and productivity.

*Eighth Finance Commission's Report :* On 14 August, 1984, the Minister of Finance, Shri Pranab Kumar Mukherjee, moving a motion for consideration of the Report of the Eighth Finance Commission, said that the discussion on the Report of the Finance Commission itself was a new feature. The Memorandum submitted along with the Report had clearly indicated that the Government had accepted almost all the major recommendations of the Commission. The principal job of the Finance Commission was not only to distribute the resources between the Centre and the States, but also among the States.

So far as Income Tax was concerned, the formula followed for quite a number of years was ten per cent on the basis of net assessment and 90 per cent on the basis of population. The Eighth Finance Commission had given weightage to backwardness and while doing so they had worked out a new formula on the basis of which they had made *inter se* distribution among the States. So far as distribution between the Union and the States was concerned, in respect of Income-Tax, they had retained the same proportion which was recommended by the Seventh Finance Commission.

As a result of the recommendations of the Eighth Finance Commission, the net transfer to the States over a period of five years would be around Rs. 40,000 crores which was almost double of Rs. 20,000 crores, being the net transfer over a period of five years from 1979 to 1984 as recommended by the Seventh Finance Commission. Obviously, the Government had not accepted one recommendation about the devolution of the surcharge and merging it with income tax. The Minister made it clear that the Government could not accept it because it provided a lot of resources to the Union Government and the Constitution had contemplated it.

---

\* Other members who took part in the discussion were : Shri Nirmal Chatterjee, Professor B. Ramachandra Rao, Professor C. Lakshmana, Sarvashri Rameshwar Thakur, M. S. Gurupadaswamy, Ramanand Yadav, V. Ramanathan, Husen Dalwai, Jaswant Singh, Ram Naresh Kushawaha and S.W. Dhabe.

Replying to the debate\* Shri Mukherjee said that the Government had accepted the major recommendations of the Finance Commission in regard to the Devolution of taxes and grand-in-aid. It was not that the Government always gave money through the recommendations of the Finance Commission. When the Government found, particularly in the last three years, that it could give a little more to the States it did not wait for the recommendation of any body like a Finance Commission or for the advice from Members of Parliament. It *suo motu* decided that the assistance to States should be increased to the extent of Rs. 17,790 crores. It meant that an additional amount of Rs. 2440 crores was given to the States. In respect of overdraft adjustment, the Government had given Rs. 1742 crores on 31 March, 1982 and Rs. 499 crores on 31 March, 1984, the Minister informed the House. The Finance Commissions were neither pro-Centre nor pro-States. They were realistic. It should be borne in mind that out of the total tax revenue of Rs. 23,000 to Rs. 24,000 crores only 50 per cent came from excise duty, the Minister pointed out. Population remained a constant factor in computing the actual figure in regard to the share of States. As a result some of the most populous States like Uttar Pradesh, Bihar, Madhya Pradesh, Rajasthan, etc. would get a larger share in the taxes, the Minister said.

*Recent political development in Andhra Pradesh* : On 21 August, 1984, Shri Lal K. Advani, initiating a discussion under Rule 176 on the recent developments in Andhra Pradesh said that they would have far-reaching implications for the constitutional and democratic set-up of the country. In the past, whenever a Government's role had been brought into discussion in the House, it had been generally in respect of abuse of article 356. But in the present case, it was article 164 which had been invoked. A dangerous precedent had been set in Andhra Pradesh and unless this was rectified, unless the original situation, the *status quo ante* was restored in Andhra Pradesh, the foundations of the democratic structure would be greatly impaired.

The Prime Minister, Shrimati Indira Gandhi, intervening in the discussion, said that the Opposition arguments were based on certain assumptions and certain premises which were totally unfounded. At no stage did the Governor of Andhra Pradesh consult the Centre in his decision to

---

\* Other members who took part in the discussion were : Shri Nirmal Chatterjee, Dr. (Shrimati) Najma Heptulla, Sarvasbri Aladi Aruna alias V. Arunachalam, Bijoy Krishna Handique, M.S. Gurupadaswamy, Anand Sharma, Kailash Pati Mishra, Kamalendu Bhattacharjee, Chaturanan Mishra, Satya Prakash Malaviya, B. Satyanarayan Reddy, S.W. Dhabe and Rameshwar Thakur.

dismiss the Rama Rao Ministry, or to invite Shri Bhaskar Rao to form the Government. She emphatically refuted the charge that the ruling Party at the Centre were toppling State governments. Wherever the governments had fallen, it was because of their own internal dissensions which had caused the parties to break up. The Prime Minister hoped that the Opposition leaders would desist from misguiding the public and provoking a needless controversy on this issue.

Replying to the discussion\*, the Minister of State in the Ministry of Home Affairs, Shri P. Venkatasubbaiah said that the Governor had been implementing the principles enshrined in the Constitution. It was his discretion to decide to the question of who was having majority in the House.

#### B. LEGISLATIVE BUSINESS

*Bengal Immunity Company Limited (Acquisition and Transfer of Undertaking) Bill, 1984*†. On 9 August, 1984 the Minister of Chemicals and Fertilizers, Shri Vasant Sathe, moving the motion for consideration of the Bill said that there had been a unanimous demand from all sections in Parliament as well as outside for nationalisation of the Bengal Immunity Company Limited, established in 1919 by late Dr. B.C. Roy, an eminent son of West Bengal, because it had been producing very important drugs and vaccines. Due to labour problem and also lack of proper resources, management and long-term planning the company had gone into serious financial and other difficulties, resulting in the management moving the court for the closure of the company. In these circumstances, the management of the company had been taken over by the Government under section 18 (a) of the Industries (Development and Regulation) Act on 18 May, 1978. Since then, the Company had been under the management of the Central Government. The Government had invested Rs. 16.70 crores on its revival. Loan advanced to the company could not be converted into equity. Hence the need for nationalisation, the Minister concluded.

---

\*Other members who took part in the discussion were : Sarvashri Syed Rahmat Ali, Dipen Ghosh, J.K. Jain, M.S. Gurupadaswamy, P.N. Sukul, Virendra Verma, T. Chandrasekhar Reddy, M. Kalyanasundram, Mandan Bhatia, Parvathaneni Upendra, Pawan Kumar Bansal, Suresh Kalmadi, Sankar Prasad Mitra and V. Gopaldaswamy.

†The Bill, as passed by Lok Sabha, was laid on the Table on 7 August, 1984.

Replying to the debate, he said that the Labour trouble was not the sole cause of losses incurred by the Company. The management was more responsible for that. It was true that sales and production of the Company had gone up but still it suffered losses due to the fact that whatever amount was given to the Company was treated as loan. After nationalisation, it would be treated as equity. The company had a history of research and it would be the Government's endeavour to encourage research and development.

The motion for consideration of the Bill was adopted. The clauses etc. were adopted and the Bill was passed.

*National Security (Second Amendment) Bill, 1984\** : On 22 August, 1984, Shri Jaswant Singh, moving the statutory resolution seeking disapproval of the National Security (Second Amendment) Ordinance, 1984 (No. 6 of 1984) promulgated by the President on 21 June, 1984, said that the ordinance was of questionable legality. It created a conflict between enacted law in force and it perpetuated executive veto over legislative will.

The Minister of State in the Ministry of Home Affairs, Shri P. Venkatasubbaiah, moving the motion for consideration of the Bill seeking replacement of the Ordinance said that the constitutional validity of the National Security Act had been considered and upheld by the Supreme Court. The Working of the Act, during the last three years, had confirmed that the provisions of the Act had been used very sparingly. The Central Government, though empowered under the Act to order the detention, had not issued even a single detention order so far. This Bill sought to provide that the different grounds of detention would be severable from each other so that the detention order was not vitiated merely because some of the grounds suffered from infirmities. It also sought to provide that the expiry or revocation of an earlier detention order would not bar the making of a subsequent detention order against the same person, subject to the condition that the maximum period of detention would not exceed the limit of one year. In the case of Punjab and Chandigarh, the period as already provided for, was two years.

Replying to the debate on the Bill, Shri Venkatasubbaiah said that it would go down in the history of India that the Prime Minister had taken the momentous decision about army action in Punjab to save the country from disintegration at her personal risk. The actual implementation of the Ordinance

---

\*The Bill, was passed by Loks Sabha, was laid on the Table on 14 August, 1984.

for a period of about one month from 21 June to 20 July, 1984 had indicated that the provisions of the NSA, as amended, continued to be used with due caution and without any political motive whatsoever. The figures which were available till 20 July, 1984 from all the States indicated that only four detention orders had been made.

The Resolution seeking disapproval of the National Security (Second Amendment) Ordinance, 1984 was negatived. The motion for consideration of the Bill was adopted. The clauses etc. were adopted and the Bill was passed.

*Constitution (Forty-Eighth Amendment) Bill, 1984\** : On 25 August, 1984, the Minister of Home Affairs, Shri P.V. Narasimha Rao, moving the motion for consideration of the Bill, said that through the Bill it was proposed to include in the Ninth Schedule of the Constitution 14 land laws in order to provide them substantial immunity from challenge in a court of law. The Bill was absolutely non-controversial.

Replying to the debate, Shri P.V. Narasimha Rao said that the delay in bringing the Bill occurred because the various laws had to be examined in the light of the Supreme Court judgment in *Kesvananda Bharti case* and it was considered not necessary to include all the laws in the Ninth Schedule.

The motion for consideration of the Bill as well as its clauses and the Bill as a whole were adopted by a majority of the Bill as a whole were adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

*Constitution (Fiftieth Amendment) Bill, 1984\** : On 25 August, 1984, the Minister of Home Affairs, Shri P.V. Narasimha Rao, moving the motion for consideration as the Bill, said that the Proclamation issued by the President under article 356 of the Constitution on 6 October, 1983 with respect to the State of Punjab could not be continued in force for more than one year unless the special conditions mentioned in clause (5) of article 356 of the Constitution were satisfied. Although the Legislative Assembly was in suspended animation and a popular government could be installed yet having regard to the prevailing situation in the State, the continuance of the Proclamation beyond 5 October, 1984 might be necessary. It was, therefore,

---

\*The Bill, as passed by Lok Sabha, was laid on the Table on 23 August, 1984.

proposed to amend clause (5) of article 356 so as to make the conditions mentioned therein inapplicable for the purpose of the continuance in force of the said Proclamation up to a period of two years from the date of its issue.

Replying to the debate, Shri P.V. Narasimha Rao said that this was not a debate on article 356 of the Constitution. It was in effect and in essence an amendment which intended to postpone the applicability of article 356 (5) to a particular situation in particular State at a given time. It could not be denied that there had been certain administrative lapses here and there in Punjab. There had crept into the administration certain weaknesses. Now these weaknesses had to be removed. It had to be put on its feet again. The normalcy was coming. Therefore, these steps were being taken, the Minister concluded.

The motion for consideration of the Bill as well as well as its clauses and the whole Bill were adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

*Constitution (Fifty-First) Amendment Bill, 1984 and Constitution (Fifty-Third) Amendment Bill, 1984\** : On 25 August, 1984, the Minister of Home Affairs, Shri P.V. Narasimha Rao, moving the motions for consideration of the Bills, said that the Tripura Legislative Assembly had passed a resolution in March, 1982 and again in February, 1983, urging the Government of India to apply the provisions of the Sixth Schedule to the Constitution to the tribal areas of the State of Tripura. The State Government of Tripura, therefore, recommended amendment of the Constitution for the purpose. Though under the Tripura Tribal Areas Autonomous District Council Act, 1979, an autonomous District Council had been functioning in the State, it was considered necessary to give it constitutional sanctity with a view to meet the aspiration of the tribal population. The Council was expected to ensure rapid development of tribal areas and self-governance by the tribals.

As far as the Constitution (Fifty-third Amendment) Bill, 1984 was concerned, the Meghalaya Legislative Assembly had passed a Resolution on 31 March, 1980 urging the Government of India to provide for reservation of seats for Scheduled Tribes in the State Legislative Assembly and also in

---

\*The Bills, as passed by Lok Sabha, were laid on the Table on 24 August, 1984.

the House of the People on the pattern obtaining in other States in the country. The State Government of Meghalaya, therefore, recommended amendment of articles 330 and 332 of the Constitution. The proposal of the State Government of Meghalaya had been supported by the Government of Nagaland, Arunachal Pradesh and Mizoram in respect of their respective areas. The Bill had been introduced against this background. It sought to meet the aspirations of tribal population in these States and Union Territories and strengthen the assurance that the Government was keenly interested in preserving and promoting their identity.

The amendment proposed to be made to article 330 of the Constitution by sub-clause (2) of clause 2 of the Bill would not affect any representation in the House of the People until the dissolution of the House of the People existing at the commencement of the proposed enactment. Similarly, the amendment proposed to be made to article 332 of the Constitution would not affect any representation in the Legislative Assembly of Nagaland or Meghalaya until the dissolution of the Legislative Assemblies of these States existing at the commencement of the proposed enactment, the Minister stated.

Replying to the debate, Shri Rao said that the questions of identity on one side and the problems of integration on the other should be so managed where at no point was there any conflict created between the two. He hoped that the Government and the people would join in the effort to keep this as it had always been.

The motions for consideration of the two Bills, their clauses and the Bills as a whole were adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

*Constitution (Fifty-Second Amendment) Bill, 1984* \* : On 25 August, 1984, the Minister of Home Affairs, Shri P. V. Narasimha Rao, moving the motion for consideration of the Bill, said that by article 33 of the Constitution Parliament was empowered to enact laws determining to what extent any of the rights conferred by Part III of the Constitution would, in their application to members of the Armed Forces or the Forces charged with the maintenance of Public order be restricted or abrogated so as to ensure the proper discharge of their duties and the maintenance of discipline among

---

\* The Bill, as passed by Lok Sabha, was laid on the Table on 24 August, 1984.



them. There were certain other organisations whose proper functioning was equally vital to the national security. These Organisations were meant for collection of intelligence and for transmission and receipt of messages relating to security and law and order. Hence the Bill proposed to amend article 33 of the Constitution to bring within its ambit personnel working in the aforementioned categories of organisations.

Replying to the debate, Shri Rao said that the Government had come across certain cases where these personnel of the intelligence technically thought that they were not covered by this, and therefore, the Government ran into certain problems with some persons, in some cases. The Minister assured the House that no unnecessary curbing of individual liberty would be allowed or would be entertained.

The motion for consideration of the Bill, its clauses and the Bill as a whole were adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

#### C. THE QUESTION HOUR

During the Session, 6260 notices of Questions (5910 Starred and 350 Unstarred) and 14 Short Notice Questions were received. Out of these, 444 Starred Questions and 2876 Unstarred Questions were admitted. No Short Notice Questions was admitted. After the lists of Questions were printed, 24 Starred and 119 Unstarred Questions were transferred from one Ministry to another.

*Daily Average of Questions:* Each of the lists of Starred Questions contained 15 to 22 questions. On an average, 4 questions were orally answered on the floor of the House, per sitting. The maximum number of questions orally answered was 10 on 14 August, 1984 and the minimum number of questions orally answered was 3 on 27 and 31 July and 13 and 24 August, 1984.

The minimum number of questions admitted in the Unstarred Questions list was 90 on 14 and 16 August, 1984 and their maximum number was 160 on 13 August, 1984. Their average came to 120.

*Half-an-Hour Discussions:* In all 19 notices of Half-an-Hour Discussion were received during the Session and out of these, one was admitted and discussed on the floor of the House.

*Statements correcting answers to Question:* Only one statement correcting answers to questions answered in the House was laid by a Minister.

#### D. OBITUARY REFERENCES

During the Session, the Chairman made references to the passing away of Dr. A.N. Khosla, Sarvashri Biswanath Das, Suresh Narain Mulla, T. Siddalingaya, Udhavrao Sahebrao Patil and P.N. Rajabhoj and Shrimati Shyam-Kumari Devi, all ex-members. Members stood in silence for a short while as a mark of respect to the deceased.

#### STATE LEGISLATURES

##### NAGALAND LEGISLATIVE ASSEMBLY\*

*Inclusion of the certain Nagaland Acts in the Ninth Schedule of the Constitution:* The following resolution was adopted by the House on 23 August, 1984:

“WHEREAS undermentioned Acts deal with prevention of alienation of Tribal lands as well as other related matters and it is necessary to protect those statutes from being challenged in the court of law:

1. The Nagaland Requisition and Acquisition Act, 1964.
2. The Bengal Eastern Frontier Regulation, 1873.
3. The Nagaland Land Revenue and Regulation (Amendment) Act, 1978.
3. The Chin Hills Regulation, 1896.

NOW, THEREFORE, this House unanimously resolve that the Government of India may be approached to include the aforesaid statutes in the 9th Schedule of the Constitution of India and bring them out of the purview of the courts”.

---

\*Contributed by the Nagaland Legislative Assembly Secretariat.

## BOOK REVIEW

---

**THE OFFICE OF THE PRIME MINISTER IN INDIA** By Dr. R.N. Pal. Published by Ghanshyam Publishers & Distributors, New Delhi, 1983, pages 279, Rs. 105.00.

This is a good study of the growing institutional position, power and influence of the Prime Minister in Indian politics and its evolution into an outstanding integral or pivotal institution in and through Indian Government.

The concluding chapter gives a fairly comprehensive contour of history and ramifications of this new political institution.

Through the long six preceding chapters, Dr. R. N. Pal, the learned lecturer-cum-author has traced the various phases of the evolution of this institution, through painstaking scholarship and personal interviews with so many eminent Indian politicians and parliamentarians and even former Prime Ministers and Ministers.

The Indian Constitution has only stated that the Prime Minister gets his ministry appointed by the President and he is appointed as Prime Minister. The President calls upon him to form the ministry as the leader of majority of Members in Lok Sabha.

How and what all other things are being done in Indian Parliamentary ministerialism are mostly left to the Parliamentarians in the light of their understanding of what obtains in England and other commonwealth democracies. Dr. Pal gives us a repetitively detailed account of how Indian Parliament and political leaders have allowed the growth of the power and prestige of the position of the Prime Minister into what has come to be the institution of Prime Ministership. Dr. R.N. Pal has done well to unravel the birthpangs suffered by historically the more important Congress working Committee which enjoyed sentimentally and emotionally an inextricable place in the political matrix of nationalist India. For over a decade Jawaharlalji had to struggle

hard to help Indian nationalists who played a noble role in the achievement of national Independence and freedom to let the Working Committee slowly slide into a position, not so pre-eminent, though not of inferiority, *vis-a-vis* the Cabinet. It took another decade of Indian political crisis before the Syndicate within the Congress working Committee took the plunge — what turned out to be so unwise, when judged on the anvil of Jawahar-Patel practice of political patience and dared to isolate the Prime Minister over the issue of the choice of presidential candidate - and helped Indian politics to decide in favour of the primacy of Prime Minister. These developments are traced and indicated by Dr. Pal.

Not so dissimilar was the experience of the British Labour Party. That party had also to struggle for long to gain majority in that Mother of Parliaments. The redoubtable Professor ever Harold Laski was the leader of the party in 1945-47. But equally reverable Attlee, became the leader of the Parliamentary party. Laski wished to lay down both the policy and programme for the Parliamentary party through a continuous stream of advice and caution. But Attlee insisted upon freedom from such trowsers and birth-strings and soon achieved primacy in all essentials. In the measure in which the Central Government has come to gain pre-dominant position in our American-oriented but uniquely Indian type of federalism, over the States, so also the Prime Minister, who has attained even more dominant position in the set-up of Central Government has come to assume similar, if not greater, power over the governments of the States. This was not visualised by the framers of the Constitution. Its potentiality came to be realised by Sardar Patel. He exercised that power to good effect in jettisoning and shepherding the States and their princes into the union. Eventually, the Janata Government swept away in one fell movement all the Congress ministries in a number of States with no more apology than the Bald and arbitrary statement that the public opinion has swung in its opinion against them. True, it was all done under the order of the Home Minister. He derived that power only from the Prime Minister.

The Constitution founders took it for granted that there would soon come to be two more or less equally balanced parties or two stable combinations of parties. They ignored, blissfully, the sad experiences of pre-war France. Our experiences of the Governor's discretionary powers who never the hitherto dominant party lost control over the Assembly started from post-general electoral results in 1952 Madras. The Congress lost its majority in Madras as a result of the first general election under the Constitution. It emerged as the single largest party. The Governor

invited a non-member, Shri C. Rajagopalachari to form the new ministry, despite the protests of the post-election coalition formed through the combination of K.M.P. and C.P.I. etc. The Chief Minister was only a nominated member of the upper council. Yet the new Congress ministry was sworn in, on the basis of the support proffered by the K.L.P. of which I was the leader. That became a precedent for the later usage of Governor's judgement as to which party is to be called to assume power as between rival claimants. In 1957, Shri Morarji Desai, the out going Chief Minister who lost in the general election, was called by Bombay Governor to form the new cabinet merely on the plea that the Congress party was in majority and none questioned the Governor's action—Thanks to Jawaharlal's great moral stature. Is the Governor's judgement to be based on the counting of heads has become a moot point. What is relevant for this present study is that such use or misuse of Governor's judgement under such unexpected turn of political developments was not visualised fully by Constitution makers.

#### *Prime Minister and Parliament*

The special advantage that parliamentary governance confers upon the Prime Minister is his freedom to step into either of the Houses at any stage in any debate on any subject. He can intervene in any debate or at question time and add his voice in support of any minister. He is one of the seasoned and respected leaders and also the official leader of the House. His very presence acts as a stabilising influence for the ministers or as a restraining force on the rivalling tempers of Members on both sides in any turbulent turn of the debate. Dr. Pal has noted how often and with what good effect Jawaharlalji used this facility. It is a pity that the other Prime Ministers have not so fully used this unique parliamentary advantage and opportunity—which the American Presidents—not even excepting F. D. Roosevelt who depended on his Fireside Talks—had not wished for similar prerogative. Churchill exploited it with wonderful results during the war. Even Baldwin and Attlee found it a great source of strength and the best and most favourable stage and platform to give them the most respectful and powerful response.

Dr. Pal has fully authenticated how the Prime Minister is so much more than the first among equals, how he can inspire, uplift, uphold, admonish, correct or condemn one or more ministers, demand their resignations, and change their portfolios. Indeed, this power has come to be so actively, if not so wisely used in some cases, that most of the time, the cabinet minis-

terse are obliged to avoid any head-on collision course against the Prime Minister. Even such a leader as Shri Charan Singh, commanding the single largest component of the Janata Party, had to bow out, when asked to resign and later agree to come in, without his earlier political eclat.

Is all this power written so clearly into the Constitution? Is it in accordance with British convention? It has grown out of its acceptance by our parliamentarians and successive cadres of ministers. Today the Prime Minister has come to be the sole arch-stone of the edifice of our parliamentary democracy. Yet that it is fragile was exposed when the Janta Prime Minister forgot that he was not the head of a solid and disciplined party and his colleagues were capable of disrupting the party and defying his authority both openly and factiously.

The President, in our Constitution, has been crowned with the superstructure of all the powers of our State. But through Nehru's persistent and successful insistence, he was denied the power to actively intervene in the affairs of State. Finally, Indiraji has made it certain through the Constitution Forty-Second Amendment that the President can act only on the advice and concurrence of the Prime Minister and his Cabinet, as is so clearly indicated by Dr. R. N. Pal. Yet the 1979-80 political crisis has revealed that when no one party enjoys majority support in Parliament and the Prime Minister is obliged to resign and another has to be chosen, the President does have the duty to decide upon the successor. This is the extraordinary opportunity that arose for the President—the most crucial, as it turned out to be—when—the President could call upon Choudhary Charan Singh to step into the breach caused by that constitutional crisis and form the Cabinet and seek vote of confidence from the Parliament before the date fixed by him. Dr. R. N. Pal could have made a deeper study of the political and constitutional aspects of this development, which escaped the attention of the Founding Fathers and the latest Amendment regarding powers of the President.

The Union Government has overall power in recruiting and supervising and settling disciplinary matters concerning the officers in all the All India Services manning the higher echelons of administration all over India. In that manner, the Union Cabinet and the Prime Minister have an effective say, through the Union Public Service Commission. Moreover the Home Ministry can and does actually exercise real influence and control over most of the officers holding key positions in all the State Governments. If we add to this whatever power the Prime Minister can manage to wield through the Governors, the influence and power—political and otherwise, that the

Prime Minister may exercise can become sometimes overwhelming ; if not stifling. Yet political compulsions may be such as had been happening in West Bengal and Tamil Nadu that the Prime Minister may shy at using all that power. One or the other, the Chief Ministers and State Governments are generally wise enough not to defy or antagonise the Prime Minister.

Dr. R.N. Pal's chapter on the Judiciary brings out the fact that the Prime Minister can and does manage to see that the Supreme Court is not radically out of tune with the general socio-political approach and programmes of the Government, by using its power of filling up vacancies and when found necessary, by increasing the strength of the court. This has become more easy in India than in U.S.A. because of the unusually long tenures of Jawaharlal and Indiraji as Prime Ministers. Fortunately, the Constitution was based upon progressive socio-political philosophy and faith of our freedom struggle. It incorporated what the American and Indian Freedom Fighters fought for,—the fundamental rights of all men and women and their voluntary associations. It also embodied the socialistic and humanistic aims of our Gandhian-cum-Socialist cadres among Freedom Fighters by incorporating the Directive Principles and special protective reservations for minorities, Scheduled Castes and Scheduled Tribes. When their failure to indicate the primacy as between these very important chapters came to light, through the varying judgements of the Supreme Court, Parliament amended the Constitution to make Directive Principles dealing with Human Rights and Protection of the Have Nots to gain primacy over individual's property rights. This was accepted by the Supreme Court, on condition that it would not be contrary to the care of the basic structure of the Constitution. In this manner also, the Prime Minister has been able, when commanding the support of more the 2/3 majority in Parliament to overcome the obstruction of the traditional conservatism of the court.

Finally, the Prime Minister was originally intended to have no special secretariat of his own, as apart from whatever ministerial portfolio he might choose to assume. But in the course of the first decade, Jawaharlalji began to gather a Cabinet Secretarial phalanx. Parliament was nervous about that development because of its unhappy experience with the extra-constitutional, over-hearing and the financial not-so-scrupulous activity of his personal private secretary. In course of growing power of the Prime Minister dwindling of the influence and personality of even the Senior Cabinet ministers, the strength and stature of Cabinet Secretariat has grown enormously. By

now, it has become the principal source and vehicle of the flow and exhibition of the Power of the Cabinet. Since the Cabinet has virtually allowed the Prime Minister to settle the agenda, time and tenor of discussion, it has become the principal citadel of supreme authority and the bulwork of the Prime Minister. Dr. Pal's excellent study has indicated how different Prime Ministers have contributed in varying phases to the growth of this parliamentary authority—namely Prime Ministership, in accordance with their different socio-matrix. Since all of them shared more or less the same socialistic approach and Gandhian background and accepted Mixed Economy as the economic way of life, the office of Prime Ministership has grown into the most powerful source of power and patronage. Since it has come to assume the stature of an institution—partly constitutional and mostly political, it has come to be another source of power for the entourage of politicians as well as confidants of the Prime Minister. There lies the danger for the Prime Minister. That is the challenge to the Cabinet and Parliament. Thus, the Prime Minister's office has come to be recognised as the most powerful centre of power, conferences, consultations and decisions of the highest importance.

Dr. Pal and Dr. Sarla and others of lesser levels of scholarship have done us a service in studying the process of the evolution of this great political institution. At this juncture, when national-level debate is going on about the relative advantages and disadvantages of the Presidential and Prime Ministerial form, for quick, competent, responsible and compulsive decisions affecting the fortunes of whole classes, communities, issues between war and peace, freedom and discipline, I am glad that these scholarly thesis are being placed before us to help us, our parliamentarians, political parties and all other social interests to make their choice between the Presidential centre of democratic authority in U.S.A. and France and parliamentary centre of decisions obtaining in India and other Commonwealth and Scandinavian countries and West Germany and Japan.

—N. G. RANGA



## RECENT LITERATURE OF PARLIAMENTARY INTEREST

## I. BOOKS

Aderman, Geoffrey : *Pressure Groups and Government in Great Britain*. New York, Longman Group Limited, 1984.

Barber, Benjamin, R. : *Strong Democracy; Participatory Politics for New Age*. Berkeley. University of California Press, 1984.

Brass, Paul, R. : *Caste. Faction and Party in Indian Politics*. Delhi, Chanakya Publication, 1983.

Chatterji, Probhat Chandra : *Secular Values for Secular India*. New Delhi, Lola Chatterjee, 1984.

Dhyani, S. N. : *Law, Morality and Justice; Indian Developments*. New Delhi, Metropolitan Book Co., 1984.

Ghosh, Sankar : *Modern Indian Political Thought*. New Delhi, Allied Publishers, 1984.

Gupta, Shiva, K. : *Multi Ethnicity and the Problem of National Integration*. Allahabad, Govind Ballabh Pant Social Science Institute, 1983.

India, Ministry of Home Affairs : *White Paper on the Punjab Agitation*. New Delhi, 1984.

Kamal, K. L. : *Democratic Politics in India*. New Delhi, Wiley Eastern, 1984.

Krishna Aiyar, V. R. : *Law and Religions*. New Delhi, Deep and Publications, 1984.

Laundy, Philip : *The Office of Speaker in the Parliaments of the Commonwealth*. London, Quiler Press Ltd., 1984.

- Leftwich, Adrian : *What is Politics*. Oxford, Basil Blackwell, 1984.
- Maheshwari Shriram : *Administrative Reforms*. New Delhi, Indian Institute of Public Administration 1984.
- Malik, Sarla : *The Prime Minister of India; Powers and Function*. Pilani. Chinta Prakashan, 1984.
- Mathur, P. C. : *Social Bases of Indian Politics*. Jaipur, Aalekh Publishers. 1984.
- Nagla, B. K. *Factionalism, Politics and Social Structure*. Jaipur, Rawat Publications, 1984.
- Nayak, Pandav : *Pakistan Society and Politics*. New Delhi, South Asian Publishers, 1984.
- Offe, Clause : *Contradiction of the Welfare State*. London, Hutchinson, 1984.
- Padhi, A. P. and Rao, K. V. : *Socialism, Secularism and Democracy in India*. Delhi, New Literature, 1984.
- Pal, Chandra : *State Autonomy in Indian Federation; Emerging Trends*. New Delhi, Deep and Deep Publications, 1984.
- Pandey, Lallen Behari : *The State Executive*. Delhi, Amar Prakashan, 1984.
- Phul Chand (Ed.) : *Indian Parliament*. New Delhi, The Institute of Constitutional and Parliamentary Studies, 1984.
- Rao, V. K. R. V. : *The Current Indian Crisis; Darkness Before Dawn*. Allahabad, Vohra Publishers, 1984.
- Reddy, P. Jaganmohan : *A Constitution; What it is and What it Signifies*. Vishakhapatnam, Andhra University Press, 1983.
- Robertson, David : *Class and the British Electorate*. Oxford, Basil Blackwell, 1984.
- Rush, Michael : *The Cabinet and Policy Formation*. London, Longman, 1984.

Sharma, Ram Avtar : *Justice and Social Order in India*. New Delhi, Intellectual Publishing House, 1984.

Sirsikar, V. M. and Fernandes L. : *Indian Political Parties*. Meerut, Mecnakshi Prakashan, 1984.

Whitaker, Ben : *Minorities; a Question of Human Rights?* Oxford, Pergamon Press, 1984.

## ·II. ARTICLES

Archer, Jeffrey : Constitutionalism and Violence; The Case of Ireland. *The Journal of Commonwealth & Comparative Politics*. July, 1984.

Auten, Gerold, Bozeman, Barry and Cline, Robert : A Sequential Model of Congressional Appropriations. *American Journal of Political Science*. August, 1984.

Ayres, Q. Whitfield and Whiteman, David : Congressional Reapportionment in the 1980s; Types and Determinants of Policy Outcomes. *Political Science Quarterly*, Summer, 1984.

Beck, Paul Allen : Young Vs. Old in 1984; Generations and life Stages in Presidential Nomination Politics. *P. S.* Summer, 1984.

Beiner, Ronald : The Classical Method of Political Science and its Relation to the Study of Contemporary Politics. *Government and Opposition*. Autumn, 1984.

Bellefeu, Pierre, de : Security in the Precincts of Parliament. *Canadian Parliamentary Review*, Summer 1984.

Born, Richard : Reassessing the Decline of Presidential Coattails; U. S. House Elections from 1952-80. *The Journal of Politics*, February, 1984.

Brown, Archie : Political Science in the Soviet Union; a new Stage of Development. *Soviet Studies*, July, 1984.

Carroll, Carman, Vs. : Parliamenatrians and the Public Archives. *Canadian Parliamentary Review*, Summer, 1984.

Chan, Stephen : Three Birds of Different Feathers; The Commonwealth; The Commonwealth Secretary-General and the Commonwealth Secretariat. *The Round Table*, July, 1984.

Coghill, Dr. Ken : A Case Against Bicameralism. *The Parliamentarian*, April, 1984.

Cohen, Jeffery, E. : Perceptions of Electoral Insecurity Among Members Holding Safe Seats in a U. S. State Legislature. *Legislative Studies Quarterly*, May, 1984.

Cole, Richard L. and Caputo. David, A. : The Public Hearing as an Effective Citizen Participation Mechanism. *The American Political Science Review*, June, 1984.

Combs, Michael, W. Hibbing John, R. and Welch, Susan : Black Constituents and Congressional Roll Call Votes. *The Western Political Quarterly*, September, 1984.

Crane, B, Barbara : Policy Coordination by Major Western Powers in Bargaining with the Third World; Debt Relief and the Common Fund. *International Organisation*, Summer, 1984.

Crouch, Colin : The Socialist Case for a Centre-Left Coalition. *The Political Quarterly*, July-September, 1984.

Deol, Harbhajan Singh : Administrators and Politicians; A Critique of their Roles. *The Indian Journal of Public Administration*, April-June, 1984.

Durotoye, Yomi : The Role of Nigerian Parliament in the Disintegration of the Nigerian Political Regime ; 1960—66. *The Indian Political Science Review*, July, 1984.

Eulan, Heinz and McCluggage Vera : Standing Committees in Legislatures ; Three Decades of Research. *Legislative Studies Quarterly*, May, 1984.

Feehan John and Landes, Ronald, G. : The Parliamentary Tradition in Nova Scotia *Canadian Parliamentary Review*, Summer, 1984.

Francis, M. : Human Rights and Libertarians. *The Australian Journal of Politics and History*, Vol. 29, No. 3, 1983.

Franklin, Charles H. : Issue Preferences, Socialization and the Evolution of Party Identification. *American Journal of Political Science*, August, 1984.

Gant, Michael. M. and Davis Dwight F. : Mental Economy, and Voter

Rationality ; The Informed Citizen Problem in Voting Research. *The Journal of Politics*, February, 1984.

Glenn, Gary, D. : Inalienable Rights and Locke's Argument for Limited Government ; Political Implications of a Right to Suicide. *The Journal of Politics*, February, 1984.

Gross, Donald, A. and Sigelman, Lee : Comparing Party Systems ; A Multi-Dimensional Approach. *Comparative Politics*, July, 1984.

Hammond, Susan, Webb : Legislative Staffs. *Legislative Studies Quarterly*, May, 1984.

Huntington, Ron : Effective Parliamentary Influence and Better Government. *The Parliamentarian*, April, 1984.

Huntington, Samuel, P. : Will More Countries Become Democratic ? *Political Science Quarterly*, Summer, 1984.

Jillson, Calvin, C. : The Political Structure of Constitution Making ; The Federal Convention of 1987. *American Journal of Political Science*, August, 1984.

Ki-Zerbo, Joseph : Nation, Justice and Liberty. *Diogenes*, Winter, 1983.

Kohut, Andrew : The U.S.A. Presidential Election: Major Swings in Poll Findings; Reflect Political Environment. *Public Opinion*, June-July, 1984

Lankester, R.S. : Determination of Pay of Members of the United Kingdom House of Commons. *The Table*, Vol. LI for 1983.

MacEachen, Allan J. : Parliament and Foreign Affairs. *Canadian Parliamentary Review*, Summer, 1984.

Marquand, David : Why Progressive Should Unite ? *The Political Quarterly*, July-September, 1984.

Mayer, P.B. : Congress (I), Emergency (I); Interpreting Indira Gandhi's India. *The Journal of Commonwealth & Comparative Politics*, July, 1984.

Mckelvey, Richard D. and Ordeshook, Peter C. : An Experimental Study of the Effects of Procedural Rules on Committee Behaviour. *The Journal of Politics*, February, 1984.

Meleay, E.M. : Building Societies : A Question of Accountability ? *Public Administration*, Summer, 1984. (Deals with British political system).

Mehra, Brij Bhushan : Parliament and Social Change. *The Journal of Parliamentary Information*, September, 1984.

Meier J. Kenneth and England E. Robert : Black Representation and Educational Policy ; Are They Related ? *The American Political Science Review*, June, 1984.

Mifsud, C. : The Current Parliament in Malta : Some Interesting Features. *The Table*, Vol. LI for 1983.

Mishler, William and Hildreth, Anne : Legislatures and Political Stability; An Exploratory Analysis. *The Journal of Politics*, February, 1984.

Mitchell, Austin : A College Education; Electing Labour's Leader. *The Parliamentarian*, April, 1984.

Morarka, R.R. : Parliamentary Committees. *The Journal of Parliamentary Information*, September, 1984.

Mukarji, Nirmal : Federalism and an Inter-State Council. *Public Opinion*, June-July 1984.

Niemi, Richard G. and Larry M. Bartels : The Responsiveness of Approval Voting to Political Circumstances. *P.S.*, Summer, 1984.

Owens, John R. and Wade, Larry L. : Federal Spending in Congressional Districts. *The Western Political Quarterly*, September, 1984.

Pal, Chandra : Centre-State Relations; Current Issues and Trends, *The Indian Journal of Public Administration*, April-June, 1984.

Ranadive, B.T.O. : The Role of Communists in the Freedom Struggle in India. *Social Scientist*, September, 1984.

Rummel, R.J. : Libertarianism, Violence Within States and the Polarity Principle, *Comparative Politics*, July, 1984.

Sarma, Amarendra : Problems and Perspectives of Parliamentarians : Some Aspects. *The Journal of Parliamentary Information*, September, 1984.

Savoie, Donald. J. : The Minister's Staff; the Need for Reform. *The Journal of Public Administration of Canada*, Winter, 1983.

Seroka, Jim : The Policy-Making Roles of the Yugoslav Federal Assembly: Changes, Trends and Implications. *The Western Political Quarterly*, September, 1984.

Sheldon, Robert : Public Sector Auditing and the United Kingdom: Committee of Public Accounts in 1984. *The Parliamentarian*, April, 1984.

Shepsle, Kenneth A. and Weingast, Bary R : When Do Rules of Procedure Matter ? *The Journal of Politics*, February, 1984.

Shishkov, Y. : Structural Unemployment in Capitalist Countries. *Political Affairs*, March, 1984.

Stevens, Sinclair : Inside the 1983 Progressive Conservative Leadership Campaign. *The Parliamentarian*, April, 1984.

Stoltz, D.E. : The Canadian Constitutional Patriation Process, 1980—1982. *The Table*, Vol. LI for 1983.

Tacke, Walter : Germans and the European Parliament Election: A Pre-Election Survey. *Public Opinion*, June-July, 1984.

Tagupa, William : Electoral Behaviour in French Polynesia, 1977—1982. *Political Science*, July, 1983.

Thomas, N. David : The Widening of the American Political Spectrum in Campaign '84. *Contemporary Review*, October, 1984.

Thompson, Margaret, Susan and Silbey, H. Joel : Research on 19th Century Legislatures; Present Contours and Future Directions. *Legislative Studies Quarterly*, May, 1984.

Tucker, Harvey, J. : The Nationalization of State Policy Revisited. *The Western Political Quarterly*, September, 1984.

Young, Ken : Governing Greater London; The Political Aspects. *The Political Quarterly*, July-September, 1984.



## APPENDIX I

### STATEMENT SHOWING THE WORK TRANSACTED DURING THE FIFTEENTH SESSION OF THE SEVENTH LOK SABHA

---

1. Period of the Session—	23 July to 27 August, 1984	
2. Number of sittings held—	...	25
3. Total Number of sitting hours—	197 hours and 43 minutes	
4. Number of divisions held—25	...	1
5. GOVERNMENT BILLS :		
(i) Pending at the commencement of the session	...	17
(ii) Introduced	...	18
(iii) Laid on the Table as passed by Rajya Sabha	...	12
(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	...	1
(ix) Discussed	...	33
(x) Passed	...	30
(xi) Withdrawn	...	1
(xii) Negatived	...	1
(xiii) Part-discussed	...	1
(xiv) Discussion postponed	...	Nil
(xv) Returned by Rajya Sabha without any recommendation	...	4

(xvi) Motion for concurrence to refer the Bill to Joint Committee adopted	...	Nil
(xvii) Pending at the end of the Session	...	15
<b>6. PRIVATE MEMBERS' BILLS :</b>		
(i) Pending at the commencement of the Session	...	361
(ii) Introduced	...	13
(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	...	2
(ix) Negatived	...	2
(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	...	Nil
(xvi) Pending at the end of the Session	...	370
<b>7. NUMBER OF DISCUSSIONS HELD UNDER RULE 193 : (Matters of Urgent Public Importance)</b>		
(i) Notices received	...	362
(ii) Admitted	...	3
(iii) Discussion held	...	3
<b>8. NUMBER OF STATEMENT MADE UNDER RULE 197 : (Calling-attention to matters of Urgent Public Importance)</b>		

Statements made by Ministers	...	7
<b>9. MOTION OF NO CONFIDENCE IN COUNCIL OF MINISTERS</b>		
(i) Notices received	...	Nil
(ii) Admitted and Discussed	...	Nil
(iii) Barred	...	Nil
<b>10. Half-an-Hour discussions held</b>	...	2
<b>11. STATUTORY RESOLUTIONS</b>		
(i) Notices received	...	68
(ii) Admitted	...	7
(iii) Moved	...	7
(iv) Adopted	...	3
(v) Negatived	...	4
(vi) Withdrawn	...	Nil
<b>12. GOVERNMENT RESOLUTIONS :</b>		
(i) Notices received	...	Nil
(ii) Admitted	...	Nil
(iii) Moved	...	Nil
(iv) Adopted	...	Nil
<b>13. PRIVATE MEMBERS' RESOLUTIONS :</b>		
(i) Received	...	4
(ii) Admitted	...	4
(iii) Discussed	...	1
(iv) Adopted	...	Nil
(v) Negatived	...	1
(vi) Withdrawn	...	Nil
(vii) Part-discussed	...	Nil
(viii) Discussions postponed	...	Nil

**14. GOVERNMENT MOTIONS :**

(i) Notices received	...	3
(ii) Admitted	...	5
(iii) Discussed	...	4
(iv) Adopted	...	2
(v) Part-discussed	..	1

**15. PRIVATE MEMBERS MOTIONS :**

(i) Notices received	...	903
(ii) Admitted	...	298
(iii) Moved	...	1
(iv) Discussed	...	1
(v) Adopted	...	Nil
(vi) Negatived	...	1
(vii) Withdrawn	...	Nil
(viii) Part-discussed	...	Nil

**16. MOTIONS RE: MODIFICATION OF STATUTORY RULE :**

(i) Received	...	6
(ii) Admitted	...	6
(iii) Moved	...	Nil
(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** ... 22067

19. Maximum number of Visitors' Passes issued on any single day, and date on which issued ... 1,768 on 22-8-84

20. NUMBER OF ADJOURNMENT MOTIONS :

(i) Brought before the House ... Nil  
 (ii) Admitted and discussed ... Nil  
 (iii) Barred in view of adjournment motion admitted on the subject ... Nil  
 (iv) Consent withheld by Speaker outside the House. ... 322  
 (v) Consent given by Speaker but leave not granted by the House ... Nil

21. TOTAL NUMBER OF QUESTIONS ADMITTED :

(i) Starred ... 478  
 (ii) Unstarred (including Starred Questions converted as Unstarred Questions) ... 4805  
 (iii) Short Notice Questions ... Nil

22. WORKING OF PARLIAMENTARY COMMITTEES :

Sl. No.	Name of the Committee	No. of sittings held during the period 1 July to 30 Sept., 1984	No. of Reports presented to the House during the Session
1	2	3	4
(i)	Business Advisory Committee	4	4
(ii)	Committee on Absence of Members	1	1
(iii)	Committee on Public Undertakings	11	...
(iv)	Committee on Papers Laid on the Table	6	2

1	2	3	4
(v)	Committee on Patitions	5	2
(vi)	Committee on Private Members' Bills and Resolutions	5	5
(vii)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes	2	2
(viii)	Committee of Privileges	3	...
(ix)	Committee on Government Assurances	4	2
(x)	Committee on Subordinate Legislation	5	2
(xi)	Estimates Committee	11	3
(xii)	General Purposes Committee	2	...
(xiii)	House Committee	...	...
(xiv)	Accommodation Sub-Committee of House Committee	1	11
(xv)	Public Accounts Committee	12	14
(xvi)	Railway Convention Committee	4	1
(xv)	Rules Committee	1	...
	JOINT/SELECT COMMITTEES		
(i)	Joint Committee on Offices of Profit	4	2
(ii)	Joint Committee on Salaries and Allowances of Members of Parliament	2	...
(iii)	Joint Committee of Chairman, House Committees of both the Houses of Parliament	...	...
(iv)	Joint Committee on the life Insurance Corporation Bill, 1983.	7	1
23.	Number of Members granted leave of absence	...	2
24.	Petitions presented	...	1
25.	Number of new Members sworn with date	...	Nil

## APPENDIX II

### STATEMENT SHOWING THE WORK TRANSACTED DURING THE HUNDRED AND THIRTY FIRST SESSION OF RAJYA SABHA

---

1. Period of the Session	...23 July to 29 August, 1984
2. Number of Meetings held	... 27
3. Total Number of sitting hours	...184 hours & 27 minutes (excluding lunch break)
4. Number of divisions held	... 27
5. GOVERNMENT BILLS	
(i) Pending at the commencement of the Session	... 11
(ii) Introduced	... 9
(iii) Laid on the Table as passed by Lok Sabha	... 24
(iv) Returned by Lok Sabha with any amendment	... 1
(v) Referred to Select Committee by Rajya Sabha.	... Nil
(vi) Referred to Joint Committee by Rajya Sabha	... Nil
(vii) Reported by Select Committee	... Nil
(viii) Reported by Joint Committee	... Nil
(ix) Discussed	... 36
(x) Passed	... 32
	757

(xi) Withdrawn	...	Nil
(xii) Negatived	...	Nil
(xiii) Part-Discussed	...	Nil
(xiv) Returned by Rajya Sabha without any recommendation	...	4
(xv) Discussion postponed	...	Nil
(xvi) Pending at the end of the Session	...	8

#### 6. PRIVATE MEMBERS BILLS

(i) Pending at the commencement of the Session	...	29
(ii) Introduced	...	1
(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	...	2
(vii) Withdrawn	...	Nil
(viii) Passed	...	Nil
(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) Lapsed due to retirement/Death of member-in-Charge of the Bill.	...	Nil
(xvi) Pending at the end of the Session	...	29



<b>7. NUMBER OF DISCUSSIONS HELD UNDER RULE</b>		
<b>176 (MATTERS OF URGENT PUBLIC IMPORTANCE)</b>		
(i) Notices received	...	2
(ii) Admitted	...	2
(iii) Discussion held	...	1
<b>8. NUMBER OF STATEMENTS MADE UNDER RULE</b>		
<b>180 (CALLING-ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE)</b>		
Statements made by Ministers	...	13
<b>9. Half-an-hour discussion held</b>	...	<b>1</b>
<b>10. STATUTORY RESOLUTIONS</b>		
(i) Notices received	...	5
(ii) Admitted	...	5
(iii) Moved	...	3
(iv) Adopted	...	Nil
(v) Negatived	...	3
(vi) Withdrawn	...	Nil
<b>11. GOVERNMENT RESOLUTIONS</b>		
(i) Notices received	...	3
(ii) Admitted	...	3
(iii) Moved	...	3
(iv) Adopted	...	3
<b>12. PRIVATE MEMBERS' RESOLUTIONS</b>		
(i) Received	...	11
(ii) Admitted	...	11
(iii) Discussed	...	2
(iv) Withdrawn	...	1
(v) Negatived	...	Nil

	(vi) Adopted	...	Nil
	(vii) Part-discussed	...	1
	(viii) Discussion postponed	...	Nil
<b>13.</b>	<b>GOVERNMENT MOTIONS</b>		
	(i) Notices received	...	5
	(ii) Admitted	...	5
	(iii) Moved	...	3
	(iv) Adopted	...	3
	(v) Part-discussed	...	Nil
<b>14.</b>	<b>PRIVATE MEMBERS' MOTIONS</b>		
	(i) Received	...	106
	(ii) Admitted	...	106
	(iii) Moved	...	Nil
	(iv) Adopted	...	Nil
	(v) Part-discussed	...	Nil
	(vi) Negatived	...	Nil
	(vii) Withdrawn	...	Nil
<b>15.</b>	<b>MOTIONS REGARDING MODIFICATION OF STATUTORY RULE</b>		
	(i) Received	...	1
	(ii) Admitted	...	1
	(iii) Moved	...	1
	(iv) Adopted	...	Nil
	(v) Negatived	...	Nil
	(vi) Withdrawn	...	1
	(vii) Part-discussed	...	Nil
<b>16.</b>	<b>Number of Parliamentary Committees created, if any, during the session</b>	...	Nil

17. Total number of Visitors' Passes Issued	...	4237
18. Total no. of persons visited	...	5490
19. Maximum number of Visitors' Passes issued on any single day, and date on which issued	...	339 on 23 August, 1984
20. Maximum no. of visitors visited on any single day and date on which visited	...	576 on 22 August, 1984
21. TOTAL NUMBER OF QUESTIONS ADMITTED		
(i) Starred	...	444
(ii) Unstarred	...	2876
(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 1 July to 30 September, 1984	No. of Reports presented during the Session
1	2	3
(i) Public Accounts Committee	*	*
(ii) Committee on Public Undertakings	*	*
(iii) Business Advisory Committee	4	Nil
(iv) Committee on Subordinate Legislation	6	2
(v) Committee on Petition	3	2
(vi) Committee on the Welfare of Scheduled Castes and Scheduled Tribes	*	*
(vii) Committee of Privileges	Nil	Nil
(viii) Committee on Rules	Nil	Nil
(ix) Joint Committee on Offices of Profit	*	*

\*See *Supra* Appendix 1, Col. 22.

	1	2	3
(x) Committee on Government Assurances		6	1
(xi) Committee on Papers Laid on the Table		7	1
(xii) Joint Committee on Mental Health Bill, 1981		2	Nil
(xiii) Parliamentary Committee for Reconciliation between the Niran kari's and the Akalis		1	Nil

24. Number of Members granted leave of absence ... 1

25. Petition presented ... 2

26. NUMBER OF NEW MEMBERS SWORN WITH DATES

S. No.	Name of Members sworn	Date on which sworn
1.	Smt. Omem Moyong Deori	23-7-84
2.	Dr. C. Silvera	-do-
3.	Shri Anant Prasad Sharma	22-8-84

27. OBITUARY REFERENCES

S. No.	Name	Sitting Member/ Ex-Member
1.	Dr. A.N. Khoala	Ex-Member
2.	Shri Biswanath Das	-do-
3.	Shri Suresh Narain Mulla	-do-
4.	Shri T. Sidda Lingaya	-do-
5.	Smt. Shvamkumari Devi	-do-
6.	Shri Udh Avrao Sahebrao Patil	-do-
7.	Shri P.N. Rajabhoj	-do-



1	2	3	4	5	6	7	8
Kerala L.A.	18-6-84 to 27-7-84	21	4(3)	...	7182(250)(e)	(1860)	1(1)
Madhya Pradesh L.A.	...	...	...	...	...	...	...
Maharashtra L.C.	...	...	...	...	...	...	...
Maharashtra L.A.	...	...	...	...	...	...	...
Manipur L.A.	...	...	...	...	...	...	...
Meghalaya L.A.	...	...	...	...	...	...	...
Nagaland L.A.	21-8-84 to 23-8-84	2	2(2)	...	46(46)	10(10)	...
Orissa L.A.	...	...	...	...	...	...	...
Punjab L.A.	...	...	...	...	...	...	...
Rajasthan L.A.	...	...	...	...	...	...	...
Sikkim L.A.	...	...	...	...	...	...	...
Tamil Nadu L.C.	...	...	...	...	...	...	...
Tamil Nadu L.A.	...	...	...	...	...	...	...
Tripura L.A.	10-9-84 to 17-9-84	6	4(3)	1	602(370)	7(91)(f)	2
Uttar Pradesh L.C.	10-9-84 to 17-9-84	6	3(9)	1	439(387)	62(48)	57(57)
Uttar Pradesh L.A.	10-9-84 to 17-9-84	6	10(9)	...	1050(360)(g)	536(1079)(h)	298(78)
West Bengal L.A.	...	...	...	...	...	...	...
Union Territories	...	...	...	...	...	...	...
Arunachal Pradesh L.A.	24-9-84 to 25-9-84	2	2(2)	...	74(56)	4(4)	...

Delhi Metropolitan Council	...	...	...	...	...	...
Goa, Daman and Diu	...	...	...	...	...	...
L.A.	12-7-84 to 1-8-84	15	4(6)	...	538(368)	31(125)(i) 5(2)
Mizoram L.A.	...	...	...	...	...	...
Pondichery 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 7390 includes notices received as Starred, Unstarred and Short Notice Questions.
- (b) The figure 707 includes 2 notices received as Short Notice Questions.
- (c) The figure 126 includes 84 notices received as Starred Questions.
- (d) The figure 157 includes notices received as Starred Questions.
- (e) The figure 7182 includes notices received as Starred and Unstarred Questions.
- (f) The figure 91 includes 84 notices received as Starred Questions.
- (g) The figure 360 includes 94 notices received as Short Notice Questions.
- (h) The figure 1079 includes 584 notices received as Starred Questions and 85 notices received as Short Notice Questions.
- (i) The figure 125 includes notices received as Starred Questions.

**APPENDIX III (Contd.)**  
**COMMITTEES AT WORK/NUMBER OF SITTINGS HELD AND NUMBER OF REPORTS PRESENTED**

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Business Advisory Committee																
Committee on Govt. Assurances																
Committee on Petitions																
Committee on Private Members' Bills and Resolutions																
Committee on Privileges																
Committee on Public Undertakings																
Committee on Subordinate Legislation																
Committee on the Welfare of SC and ST																
Estimates Committee																
General Purposes Committee																
House/Accommodation Committee																
Library Committee																
Public Accounts Committee																
Rules Committee																
Joint/Select Committee																
Other Committees																
<b>States</b>																
Andhra Pradesh L.C.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Andhra Pradesh L.A.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Assam L.A.	1	2	1	...	...	1	1	6	2	..	1	4	6	...	...	1(a)
Bihar L.C.	4	30	13(3)	4(1)	9	...	27	...	...	...	26	26	...	...	...	10(b)
Bihar L.A.	2	49(7)	74(30)	45	...	74	20	37	124	..	27	38	48(313)	39	...	60(10)(c)



Gujarat L.A.	3(3)	10(1)	3	2(2)	3	14(1)	4	4(3)(d)	5(3)	...	3(2)	1	12(z)	...	20(2)(e)
Haryana L.A.	1(1)	12	2	...	12(3)	23	17	16	17(1)	...	5	10	21	...	...
Himachal Pradesh L.A.	2(2)	12	3	...	1	13(6)	7	12(1)	13(1)	...	2	3	13(7)	2	3(f)
Jammu & Kashmir L.C.	...	6	6	...	5	...	16	...	...	5	3	2	...	3	...
Jammu & Kashmir L.A.	...	2	2	...	13	...	10	...	12	...	14	...	31	...	...
Karnataka L.C.	...	6	...	...	3	...	...	...	...	...	...	...	...	...	...
Karnataka L.A.	...	7	5	...	4	12	6	5	8	...	4	...	6	...	10(g)
Kerala L.A.	1(1)	4	5	7(3)	...	11	5(1)	8(1)	10(4)	...	6	2	12	...	4(b) 16(10)(i)
Madhya Pradesh L.A.	...	5	3	...	6	9	5	5	6	...	3	1	8	...	9(j)
Maharashtra L.C.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Maharashtra L.A.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Manipur L.A.	...	3	6	...	...	2	2	5	3	...	...	...	2	...	...
Meghalaya L.A.	...	5	...	...	...	2	...	7	17	...	1	1	1	3	2(k)
Nagaland L.A.	...	...	1	...	...	...	1	...	3	...	1	...	1	...	...
Orissa L.A.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Punjab L.A.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Rajasthan L.A.	...	31	31	...	33	26	53	71(1)	65(m)	...	27	32	52	37(n)	...
Sikkim L.A.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Tamil Nadu L.C.	...	4	...	...	...	...	...	...	...	...	...	...	...	...	...
Tamil Nadu L.A.	...	3	...	...	?	21	11	...	10	...	1	...	15	3	2(o)

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Tripura L.A.	1(1)	3	1	...	2	5(1)	...	6(p)	2	...	...	2(1)	3	...	...	3(q)
Uttar Pradesh L.C.	2(2)	19	20(1)	...	34(2)	47	...	...	...	...	25	...	...	22	2(†)	89(s)
Uttar Pradesh L.A.	4(4)	12	8	...	10	23(d)	10(1)	14(4)	7(1)	...	...	...	20	13	...	...
West Bengal L.A.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
<b>Union Territories</b>																
Arunchal Pradesh L.A.	...	...	...	...	...	...	...	...	...	...	...	...	...	2(1)	...	...
Delhi Metropolitan Council	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Goa, Daman & Diu L.A.	1(1)	2	...	...	...	...	...	...	2(2)	...	...	...	6(3)	...	1(1)(t)	11(3)(u)
Misoram L.A.	...	4	...	...	1	...	...	...	8	...	1	1	6	...	...	...
Postocherry L.A.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

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

(a) E.R.C. (*Adhoc* Committee) — 1 sitting

(b) Question and Calling Attention Committee—10 sittings

(c) Nivedan Committee—16 sittings and Question and Calling Attention Committee—44(10)

(d) Committee on Welfare of Scheduled Castes—4(?)

(e) Panchayati Raj Committee—12 sittings ; Committee on the Welfare of Socially and Educationally Backward Classes, Non-educational Tribes and Denotified Tribes—4(2) and Members' Allowances Rules Committee—4 sittings

- (f) Committee on Papers Laid on the Table of the House—3 sittings
- (g) Committee on the Welfare of Backward Classes—10 sittings
- (h) Select Committee on the Kerala Fishermen's Welfare Fund Bill, 1984—4 sittings
- (i) Subject Committees 1 to x—16(10)
- (j) Select Committee on M.P. Lok Nyas Vidheyak, 1983—3 sittings and Select Committee on M.P. Upbhokta Sanrakshan Vidhayak—6 sittings
- (k) Select Committee on the Khasi and Jaintia Succession to Self Acquired Property (Special Provision) Bill, 1984—2 sittings
- (l) Committee on Welfare of Schedule Castes—41 sittings and Committee on Welfare of Scheduled Tribes—30 sittings
- (m) Estimates Committee(A)—45 sittings and Estimates Committee(B)—20 sittings
- (n) Rules Sub-Committee, 1984-85—37 sittings
- (o) Select Committee on the Tamil Nadu Urban Land Tax (Amendment) Bill, 1980—2 sittings
- (p) Committee on Welfare of Scheduled Tribes—2 sittings and Committee on Welfare of Scheduled Castes—4 sittings
- (q) Committee on Delegated Legislation—3 sittings
- (r) Select Committee on U. P. Krishi Evam Prodyogik Vishwavidyalaya (S. nshodhan) Vidheyak 1981—2 sittings
- (s) Financial Administrative Delay Committee—31 sittings ; Parliamentary and Social Goodwill Committee—30 sittings ; Compilation of Rulings Committee—16 sittings and Parliamentary Studies Committee—12 sittings
- (t) Select Committee on Preservation of Trees Bill—1(1)
- (u) House Committees constituted by the House met 11 times and presented 3 reports.

## APPENDIX IV

LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENTED  
TO BY THE PRESIDENT DURING THE PERIOD 1 JULY TO  
30 SEPTEMBER, 1984

S. No.	Title of the Bill	Date of assent by the President
1	2	3
1.	The Employees' State Insurance (Amendment) Bill, 1984	6-8-84
2.	The Punjab Appropriation (No. 2) Bill, 1984	10-8-84
3.	The Pondicherry Appropriation (No. 2) Bill, 1984	10-8-84
4.	The Electricity (Supply) (Amendment) Bill, 1984	16-8-84
5.	The Industrial Disputes (Amendment) Bill, 1984	16-8-84
6.	The Appropriation (No. 4) Bill, 1984	16-8-84
7.	The Multi-State Cooperative Societies Bill, 1984	18-8-84
8.	The Indian Veterinary Council Bill, 1984	18-8-84
9.	The Estate Duty (Amendment) Bill, 1984	23-8-84
10.	The Levy Sugar Price Equalisation Fund (Amendment) Bill, 1984	23-8-84
11.	The Hooghly Docking and Engineering Company Limited (Acquisition and Transfer of Undertakings) Bill, 1984	23-8-84
12.	The Constitution (Forty-seventh Amendment) Bill, 1984	26-8-84
13.	The Constitution (Forty-eighth Amendment) Bill, 1984	26-8-84
14.	The Cinematograph (Amendment) Bill, 1984	27-8-84

1	2	3
15. The Bengal Immunity Company Limited (Acquisition and Transfer of Undertakings) Bill, 1984		29-8-84
16. The conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Bill, 1984		30-8-84
17. The University Grants Commission (Amendment) Bill, 1984		30-8-84
18. The National Security (Second Amendment) Bill, 1984		31-8-84
19. The Terrorist Affected Areas (Special Courts) Bill, 1984		31-8-84
20. The Constitution (Forty-ninth Amendment) Bill, 1984		11-9-84
21. The Constitution (Fiftieth Amendment) Bill, 1984		11-9-84
22. The Industrial Reconstruction Bank of India Bill, 1984		11-9-84
23. The Dowry Prohibition (Amendment) Bill, 1984		11-9-84
24. The Banking Laws (Amendment) Bill, 1984		11-9-84
25. The Copyright (Amendment) Bill, 1984		14-9-84
26. The Family Courts Bill, 1984		14-9-84
27. The Taxation Laws (Amendment) Bill, 1984		14-9-84
28. The Land Acquisition (Amendment) Bill, 1984		24-9-84

## APPENDIX V

### LIST OF BILLS PASSED BY THE STATE LEGISLATURES DURING THE PERIOD 1 JULY TO 30 SEPTEMBER, 1984

---

#### ASSAM LEGISLATIVE ASSEMBLY

1. The Code of Criminal Procedure (Assam Amendment) Bill, 1984.
2. The Assam Workmen's Protections Bill, 1984.
3. The Assam Electricity Duty (Amendment) Bill, 1984.
4. The Assam Appropriation (No. 111) Bill, 1984.

#### BIHAR LEGISLATIVE COUNCIL

1. Bihar Viniyog (No. 3) (1984 Ka Vyavasthapan) Vidhaya, 1984.

#### BIHAR LEGISLATIVE ASSEMBLY

1. Bihar Appropriation (No. 3) Bill, 1984.

#### GUJARAT LEGISLATIVE ASSEMBLY

1. The Gujarat Panchayats (Amendment) Bill, 1984.
2. The Gujarat Contingency Fund (Temporary Increase) Bill, 1984.
3. The Gujarat Legislative Assembly Members (Removal of Disqualifications) (Amendment) Bill, 1984.
4. The Bombay Provincial Municipal Corporations (Gujarat Second Amendment) Bill, 1984.
5. The Industrial Disputes (Gujarat Amendment) Bill, 1984.
6. The Gujarat (Second Supplementary) Appropriation Bill, 1984.

#### HARYANA LEGISLATIVE ASSEMBLY

1. The Haryana Private Colleges (Taking over of Management) (Amendment) Bill, 1984.
2. The Punjab Ayurvedic and Unani Practitioners (Haryana Amendment and Validation) Bill, 1984.

3. The Maharishi Dayananda University (Amendment) Bill, 1984.
4. The Punjab Security of Land Tenures (Haryana Amendment) Bill, 1984.
5. The Pepsu Tenancy and Agricultural Lands (Haryana Amendment) Bill, 1984.
6. The Haryana Urban Development (Second Amendment) Bill, 1984.
7. The Haryana Appropriation Bill (First Instalment) for the year 1984-85.

#### HIMACHAL PRADESH LEGISLATIVE ASSEMBLY

- \*1. The Himachal Pradesh Appropriation (No. 3) Bill, 1984.
- \*2. The Himachal Pradesh Appropriation (No. 4) Bill, 1984.
- \*3. The Himachal Pradesh Appropriation (No. 5) Bill, 1984.
- \*4. The Himachal Pradesh Prevention of Specific Corrupt Practices (Amendment) Bill, 1984.
- \*5. The Himachal Pradesh Passengers and Goods Taxation (Amendment) Bill, 1984.
- \*6. The Himachal Pradesh Preservation of Forests and Maintenance of Supplies of Forest Based Essential Commodities Bill, 1984.
- \*7. The Himachal Pradesh Fire Fighting Services Bill, 1984.
- \*8. The Himachal Pradesh Legislators (Modifications of Certain Amenities) Bill, 1984.
- \*9. The Himachal Pradesh Municipal Corporation (Amendment and Validation) Bill, 1984.
- \*10. The Himachal Pradesh Municipal (Amendment) Bill, 1984.
- \*11. The Himachal Pradesh Panchayati Raj (Amendment) Bill, 1984.

#### KERALA LEGISLATIVE ASSEMBLY

1. The Kerala Appropriation (No. 9) Bill, 1984.
2. The Kerala Appropriation (No. 10) Bill, 1984.
3. The Kerala Finance Bill, 1984.

---

\* Awaiting assent.

## NAGALAND LEGISLATIVE ASSEMBLY

1. The Nagaland Appropriation (No. 3) Bill, 1984.
2. The Nagaland Appropriation (No. 4) Bill, 1984.

## TRIPURA LEGISLATIVE ASSEMBLY

- \*1. The Tripura Sales Tax (Third Amendment) Bill, 1984.
- \*2. The Tripura Appropriation (No. 3) Bill, 1984.
- \*3. The Tripura State Rifles (Amendment) Bill, 1984.

## UTTAR PRADESH LEGISLATIVE COUNCIL

1. Uttar Pradesh Viniyog (1984-85 Ka Anupurak) Vidheyak, 1984.
2. Uttar Pradesh Viniyog (1980-81) Ke Badhati Vyay Ka Viniyama) Vidheyak, 1984.
3. Uttar Pradesh Aabkari (Sanshodhan) Vidheyak, 1984.
4. Uttar Pradesh Rajya Vidhan Mandal (Sadasayo Ki Uplabdhhiya Aur Pension) (Dwitiya Sanshodhan) Vidheyak, 1984.
5. Uttar Pradesh Bikri-Kar (Sanshodhan) Vidheyak, 1984.
6. Uttar Pradesh Rajya Vishwa-Vidyalya (Niyuktiyo Ki Vidhi Manyata) Vidheyak, 1984.
7. Uttar Pradesh Homeopathic Medicine (Sanshodhan) Vidheyak, 1984.
8. Uttar Pradesh Sahkari Samiti (Sanshodhan) Vidheyak, 1984.
9. Uttar Pradesh Krishi Utpadan Mandi Vidhi (Sanshodhan) Vidheyak, 1984.

## UTTAR PRADESH LEGISLATIVE ASSEMBLY

1. The Uttar Pradesh Appropriation (Supplementary of 1984-85) Bill, 1984.
2. The Uttar Pradesh Appropriation (Regularization of Excess Expenditure, (1980-81) Bill, 1984.
3. The Uttar Pradesh Excise (Amendment) Bill, 1984.
4. The Uttar Pradesh Sales-tax (Amendment) Bill, 1984.

\* Awaiting assent.



5. The Uttar Pradesh State Legislature (Members' Emoluments and Pension) (Second Amendment) Bill, 1984.
6. The Uttar Pradesh Homoeopathic Medicine (Amendment) Bill, 1984.
7. The Uttar Pradesh State Universities (Validation of Appointments) Bill, 1984.
8. The Uttar Pradesh Krishi Utpadan Mandi Laws (Amendment) Bill, 1984.
9. The Uttar Pradesh Cooperative Societies (Amendment) Bill, 1984.

### UNION TERRITORIES

#### ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY

- \*1. The Arunachal Pradesh (Re-organisation of Districts) (Amendment) Bill, 1984.
- \*2. The Arunachal Pradesh (Re-organisation of Districts) (Second Amendment) Bill, 1984.

#### GOA, DAMAN AND DIU LEGISLATIVE ASSEMBLY

1. The Goa, Daman and Diu Appropriation (Excess expenditure for 1979-80) Bill, 1984.
2. The Goa, Daman and Diu Appropriation Bill, 1984.
- \*3. The Goa, Daman and Diu Toddy Tappers Welfare Fund Bill, 1984.
- \*4. The Goa, Daman and Diu Legislative Diploma No. 2070 dated 15-4-1961 (Amendment) Bill, 1984.
- \*5. The Goa, University Bill, 1984.
6. The Goa, Daman and Diu Preservation of Trees Bill, 1982.

---

\* Awaiting assent.

## APPENDIX VI

ORDINANCES ISSUED BY THE CENTRAL AND STATE GOVERNMENTS DURING THE PERIOD 1 JULY TO  
30 SEPTEMBER, 1984

S. No.	Subject	Date of promulgation	Date of which laid before the House	Date of cessation	Remarks
1	2	3	4	5	6

## CENTRAL GOVERNMENT

1. The Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Ordinance, 1984 (No. 8 of 1984).  
13-7-84      23-7-84      —      Replaced by legislation

Replaced by  
legislation

- |   |         |         |   |
|---|---------|---------|---|
| 2. The Terrorist Affected Areas (Special Courts) Ordinance, 1984 (No. 9 of 1984).               | 14-7-84 | 23-7-84 | — |
| 3. The General Insurance Business (Nationalisation) Amendment Ordinance, 1984 (No. 10 of 1984). | 17-9-84 | —       | — |

STATE GOVERNMENTS

BIHAR

- |   |         |         |   |
|---|---------|---------|---|
| 1. Bihar Intermediate Education Council Ordinance, 1984.            | 23-4-84 | 10-8-84 | — |
| 2. Bihar Coal Mines Regional Development Authority Ordinance, 1984. | 30-4-84 | do      | — |
| 3. Bihar Contingency Fund (Amendment) Ordinance, 1984.              | 4-5-84  | do      | — |

1	2	3	4	5	6
		GUJARAT			
1.	The Gujarat Legislative Assembly Members ( Removal of Disqualification ) (Amendment) Ordinance, 1984.	13-4-84	11-9-84	—	Replaced by legislation
2.	The Gujarat Panchayats (Amendment) Ordinance, 1984.	4-6-84	-do-	—	-do-
3.	The Industrial Disputes (Gujarat Amendment) Ordinance, 1984.	7-6-84	-do-	—	-do-
4.	The Gujarat Contingency (Temporary Increase) Ordinance, 1984.	22-6-84	-do-	—	-do-
5.	The Bombay Provincial Municipal Corporation (Gujarat Second Amendment) Ordinance, 1984.	26-6-84	-do-	—	-do-
		HARYANA			
1.	The Punjab Security of Land Tenures (Haryana Amendment) Ordinance, 1984.	25-6-84	3-9-84	—	-do-

1. The Pepsu Tenancy and Agricultural Lands (Haryana Amendment) Ordinance, 1984.	-do-	-do-	-	-do-
3. The Haryana Urban Development Authority (Second Amendment) Ordinance, 1984.	9-8-84	-do-	-	-do-
4. The Maharishi Dayanand University (Amendment) Ordinance, 1984.	-do-	-do-	-	-do-
<b>HIMACHAL PRADESH</b>				
1. The Himachal Pradesh Preservation of Forests and Maintenance of Supplies of Essential Commodities Ordinance, 1984.	27-6-84	10-9-84	-	-do-
2. The Himachal Pradesh Municipal Corporation (Amendment and Validation) Ordinance, 1984.	10-7-84	-do-	-	-do-
<b>KARNATAKA</b>				
1. The Karnataka Educational Institutions Prohibition of Capitation Fee) Ordinance, 1984.	9-7-84	-	-	-

1	2	3	4	5	6
2.	The Karnataka Land Revenue (Amendment) (No. 2) Ordinance, 1984.	9-8-84	—	—	—
3.	The Karnataka Educational Institutions (Prohibition of Capitation Fee) (Amendment) Ordinance, 1984.	-do-	—	—	—
4.	The Khadi and Village Industries (Amendment) (No. 2) Ordinance, 1984.	10-8-84	—	—	—
5.	The Karnataka Electricity (Taxation on Consumption) (Amendment) Ordinance, 1984.	25-9-84	—	—	—
		KERALA			
1.	The Kerala Revenue Recovery (Amendment) Ordinance, 1984.	28-7-84	22-10-84	—	—
2.	The Kerala Survey and Boundaries (Amendment) Ordinance, 1984.	-do-	-do-	—	—
3.	The Kerala Provisional Collection of Revenues Ordinance, 1984.	-do-	-do-	—	—

4. The Kerala Tolls (Amendment) Ordinance, 1984.	-do-	-do-	-do-	-
5. The Kerala Civil Courts (Amendment) Ordinance, 1984.	-do-	-do-	-do-	-
6. The Kerala Preservation of Trees Ordinance, 1984.	-do-	-do-	-do-	-
7. The Irrigation Laws (Amendment) Ordinance, 1984.	-do-	-do-	-do-	-
8. The Kerala Fisherman Welfare Societies (Amendment) Ordinance, 1984.	-do-	-do-	-do-	-
9. The Kerala Private Forest (Vesting and Assignment) (Amendment) Ordinance, 1984.	-do-	-do-	-do-	-
10. The Kerala Public Buildings (Eviction of Unauthorised Occupants) (Amendment) Ordinance, 1984.	27-7-84	-do-	-do-	-
11. The Kerala Cashew Factories (Acquisition) (Amendment) Ordinance, 1984.	28-7-84	-do-	-do-	-
12. The Kerala Municipalities (Amendment) Ordinance, 1984.	-do-	-do-	-do-	-

1	2	3	4	5	6
13.	The Kerala Education (Amendment) Ordinance, 1984.	-do-	-do-	--	—
14.	The University Laws (Amendment) Ordinance, 1984.	-do-	-do-	—	—
15.	The Kerala Grandhasala Sangham (Taking over of Management) (Amendment) Ordinance, 1984.	-do-	-do-	—	—
16.	The Gandhiji University Ordinance, 1984.	28-7-84	22-10-84	—	—
17.	The Kerala Essential Articles Control Ordinance, 1984.	30-7-84	-do-	—	—
18.	The Kerala Cashew Factories (Requisitioning) (Amendment) Ordinance, 1984.	-do-	-do-	—	—
19.	The Kerala Water and Waste Water Ordinance, 1984.	-do-	-do-	—	—
20.	The Abtari (Amendment) Ordinance, 1984.	-do-	-do-	—	—



21. The Kerala Labour Welfare Fund (Amendment) Ordinance, 1984.	-do-	-do-	-do-
22. The Kerala Agricultural University (Amendment) Ordinance, 1984.	3-8-84	-do-	-do-
23. The Kerala Marine Fishing Regulation (Amendment) Ordinance, 1984.	8-8-84	-do-	-do-
24. The Kerala Forest (Amendment) Ordinance, 1984.	31-8-84	-do-	-do-
25. The University Laws (Second Amendment) Ordinance, 1984.	29-9-84	-do-	-do-
26. The Kerala Sick Textile Undertakings (Acquisition and Transfer of Undertakings) Ordinance, 1984.	-do-	-do-	-do-
27. The Kerala Advocates Welfare Fund (Amendment) Ordinance, 1984.	19-9-84	-do-	-do-
28. The Travancore-Cochin Hindu Religious Institutions (Amendment) Ordinance, 1984.	10-10-84	22-10-84	-do-

1	2	3	4	5	6
29.	The Kerala Municipal Corporations (Amendment) Ordinance, 1984.	30-9-84	22-12-84	—	—
30.	The Kerala Municipalities (Second Amendment) Ordinance, 1984.	-do-	-do-	—	—
31.	The Kerala Panchayats (Amendment) Ordinance, 1984.	-do-	-do-	—	—
MADHYA PRADESH					
1.	The Madhya Pradesh Rajya Suraksha Tatha Lok Vyavastha (Sanshodhan) Adhyadesh, 1984.	2-7-84	11-10-84	—	—
2.	The Madhya Pradesh Vinirdishta Barsishita Acharan Nivaran (Sanshodhan) Adhyadesh, 1984.	5-7-84	-do-	—	—
3.	The Madhya Pradesh Prashasnik Adhikaran (Sanshodhan) Adhyadesh, 1984.	31-7-84	-do-	—	—
4.	The Madhya Pradesh Nirashriton Evam Nirdhan Vyaktiyon Ki Sahayata (Sanshodhan) Adhyadesh, 1984.	10-8-84	-do-	—	—

5. The Madhya Pradesh Panchayat (Sanshodhan) Adhyadesh, 1984.	23-8-84	-do-	-	-
6. The Madhya Pradesh Kashtha Chiran (Vinnyaman) (Sanshodhan) Adhyadesh, 1984.	25-8-84	-do-	-	-
7. The Madhya Pradesh Rajya Pashudhan Evam Kukkut Vikas Nigam (Sanshodhan) Adhyadesh, 1984.	4-9-84	-do-	-	-
8. The Madhya Pradesh Agricultural Cattle Preservation (Amendment) Ordinance, 1984.	-do-	-do-	-	-
9. The Madhya Pradesh Cycle Rickshaw (Anugyaptiyon Ka Vinnyaman) Adhyadesh, 1984.	-do-	-do-	-	-
10. The Madhya Pradesh Krishi Utpadi Mandi (Sanshodhan) Adhyadesh, 1984.	7-9-84	11-10-84	-	-
11. The Madhya Pradesh Adhivakta Kalyan Nidhi (Sanshodhan) Adhyadesh, 1984.	20-9-84	-do-	-	-
12. The Madhya Pradesh Shaktiya Sewak (Adhivarahiki Ayu) (Sanshodhan) Adhyadesh, 1984.	26-9-84	-do-	-	-

1	2	3	4	5	6
13.	The Madhya Pradesh Money Lenders (Amendment) Ordinance, 1984.	29-9-84	11-10-84	—	—
		TAMIL NADU			
1.	The Bharathiar University and the Bharathidasan University (Amendment) Ordinance, 1984.	4-7-84	—	—	—
2.	The Tamil Nadu University (Amendment) Ordinance, 1984.	1-8-84	—	—	—
3.	The Tamil Nadu Cooperative Societies (Appointment of Special Officers (Second Amendment) Ordinance, 1984.	6-9-84	—	—	—
4.	The Tamil Nadu Land (Ceiling and Regulation) (Amendment and Validation) Ordinance, 1984.	9-9-84	—	—	—
5.	The Madras Metropolitan Water Supply and Sewerage (Amendment) Ordinance, 1984.	11-9-84	—	—	—
		TRIPURA			
1.	Tripura Sales Tax (3rd Amendment) Ordinance, 1984.	12-7-84	10-9-84	—	—

UTTAR PRADESH

- | 1. | The Uttar Pradesh Homeopathic Medicine (Amendment) Ordinance, 1984.               | 7-8-84  | 11-9-84 | 29-9-84                 |
|----|---|---------|---------|-------------------------|
|    |   |         |         | Replaced by legislation |
| 2. | The Uttar Pradesh State Universities (Validation of Appointment) Ordinance, 1984. | 16-8-84 | -do-    | -do-                    |
| 3. | The Uttar Pradesh Chini Upkram (Arjan) (Sanshodhan) Adhyadesh, 1984.              | 29-9-84 | --      | --                      |

UNION TERRITORIES

GOA, DAMAN AND DIU

- |    |   |         |         |                         |
|----|---|---------|---------|-------------------------|
| 1. | The Goa, Daman and Diu Preservation of Trees (No. 2) Ordinance, 1984. | 28-4-84 | 12-7-84 | --                      |
|    |   |         |         | Replaced by legislation |

## APPENDIX VII

## A. PARTY POSITION IN LOK SABHA (AS ON 31 DECEMBER, 1984)

Sl. No.	Name of States/ Union Territories	Seats	Cong. (I)	CPI (M)	Lok Dal	Janata	BJP	Other Parties	Unattached	Total	Vacancies	
(i) STATES												
1.	Andhra Pradesh	42	37	...	...	...	...	3(a)	1	41	1	
2.	Assam	14	7	...	...	...	...	...	...	7	7	
3.	Bihar	54	29	...	...	7	2	9(b)	3	50	4	
4.	Gujarat	26	23	...	...	1	...	1(c)	1	26	...	
5.	Haryana	10	5	...	2	1	1	...	...	9	1	
6.	Himachal Pradesh	4	3	...	...	...	...	...	...	3	1	
7.	Jammu and Kashmir	6	2	...	...	...	...	3(d)	1	6	...	
8.	Karnataka	28	25	...	...	1	...	...	...	26	2	
9.	Kerala	20	6	6	...	...	...	6(e)	2	20	...	



	1	2	3	4	5	6	7	8	9	10	11	12
26. Dadra and Nagar Haveli			1	1	...	...	...	...	...	...	1	...
27. Delhi			7	6	...	...	...	1	...	...	7	...
28. Goa, Daman & Diu			2	1	...	...	...	...	...	1	2	...
29. Lakshadweep			1	1	...	...	...	...	...	...	1	...
30. Mizoram			1	...	...	...	...	...	...	1	1	...
31. Pondicherry			1	1	...	...	...	...	...	...	1	...
32. Nominated (Anglo-Indian)			2	...	...	...	...	...	...	2	2	...
	544	337			36	23	21	16	65	19	517*	26

\*Excluding the Speaker

(a) Congress(S)—1; Telugu Desam—2.

(b) Congress(S)—2; CPI—6; Congress(J)—1.

(c) Rashtriya Sanjay Manch—1.

(d) National Conference—3.

(e) Congress(S)—1; CPI—2; Muslim League—2; DSP—1.

(f) CPI—1.

(g) Congress(S)—1.

(h) AADMK—3; Muslim League—1; DMK—14.

(i) CPI—1; DSP—7; Janavadi—2; Congress(J)—1; Rashtriya Sanjay Manch—2.

(j) RSP—4; Forward Bloc—3; CPI—3.





	1	2	3	4	5	6	7	8	9	10	11
19. Tamil Nadu	18	3	—	—	—	—	—	15(b)	—	18	—
20. Tripura	1	—	—	—	1	—	—	—	—	1	—
21. Uttar Pradesh	34	29	—	—	—	—	—	5(i)	—	34	—
22. West Bengal	16	1	—	—	10	—	—	4(j)	1	16	—
(ii) 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	5	—	—	—	—	—	—	5	10	2
	244	156	9	14	8	45	9	241	3		

(a) Telugu Desam—5, National Democratic Party—1.

(b) C.P.I.—3; Lok Dal (C)—1.

(c) National Conference—3.

(d) K.C.—1; M.L.—1; Janata(g)—1.

(e) Congress(S)—2.

(f) Naga National Democratic Party—1.

(g) Akali Dal—2

(h) C.P.I.—1; AIADMK—11; DMK—3.

(i) Janavadi—1; Lok Dal (C)—4.

(j) F.B.—2; C.P.I.—1; R.S.P.—1.

C. PARTY POSITION IN LEGISLATURES OF STATES AND UNION TERRITORIES

State/Union Territory	Seats	Cong. (J)	Janata Dal	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
(i) STATES												
Andhra Pradesh L.C. (As on 31-10-83)	90	56	1	...	6	...	1	2	9(a)	7	82	8
Andhra Pradesh L.A. (As on 1-7-84)	295	58	1	...	4	...	4	5	215(b)	6	293	2
Assam L.A. (As on 1-9-84)	126	98	...	...	...	1	2	1	2(c)	5	109	17
Bihar L.C. (As on 1-10-84)	96	39	9	1	...	2	...	7	1(d)	1	60	36
Bihar L.A. (As on 30-9-84)	325	196	32	16	23	5	6	21	17(e)	7	323 <sup>a</sup>	1
Gujarat L.A. (As on 30-9-84)	182	142	15	...	19	...	...	...	6(f)	6	182	...
Haryana L.A. (As on 30-9-84)	90	57	9	15	6	6	...	...	2(g)	...	89 <sup>a</sup>	...

	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>Himachal Pradesh L.A.</b>													
(As on 1-10-84)		68	37	2	...	28	...	...	...	...	1	68	...
<b>Jammu &amp; Kashmir L.C.</b>													
(As on 1-10-84)		36	2	...	"	...	...	...	...	24(h)	1	27	9
<b>Jammu &amp; Kashmir L.A.</b>													
(As on 1-7-84)		78	26	...	...	...	...	...	...	50(i)	1	77	1
<b>Karnataka L.C.</b>													
(As on 1-10-84)		63	20	7	...	5	...	...	...	...	10	42	21
<b>Karnataka L.A.</b>													
(As on 1-10-84)		225	83	96	...	18	...	3	3	1(j)	19	223*	1
<b>Kerala L.A.</b>													
(As on 1-10-84)		141	32	4	...	...	6	30	12	49(k)	7	140*	...
<b>Madhya Pradesh L.A.</b>													
(As on 1-10-84)		321	242	1	1	62	...	...	2	2(l)	5	315*	5
<b>Maharashtra L.C.</b>													
(As on 31-7-83)		78	40	4	...	7	3	...	...	8(m)	9	71	7
<b>Maharashtra L.A.</b>													
(As on 31-7-83)		289	235	14	...	14	9	2	2	9(n)	3	288	1



	1	2	3	4	5	6	7	8	9	10	11	12	13
Uttar Pradesh L.A. (As on 1-10-84)	426	320	9	...	...	1	1	6	77(y)	10	424	2	
West Bengal L.A. (As on 1-7-84)	295	56	...	...	...	...	170	7	58(z)	3	294	1	
(ii) UNION TERRITORIES													
Assam L.A. (As on 1-7-84)	33	28	...	...	...	...	...	...	3(aa)	2	33	...	
Delhi Metropolitan Council (As on 1-4-83)	61	38	1	2	19	...	...	...	...	...	60*	...	
Goa, Daman & Diu L.A. (As on 1-10-84)	30	17	...	...	...	...	...	...	12(bb)	1	30	...	
Mizoram L.A. (As on 1-10-84)	30	20	...	...	...	...	...	...	9(cc)	1	30	...	
Pondicherry L.A.**													

\* Excluding the Speaker/Chairman.

\*\* Pondicherry Legislative Assembly is under dissolution.

(a) Telugu Desam-5 and Progressive Democratic Front-4.

- (b) Telugu Desam—200 ; Progressive Democratic Front—7 ; Majlis-Ittehad-Ul-Muslimeen—4 ; Sanjay Vichar Manch—2 ; Marxist Communist Party—1 and Nominated—1.
- (c) Plains Tribals Council of Assam—2.
- (d) Jharkhand Mukti Morcha—1.
- (e) Forward Bloc—1 ; Jharkhand Mukti Morcha — 14 ; S.U.C.I. — 1 and Nominated.
- (f) Rashtriya Congress — 6.
- (g) Indian National Congress (J) — 2.
- (h) National Conference — 24.
- (i) National Conference — 48 ; Panthers Party — 1 and People's Conference — 1.
- (j) All India Anna Dravida Munnetra Kagbagam (AIADMK) — 1.
- (k) Indian Union Muslim League — 14 ; Kerala Congress (J) — 8 ; Kerala Congress — 6 ; Janata (led. by Shrimati M. Kamalan) — 3 ; National Democratic Party — 4 ; All India Muslim League — 4 ; Revolutionary Socialist Party — 4 ; Socialist Republican Party — 3 and Legislature Group led by Shri Cyriac John — 3.
- (l) Republican Party of India (RPI) (Khebragade) — 1 and Nominated — 1.
- (m) Peasants and Workers Party — 3 ; Republican Party of India (RPI) (Gavai Group) — 1 ; Republican Party of India (RPI) (Kamble Group) — 1 and Shiv Sena — 3.
- (n) Peasants and Workers Party — 8 and R.P.I. (Khebragade Group) — 1.
- (o) M.P.P. — 8.
- (p) Meghalaya Democratic Front — 37 and Meghalaya United Parliamentary Party — 22.
- (q) Nagaland National Democratic Party — 23.
- (r) Shiromani Akali Dal (L) — 32 ; Shiromani Akali Dal (T) — 2 and All India Communist Party — 1.

- (s) Congress (J) — 1.
- (t) Sikkim Congress (R) — 2; Prajatantra Congress — 1 and Sikkim United Council — 1.
- (u) AIADMK — 23; Dravida Munnetra Kazhagam (DMK) — 5; Teachers—Graduates Progressive Front — 4; and Gandhi-Kamraj National Congress — 1.
- (v) AIADMK — 130; DMK — 32; All India Forward Bloc — 3; Gandhi-Kamaraj National Congress — 3 S.D. Somasundaram's Group — 4 and Nominated — 1.
- (w) R.S.P. — 2 and Tripura Upajati Juba Samiti — 6.
- (x) Lok Tantrik Samjvadi Dal — 2; Shikshak Dal — 7; Nirdalyi Vidhayak Paksha — 4; Rashtriya Shikshak Dal — 2 and Shikshak Manch — 1.
- (y) Rashtriya Lok Tantrik Morcha — 67; Democratic Socialist Party — 6; Congress (J) — 2; Soshit Samaj Dal — 1 and Unattached — 1.
- (z) 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 Nominated 1.
- (aa) People's Party of Arunachal Pradesh — 3.
- (bb) Goa Congress — 8; Maharashtrawadi Gomantak Party (MGP) — 2 and MGP (Separate Group) — 2.
- (cc) People's Conference (P.C.) — 8 and Mizo Convention (M.C.) — 1.



# THE JOURNAL OF PARLIAMENTARY INFORMATION

Index to Vol. XXX (1984)

	<i>Page</i>		<i>Page</i>
<b>ADDRESSES AND SPEECHES</b>		<b>on the occasion of the visit of Mr. Yasuhiro Nakasone, Prime Minister of Japan to Parliament House</b>	176
<b>HIDAYATULLAH, M.</b>			
at the third regional Seminar on Parliamentary Practice and Procedure for Asia, South-East Asia and Africa Regions of the Commonwealth Parliamentary Association	5	<b>NAKASONE, YASUHIRO</b>	
		on the occasion of his visit to Parliament House	178
at the time of his farewell from the office of the Vice-President of India	579	<b>YADAV, SHYAM LAL</b>	
		on the occasion of the visit of Mr. Yasuhiro Nakasone, Prime Minister of Japan, to Parliament House	187
<b>JAKHAR, BAL RAM</b>		<b>ADISESHIAH, MALCOLM S.</b>	
at the Conference of Presiding Officers held at Bombay	7	review of Centre-State Relations and Co-operative Federalism by Dr. Chandra Pal	289
at the Conference of Presiding Officers held at Calcutta	582	<b>ALGERIA</b>	
at the emergent Conference of Presiding Officers held at New Delhi	171	Election of the President	258
at the Seminar on Financial Committees	24	New Prime Minister	258
at the third regional seminar on Parliamentary Practice and Procedure for Asia, South-East Asia and Africa Regions of the Commonwealth Parliamentary Association	2	<b>ANDHRA PRADESH</b>	
		Changes in Ministry	693
		Changes in Speakership	693
		Governor's Action in discussion on	716,729
			799

	Page		Page
New Governor	693	regime <i>vis-a-vis</i> the Legislative Assembly of Pondicherry of the present set up by Shri M.O.H. Farrok	619
Resolution regarding Abolition of Legislative Council, discussion on	278		
APPENDICES	110,300, 506,751	The Leader of the House and the Whips in U.K. and India by Shri Pranab Mukherjee	500
ARGENTINA			
Election of the President	69	The Multi-Dimensional Roles of Parliament by Shri V.N. Gadgil	605
AROUND THE STATES	67,256 447,693		
ARTICLE		ASSAM	
Humour in Parliament by Shri Madhu Dandavate	215	Expansion of Ministry	693
Is Parliament Effective ? by Shri R.R. Bhole	207	New Governor	256, 447
Legislative Business by Shri Ram Niwas Mirdha	612	BANGLADESH	
Parliament and Social Change by Shri Brij Bhushan Mebra	364	New Prime Minister	258
Parliament in the Indian Polity—Some Important Aspects by Shri R. Venkataraman	197	BHOLE, R. R.	
Parliament, People and Administration by Dr. Bal Ram Jakhar	190	article on : Is Parliament Effective ?	207
Parliamentary Committees by Shri R.R. Moorka	374	review of Democracy and Elections by Vernon Bogdanor and David Butler	111
Problems and Prospects of Parliament—Some As- pects by Shri Amarendra Sarua	368	review of Re-Promulgation of Ordinances; A Fraud on the Constitution of India by D.C. Wadhwa	403
Rules of Procedure and Conduct of Business of the Representative Assembly during French		review of Right to Pro- perty and the Indian Constitution by M. Hidayatullah	287
		review of Strong Demo- cracy; Participatory Politics for a new age by Benjamin R. Barber	486
		BIHAR	
		By-election	67

	<i>Index</i>	801
	<i>Page</i>	<i>Page</i>
Expansion of Ministry	67, 447, 694	The Constitution (Forty-Ninth Amendment) Act, 1984 704
MLA's election set aside by the High Court	67	The Constitution (Fiftieth Amendment) Act, 1984 706
<b>BILLS</b>		
Bengal Immunity Company Limited (Acquisition and Transfer of Undertakings) Bill, 1984	730	The Constitution (Fifty-Third Amendment) Bill 1984 706
Dowry Prohibition (Amendment) Bill, 1984	779	The Criminal Law (Amendment) Bill, 1983 90, 105
Family Court Bill, 1984	723	The Criminal Law (Second Amendment) Bill, 1983 92, 106
Finance Bill, 1984	462, 473	The Illegal Migrant (Determination by Tribunals) Bill, 1983 94, 106
National Security (Second Amendment) Bill, 1984	717, 731	The National Security (Amendment) Bill, 1984 463
Payment of Gratuity (Amendment) Bill, 1982	464, 471	The Punjab Disturbed Areas Bill, 1983, the Chandigarh Disturbed Areas Bill, 1983 and the Armed Forces (Punjab and Chandigarh) Special Powers Bill, 1983 89
Prevention of Damage to Public Property Bill, 1984	272	The Textile Undertakings (Taking over of Management) Bill, 1983 93
Punjab State Legislature (Delegation of Powers) Bill, 1984	464	The Viswa-Bharati (Amendment) Bill, 1978 280
Terrorist Affected Areas (Special Courts) Bill, 1984	718	
The Appropriation (No. 3) Bill, 1984	472	
The Asiatic Society Bill, 1984	273, 279	<b>BOLIVIA</b> Resignation by Government 69, 452
The Constitution (Forty-Seventh Amendment) Act, 1984	702	<b>BOOK REVIEWS</b> Barber, Benjamin R. : Strong Democracy ; Participatory Politics for a new age by R.R. Bhole 486
The Constitution (Forty-Eight Amendment) Act, 1984	703	

	<i>Page</i>		<i>Page</i>
Bogdanor, Vernon and Butler, David : Democracy and Elections by R.R. Bhole	111	Railway	264, 275
Hidayatullah, M. : Right to Property and the Indian Constitution by R.R. Bhole	287	BUREAU OF PARLIAMENTARY STUDIES AND TRAINING	
Lyon, Peter and Manor James : Transfer and Transformation ; Political Institution in the new Commonwealth by Dr. Sarojini Mahishi	491	Courses conducted by	36, 236, 412, 652
Pal, Dr. Chandra : Centre-State Relations and Co-operative Federalism by Malcolm S. Adiseshiah	289	BY-ELECTIONS	
Pal, R.N. : The Office of the Prime Minister in India by N.G. Ranga.	737	Bihar	67
Sathe, Vasant : Towards Social Revolution ; A case for Economic Democracy by Y.S. Mahajan	488	Himachal Pradesh	68
Singh, R.P. : The Central Legislature in India, 1909-1935 by A.N. Das	495	CANADA	
Wadhwa, D.C. : Re-Promulgation of Ordinances ; A Fraud on the Constitution of India by R.R. Bhole	483	General elections	699
BOURKINAFASSO (UPPER VOLTA)		New Governor-General	452
Dissolution of Government	699	New Prime Minister	452
BUDGET		CHILE	
General	267, 276	Imposition of emergency	259
		COLOMBIA	
		Declaration of emergency	452
		COMMONWEALTH HEADS OF GOVERNMENT	
		Meeting of, Statement on	81
		COMMUNAL RIOTS	
		Discussion on	715
		CONFERENCES AND SYMPOSIUM	
		Commonwealth Parliamentary Conference (30th) (Isle of Man, 25 September, 1984)	648
		Conference of Secretaries (29th) (Bombay, 1 January, 1984)	33

	<i>Page</i>		<i>Page</i>
(30th) (Calcutta, 28 October, 1984)	651	COSTA RICA	
		Resignation by the Cabinet	699
Inter-Parliamentary Conference (71st) (Geneva, 2, April, 1984)	233	DAILY AVERAGE OF QUESTIONS	
		Lok Sabha	96, 466, 724
(72nd) (Geneva, 24 September, 1984)	647	Rajya Sabha	107, 281, 475, 735
Presiding Officers-Conference of (48th) (Bombay, 2 January, 1984) ;	7, 32	DANDAVATE, MADHU	
		Article on Humour in Parliament	215
(50th) (Calcutta, 29 October, 1984)	582, 649	DAS, A.N.	
Emergent Conference of	171, 234	Review of The Central Legislature in India, 1909-1935 by R.P. Singh	495
Regional Seminar on Parliamentary Practice and Procedure (3rd) (New Delhi, 21 January, 1984)	34	DELHI	
		New Lt. Governor	258, 451
Seminar on Facilities for Effective Functioning of Legislators	654	DEVELOPMENTS ABROAD	69, 258, 452, 699
Seminar on "Financial Committees" (New Delhi, 16, December, 1983)	24	DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST	
Speakers and Presiding Officers of Commonwealth Parliaments—Conference of (7th) (Auckland, 8 January, 1984)	34	Feature on	702
		ECUADOR	
Symposium on Parliament, People and Administration (Bombay, 4 January, 1984)	34	Imposition of emergency	259
		New President	700
Symposium on "Parliamentary Decorum"	651	EDITORIAL NOTE	1, 169, 361, 569
		EGYPT	
		Death of the Prime Minister	452

	<i>Page</i>		<i>Page</i>
General elections	452	GADGIL, V.N.	
New Government	700	Article on the Multi-Dimensional Roles of Parliament	605
<b>EIGHTH FINANCE COMMISSION</b>		<b>GADHI, SHRIMATI INDIRA</b>	
Report of, discussion on	713, 728	Homage to	572
<b>ELECTORAL REFORMS</b>		<b>GENERAL ELECTION</b>	
Need for, discussion on	79, 100	<i>I. dia</i>	
<b>EL SALVADOR</b>		Mizoram	451
Election of President	453	<i>Other Countries</i>	
New Constitution	69	Canada	699
<b>FARROK, M.O.H.</b>		Egypt } Israel }	452
Article on Rules of Procedure and Conduct of Business of the Representative Assembly during French regime <i>vis-a-vis</i> the Legislative Assembly of Pondicherry of the present set up	619	New Zealand	700
<b>FEDERAL REPUBLIC OF GERMANY</b>		Taiwan	70
New President	453	<b>GOA, DAMAN AND DIU</b>	
<b>FINANCIAL COMMITTEES</b>		New Lt. Governor	699
Semi-annual	24	New Speaker	258
Short Note on Valedictory Meeting of	219	Removal of Speaker by 'No Confidence'	258
<b>FIRST INDIAN IN SPACE</b>		<b>GOVERNOR</b>	
Statement on	459	New appointments in	
<b>FRANCE</b>		Andhra Pradesh	693
New Ministry	700	Assam	256, 447
		Gujarat	256
		Haryana	448
		Jammu and Kashmir	256, 449
		Madhya Pradesh	256, 449
		Manipur	450
		Meghalaya	450

<i>Index</i>		805
	<i>Page</i>	<i>Page</i>
Nagaland	450	Laying down of office of Vice-President—Short Note on
Punjab	68, 450	636
Sikkim	451	See also under Addresses and Speeches
Tripura	451	
West Bengal	69, 699	
<b>HIMACHAL PRADESH</b>		
		By-election
		68
		Expansion of Ministry
		448
		Removal of Speaker
		694
<b>HUMOUR IN PARLIAMENT</b>		
		Article on
		215
<b>IMPORT OF ANIMAL TALLOW</b>		
		Discussion on
		71, 98
<b>INDIA</b>		
		Biennial elections to Rajya Sabha
		255
		By-elections to Lok Sabha
		67
		By-elections to Rajya Sabha
		67, 691
		Cabinet Reshuffle
		255, 691
		New Comptroller and Auditor General
		255
		New Deputy Chief Election Commissioner
		692
		New Vice President
		682
		Nominations to Rajya Sabha
		447
		Resignation by Members
		447, 692
<b>INDIAN OCEAN</b>		
		Concentration of naval forces, statement on
		726
<b>INTERNATIONAL SITUATION</b>		
		Discussion on
		83, 101, 461
<b>GUINEA</b>		
		Death of the President
	259	
		New President
	453	
		New Prime Minister
	453	
<b>GUINEA-BISSAU</b>		
		New Ministry
	700	
<b>GUJARAT</b>		
		New Governor
	256	
		Resignation by a Minister
	68	
<b>HALF-AN-HOUR DISCUSSION</b>		
		Lok Sabha
	96, 466, 724	
		Rajya Sabha
	108, 282, 475, 735	
<b>HARYANA</b>		
		Expansion of Ministry
	694	
		MLA allowed to sit in Assembly
	694	
		New Governor
	448	
		Resignation by a Minister
	448	
<b>Hidayatullah, M.</b>		
		Farewell to
	577	

	<i>Page</i>		<i>Page</i>
<b>IRELAND</b>		Resignation by Ministers	695
Election of President	70	<b>LEBANON</b>	
<b>IS PARLIAMENT EFFECTIVE ?</b>		New Prime Minister	453
Article on	207	<b>LEGISLATIVE BUSINESS</b>	
<b>ISRAEL</b>		Article on	612
General Elections	700	<b>LOK SABHA (SEVENTH)</b>	
New Prime Minister	701	Party Position in	158, 348, 557, 788
<b>JAKHAR, BAL RAM</b>		Sessional Review of Thirteenth Session	71
Article on Parliament, People and Administra- tion	190	Sessional Review of Four- teenth Session	261, 455
Election as Chairman of Executive Committee of CPA	647	Sessional Review of Fif- teenth Session	708
See also under Addresses and Speeches		Statement showing the sittings held by the Committees	300
<b>JAMMU AND KASHMIR</b>		Statement showing the work transacted during the Thirteenth Session	119
New Governor	256, 449	Statement showing the work transacted during the Fourteenth Session	505
New Ministry	694	Statement showing the work transacted during the Fifteenth Session	751
New Speaker and Deputy Speaker	695	Wit and Humour in	404, 640
Recent developments in, discussion on	711	<b>LT. GOVERNOR</b>	
<b>KASHYAP, SUBHASH C.</b>		New appointments in	
Appointment as New Secretary-General of Lok Sabha	30	Delhi	258, 451
Life Sketch of	30	Goa Daman and Diu	699
<b>KAUL, M.N.</b>		Pondicherry	699
Homage to	652	<b>MADHYA PRADESH</b>	
<b>KARNATAKA</b>		Cabinet reshuffle	696
Cabinet reshuffle	695		



	<i>Index</i>	807
	<i>Page</i>	<i>Page</i>
New Deputy Speaker	449	
New Governor	256, 449	
New Speaker	256	
<b>MAHAJAN, Y.S.</b>		
review of Towards Social Revolution; A Case for Economic Democracy by Vasant Sathe	488	
<b>MAHARASHTRA</b>		
Resignation by Deputy Chief Minister	450	
<b>MAHISHI, SAROJINI</b>		
review of Transfer and Transformation; Political Institution in the new Commonwealth by Peter Lyon and James Manor	491	
<b>MALAWI</b>		
Dissolution of Cabinet	453	
<b>MANIPUR</b>		
New Governor	450	
<b>MAURITIUS</b>		
New Governor-General	70	
<b>MEGHALAYA</b>		
New Governor	450	
<b>MEHRA, BRIJ BHUSHAN</b>		
Article on Parliament and Social Change	364	
<b>MIRDHA, RAM NIWAS</b>		
Article on Legislative Business	612	
		<b>MIZORAM</b>
		General election
		New Deputy Speaker
		New Ministry
		New Speaker
		Resignation by a Minister
		<b>MORARKA, R R.</b>
		Article on 'Parliamentary Committees
		<b>MUKHERJEE, PRANAB</b>
		Article on The Leader of the House and the Whips in U.K. and India
		<b>NAGALAND</b>
		New Governor
		<b>NAKASONE, YASUHIRO</b>
		See under Addresses and Speeches
		<b>NATIONAL HEALTH POLICY</b>
		Discussion on
		<b>NATIONAL MARTYRS</b>
		Homage to
		<b>NEHRU, JAWAHARLAL</b>
		Death anniversary of
		<b>NEW ZEALAND</b>
		General election
		New Government
		<b>NIGERIA</b>
		New Ministry

	<i>Page</i>		<i>Page</i>
<b>NORTH KOREA</b>		<b>PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS</b>	
New Prime Minister	259		
<b>OBITUARY REFERENCES</b>		<i>India</i>	67, 255 447, 691
Lok Sabha	96, 273, 466, 724	Andhra Pradesh	693
Rajya Sabha	108, 282, 476, 736	Assam	256, 447, 693
<b>ORDINANCES ISSUED BY</b>		Bihar	67, 447, 694
Central Government	147, 336, 544, 776	Delhi	258, 451
State Governments	148, 337, 545, 777	Goa, Daman and Diu	258, 699
<b>ORISSA</b>		Gujarat	67, 256
Cabinet Reshuffle	256	Haryana	448, 694
New Speaker	257	Himachal Pradesh	68, 448, 694
<b>PANAMA</b>		Jammu and Kashmir	256, 449 694
Election of President	453	Karnataka	695
Resignation by the President	259	Madhya Pradesh	256, 449, 696
<b>PARLIAMENT</b>		Maharashtra	450
Bills passed by	139, 317, 531, 770	Manipur	450
<b>PARLIAMENT AND SOCIAL CHANGE</b>		Meghalaya	450
Article on	364	Mizoram	69, 451 452
<b>PARLIAMENT IN THE INDIAN POLITY—SOME IMPORTANT ASPECTS</b>		Nagaland	450
Article on	197	Orissa	256, 257
<b>PARLIAMENT, PEOPLE AND ADMINISTRATION</b>		Pondicherry	699
Article on	190	Punjab	68, 257, 450
		Sikkim	450, 451

	<i>Page</i>		<i>Page</i>
Tamil Nadu	68, 451, 697	Mauritius	70
Tripura	451	New Zealand	701
Uttar Pradesh	257, 451, 697	Nigeria	259
West Bengal	69, 258, 699	North Korea	259
<i>Other Countries</i>		Panama	259, 453
Algeria	258	Peru	453, 454
Argentina	69	South Africa	701
Bangladesh	258	South Korea	70
Bolivia	69, 452	Sudan	454
Bourkinafasso (Upper Volta)	699	Taiwan	70, 260, 454
Canada	452, 699	Tanzania	454
Chile	259	Tunisia	260
Colombia	452	Turkey	70
Costa Rica	699	U.S.S.R.	260, 454
Ecuador	259, 700	Venezuela	70
Egypt	452, 700	Yugoslavia	454
El Salvador	69, 453	Zaire	701
Federal Republic of Germany	453, 700	<b>PARLIAMENTARY COMMIT- TEES</b>	
France	700	Article on	374
Guinea	259, 453	<b>PARLIAMENTARY DELE- GATIONS</b>	
Guinea-Bissau	700	Foreign	35, 235, 412
Ireland	70	Indian	411, 652
Israel	700	<b>PARLIAMENTARY EVENTS AND ACTIVITIES</b>	
Labanon	453	Feature on	28, 233, 411, 647
Malawi	453		

	<i>Page</i>		<i>Page</i>
<b>PARTY POSITION IN</b>		<b>PRESIDENT'S ADDRESS</b>	
Lok Sabha	158, 348, 557, 788	Motion of Thanks on	261, 274
Rajya Sabha	161, 351, 560, 791	<b>PRICE SITUATION</b>	
State Legislatures	163, 354, 562, 793	Discussion on	80
<b>PERU</b>		<b>PRIME MINISTER</b>	
Declaration of emergency	454	New appointment in	
New Prime Minister	453	Algeria	258
<b>PONDICHERRY</b>		Bangla Desh	258
New Lt. Governor	699	Canada	452
<b>PRESIDENT</b>		Guinea	453
New appointments in		Israel	701
Algeria	258	Lebanon	453
Argentina	69	North Korea	259
Ecquador	700	Peru	453
El Salvador	453	South Korea	70
Federal Republic of Ger- many	453, 700	Taiwan	454
Guinea	453	Tanzania	454
Ireland	70	Turkey	70
Panama	453	<b>PRIVILEGE ISSUES</b>	
South Africa	701	<i>House of Commons (U.K.)</i>	
Taiwan	260	Criticising in the House a judgement delivered by a Judge	51
U.S.S.R.	454	<i>House of Representatives (Australia)</i>	
Venezuela	70	Alleged denial to Members to have access to cer- tain material kept in the Parliamentary Lib- rary pending a decision in a relevant matter before the High Court	53
Yugoslavia	454		
Zaire	701		

Page	Page
Alleged discrimination against and intimidation of a public servant in his public service employment because of evidence by him before a sub-Committee of a Parliamentary Committee.	244
425	
<i>Lok Sabha</i>	
Alleged assault on and use of abusive remarks against a Member by Police	245
414	
Alleged manhandling of a Member by some people and inaction on the part of police authorities	666
239	
Alleged remarks by a Minister at a Party meeting that Governments of two States will be dumped in sea by the people	667
243	
Alleged undignified and unbecoming behaviour with a Member by the Vice-Chancellor of a University at a meeting of the Court of that University	673
241	
Making of an important announcement by a Minister outside the House while the House was in Session	38
416	
Reference of a question of privilege against a Union Minister and a member of Lok Sabha by a Legislative Assembly to their Committee of Privileges	43
665	
	811
	Page
	<i>Rajya Sabha</i>
	Alleged censoring of mail of a Member
	Alleged misleading of the House by a Minister
	38
	<i>State Legislatures</i>
	<i>Andhra Pradesh Legislative Assembly</i>
	Holding of a Panchayat Samiti meeting by a Minister without inviting the local Member
	245
	<i>Andhra Pradesh Legislative Council</i>
	Casting of reflections on the Chair by a newspaper
	666
	<i>Karnataka Legislative Council</i>
	Alleged refusal by the Government to hand over to the Chairman the possession of annex to his official residence
	667
	<i>Madhya Pradesh Vidhan Sabha</i>
	Alleged casting of reflections on a member in a Report of the Lokayukt
	673
	Alleged casting of reflections on and levelling of charges against the Speaker in articles published in three weekly magazines
	38
	Attachment of the bank account of member by Court
	671
	<i>Maharashtra Legislative Assembly</i>
	Alleged casting of reflections on the Speaker by a newspaper
	43

	<i>Page</i>		<i>Page</i>
Alleged misleading of the House by a Minister	679	<i>Uttar Pradesh Vidhan Sabha</i>	
Alleged non-implementation of an assurance given by a Minister on the floor of the House	681	Alleged casting of reflections on a Minister by a newspaper	422
Assaulting a member by a police officer inside the precincts of the House	675	Alleged misbehaviour with and obstruction to a Member by certain police officials while he was coming to the House	423
Making of a policy statement outside the House while the House in session	680	Holding of meetings of a Government Committee of which legislators were also members, by an officer during the session	421, 423
Wearing of a cap with some inscription on it by a Member in the precincts of the House and the Chamber and publication of a report in a newspaper allegedly highlighting the said incident,	41	Publication by a Newspaper of a Misleading news-report about the Proceedings of the House	420
<i>Maharashtra Legislative Council</i>		<i>West Bengal Legislative Assembly</i>	
Alleged giving of incorrect information to the House by a Minister	683	Alleged misleading of the House by a Minister	685
Alleged misleading of the House by a Minister	417, 419	Making of an important announcement outside the House while the House was in session	685
<i>Rajasthan Legislative Assembly</i>			
Alleged maltreatment of Members by some police officers	246	<b>UNION TERRITORIES</b>	
Non-fulfilment of an assurance given by the Chief Minister in the House	248	<i>Goa, Daman and Diu Legislative Assembly</i>	
Non-Provision of opportunity by Chief Minister for discussion on certain reports in the House	247	Alleged casting of aspersions on a Member by a Newspaper	45
		Alleged casting of reflections on the Speaker and the Members by a newspaper	47

	<i>Index</i>	813
	<i>Page</i>	<i>Page</i>
<b>PROBLEMS AND PERSPECTIVES OF PARLIAMENTARIANS : SOME ASPECTS</b>		
Article on	368	General Budget-Presenta- tion on a Parliamentary holiday 249
		Laying of Papers 442
<b>PROCEDURAL MATTERS</b>		Matters connected with Speaker's office 687
<i>Lok Sabha</i>		Minister's right to reply in a particular lan- guage 251
A matter which has been considered at a sitting of the Business Advi- sory Committee should not be raised in the House by a Member of the said Committee	64	No Minister can lay a paper on the Table on behalf of a Minister who is present in the House 63
Adjournment Motion- fixing of date for dis- cussion	249	Parliamentary, etiquette- Crossing of floor bet- ween the Chair and a Member/Minister spea- king 252
Allegations against out- siders	687	Presence of Cabinet Mini- ster in House 251
Announcements regarding election, demise and resignation of mem- bers	686	Presence of Leader of the House during obituary references 442
Communication from the Prime Minister regard- ing a matter mentioned in the House	443	Quotations from the pri- vate letters 687
Conduct of proceedings in State Legislatures	687	Quoting of press reports relating to a tapetrans- cript without making comments on the merits of the matter is per- missible provided no allegation is made against any person 63
Conduct of the Governor on discussion	250	Raising of a matter based on unconfirmed Press reports 250
Consulting Officials in the Official Gallery from the Chamber held not proper	64	Re designation of Secre- tary, Lok Sabha as Secretary-General, Lok Sabha 65
Direction to Government to make statement	251	
Discussion on statements of Non-Members	443	

	Page		Page
Responsibility to send parliamentary team to study situation	251	Referring of a matter to the Privileges Committee is the sole prerogative of the Chair	66
Taking of oath on the basis of a certificate furnished by the Election Commission in the absence of requisite documents from the Returning Officer in connection with election of a Member permitted	64	<i>Tripura Legislative Assembly</i>	
Zero hour	251	Leave of the House to introduce a Private Member's Bill	688
<i>State Legislatures</i>		<i>Uttar Pradesh Vidhan Sabha</i>	
<i>Gujarat Legislative Assembly</i>		Adjournment of session and prorogation of the House by Governor	444
Sitting of Members in Visitors Gallery	443	Business of the House	689
<i>Karnataka Legislative Council</i>		Governor's Address being read out by Speaker	443
Presentation of reports by joint/select Committee granting of extension of time for	292	Making of important announcements outside the House	689
<i>Tamil Nadu Legislative Assembly</i>		Making of Policy announcement in the House when in session	445
Making of a statement by the Government to be allowed only if there was no adjournment motion or calling attention pending on the subject	65	Minister's discretion to give information	446
Making of allegations in the House by a Member without prior permission of the Chair not to be permitted	66	Permission to introduce a Bill without financial memorandum, papers etc.	444
Point of order regarding inclusion of the name of a Member in the strength of his party when he has been prohibited by the Court to receive salary and exercise vote in the House disallowed	65	Point of order to relate to business before the House	445
		Sessions/sittings of the Vidhan Sabha	588
		<i>Union Territories</i>	
		<i>Goa, Daman and Diu Legislative Assembly</i>	
		Attachment of financial memorandum to a Bill	253
		<b>PUNJAB</b>	
		MLA's election set aside	257



	<i>Page</i>		<i>Page</i>
New Governor	68, 450	Statement showing the work transacted during the Hundred and Thirtieth Session	513
Proclamation of President's rule	68		
<b>PUNJAB SITUATION</b>	97	Statement showing the work transacted during the Hundred and Thirty First Session	757
Discussion on	73, 76, 78, 89, 97, 266, 270, 455, 709, 725		
<b>QUESTION HOUR</b>		<b>RANGA, N.G.</b>	
Lok Sabha	96, 465, 724	Review of the Office of the Prime Minister in India by R.N. Pal	737
Rajya Sabha	107, 281, 475, 735	<b>RECENT LITERATURE OF PARLIAMENTARY INTEREST</b>	
<b>RAJYA SABHA</b>		Feature on	114, 296, 499, 743
Party position in	161, 351, 560, 791	<b>RIKHY, AVTAR SINGH</b>	
Sessional Review of Hundred and Twenty-Eighth Session	95	Relinquishment of Office of Secretary-General, Lok Sabha	28
Sessional Review of Hundred and Twenty-Ninth Session	274	<b>RULES OF PROCEDURE AND CONDUCT OF BUSINESS OF THE REPRESENTATIVE ASSEMBLY DURING FRENCH REGIME VIS-A-VIS THE LEGISLATIVE ASSEMBLY OF PONDICHERRY OF THE PRESENT SET-UP</b>	
Sessional Review of Hundred and Thirtieth Session	466	Article on	619
Sessional Review of Hundred and Thirty-First Session	725	<b>SARMA, AMARENDRA</b>	
Statement showing the work transacted during the Hundred and Twenty Eighth Session	125	Article on Problems and Perspectives of Parliamentarians : Some Aspects	368
Statement showing the work transacted during the Hundred and Twenty-Ninth Session	302		

	<i>Page</i>		<i>Page</i>
<b>SCHEDULED CASTES AND SCHEDULED TRIBES</b>		<b>Daily Average of Questions</b>	<b>96, 466, 724</b>
Atrocities on, discussion on	271	Demand for Amendment of Article 25 of the Constitution	455
Short note on Valedictory Meeting of the Chair- men of Committee on	226	Dowry Prohibition (Am- endment) Bill, 1984	719
<b>SESSIONAL REVIEW</b>		Establishment of Military bases in Pakistan and Bangladesh by the United States of America	269
<i>Lok Sabha</i>		Family Court Bill, 1984	723
Banking Service Commis- sion Bill, 1984	465	Finance Bill, 1984	462
Common wealth Heads of Government Meeting	81	First Indian in space	459
Constitution (Forty- Seventh) Amendment Bill, 1984	720	General Budget	267
Constitution (Forty- Eighth) Amendment Bill, 1984	720	Governor's action in Andhra Pradesh	716
Constitution (Fiftieth Amendment) Bill, 1984	721	Half-an-Hour Discussion	96, 466, 724
Constitution (Fifty-First Amendment) Bill, 1984	722	Homage to National Martyrs	271
Constitution (Fifty Se- cond) Amendment Bill, 1984	722	Import of animal tallow	71
Continuation of Presi- dent's rule in Punjab	270	International Situation	83, 461
Continuing atrocities on Scheduled Castes and Scheduled Tribes	271	Mid term appraisal of Sixth Five Year Plan	85
Criminal Law (Amend- ment) Bill, 1980	90	Multi million dollar con- tract by Pakistan with U S A for purchase of sophisticated arms and ammunitions	270
Criminal Law (Second Amendment) Bill, 1983	92	National Health Policy	87
		National Security (Se- cond Amendment) Bill, 1984	717

	<i>Page</i>		<i>Page</i>
Need for Electoral Reforms with special reference to Defection	79	Situation arising out of incidents over fencing on the Indo-Bangladesh border	459
Nuclear Collaboration between Pakistan and China	272	Situation arising out of reported training camps for training of extremists of Punjab in its neighbouring areas	76
Obituary references	96, 273, 466, 724	Situation in Punjab	266
Pakistani troop movement in occupied Kashmir	460	Situation in Sri Lanka	458, 714
Payment of Gratuity (Amendment) Bill, 1982	464	Statutory Resolution regarding approval of Presidential Proclamation in relation to the State of Punjab	73
President's Address	261	Statutory Resolution regarding disapproval of the Illegal Migrants (Determination by Tribunals) Ordinance, and adoption of the Illegal Migrants (Determination by Tribunals) Bill, 1983	94
President's Proclamation regarding Sikkim	708	Statutory Resolution regarding disapproval of the Punjab Disturbed Areas Ordinance, Chandigarh Disturbed Areas Ordinance and the Armed Forces (Punjab and Chandigarh) Special Powers Ordinance and adoption of the Punjab Disturbed Areas Bill, 1983, the Chandigarh Disturbed Areas Bill, 1983 and the Armed Forces (Punjab and Chandigarh) Special Powers Bill, 1983	89
Prevention of Damage to Public Property Bill, 1984	272	Statutory Resolution regarding disapproval of the Punjab Disturbed Areas Ordinance, Chandigarh Disturbed Areas Ordinance and the Armed Forces (Punjab and Chandigarh) Special Powers Ordinance and adoption of the Punjab Disturbed Areas Bill, 1983, the Chandigarh Disturbed Areas Bill, 1983 and the Armed Forces (Punjab and Chandigarh) Special Powers Bill, 1983	89
Price situation in the country	80	Statutory Resolution regarding disapproval of the Textile Undertakings (Taking Over of	
Punjab State Legislature (Delegation of Powers) Bill, 1984	464		
Railway Budget	264		
Recent communal riots in different parts of the country	715		
Recent developments in Jammu and Kashmir	711		
Reconstruction of the Parliamentary Committee to bring about reconciliation between Nirankaris and Akalis	78		
Report of Eighth Finance Commission	713		

	<i>Page</i>		<i>Page</i>
Management Ordinance and the adoption of the Textile undertakings (Taking over of Management) Bill, 1983	93	Constitution (Fifty-second Amendment) Bill, 1984	734
Terrorist Affected Areas (Special Courts) Bill, 1984	718	Daily Average of Questions	107, 281, 475, 735
The Asiatic Society Bill, 1984	273	Developments along Indo-Park borders	471
The National Security (Amendment) Bill, 1984	463	Eighth Finance Commission's Report	728
The Question Hour	96, 465, 724	Farewell to Retiring Members	279
White Paper on Punjab situation	709	Half-an-Hour Discussion	108, 284, 475, 735
<i>Rajya Sabha</i>		Import of animal tallow	98
Approach to Seventh Five Year Plan	727	Motion of thanks on President's Address	274
Bengal immunity Company Limited (Acquisition and Transfer of Undertakings) Bill, 1984	730	Motion regarding Mid-Term Appraisal of Sixth Five-Year Plan, 1980-85	102
Budget (General), 1984-85	276	Motion regarding present International situation	101
Concentration of naval forces of big powers in Indian Ocean	726	National Security (Second Amendment) Bill, 1984	731
Constitution (Forty-Eighth Amendment) Bill, 1984	732	Need for urgent electoral reforms with special reference to defections	100
Constitution (Fiftieth-Amendment) Bill, 1984	732	Obituary references	108, 282, 476, 736
Constitution (Fifty-First) Amendment Bill, 1984 and Constitution (Fifty-Third) Amendment Bill, 1984	733	Promulgation by States of substantially the same Ordinance, without replacing them by Acts of Legislatures	104
		Recent political developments in Andhra Pradesh	729

	<i>Index</i>	819
	<i>Page</i>	<i>Page</i>
Reported Killing of Tamilians of Indian origin in Sri Lanka	470	107, 281, 475, 735
Resolution re : abolition of Andhra Pradesh Legislative Council	278	
Resolution seeking approval of the proclamation issued by the President in relation to the State of Punjab and Motion seeking revocation of the said proclamation	97	
Statements correcting answers to Questions	107, 476, 736	
Statutory Resolution seeking disapproval of the Illegal Migrants (Determination by Tribunals) Ordinance, 1983, and the Illegal Migrants (Determination by Tribunals) Bill, 1983	105	
The Appropriation (No. 3) Bill, 1984	472	
The Asiatic Society Bill, 1984	279	
The Budget (Railways), 1984-85	275	
The Criminal Law (Amendment) Bill, 1983	105	
The Criminal Law (Second Amendment) Bill, 1983	106	
The Finance Bill, 1984	473	
The Payment of Gratuity (Amendment) Bill, 1984 and the Payment of Gratuity (Second Amendment) Bill, 1984	471	
		The Question Hour
		The Viswa-Bharati (Amendment) Bill, 1978
		Use of electronic voting machines—Supreme Court decision
		White Paper on Punjab Agitation
		Working of Ministries of Education and Culture and Social Welfare
		Working of Ministry of Energy
		Working of Ministry of Industry
		<i>State Legislatures</i>
		<i>Assam Legislative Assembly</i>
		Amendment of Estate Duty Law
		<i>Bihar Legislative Assembly</i>
		Amendment of Estate Duty Law
		<i>Bihar Legislative Council</i>
		Abolition of Wealth Tax cess from agricultural land
		<i>Gujarat Legislative Assembly</i>
		Acceptance of the Report of Parliamentary Committee regarding alleged police atrocities at Vijayanagar
		Amendment of Estate Duty Law
		Financial Business
		Members' Pension Bill

	<i>Page</i>		<i>Page</i>
<i>Himachal Pradesh Legislative Assembly</i>		<b>Obituary References</b>	<b>285</b>
Adoption of a Government resolution regarding raising of borrowing limits of State Electricity Board	109	<i>Nagaland Legislative Assembly</i>	
Amendment of Estate Duty Law	284	Inclusion of certain Nagaland Acts in the Ninth Schedule of the Constitution	736
Financial Business	109	<i>Rajasthan Legislative Assembly</i>	
Legislative Business	109, 110	Half-an-Hour Discussion	110
Motion of No-Confidence in the Council of Ministers	109	Obituary References	110, 479
Obituary References	109, 110, 284	Question Hour	110
Question Hour	109, 110	Resolution on constituting Planning Board	478
<i>Karnataka Legislative Assembly</i>		<i>Sikkim Legislative Assembly</i>	
Confidence Motion	284	Obituary References	285
Resolution regarding Karnataka Electricity Board	477	<i>Tamil Nadu Legislative Assembly</i>	
Resolution regarding violence in the State of Punjab and Haryana	476	Amendment of Estate Duty Law	480
<i>Madhya Pradesh Legislative Assembly</i>		Resolution on prevention and control of water pollution	479
Amendment of Estate Duty Law	478	<i>Tripura Legislative Assembly</i>	
Bill regarding ownership right to Slum Dwellers of Madhya Pradesh	478	Obituary reference	286
Financial Business	478	<i>Uttar Pradesh Legislative Assembly</i>	
<i>Manipur Legislative Assembly</i>		Amendment of Estate Duty Law	480
Inclusion of Manipur Language in Eighth Schedule of Constitution	285	<i>West Bengal Legislative Assembly</i>	
		Resolution for removal of Speaker	480
		<i>Union Territory Legislatures</i>	
		<i>Arunachal Pradesh Legislative Assembly</i>	
		Financial Business	482

		<i>Index</i>	821
	<i>Page</i>		<i>Page</i>
<i>Mizoram Legislative Assembly</i>		<b>SOUTH AFRICA</b>	
Obituary References	286	New President	701
<b>SEVENTH FIVE YEAR PLAN</b>		<b>SOUTH KOREA</b>	
Approach to, motion on	727	New Prime Minister	70
<b>SHORT NOTES</b>		<b>SPEAKER</b>	
Biennial elections to Rajya Sabha	23	New appointments in	
Joint Valedictory meeting of the Parliamentary Financial Committees	219	<i>India</i>	
Laying down of office by Shri M. Hidayatullah, Vice-President of India	636	Andhra Pradesh	693
The Election of the Vice-President of India	631	Goa, Daman and Diu	258
Valedictory meeting of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes	226	Jammu and Kashmir	694
		Madhya Pradesh	256
		Mizoram	452
		Orissa	257
		<b>SRI LANKA'S SITUATION</b>	
		Discussion on	458, 470, 714
<b>SIKKIM</b>		<b>STATE LEGISLATURES</b>	
Imposition of President's rule	450	Activities of	131, 308, 522, 763
New Governor	451	Bills passed by	140, 318, 533, 772
New Ministry	450	Ordinances issued by	148, 337, 545, 777
President's Proclamation, discussion on	708	Party Position in	163, 354, 562, 793
<b>SIXTH FIVE YEAR PLAN</b>		Privilege Issues in	38, 245, 417, 666
Mid-term appraisal of	85, 102		

	<i>Page</i>		<i>Page</i>
Procedural Matters in	65, 252, 443, 688	TRIPURA	
		New Governor	451
Sessional Review of	108, 282 476, 736	TUNISIA	
Wit and Humour in	409	Proclamation and revoca- tion of emergency	260
<b>SUDAN</b>		<b>TURKEY</b>	
Declaration of emergency	454	New Prime Minister	70
<b>TAIWAN</b>		U.S.S.R.	
General elections	70	Death of the President	260
New President	260	Election of President	454
New Prime Minister	454	New Party Chief	260
<b>TAMIL NADU</b>		<b>UNION TERRITORIES</b>	
Changes in the Ministry	697	Developments in	69, 258, 451
Election of Chairman	451	<b>UTTAR PRADESH</b>	
MLA's election set aside by the Supreme Court	68	Cabinet reshuffle	257
<b>TANZANIA</b>		New Ministry	697
New Prime Minister	454	Resignation by Minister	451
<b>THE LEADER OF THE HOUSE AND THE WHIPS IN U.K. AND INDIA</b>		<b>VENEZUELA</b>	
Article on	598	Election of the President	70
<b>THE MULTI-DIMENSIO- NAL ROLES OF PAR- LIAMENT</b>		<b>VENKATARAMAN, RAMA- SWAMY</b>	
Article on	605	Article on Parliament in the Indian Polity— Some Important As- pects	197



*Index**Page*

	<i>Page</i>		<i>Page</i>
Election as Vice-President, Short Note on	631	<b>WORKING OF MINIS- TRIES</b>	
Life Sketch of	633	Education and Culture and Social Welfare	469
<b>WEST BENGAL</b>		Energy	466
Changes in the Ministry	258	Industry	468
New Governor	69, 699	<b>YADAV, SHYAM LAL</b>	
		See under Addresses and Speeches	
<b>WIT AND HUMOUR IN PARLIAMENT</b>		<b>YUGOSLAVIA</b>	
Lok Sabha	404, 640	New President	454
Tamil Nadu Legislative Assembly	409	<b>ZAIRE</b>	
		Election of President	701