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EDITORIAL NOTE

The Quit India Movement was one of the most important landmarks in our freedom struggle. The 50th Anniversary Celebrations of this historic Movement had commenced with a solemn function held on 8 August 1992 in the Central Hall of Parliament House. A year later, a meeting of Members of both Houses of Parliament was held on 9 August 1993 in the Central Hall to mark the conclusion of these celebrations. The function was addressed by the Vice-President of India and Chairman, Rajya Sabha, Shri K. R. Narayanan, the Prime Minister, Shri P. V. Narasimha Rao and the Speaker, Lok Sabha, Shri Shivraj V. Patil. The text of the Addresses delivered by the dignitaries at the function is reproduced in this issue of the *Journal*.

The Central Hall of Parliament House is adorned with the portraits of several national leaders whose contributions to the national cause have been immeasurable. On 20 August 1993, the portrait of the former Prime Minister, late Shri Rajiv Gandhi was unveiled in this historic Hall by the President of India, Dr. Shanker Dayal Sharma. The function was attended, among others, by the Vice-President of India and Chairman, Rajya Sabha, Shri K. R. Narayanan, the Prime Minister Shri P. V. Narasimha Rao, the Speaker, Lok Sabha, Shri Shivraj V. Patil, Union Ministers, Members of Parliament, Smt. Sonia Gandhi and other dignitaries. The Priyadarshini Trust donated the portrait which has been painted by Shri Bikash Bhat-tacharjee. We include in this issue of the *Journal*, the texts of the Addresses delivered by the dignitaries on the occasion.

The protection and promotion of human rights have always been of utmost concern to all right thinking people. Parliamentarians, particularly, have a crucial role in ensuring that human rights of all individuals are respected against possible violations. The Inter-Parliamentary Union (IPU) has always taken a keen interest in the promotion and defence of human rights. Article 1 of the IPU Statutes reads : "The Inter-Parliamentary Union shall.....contribute to the defence and promotion of human rights which are universal in scope and respect for which is an essential factor of parliamentary democracy and development."

A four-day Inter-Parliamentary Symposium on "Parliament : Guardian of Human Rights" was held in Budapest, Hungary from 19 to 22 May 1993 under the aegis of the IPU. Over 150 Members of Parliament from 58 countries attended the Symposium and exchanged views with representatives of international organizations and national bodies dealing with human rights issue and also with experts on the subject.

In his article titled "Inter-Parliamentary Symposium on Parliament : Guardian of Human Rights", eminent parliamentarian, Shri Sharad Dighe, MP who led the Indian Parliamentary Delegation to the Symposium briefly discusses the topics of the Symposium, viz. Parliaments' responsibility and role in ensuring that human rights and the rights of minorities are protected at the national level and international level; scope of responsibilities and

activities of parliamentary human rights bodies; and implementation at the national level of international human rights instruments. Shri Dighe has also highlighted the participation of our Delegation at the Symposium which provided us an opportunity to highlight India's consistent stand on the issue of human rights and to exchange views with parliamentarians from other countries on their perceptions.

The issue of enriching debates in Legislatures has ever engaged the attention of legislators, particularly Presiding Officers. Forceful debates and fruitful deliberations enable better participation in the legislative process and pave the way for constructive and persuasive advocacy of people's demands and expectations. Needless to say, it is imperative then to strive always for a higher standard of debate, a more purposeful and productive level of participation.

Recognising the importance of raising awareness about the working of Parliament, the Speaker, Lok Sabha, Shri Shivraj V. Patil conceptualized the idea of preparing video films on different parliamentary practices and procedures. One such film on the subject of enriching debate in the Legislatures has since been completed. Distinguished participants whose considered views find expression in this telefilm include the Speaker, Lok Sabha and Chairmen/Speakers of some State Legislative Councils and Assemblies.

In his article titled "Enriching Debate in the Legislature," the Editor discusses various aspects of the subject matter in the light of views expressed by the eminent parliamentarians in the telefilm. The Speaker, Lok Sabha, and the other distinguished Presiding Officers have given considerable thought to the issue which has a very close bearing on the efficacy of representative institutions in our country. They have taken pains to reflect upon and answer a wide variety of questions that impinge directly or indirectly on the matter.

Under the overall subject framework, specific questions to which responses were elicited and which find place in the article pertained to the following : effective utilization of the time of the House; discipline and decorum in Legislatures; role of Whips; training/Orientation programmes for legislators; impact of telecast of proceedings; role of media; role of Presiding Officers in raising the level of debate; importance of research and library facilities; need for subject specialization; and use of wit and humour. In the concluding part of the article, the Editor observes : "it bodes well for the future of our parliamentary system that timely attention is being given at the highest level to steps which would enable legislators to fulfil their parliamentary obligations to the best possible extent."

Our readers would recall that starting with the June 1993 issue (Vol. XXXIX, No. 2), two new Features were introduced in the *Journal*, viz. "Our Constituency and Constituents" and "Our Budding Parliamentarians." We continue these Features in this issue too. The Feature "Our Constituency and Constituents" is based on a write-up by Shri Laxmi Narain Mani Tripathi, MP. The second Feature "Our Budding Parliamentarians" brings to the readers a profile of Shri Mohan Lal Jhikram, MP and his perceptions on

different subjects of contemporary interest and items of business coming up before Parliament. We would greatly welcome write-ups from our parliamentarians for these regular Features.

We felicitate Sarvashri Charti Lal Goel, Kaul Singh Thakur, Srinivas Tiwari, Valvienga, Hari Shankar Bhabhra and Dhani Ram Verma on their election as Speakers of the Legislative Assemblies of Delhi, Himachal Pradesh, Madhya Pradesh, Mizoram, Rajasthan and Uttar Pradesh, respectively. Incidentally, Shri Hari Shankar Bhabhra has been re-elected as Speaker of the newly constituted Rajasthan Legislative Assembly. We also extend our felicitations to Sarvashri Alok Kumar, Mansinhbhai K. Patel, Kuldip Kumar and Bherulal Patidar on their election as Deputy Speakers of the Legislative Assemblies of Delhi, Gujarat, Himachal Pradesh and Madhya Pradesh, respectively.

This issue of the *Journal* carries our other regular Features, viz. Parliamentary Events and Activities, Privilege Issues, Procedural Matters, Parliamentary and Constitutional Developments, Sessional Review, Documents of Constitutional and Parliamentary Interest and Recent Literature of Parliamentary Interest. A comprehensive Index to Vol. XXXIX of 1993 also finds place in the issue.

We have been constantly endeavouring to make this *Journal* more useful and informative. Needless to say, we would welcome suggestions from our readers for its further improvement. We would also welcome practice and problem-oriented non-partisan articles in the field of parliamentary procedures and institutions from Members of Parliament and State Legislatures, scholars and others interested in the realm of parliamentary political science.

—R. C. Bhardwaj
Editor

CONCLUSION OF THE 50TH ANNIVERSARY CELEBRATIONS OF THE QUIT INDIA MOVEMENT

A meeting of Members of both Houses of Parliament was held on 9 August 1993 in the Central Hall of Parliament House to mark the conclusion of the 50th Anniversary Celebrations of the Quit India Movement. The function was addressed by the Vice-President of India and Chairman, Rajya Sabha, Shri K.R. Narayanan, the Prime Minister, Shri P.V. Narasimha Rao and the Speaker, Lok Sabha, Shri Shivraj V. Patil.

The text of the Addresses delivered by the dignitaries at the function is reproduced below.

—Editor

ADDRESS BY THE SPEAKER, LOK SABHA, SHRI SHIVRAJ V. PATIL*

Respected Upa-Rashtrapatiji, Respected Pradhan Mantriji, Honourable Ministers, Honourable Leaders of various Parties, Honourable Members of Parliament, Honourable Members of the Diplomatic Corps, Learned Officers, Ladies and Gentlemen :

At the outset, I would like to extend a hearty welcome to Respected Upa-Rashtrapatiji, Respected Pradhan Mantriji and all of you at today's function. I understand that several freedom fighters are present at this function. I would like to extend a warm welcome to them also on my behalf and on behalf of all of you.

On the 8th of August last year, Esteemed Rashtrapatiji had inaugurated the Golden Jubilee Celebrations of the Quit India Movement of 1942 which were being held to commemorate that great and final struggle for freedom. We also offered our respectful homage to the memory of those who had laid down their lives in the cause of India's Independence and countless others who underwent untold sufferings. A year later, on the conclusion of the celebrations organised in villages and cities and all parts

*Originally delivered in Hindi.

of the country, we have assembled here in the Central Hall of Parliament to pay our respects to their memory. I feel that merely remembering them on 9th August or on an occasion like this would not yield the desired results. If on every important occasion, we keep uppermost in our minds their deeds and sacrifices, then, I think, we would be better equipped to accomplish the tasks before us.

The past, the present and the future are inter-linked. The present owes much to the past; so does the future to the present. Should we lose sight of the future in our present, perhaps we would stand to lose. If we are guided by the lessons of the past, we stand to learn much that can be of use in shaping our present better. Through this endeavour, the future can be better taken care of. There are times when the most ennobling ideals inspire man to accomplish great deeds. No suffering is too daunting for him and no sacrifice too high a price. He is prepared for any sacrifice. On reaching such a stage, he finds infinite strength to easily accomplish the noblest and most challenging tasks. Such were the times of the 1942 Movement when the whole of India was moved by the same noble and great sentiments. The whole nation rose as one man. All minds had become one and were without fear. "**Sarfaroshi Ki Tamanna ab Hamare Dil Mein Hai**" (We have in us the intense desire to sacrifice our lives) was the sentiment voiced by very many in those days and our leaders too had given a call to "do or die". They could make any sacrifice. They had a vision. No one sought to live for himself alone. No one was trying to live for his "present" at that time. Everyone was striving towards the future and for this very reason, we could march forward collectively in that final struggle for independence and achieve freedom. Our leaders were in prison but the Indian people too were mentally prepared to stand on their own legs and come forward to provide leadership.

We achieved freedom, political freedom. The objective of achieving political freedom was to ensure economic advancement and to secure social justice for all and to enable our country to address itself wholeheartedly to the task of building a society on an equal footing with other countries of the world and with their full cooperation. These were precisely the objectives of our achieving political freedom. The endeavour for realising these objectives is still on and we cannot claim to have completed our tasks. It cannot be said that the challenge of achieving freedom was more difficult than the challenges that confront us today. At times, we feel that our present task is even more formidable than that before Independence. To fight against an external force to win our objective is easy. But when the objectives are to be achieved by fighting the forces within, and particularly those in our own minds, the struggle becomes all the more difficult. And, therefore, if we want to achieve these objectives, to make economic progress in all spheres, to secure social justice for all, bring our country on par

with others and ensure peace and prosperity in society, then we have to bring to our tasks the same zeal and fervour that marked the 1942 Movement, perhaps in even greater measure.

I believe if we continue to retain now, and in the performance of every good deed, the same mental make-up and the same spirit which our leaders and people possessed at that time, we can achieve economic development and social justice and make our country great and the entire world prosperous and peaceful.

If we perceive this Movement with this object in mind, then our objective is very noble and it can, in course of time, do good to the people, the country, the society, and, if I may say so, to the world at large. We must strive to keep alive this spirit in our minds for ever. We can do so through such celebrations and by recalling this spirit whenever we undertake onerous tasks.

With this end in view, this Golden Jubilee is being celebrated here and as the Golden Jubilee celebrations conclude today, we have assembled here in the hope that we will continue to be inspired by the same zeal in our thoughts and deeds.

Respected Pradhan Mantriji and Respected Upa-Rashtrapatiji will be addressing you shortly. I thank you for the attention with which you listened to me. I would now request Respected Pradhan Mantriji to address you.

ADDRESS BY THE PRIME MINISTER,
SHRI P.V. NARASIMHA RAO

Revered Upa-Rashtrapatiji, Mr. Speaker and Friends :

The year-long celebrations to mark the Golden Jubilee of historic Quit India Movement of 1942 are drawing to a close. For a year, we have held celebrations all over the country to honour the heroes who fought in this great movement for the country's Independence, many of whom, are no longer with us. I would like to place on record my gratitude to and appreciation of all those who have contributed to the success of these functions all over the country and revived vivid memories of the Movement.

The Quit India Movement was in many respects the culmination of the freedom struggle of India against British rule. The ground for this movement had been well prepared by Mahatma Gandhi through earlier movements, notably the Khilafat Movement, the Non-Cooperation Movement and the Civil Disobedience Movement. These movements inculcated a high

degree of political consciousness among the people. They steeled them to face the rigours of a non-violent movement against the entrenched might of the strongest imperialist power of the world at that time. They were by now well versed in *Satyagraha*. The message of Congress had been carried to every nook and corner of the country and the people were ready for the final thrust in the fight for freedom. They feared no longer the atrocities of the rulers. They had with them Gandhiji's shield of *Ahimsa* and the *Mantra* of "Do or Die".

The Congress Party's determination to launch the Quit India Movement came when it realised that the British were not serious about giving India independence, but nevertheless wanted to draw India into the World War against the Axis powers. The British claimed that it was a war between freedom and fascism; but this was freedom not for India but for the British. Indian leaders declared firmly that India's participation in the war effort was contingent upon India herself being free but hers was a case where a slave was being asked to fight for the freedom of his master. India demanded her equal right, a right which is based on participation of both as sovereign Independent nation and not as master and slave. It was the most reasonable demand.

The All India Congress Committee, which met on 7-8 August at Bombay for its historic session, approved the 'Quit India' Resolution. It said:

"The Committee resolves, therefore, to sanction, for the vindication of India's inalienable right to freedom and independence, the starting of a mass struggle on non-violent lines and on the widest possible scale so that the country might utilise all the non-violent struggle it has gathered during the last twenty-two years of peaceful struggle. Such a struggle must inevitably be under the leadership of Gandhiji, and the Committee requests him to take the lead and guide the nation in the steps to be taken."

Gandhiji's speech after the passing of this Resolution lasted 140 minutes. It was one of the longest speeches he ever made. He said and I quote :

"I want freedom immediately; this very night, before dawn, if it can be had...the Congress must win freedom or be wiped out in the effort; and forget not that the freedom which Congress is struggling to achieve will not be for the Congressmen alone but for all the forty crores of the Indian people...I repeat forty crores of Indian people...Everyone of us should consider from this moment onwards a free man or woman and act as if you are free and are no longer under the heel of this imperialism."

Today it is difficult to comprehend the kind of national fervour and zeal that motivated the people of India at that time. They did not seek any personal gain or office. They were armed with nothing but their faith in *Ahimsa* and *Satyagrah* which was Mahatma Gandhi's unique contribution to the oppressed people of the world. Mahatma Gandhi said :

"A non-violent soldier of freedom will covet nothing for himself. He fights only for the freedom of his country. The power that it gives will belong to the people of India and it will be for them to decide to whom it should be entrusted."

Such high principles of equality and freedom have always permeated our national policy whether in internal or external affairs. What India deems right for itself, it willingly concedes as being right for all. India has never believed in special privileges or discriminatory treatment whether within the country or outside.

We have now come 51 years from those heady days of selfless service and patriotism. Sacrifice and self-discipline, which won us freedom, are equally necessary today to preserve it and make it meaningful for all our citizens. The smooth and coordinated functioning of the various organs of Government and institutions of society, each functioning within its ambit and according to the procedures laid down for it, is essential for the success of democracy. Our pluralistic democracy has by definition a multiplicity of such organisations. They can work together only when each works within its own prescribed parameters. Mixing roles, over-stepping jurisdictions and usurping functions and powers are a recipe for anarchy.

The Quit India Resolution had several dimensions; political, economic, international, etc. against the backdrop of an imposed war effort contrary to the will of the people. It took freedom as the spring board of all voluntary national actions, including participation in a war for democracy and freedom which can never be successful while it is accompanied by the suppression of democracy and freedom within the country. The Resolution also mentions the main postulates of independent India, namely, the prevention of aggression and exploitation by one nation over another, the protection of national minorities, the advancement of all backward areas and people, pooling of worlds' resources for the common good of all.

This is obviously a comprehensive world view whose domestic component came to be incorporated in the Indian Constitution as secularism and social justice. The Quit India Resolution could thus be clearly seen as one of the source documents of our Constitution.

Friends, the Quit India Movement showed to us that our country has the mettle and the moral fibre to work together against the mightiest of forces. The Golden Jubilee Celebrations of the Quit India Movement are



The Speaker, Lok Sabha, Shri Shivraj V. Patil addressing the concluding function of the 50th Anniversary Celebrations of the Quit India Movement



The Prime Minister, Shri P. V. Narasimha Rao addressing the concluding function of the 50th Anniversary Celebrations of the Quit India Movement



The Vice-President of India and Chairman, Rajya Sabha, Shri K. R. Narayanan addressing the concluding function of the 50th Anniversary Celebrations of the Quit India Movement



A view of the distinguished gathering in the Central Hall of Parliament House

over but the spirit rekindled should never be allowed to flag nor the confidence wane. This must and shall be our endeavour hereafter.

Thank you.

ADDRESS BY THE VICE-PRESIDENT OF INDIA
AND CHAIRMAN, RAJYA SABHA,
SHRI K.R. NARAYANAN

Honourable Prime Minister, Honourable Speaker, Honourable Ministers, Honourable Members of Parliament, Ladies and Gentlemen :

It is indeed a proud privilege for me to address this august assemblage marking the conclusion of the celebrations of the 50th Anniversary of the Quit India Movement. This Parliament, representing the sovereign will of the 850 million people of India, is the ultimate and the majestic outcome of that historic movement. I believe that a spark of that Indian Revolution remained unextinguished deep down at the core of this august institution and this great country, inspiring us into action at critical times in our history. On this occasion we pay homage to the men and women who sacrificed their lives for the freedom and independence of the country. We recall Mahatma Gandhi, Jawaharlal Nehru, Sardar Vallabhbhai Patel, Maulana Azad, Subhas Chandra Bose, Sarojini Naidu, Jayaprakash Narain and a whole galaxy of extraordinary personalities who devoted their entire lives for the freedom of the country and held before us the vision of a great and glorious India. We also remember Shrimati Aruna Asaf Ali who emerged almost a shining armour as the heroine of the Quit India Movement and who is happily with us today. Above all, we remember and pay our homage to the countless workers and peasants, students, teachers, lawyers and people from every cross section of our vast population who flung themselves into that final struggle for freedom. How are we, beneficiaries of their sacrifice and their martyrdom, to honour them today ? How are we to repay the debt we owe them ? It cannot surely be by merely singing their praises but only by recapturing something of the spirit and a fervour of those times and by striving sincerely to build the kind of India they had struggled for and dreamt of.

It was said of Gandhiji that he had in those days made heroes out of clay. Let us not today make clay out of our heroes and pay homage to them in statues, portraits and images alone. Let us follow their example and serve our people, alleviate their sorrows and sufferings, and wipe their tears.

The first and foremost objective of the Quit India Movement was, of course, the independence of the country. In the night of August 8, 1942, Gandhiji cried out impatiently at the AICC meeting and the Prime Minister has already quoted it : "I want freedom immediately, this very night, before dawn, if it can be had." He got it for us just within five years of that agonized cry. As Nehru put, it we had our "tryst with destiny" and redeemed the pledge not wholly, but substantially. We have come a long way since then. India today, in spite of all our problems and difficulties, is a more prosperous and powerful nation. But we are nowhere near the goal we had set for ourselves; our immense potential still remains untapped, and a considerable section of our population lives in deprivation and suffering and in unjust and unequal conditions. Our social and political life is bedevilled by disunity and by communal, caste and regional tensions. Danger to our unity and independence, be it from within or without, is more serious and insidious than at any time since Independence and the days of the Cold War. If the impassioned objective of the Quit India Movement was to wrest Independence from unwilling imperialists hands, the over-riding task before us today is to strengthen our unity and to preserve our freedom and Independence.

It was during the freedom struggle that we evolved for ourselves the concept of political democracy and a socio-economic soul for our polity. Speaking on the Quit India Resolution, Gandhiji observed : "I believe that in the history of the world, there has not been a more genuinely democratic struggle for freedom than ours...In the democracy which I have envisaged, a democracy established by non-violence, there will be equal freedom for all. Everybody will be his own master. It is to join a struggle for such a democracy that I invite you today. Once you realize this you will forget the differences between the Hindus and Muslims, and think of yourselves as Indians only, engaged in a common struggle for independence." In the present context the common struggle is for national unity and social harmony, for elimination of poverty and for social justice, for development and modernization and above all for secularism for which Gandhiji stood. We have all the potential and all the infrastructure for emerging as a great and strong nation in Asia and in the world. It would be a thousand pities if we miss this opportunity on account of sheer lack of national will and obsession with petty bickerings and rivalries among ourselves.

India is one of those countries which has always thought in big and generous terms. Jawaharlal Nehru used to say that India will count for a lot or for nothing in the world. Our nationalist movement was inspired by this world role and world responsibility right from the beginning—it considered itself as an integral part of the anti-colonial and anti-imperialist movement. The Quit India Resolution specifically stated : "The freedom of India must be the symbol of and prelude to the freedom of all other Asiatic nations

under foreign domination. Burma, Malaya, Indo-China, Dutch East Indies, Iran and Iraq must all attain their complete freedom." The Indian National Congress had also pleaded for African Freedom. The Independence of India, in fact, turned out to be "a symbol of and a prelude to" Asian-African independence. After the first fine rapture of freedom in the post-War period and the challenging, though difficult postures during the Cold War era, the third world today, with some exceptions, is facing economic and political crises of a fundamental character affecting their independent identities. The spirit of the Quit India Movement beckons us to play a role in regard to this crisis of the Third World in which our own destiny is involved.

India's vision during the nationalist struggle had extended far beyond the limits of the Third World. It encompassed the whole world. Gandhiji had declared and I quote :

"The conception of my patriotism is nothing, if it is not in every case, without exception, consistent with the broadest good of humanity at large."

The Quit India Resolution itself stated and I quote :

"The independent India would gladly join such a world federation, cooperate on equal basis with other countries in the solution of international problems."

Equally significant was Gandhiji's declaration at the AICC Meeting that the world federation can be raised only on the foundation of non-violence and "violence will have to be totally abjured from world affairs". That time has not yet arrived and the eyes of the world are still blood-shot with violence.

The Quit India Movement was thus much more than a fight for Indian Independence. It had an anti-imperialist dimension, a larger dimension of world peace and a new world order. In a true sense it was an Indian revolution. While it was surcharged with philosophy, politics, economics and internationalism, at the heart of it lay a glorious humanism and a faith for the unconquerable will of the individual human being. Gandhiji once said :

"Mr. Churchill wants to crush me, but the beauty of it for me and the pity of it for him is that I cannot be crushed."

Combined with this faith in the power of human being was an impassioned concern for the lot of common man. I would say that in the eyes of Gandhiji, it was the common man who stood at the centre of the independent struggle of the Quit India Movement. "And forget not", he said in his speech :

"That the freedom that the Congress is struggling to achieve, will not be for Congressmen alone, but for all the forty crores of Indian people. Congressmen must for ever remain humble ser-

vants of the people.”

He added :

“He who serves best is the Chief among equals.”

The sovereign remedy for the seemingly intractable problems facing India today is just service to the people. The essence of the spirit of the Quit India Movement is simply that.

Thank you.

UNVEILING OF THE PORTRAIT OF SHRI RAJIV GANDHI

The portrait of the former Prime Minister, Late Shri Rajiv Gandhi was unveiled in the Central Hall of Parliament House on 20 August 1993 by the President of India, Dr. Shanker Dayal Sharma. The function was attended, among others, by the Vice-President of India and Chairman, Rajya Sabha, Shri K.R. Narayanan, the Prime Minister, Shri P.V. Narasimha Rao, the Speaker, Lok Sabha, Shri Shivraj V. Patil, Union Ministers, Members of Parliament Smt. Sonia Gandhi and other dignitaries. The Priyadarshni Trust donated the portrait which has been painted by Shri Bikash Bhattacharjee.

The addresses delivered by the dignitaries on the occasion are reproduced below.

—Editor

ADDRESS BY THE SPEAKER, LOK SABHA, SHRI SHIVRAJ V. PATIL

We are grateful to the Respected Rashtrapatiiji for obliging us with his presence in this ceremony and agreeing to unveil the portrait of late Shri Rajiv Gandhi and addressing the audience.

We are grateful to the Respected Upa-Rashtrapatiiji and the Respected Pradhan Mantriiji for gracing this occasion and agreeing to speak to this gathering.

We are thankful to Giani Zail Singhji for attending this function.

We are beholden to Smt. Sonia Gandhiiji for being here today to participate in this programme.

We thank all the Honourable Ministers, Governors, Chief Ministers, the Leaders of Opposition, Leaders of different Parties, Members of Parliament, Members of the Diplomatic Corps, learned officers and members of the media for their presence here with us on this occasion.

We thank the Chairman and Members of the Priyadarshni Trust for donating the Portrait to the Parliament.

We are beholden to Shri Bikash Bhattacharjee for the portrait of Shri Rajivji which he has painted.

We extend a very cordial welcome to all Ladies and Gentlemen.

This Parliament building has more than 50 places where the statues of great political leaders, Parliamentarians and Great Sons and Daughters of India can be installed.

The Committee consisting of the senior Members of Parliament has advised and it has been decided that the statues of Late Shri Mahatma Gandhi, Shri Netaji Subhash Chandra Bose, Shri Rajaji, Shri Jayaprakash Narain, Shri Acharya Narendra Dev, Shri Vithalbhai Patel, Shri Bhagat Singh, Shri Satyamurti, Shri G.B. Pant, Shri Jagjivan Ram, Shri Yeshwantrao Chavan, Shri Bhupesh Gupta, Shri A.K. Gopalan and Shri C.N. Annadurai and some other leaders may be put up in the Parliament.

It has also been agreed that in the Central Hall, Portraits of three more Former Prime Ministers can be displayed.

On the 2nd of October this year, we propose to unveil the portrait of Late Shri Lal Bahadur Shastriji. On a later date, the portrait of former Prime Minister Shri Charan Singhji will also be put up here.

Today, within a few minutes, the portrait of Shri Rajivji, a fine human being, a dynamic administrator, a visionary, politician, a philosopher statesman will be unveiled, on the eve of his 50th Birth Anniversary.

Shri Rajiv Gandhi was a Gentleman to the core, affectionate, considerate, correct, just, enthusiastic, bold, dynamic and charismatic human being. He could talk and deal with the common man with respect and consideration. He could talk and deal with intellectuals with enthusiasm and pleasure. He could deal with administrators and leaders in the country and the world, with adroitness, with appropriate flexibility and firmness, correctness and dignity.

As an administrator, he wanted the administrative machinery at all levels to function smoothly, efficiently and in a modern manner, without any loss of time in implementing the policies and producing results.

He wanted the machines and men in India to be equal in all respect with the instruments and users of theirs in other parts of the world. He used to say that there was no time to lose. Probably, he was realising always in his heart that in a short span of time, he was to do many things and then to bid a good bye to this world. He always walked and worked with great speed which was one of the hallmarks of his character.

As a politician and a Parliamentarian, his achievements and performance were superb. He not only got the plans, policies and philosophies put into practice and implemented, but made new plans, formulated new policies and created new philosophies of work ethics and life. His plans to cleanse the river Ganges, to green the wasteland, to have mission mode of applications of technologies and science to all round development of the country were most welcome and appreciated. They touched upon some of the most important aspects of the life and development of the people in the country.

He was responsible to see that new policies relating to education, health, housing, irrigation, industry, agriculture, electronics, science and technology, sports, women, children, Panchayats and culture in India were formulated.

He took a leading role in getting the AFRICA Fund, the Global Environment Protection Fund created. He propounded a time bound plan for making the world free of nuclear and conventional weapons, violence and war.

What he did in planning, implementing the plans and enthusing the People and visualising the future and playing a role in matters international was in line and in some respects, and in some degree, equal to what was done by Pandit Nehruji in his days of premiership.

He always thought of and acted for the entire country and the world, for the present, as well as for the future. He wanted that India should be stable, prosperous, strong and peaceful. He was for material as well as cultural development of the People of India and the world.

He knew that the world had developed materially on the basis of technology and science, competition and skills in marketing. He desired that India should be strong materially, technologically and scientifically as well as culturally and spiritually. He realised the importance of history and innate culture and tried to understand the lessons of history and to bring to light the life giving and lasting aspects of culture.

He understood the importance of cooperation, compassion, justice and love in matters national and international. He tried to create an outlook of life which was a synthesis of realism, idealism, beauty and bliss, relevant in and to the country and the world.

He loved and admired what life could give. However, he was never afraid of death. His personality was a sort of synthesis of what was noble and admirable in the rural and the urban India, in the East and the West of the world, in the modern and the ancient times, in the technology and science, in the culture and spirituality, and in the life and death themselves.

He had an old head on young shoulders. He did not come to politics on his own. The political opportunities and positions were offered to him which in the beginning he was reluctant to accept. But, once he accepted the responsibilities, he did not care for and spare himself and his near and dear ones, while doing his duties. He did his duties in the best possible and noble manner and crowned his political life with the martyrdom.

In this Hall, we have the portraits of three great leaders, who fell prey to the bullets, for the convictions and the ideologies which were near and dear to their hearts.

In fact, the portraits of other great leaders are also the symbols of sufferings and sacrifices they underwent, every moment of their existence for the philosophies which were very dear to them. Anybody who would look to them would be inspired by their thoughts and actions, sufferings and sacrifices.

He became the Prime Minister of India after the assassination of Smt. Indira Gandhi. He had seen the tragic death of his brother Shri Sanjay Gandhi. He knew the dangers involved in accepting the responsibility of the Government of India as the Prime Minister.

And, yet, suppressing the tears in his eyes and agony in his heart, he responded to the call of the duty, to the nation and the humanity and did the duty with boldness, vision and statesmanship, caring not a bit for his own life, always striving and struggling to take India and the world into the 21st century, and make them prosperous and peaceful.

Many great sons and daughters of India sacrificed their comforts, happiness and lives for attaining the independence of the country. Many others did the same for protecting and preserving the independence and to take the country to new heights of glory and unity. In this respect, he stands in the line of Mahatma Gandhiji, and Smt. Indira Gandhiji and such other great Indians.

His Portrait, his memory, his philosophy would help us to remember his way of doing things and solving the problems and taking the country and the rest of the world in the correct direction.

If we forget the philosophy of the great leaders whose portraits are displayed in this hallowed Hall, we would reenact the tragedies of our history. If we remember the essence of their lives, we would march to greater heights of glory and into the future, with confidence and strength, and wisdom, to fulfil the objectives and aims enshrined in the Constitution of India and the Charter of the United Nations and other valuable plans and designs of the country and the world.

We have many problems. They can be solved with our efforts and just ways of thinking. They can be solved on the basis of the philosophies put forth by the great sons and daughters of India.

Let us remember their ways of thinking and working by looking at their Portraits and their noble deeds.

Let not all the good that is done be interred with the bones of the great human beings.

Let the light in their souls light the lamps in our souls, and shed bright rays on our roads to the good, glory, prosperity, peace, love and unity in the country and the world.

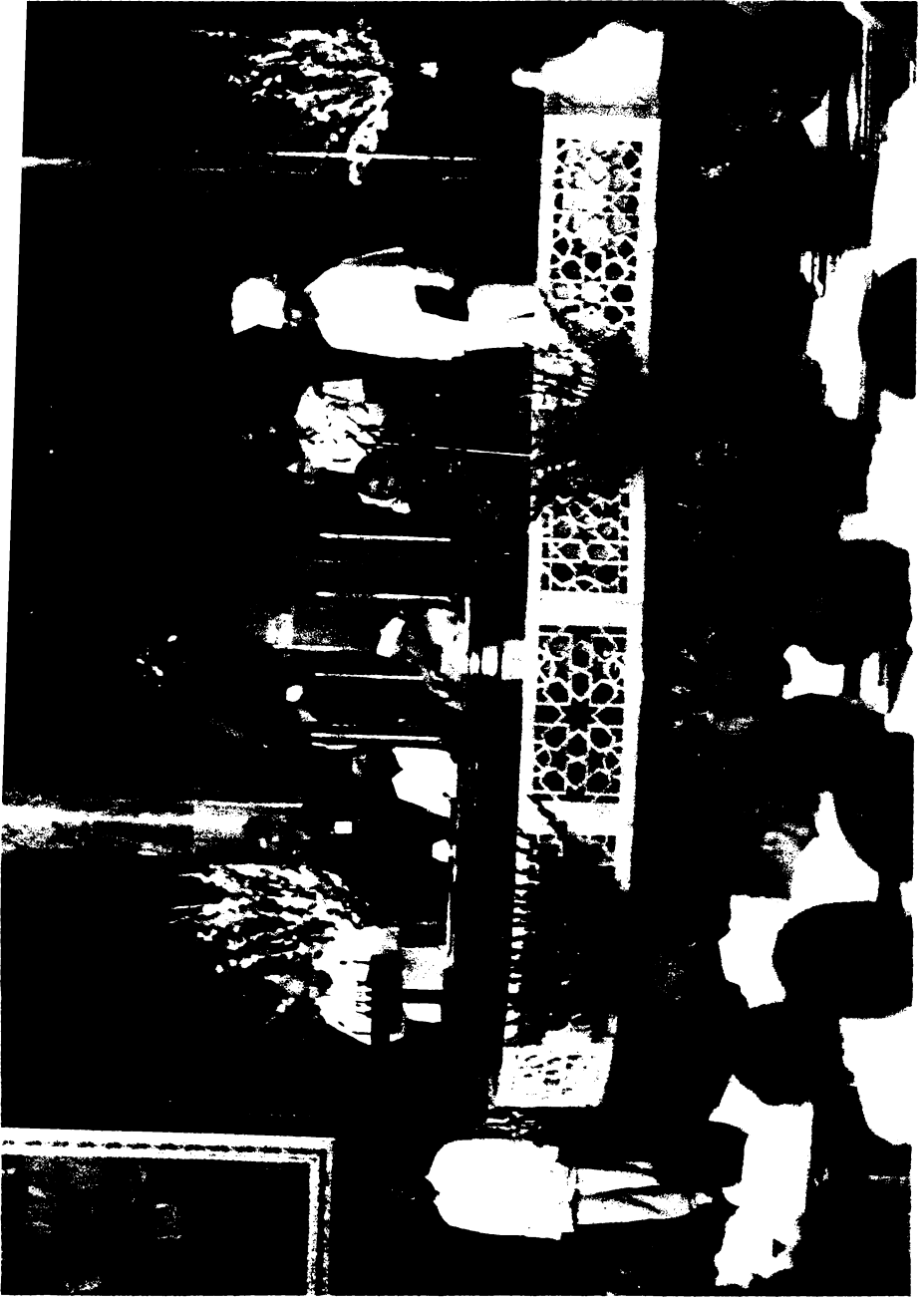
Thank you.



The President, the Vice-President and Chairman, Rajya Sabha, the Prime Minister and the Speaker, Lok Sabha at the unveiling of the portrait of former Prime Minister Shri Rajiv



The Speaker, Lok Sabha, Shri Shivraj V. Patil addressing the distinguished gathering



The Prime Minister, Shri P. V. Narasimha Rao addressing the distinguished gathering



The Vice-President of India and Chairman, Rajya Sabha, Shri K. R. Narayanan addressing the distinguished gathering



The President of India, Dr. Shanker Dayal Sharma addressing the distinguished gathering



Dignitaries at the unveiling of the portrait of Shri Rajiv Gandhi



The portrait of Shri Rajiv Gandhi unveiled in the Central Hall of Parliament House



A view of the distinguished gathering in the Central Hall

ADDRESS BY THE PRIME MINISTER,
SHRI P.V. NARASIMHA RAO

Revered Rashtrapatiji, Respected Upa Rashtrapatiji, Honourable Speaker Sir, Soniaji and Honourable Members :

Today is a memorable day for us. A dynamic leader finds a permanent place of honour among the great leaders of India. It is a fitting and deserving honour being bestowed on a person who displayed rare qualities of leadership. Having already carved a niche for himself in the hearts of the people he now takes his place in more ceremonial precincts, both equally reflective of the affection of the people of our country for their young leader. Shri Rajiv Gandhi would be among the youngest leaders to adorn the galleries of this Hall, may be the youngest, the very youngest. He would certainly be the leader with the briefest career in public life. Such was the impact of his meteoric career that few can claim to have influenced this country as deeply in as short a period.

Shri Rajiv Gandhi entered politics with little experience of it. In fact it is well known that it was a reluctant entry of a man beckoned by destiny. He brought with him his intellect, his humanism, his gentleness, his youth and above all, his dynamism. He imbued Indian politics with his enthusiasm, capturing the imagination of the people. He was a man in a hurry, driven imperceptibly by some urge that needs them to be done in record time. We have no justification in delaying anything that needs to be done on time. He was almost obsessed with the time overruns, with the timelags and delays which happened in the administration. We had many examples of his impatience, almost every day.

He epitomized continuity in change retaining whatever he knew was good for the country and pushing inexorably for change wherever he felt that the existing system had outlived its utility. He opened India to new vistas of thought, made it look up and beyond not just to the next day or year but to the next century. He rediscovered India for us, a youthful and vibrant India more confident of the future.

He had an instinctive understanding of India's problems. His faith in secularism and democracy was unwavering. As a parliamentarian, he displayed extraordinary qualities of leadership, debating skill and sense of humour. The lowering of the voting age, the drive for modernisation and economic liberalisation, the new Education Policy and other steps for human resource development, not to speak of the very new concept of Panchayati Raj which he propounded, the welfare programmes to reduce unemployment and poverty and linking them up with technological progress which is evident from the Technology Missions he instituted are some of the lasting contributions of Rajivji to us. Not all that he wanted could be achieved during the relatively brief tenure of his Prime Ministership. We have his unfinished task before us to carry out as a solemn trust. His calm

and serene presence in the form of this portrait will serve as a reminder lest we are remiss. More significantly, it will be a source of inspiration to us for all time to come.

And, therefore, this is the occasion not only to be present at the unveiling ceremony but the real discovery of Rajivji's qualities and their being adopted by the coming generations in the interests of the country. This is what I think the significance of this occasion is.

Thank you very much.

ADDRESS BY THE VICE-PRESIDENT OF INDIA
AND CHAIRMAN, RAJYA SABHA,
SHRI K.R. NARAYANAN

Respected Rashtrapatiji, Honourable Pradhan Mantriji, Honourable Speaker, Smt. Sonia Gandhi, Honourable Ministers, Members of Parliament and Ladies and Gentlemen :

Today, Rajiv Gandhi joins the immortals of Indian history in the Central Hall of Parliament. It was at a critical and dark moment when the nation and the people felt bewildered and forlorn that he stepped on to the stage of our history. Though inexperienced in the mysterious way of politics, he rose to the call of destiny and asserted himself as a leader of men and a lover of the country. He impressed his personality and his will on events and emerged as a great Prime Minister unfolding before the nation a new vision of its greatness. Though cut off cruelly in the midst of the blossoms of his youthful achievements, that vision still remains beckoning us to the 21st Century, the vision, as he put it, of "an India strong, independent, self-reliant and in the front rank of the nations of the world, in the service of mankind."

At first, the vision of new India conjured up by Rajivji appeared to be somewhat ultra-modern and a little alien to the traditional genius of India. But it did not take him much time to reconcile his modernism with the central traditions of India's culture and ethos. While he prodded the nation to pursue modern science and technology to its very heights, he sought to bring it to the grass-roots of Indian life for finding solutions to the social and economic problems of the common people. This was accompanied by a systematic attempt to revive, revitalize and modernize our ancient village level institutions and to involve the people actively in the vast network of developmental programmes that enveloped the country. It was in this context that he conceived at the higher level of our economy a programme of liberalisation and opening up to the world that is today the sheet anchor of our national policy. Rajivji had the courage to change and to innovate while holding on to the basic values of our civilization tested over the millennia.

An aristocrat to his finger-tips Rajiv Gandhi, like his grandfather Jawaharlal Nehru, had the common touch and a feeling for the masses. After a short period of playing with elitist politics, he discovered for himself his own India and plunged himself into the ocean of mass politics, often ignoring the constraints of personal security. His understanding of the people and his relationship with them had acquired a new liveliness and maturity when he was suddenly and tragically taken away from us. He fell a victim to terrorism which he fought not only with all the powers of the State, but through the peaceful weapons of democracy and development. "We have to build a country" he said, "Gandhiji and Panditji dreamed of, that Indiraji set out to build, where there is communal harmony, where we live as brothers and sisters, where we hold our heads high—a country which makes us proud to be a member of the comity of nations." At the heart of this approach of Rajiv Gandhi was the age-old Indian tradition of tolerance or secularism as we call it in modern parlance. Rajiv Gandhi was proud of India's cultural and spiritual heritage. He was a proud Indian, a pride that stood him in good stead in the power-political jungle of modern international politics and in dealing with the great ones of the earth.

The rise of Rajiv Gandhi in the international sphere was meteoric one. There are few parallels in modern history in which a young and completely new entrant to politics had acquired such a reputation and elicited such respect in the sophisticated world of international politics and diplomacy. His impact on international developments of his time was truly remarkable. He played a decisive role in the world efforts to end apartheid. He was a central figure in the contemporary struggle for African liberation. He sought to open a new chapter of co-operation in South Asia and to forge closer relations with our South East Asian and West Asian neighbours. It was his initiative that made a break-through in the dead-locked relations between the two great countries of Asia—China and India. He succeeded in establishing new equations between India and the great powers. One of his most outstanding achievements was in line with the philosophy and work of Mahatma Gandhi and Jawaharlal Nehru, *i.e.* for peace and disarmament, especially nuclear disarmament. The proposals that Rajiv Gandhi made at the United Nations on nuclear disarmament were calculated to find a solution to this nuclear disaster overhanging mankind. His proposals were well thought-out, well balanced and comprehensive. They addressed the world problem as well as the particular problem of India's own national security in an integrated manner. It is only along the lines indicated by Rajivji that the world community can find a solution to the problem of disarmament and of nuclear weapons which have not unfortunately, disappeared with the Cold War.

On the occasion of the unveiling of the portrait of Rajiv Gandhi in the Central Hall our thoughts naturally turn to him as a Parliamentarian. For a new-comer to politics the most awkward transition is to the role of a Parliamentarian. It is amazing how Rajivji achieved this with such effortless ease. He did not achieve this through froth and bubble, but through hard and

sustained work. He took great pains to master the essence as well as the details of the issues before Parliament. He could be hard-hitting in debates, and often provocative. He enriched parliamentary life with his genuine respect for this central institution of our democracy and with his urbanity and his sense of decorum. His sense of humour, sometimes Puckish, enlivened the proceedings of Parliament. Rajiv Gandhi was a great Parliamentarian. He has now an everlasting niche in this Central Hall of Parliament.

ADDRESS BY THE PRESIDENT OF INDIA,
Dr. SHANKER DAYAL SHARMA

It gives me great pleasure to be with you this morning for the unveiling of the portrait of Shri Rajiv Gandhi in the Central Hall, Parliament House, on the 49th anniversary of Rajivji's birthday.

Many thoughts about him come to mind. My own memories of Rajivji are from 1952 in Teen Murti House, when Pt. Jawaharlal Nehru was our Prime Minister and Rajiv was a child of just eight years. Over the decades of my association with Panditji, Shrimati Indira Gandhi and Shri Feroze Gandhi, it was natural that one came to know Rajivji, and in course of time witnessed his emergence as a leader of our nation—shaping India's destiny and asserting India's influence in world affairs.

Friends, let us remember that we owe a deep debt of gratitude to Shri Rajiv Gandhi on many counts, beginning with his leadership during the extremely serious situation following the assassination of Shrimati Indira Gandhi. That cataclysmic event had evoked an acute sense of insecurity in the country. Shri Rajiv Gandhi assumed the awesome responsibilities of the Prime Minister at that time of trauma, tragedy and grave risk to the unity and security of our country. Even though severely affected by personal grief, and new to the task of governance, his serenity and clarity of purpose made a profound impression on the public mind. With unflinching fortitude he attended to his duties as a son and as a Prime Minister. He declared, I quote : "The nation has placed a great responsibility on me by asking me to head the Government...the foremost need now is to maintain our balance...Communal madness will only destroy us...As Prime Minister of India, I cannot and will not allow this." (Unquote).

Shri Rajiv Gandhi evoked a sense of self-assurance and hope in the people. He led his party to an electoral victory that surpassed the level achieved even under Panditji. Indeed he had come to be looked upon as the one leader who, with his youthful dynamism, idealism and attachment to national values, could pioneer pervasive and positive change in the country.

He set himself a very challenging agenda for national reconstruction and building India as a strong, united, peaceful and prosperous nation—

indeed a nation respected throughout the world, and contributing to the advancement of human civilization.

For this great task, he determined for himself very severe limits in time. Clearly, he was aware of the persistent threat to his own life. I recall his saying : "People say I hurry too much; that I am impatient. What can I do ? I have so little time to do what I must". The attacks on him at Rajghat and in Colombo were grim reminders of the sinister forces at work against him. These incidents, which seriously disturbed us, served only to redouble the intensity of his resolution towards accomplishing his mission in the service of our country and humanity.

Valiantly he had committed himself to a struggle at one time on a large number of fronts. He wanted that India should enter the twenty-first century fully attuned to our time-honoured national values. He said, I quote : "India has always stood for certain basic values. These are the values of truth, of non-violence and of one humanity with no differences amongst us." (Unquote). He sought to achieve the ideal of an India harmonising the moral and ethical imperatives of her ancient culture with the momentous pace of technological advance in this age of Science.

His five years as Prime Minister were thus marked by a decisive drive for modernisation and economic growth as well as a sensitive effort to nurture nation-wide awareness of the inner values of our profound cultural and spiritual heritage. Recognising the importance of providing responsive administration, he personally led initiatives to gear up the apparatus for district and rural administration. All manner of matters concerning the day to day life of the masses received his devoted attention. He envisaged massive induction of science and technology and acceptance of modern methods of management. The technological missions he set up to accelerate development in such critical areas as water, edible oil and telecommunications were a daring innovation. He encouraged endeavour in the field of science and technology to address the variegated but inter-connected problems of poverty, disease, illiteracy and imbalanced development. Agriculture, Industry and the tertiary sectors of the economy received his creative impetus. Untiringly, he strove to strengthen the emotional unity of the people of India, and stressed the need for secularism which he emphasised as the very basis for our growth and prosperity as a nation. With regard to the functioning of our Parliamentary Democracy, the lowering of voting age was an important contribution by him towards magnifying the ambit of our democratic system. Although he led a Government with an unprecedented majority in Parliament, backed by nation-wide public support, with remarkable perspicacity he instituted measures intended to provide wholesome parameters to political dynamics. Towards these objectives he also struggled for democratic decentralization and Panchayati Raj.

Dynamism with regard to domestic concerns was matched by his approaches in the sphere of international relations. Shri Rajiv Gandhi readily responded to the calls of neighbouring countries for assistance. He signed

the Indo-Sri Lanka Accord in 1987 with a view to bringing peace to the troubled island and providing succour to the beleaguered Tamils of Sri Lanka. In the case of The Maldives, he despatched emergency aid to forestall the attempt to disturb the peace and tranquility of this friendly neighbour. He had a deep and abiding commitment to SAARC and played a major role in defusing tensions and promoting regional cooperation between the member countries. His visit to Beijing in December 1988 is recognized by the Chinese people and the world as a turning point in the history of our relations with this great neighbour of India.

The Six-Nation Five-Continent Initiative on Disarmament pursued by Shri Rajiv Gandhi, was a practical and time-bound framework for dealing with one of the most important problems facing the world. Building on strong existing foundations, Rajiv Gandhi signed the historic Delhi Declaration of November 1986, which proved to be a seminal initiative towards the building of a non-violent world. He set up the AFRICA Fund of which he was Chairman to assist the front-line States to fight the pernicious system of apartheid. It was Shri Rajiv Gandhi's personal effort which led to the hastening of the process of granting freedom to Namibia. on North-South issues, South-South Cooperation and issues relating to the environment, Shri Rajiv Gandhi asserted India's voice, which was listened to with respect at the United Nations, NAM and Commonwealth fora. He was instrumental in launching the Planet Protection Fund and obtaining wide endorsement of his visionary plans at both Belgrade NAM of September 1989 and CHOGM at Kuala Lumpur in October 1989.

The presence of world leaders from as many as 63 countries at Shri Rajiv Gandhi's funeral was a fitting tribute to the unprecedented contribution that he made to international affairs in the short space of five years that he was Prime Minister.

Friends, who can ever forget the radiance of his personality, his zeal and cheerfulness which enthused and charmed everyone who met him? He was a deeply caring and thoughtful person and perhaps each one of us here would remember something that he said or did to bring comfort and support.

Today, as we meet to commemorate his memory, I am reminded of the words spoken by Shri Rajiv Gandhi in 1984 on the birth anniversary of his mother, Shrimati Indira Gandhi. He had said, I quote : "When a person reaches a certain height, it is not the physical presence that matters. What matters is the ideas and the policies he or she stands for." (Unquote). Rajiv Gandhi was martyred at the very altar of Democracy, participating in the process leading to representation of the people's will. To comprehend adequately the crucial role of Shri Rajiv Gandhi with regard to our Parliamentary Democracy, we need to bear in mind the fact that his assassination was a blow aimed at the very body politic of India. Forces inimical to Democracy, to Humanism, to our nation's growth and prosperity, had conspired against India when they attacked him.

Today Shri Rajiv Gandhi is no more with us. But the national ideals and goals that he served, in the tradition set by his distinguished forebears, three of whose portraits already adorn this historic hall, are before us. He had said in March 1987 :

"We need a new vision of humanity, a vision based on truth and non-violence, a vision that will nourish life in all its myriad beautiful forms...In the unfolding of this vision, the spiritual experience of humankind must play its part."

I pay respectful tribute to the memory of this great leader and wonderful human being whom we all greatly cherish.

Let us strive to carry forward the tasks he had committed himself to with such devotion and courage.

JAI HIND

INTER-PARLIAMENTARY SYMPOSIUM ON "PARLIAMENT : GUARDIAN OF HUMAN RIGHTS"

SHARAD DIGHE, MP

Introduction

A four-day Inter-Parliamentary Symposium on "Parliament : Guardian of Human Rights" was held in Budapest, Hungary from 19 to 22 May 1993 under the aegis of the Inter-Parliamentary Union (IPU). 150 Members of Parliament from 58 countries, including many Presidents/Chairmen, Vice-Presidents/Vice-Chairmen and active members of parliamentary human rights committees, attended the Symposium and exchanged views with representatives of international organisations and national bodies dealing with human rights issues and also with experts on the subject.

The Indian Delegation

The author had the honour to lead the Indian Parliamentary Delegation to the Symposium. The other members of the Delegation were Shri M.A.A. Fatmi, MP (Lok Sabha) and Shri T.A. Mohammed Saqhy, MP (Rajya Sabha).

Inaugural-Function

The Inaugural Ceremony of the Symposium took place at 10.00 AM on 19 May in the National Assembly Hall of the Hungarian Parliament under the Chairmanship of Mr. Gyorgy Szabad, Speaker of the Hungarian National Assembly. The Keynote Address was delivered by Dr. Jozsef Antall, the then Prime Minister of Hungary. The function was also addressed by Sir Michael Marshall, President of the Inter-Parliamentary Council and Mr. Ibrahim Fall, United Nations Assistant-Secretary-General of Human Rights.

Aims of the Symposium

The Symposium was designed to bring about a frank and free dialogue among Members of Parliament, specialists and others who were all particularly concerned about the subject. It was intended to enable the participants to :

- (a) discuss both the role of Parliament and its members ensuring that human rights are respected and protected, and also the conditions necessary for fulfilling those responsibilities;
- (b) exchange practical experience on the functioning of parliamentary mechanisms for the protection of human rights;
- (c) deal with the implementation at the national level of the provisions and norms of international instruments; and

- (d) identify practical measures and solutions to that end.

Agenda for the Symposium

The Agenda for the Symposium was drawn up with the above aims and objectives in view. Accordingly, the following Items were discussed.

Item 4

Parliament's responsibility and role in ensuring that human rights and the rights of minorities are respected and protected :

This Item was discussed in two parts : (a) at the national level; and ((b) at the international level.

Item 4 (a) : At the National Level

The discussion on this Item addressed, more particularly, the following sub-themes :

- (a) Need to ensure adequate representation of the various political and ethnic components of the society.
- (b) Constitutional and other guarantees required for Parliament and its members to be able to discharge their responsibilities; status of the Opposition; status of MPs and parliamentary immunities; Parliaments situation under a "state of emergency"
- (c) Means for Parliament to discharge its responsibility; Integration of human rights dimension in all aspects of legislative work; specialised parliamentary commissions of enquiry; relations with extra-parliamentary bodies or institutions having human rights dimension (such as national human rights committees, electoral commissions, Ombudsman, ethics commissions, etc.).

Item 4 (b) : At the International Level

The participants discussed, in particular, the modalities of international action by Parliament and its members in support of human rights.

The Keynote Speakers were Mrs. Tarja Halonen, MP (Finland) and Vice-President of the Parliamentary Assembly of the Council of Europe; Mr. Hipolito Solari Yrigoyen, MP (Argentina) and Chairman of the IPU Committee on the Human Rights of Parliamentarians; Mr Michael Ameller, Honorary Secretary-General of the French National Assembly; and Mr. Leandro Despouy, Member of the United Nations Sub-Commission on Human Rights. (In the absence of Mr. Despouy, his written Report was presented by Mr. Luis Antonio Hierro Lopez, MP, Uruguay, and Chairman of the Human Rights Committee of the House.)

Item 5

Scope of responsibilities and activities of parliamentary human rights bodies :

Discussion on this item involved exchange of views among members of parliamentary committees and other national human rights bodies and institutions dealing with human rights, enabling them to examine the spe-

cific problems encountered in their fields of activity and solutions which had been found.

The Keynote Speakers were Mr. Robert Dossou, MP (Benin), Chairman of the Committee on Laws, Administration and Human Rights, National Assembly; Mr. Bonifacio H. Gillego, MP (Philippines), Chairman of the Committee on Civil, Political and Human Rights, House of Representatives; Mr. Robert Tickner, MP (Australia), Minister for Aboriginal and Torres Strait Islander Affairs and Chairman of the Australian Parliamentary Group of Amnesty International. (In the absence of Mr. Gillego, his written Report was presented by Mr. Erico Aumentado, MP (Philippines).)

Item 6

Implementation at the national level of international human rights instruments :

During the discussion, the participants endeavoured to identify specific areas where further efforts were needed to ensure the effective incorporation of human rights norms and principles on national laws and regulations.

The Keynote Speakers were Mrs. Ann-Cathrine Haglund, MP (Sweden), member of the Parliamentary Assembly of the Council of Europe; and Mr. Thomas McCarthy, Senior Adviser to the Assistant Secretary-General for Human Rights, United Nations Centre for Human Rights.

Organisation of work

In accordance with the IPU's practice, all the debates at the Symposium took place in plenary. There was no list of speakers on any Agenda Item. After an Item was introduced by the Keynote Speaker, participants took the floor after notifying the Chair. As is customary at the Symposia organised by the IPU, no final document was adopted. However, the President summed up the work of the Symposium at the close of the meeting.

Summing-up by the President

On 22 May, the last sitting of the Symposium was preceded by a short recess to allow for the Summing-up to be drafted. Later, the President read out the summing up. Some Delegations which had reservations about certain points in the Summing-up aired their views. The Symposium came to a close with Delegates from various regions delivering thanks-giving speeches.

Salient points of Summing-up

The Symposium focussed essentially on the principles and means which were available to Parliaments and MPs so that they could promote human rights and effectively prevent any abuses in this field. It set out to define how Parliament could be more effective in its role as guardian of human rights.

The Summing-up highlighted the following :

- (i) The representative nature of Parliament
 - (a) Representation of women.

- (b) Representation of minorities.
- (c) Place of the Opposition.
- (ii) Parliamentary Action at the National Level.
 - (a) Role of Parliament and its members in human rights matters.
 - (b) Parliamentary Committees as mechanisms that facilitate the promotion and defence of human rights.
 - (c) Interaction between Parliament and other national institutions.
 - (d) Means of improving parliamentary activity in the field of human rights at the national level.
- (iii) Action by Parliaments with regard to international Human Rights Instruments.
- (iv) Parliamentary Action at the International Level.
- (v) Specific Guarantees to ensure that Parliament can act as the Guardian of Human Rights.
 - (a) Parliamentary immunities.
 - (b) Parliaments in "states of emergency".
- (vi) World Conference on Human Rights.
- (vii) Future Action of the IPU.

Some Points of Interest

During the discussions, several points of interest cropped up.

Many participants referred to the "massive human rights abuses occurring in certain crisis situations".

The Symposium emphasised the importance of free and fair elections based on universal and equal suffrage and also that Parliament's authority was its capacity to reflect faithfully the diversity of all components of society-political trends, sexes, races, ethnic groups, minorities, etc. There was obviously no universal solution regarding representation of minorities to very diverse situations. Their representation went hand in hand with respect for their right to take part in local decision-making bodies but also with recognition and freedom to practise their own culture and language, and access by their members to education, with no discrimination whatsoever. The Symposium stressed that representatives of minorities in Parliament must act and be considered as the representatives of the entire nation. The Opposition must have a leading place in Parliament if it had to be a really representative institution.

Parliamentary activity as a whole, which covered the entire spectrum of civil and political rights and economic, social and cultural rights, aimed at guaranteeing human rights and fundamental freedoms. Many Delegations stressed the responsibility of Parliaments/members to ensure that the educational system promoted human rights awareness. More specifically, this

concern must extend to offering courses to familiarize the police and security forces with respect for human rights principles. In this context, many participants expressed their strong disapproval of the practice of torture.

The importance of parliamentary human rights committees was stressed by several Delegations. According to a survey carried out by the IPU, nearly half of national Parliaments had such a specialised body. Participants from countries having governmental human rights committees pointed out that such a body could usefully contribute to developing human rights awareness and that interaction between that institution and Parliament and its members was highly desirable and beneficial.

Parliamentary activity, be it institutional or individual, could and should be oriented more deliberately towards consideration of human rights. Many participants felt that for want of a sufficient number of skilled personnel and research and information services equipped to respond to the diversity of parliamentary activities, legislative work inevitably depended on the governmental administration.

The Symposium appealed for wider ratification of international instruments on human rights by Parliaments. The indivisible nature of civil and political rights and of economic, social and cultural rights was highlighted. Emphasis was laid on the indissoluble links between respect for human rights, democracy and development.

Some Delegations stressed that the international community could be concerned about respect for the international undertaking given by States which had ratified international human rights instruments. Several others, however, declared their attachment to strict respect for national sovereignty. Some Delegations advocated the appointment of a UN Special High Commissioner for Human Rights. Several others disagreed with this suggestion. Several speakers emphasised the need to extend help to the electoral process in certain countries, including sending Observers.

If Parliament was to be an effective guardian of human rights, its members needed full freedom of expression. This right might be guaranteed through parliamentary immunities. There were, however, differences of opinion on the scope of such immunities.

Many Delegations felt that a "state of emergency" which was provided for in most juridical systems and the leading international human rights instruments, must not open the door to arbitrary measures. It was also felt that a "state of emergency" should be declared strictly to meet an exceptionally critical situation, such as was foreseen in the national provisions of emergency.

The Symposium also stressed the importance of the Second World Conference on Human Rights to be organised by the United Nations in Vienna from 14 to 25 June, 1993, particularly the role of parliamentarians.

The Indian Delegation at the Symposium

The Indian Delegation to the Symposium played a leading role in

articulating its viewpoints on various Items of the Agenda and made meaningful interventions during the discussions. Our Delegation was also instrumental in focussing attention on several issues which had a bearing on the developing countries in particular and succeeded in having these incorporated in the Summing-up by the President.

Speaking on Item 4 of the Agenda, "Parliament's responsibility and role in ensuring that human rights and the rights of minorities are respected and protected", the author said that concern for human rights was not a recent phenomenon in our country. Respect for the rights of the individual and for human dignity was a cornerstone of the Constitution which provided for the basis of our democratic polity and for the framework of governance in the country. An independent Judiciary and a free and fair Press ensured the protection and promotion of human rights. In this context, he referred to the introduction in the Parliament of the Bill on the National Commission for Human Rights.

The author emphasised that uniform international norms for human rights should not be unilaterally defined and set up as absolute pre-conditions for interaction between states and societies. He laid stress on the universality, objectivity and non-selectivity in the consideration of human rights. He also referred to the threat posed by terrorism, especially those sponsored from outside, which was a cancer needing to be rooted out urgently. He urged caution in projecting human rights in an intensive manner which militated against national sovereignty.

Intervening in the deliberations on "Parliament's situation under a state of emergency", the Indian delegate Shri M.A.A. Fatmi, MP described the provisions in the Indian Constitution dealing with the declaration of a state of emergency. Shri Fatmi asserted that Parliament even in a state of emergency, was supreme and that there was full protection to the right of life of any individual.

When delegates from several developed countries spoke on the need to establish a UN Special High Commissioner for Human Rights, the author intervened to say that India was not particularly in favour of this proposal, stating that this would affect the primacy of the Centre for Human Rights, Geneva, besides causing unnecessary duplication in work. He observed that states had the primary responsibility for the promotion and protection of human rights through appropriate infrastructure and mechanism.

Speaking on Item 5 of the Agenda, "Scope of responsibilities and activities of parliamentary human rights bodies", Shri T. A. Mohammed Saqhy, MP said that there was a new realisation about the importance of human rights as an essential factor for the development of human personality and for the enrichment of the society as a whole. In this context, Parliament as the embodiment of national sovereignty and as an institution that represented the whole nation, had an added responsibility of enacting legislations that promoted human rights and ensuring that the rights were actually enjoyed by the people. Shri Saqhy also referred to the role of the

National Commission of Scheduled Castes and Scheduled Tribes, the National Commission for Women and the Minorities Commission and also the proposed National Human Rights Commission. Problems related to human rights were not uni-dimensional. They were intrinsically linked with the socio-economic environment. Human existence to be meaningful should include the right to basic necessities of life and also the right to carry on such functions and activities as constituted the bare minimum expression of the human self, Shri Saqhy added.

Speaking on Item 6 of the Agenda, "Implementation at the national level of international human rights instruments", Shri M.A.A. Fatmi, MP said that human rights could only obtain in a democratic state where liberty and equality co-existed. The democratic mechanism of enforcing popular control through periodic elections ensured enjoyment of rights and the degree of enjoyment of rights depended on the degree of democratic perfection of the state. Implementation of human rights was more important than mere pronouncements and this could be done only in a democratic state as rights in a totalitarian state were only a shadow without substance. Shri Fatmi added that as a democratic country, as a society based on plurality of opinion and respect for dissent, India firmly believed that the future of a state depended to a large extent on the degree of rights that was available to its people.

During the discussion, a question was raised on the mechanism through which Parliament ensured representation of minorities and weaker sections of society in the national Legislatures. Speaking on behalf of the Indian Delegation, Shri T.A. Mohammed Saqhy, MP elaborated the constitutional provisions in this regard in our country and quoted facts and figures to prove the representation of the weaker sections in our Parliament. He emphasised the point that elections in our country were free and fair and representatives belonging to various minority communities contested and won elections in many constituencies which had otherwise a predominant population belonging to the majority community. What was more important was the political ideology, manifestoes and integrity of the individual and the party, he asserted.

One delegate from Canada made a reference that India had not granted permission to the Amnesty International to visit the country. This reference was not contradicted by the representative of the Amnesty International who was present at the Symposium. Exercising the right to reply, the author pointed out that the reference by the Canadian delegate was factually incorrect. He observed that in December, 1990 an Amnesty Delegation, including its then Secretary-General, Mr. Ian Martin had attended the World Congress on Human Rights in New Delhi. During that visit, the Amnesty Delegation had held extensive discussions with senior officials of the Government of India. Another four-member Amnesty Delegation, again led by Mr. Ian Martin, had visited New Delhi in late 1992 and held discussions with several Union Ministers and senior officials. The Delegation's attention had then been drawn to the manner in which terror-

ism had emerged as a dangerous threat to the practice of human rights. Facts were presented on 230 cases cited by an Amnesty Report on India and information shared with them about measures being considered to improve the functioning of the criminal justice administration system in the country. He added that the Amnesty visit had witnessed a useful, free and frank exchange of views enabling a better understanding of each other's concern.

During the debate on Item 6 of the Agenda, "Implementation at the national level of international human rights instruments", the author intervened to emphasise on the importance of respecting national sovereignty. An Austrian delegate expressed reservation on this stating that questions of human rights and fundamental freedoms were matters of international concern. Exercising his right to reply, the author reiterated that states should have the primary responsibility for the promotion and protection of human rights. The intrusive role of international organisations in monitoring and implementation of human rights was not acceptable. India was opposed to the proposal for the creation of an Emergency Mechanism which in effect was an intrusive mechanism and also human rights conditionalities on external assistance and trade. He emphasised the universality, objectivity and non-selectivity in the consideration of human rights issues. He also laid stress on the UN Charter which enshrined that human rights were to be pursued in a spirit of international cooperation and friendly relations. In the emerging global scenario, there was an urgent and imperative need for a greater democratisation of the United Nations itself, the author added.

The Indian viewpoints on the above found favour with several Delegations from developing countries like Cuba, Iran, Uruguay, etc. both in the Symposium Hall and also during informal discussions.

The Indian Delegation consistently endeavoured to ensure that not only India's viewpoints but that of like-minded countries, particularly that of the developing countries, found place in the Summing-up. With this in view, the Delegation apprised the Secretary-General of the IPU as well as the Chair, that our formulations be suitably incorporated at the appropriate place. The Summing-up refers to the importance of democratic polity, free and fair elections and an independent Judiciary in promoting and protecting human rights, facts which were repeatedly stressed by the Indian Delegation. It also incorporates another Indian stand on the indivisible nature of civil and political rights and of economic, social and cultural rights. Emphasis has been laid on the indissoluble link between respect for human rights, democracy and development.

The Summing-up also recognises India's reservation regarding international monitoring of human rights and which lays emphasis on strict respect for national sovereignty. Our consistent stand on universality, objectivity and non-selectivity in the consideration of human rights issues is also recorded.

Conclusion

In short, the participation of the Indian Parliamentary Delegation at the Symposium was meaningful and fruitful at once. The Symposium provided an opportunity to the Indian Delegation to highlight our principled stand on the issue of human rights and to exchange views with parliamentarians from other countries on their viewpoints.

ENRICHING DEBATE IN THE LEGISLATURE

(R.C. BHARDWAJ)

Introduction

The issue of raising the level of debate in the Legislature has engaged the attention of legislators and particularly Presiding Officers. This is rightly so because debate and discussion constitute the life blood of the institution of Parliament.

Parliament of India, representing as it does all constitutionally organized shades of public opinion at the national level, remains quintessentially the supreme central forum for fair and equal participation in the democratic process, through debate and discussion. State Legislatures fulfil this purpose at the level of the respective states.

Proceedings in the House not only enable participation in the legislative process but permit the constructive and persuasive advocacy of people's demands and expectations. It is through debate and discussion that the House speaks for and to the nation.

The purpose of debate is variously, to enforce accountability of the Executive to the Legislature, to elicit information about the activities of the Government, seek assurances from the Government on matters of public importance and administration, ventilate grievances and seek their redressal. Debate is also used to support or oppose the policies and programmes of the Government, as also to put forth suggestions.

This would perhaps serve to indicate why it is imperative to strive always for a higher standard of debate; in other words, a more purposeful and productive level of participation.

Recognizing the importance of raising awareness about the working of Parliament, the Speaker, Lok Sabha, Shri Shivraj V. Patil, conceptualised the idea of preparing video films on different parliamentary practices and procedures. This is to give a new dimension to Orientation Programmes for new Members of Parliament and State Legislatures. A welcome beginning has been made in this direction with the Lok Sabha Secretariat preparing six such informative films, one of them on the subject of enriching debate in the Legislature.

Distinguished participants whose considered views find expression in this telefilm on raising the level of debate in the Legislature are the Speaker, Lok Sabha, Shri Shivraj V. Patil; the Chairman, Bihar Legislative Council, Dr. Umeshwar Prasad Verma; the Speaker, Maharashtra Legislative Assembly, Shri Madhukarrao Dhanaji Chaudhari; the Speaker, West Bengal Legislative Assembly, Shri Hashim Abdul Halim; the former Speaker, Uttar

Pradesh Vidhan Sabha, Shri Keshari Nath Tripathi; the former Chairman, Delhi Metropolitan Council, Shri Purushottam Goyal; the Speaker, Rajasthan Vidhan Sabha, Shri Hari Shankar Bhabhra; the Speaker, Haryana Vidhan Sabha, Shri Ishwar Singh; the former Speaker, Himachal Pradesh Vidhan Sabha, Shri Thakur Singh Negi; the Speaker, Tamil Nadu Legislative Assembly, Thiru Sedapatti R. Muthiah; and the Chairman, Jammu and Kashmir Legislative Council, Shri Hakim Habib Ullah.

Honourable Speaker, Lok Sabha, and the other distinguished Presiding Officers have given considerable thought to the matter which has a very close bearing on the efficacy of representative parliamentary democracy. They have taken pains to reflect upon and answer a wide variety of questions that impinge directly or indirectly on the issue.

Under the overall subject framework of raising the level of debate in the Legislature, specific questions to which responses were sought pertained to the following : the use of the time of the House, the importance of research and library facilities, the issue of discipline and decorum, the need for subject specialisation, the use of wit and humour, the role of Whips, the need for training/Orientation Programmes, allotment of time for discussion on Budget and Five Year Plans, the impact of telecast of House Proceedings, the role of Media and particularly the Press vis-a-vis the Legislature, and the role of Presiding Officers in raising the level of debate in the House.

Raising the level of debate in the House in view of changing times and demands.

The Speaker, Lok Sabha, Shri Shivraj V. Patil, acknowledged that there was always scope for improvement in the standard of debate. The first step was to ensure that, of the limited time available for proceedings in Parliament and Legislatures, the greater proportion was spent on discussion of the most important, urgent and relevant issues. Secondly, members must be fully informed about the topic under discussion. While participating, they should be able to get their points across in the limited time available.

To be a successful debater, Shri Patil held, a member must cultivate the art and science of communication, as also courtesy in matters of conduct and speech. Research and secretarial assistance could enable a member to make a better contribution, but he can be very effective if he speaks on the floor of the House, especially in the Parliament, on the basis of the thinking that he has done throughout his life and if it has come from his heart. While training and orientation programmes would doubtless acquaint members with procedural matters so essential to parliamentary participation, Shri Patil felt that it was essential for a member to develop within himself a feel and understanding of the subject under consideration.

The Speaker, Haryana Vidhan Sabha, Shri Ishwar Singh, observed that a member's education, awareness and understanding of issues, as

well as experience in the Legislature do affect the quality of debate. Prospective candidates should be involved in public social work, and be willing to serve their constituencies, thereby also the State and the nation.

In order to enhance the level of debate in the Legislature, it was incumbent upon members to consider their membership as a whole time job. Expressing this view, the former Speaker, Himachal Pradesh Vidhan Sabha, Shri T.S. Negi, urged members to be prepared to do a lot of 'homework'. The speech of a member must primarily inform and enlighten the House. Due attention should also be paid to diction and delivery, he added.

The Chairman, Bihar Legislative Council, Dr. Umeshwar Prasad Verma, listed three important ingredients for effective debate. They were : content of thought, expression and the objective of the member participating in the debate. Moreover, questions and answers on the floor of the House must be precise. Through participation in the House a member should aim to reach out beyond its confines.

Training in the methods of parliamentary participation needed to be given priority, according to the Speaker, West Bengal Legislative Assembly, Shri Hashim Abdul Halim. Political parties should take it upon themselves to impart training to prospective candidates. In order that proceedings in the House were meaningful it behoved members to be aware of their responsibilities. Needless to say, they required adequate opportunity for a fair hearing.

Parliamentarians were called upon to play a constructive role in the development of modern India. Through investigative research, searching questions and concerned participation, a member could well bring to light matters that needed attention. Problem solving, after all, called for identifying issues and devising concrete ways and means of tackling them, Shri Halim emphasised.

Referring to the Government and the Opposition as the two wheels of a democratic system such as ours, the Chairman, Jammu and Kashmir Legislative Council, Shri Hakim Habib Ullah observed that both should be ever conscious of the respective responsibilities they shoulder. He considered it important for legislators to receive training in parliamentary procedures. This would, additionally, ensure that the time of the House was not wasted.

To this end, Shri Habib Ullah suggested that the so-called 'Zero Hour' be done away with, since there is ample scope in the Rules of Procedure to raise issues on the floor of the House.

The Speaker, Maharashtra Legislative Assembly, Shri Madhukarrao Dhanaji Chaudhari, agreed with these views and considered it essential for legislators to be conscious always of their responsibilities and to be familiar both with the Rules governing legislative procedure, and the subject under discussion. In addition, members also required sufficient time for expressing their views.

The former Speaker, Uttar Pradesh Vidhan Sabha, Shri Keshari Nath Tripathi, observed that debates being crucial to the constitutional system, the time allotted to them should not be taken up in trifling matters. In this connection, the Presiding Officer himself was in a position to steer the proceedings of the House in accordance with the Rules.

The former Chairman, Delhi Metropolitan Council, Shri Purushottam Goyal stated that in order that the level of debate remained high, members should be well-informed, concerned about the problems of the country and most importantly, should eschew all forms of disorderly conduct in the House as well as attempts at derailment from the established agenda.

According to the Speaker, Tamil Nadu Legislative Assembly, Thiru Sedapatti R. Muthiah, a matter of primary concern was the conduct of the proceedings of the House in conformity with the established Rules of Procedure.

Time of the House

On the issue of the quantum of time actually spent on the business of the House, there was general agreement that the time of the House could be put to more gainful use.

Shri Shivraj V. Patil emphasised that priority must be accorded to policy making and law making. Next in importance came the financial aspects of business. Finally time should be apportioned to criticism of the Government, a function which was not by any means less important.

Dr. Umeshwar Prasad Verma drew attention to the high degree of cooperation that was required among the Presiding Officer, members and different political parties for the proper utilization of the available time. Dr. Verma and Shri Hashim Abdul Halim both accorded importance to research and library facilities to keep legislators conversant with facts and figures. This view was upheld by Thiru Sedapatti R. Muthiah. Shri Halim also suggested that the Opposition should have a shadow Cabinet to serve as training ground for members.

Scrupulous adherence to Rules and avoidance of wastage of time in extraneous or irrelevant matters, were both necessary for effective utilization of the time of the House, according to Shri Keshari Nath Tripathi.

Attendance and Decorum in Legislatures

The Speaker, Shri Shivraj V. Patil reflected that by and large, parliamentarians had, over the years, conducted themselves with decorum. He acknowledged, however, that there might have been instances when it was otherwise, and to that extent there was need for improvement. Certainly, one could improve by paying a little more attention to what should not be said and what should be said on the floor of the House; and what should not be done and what should be done, and the manner in which it should be done.

Dr. Umeshwar Prasad Verma referred to the unfortunate trend of

declining interest in debates and hence smaller attendance for the same.

Shri Hashim Abdul Halim stressed that attendance played a crucial role in making legislative business more effective. He drew attention to the fact that attendance during legislative business was poor, whereas the so-called 'Zero Hour' drew maximum attendance. Shri Halim was of the opinion that a certain amount of heat, noise and tumult on the floor was inevitable and, within the bounds of established norms, even necessary. But he regretted that the Press chose to highlight the 'Zero Hour' happenings rather than a good debate.

If the available time were to be used with greater discipline and sense of commitment, it would lead to a higher degree of productivity, maintained Shri Purushottam Goyel.

The importance of attendance and punctuality was stressed by Shri Madhukarrao Dhanaji Chaudhari.

Subject Specialization

Dr. Umeshwar Prasad Verma suggested that some kind of subject specialization according to the interest and temperament of a member might help to raise the level of debate in the House. He pointed out that certain issues were very complicated and required intensive study.

Shri Hashim Abdul Halim was of the view that the expanding Committee system could provide a useful opportunity for members to specialize in subjects of their own choice.

Subject expertise, according to Shri Madhukarrao Chaudhari, was becoming increasingly necessary on account of the growing complexity of problems and issues confronting legislators.

Shri Hakim Habib Ullah was of the opinion that specialization might not perhaps help because members were required to be conversant with very many issues and matters.

Wit and Humour

Wit and humour constituted powerful weapons in the armoury of parliamentarians in their battle of wits on the floor of the House, Shri Shivraj V. Patil observed. There have been many instances in which the members have made the bitterest point in a most jovial, witty and humorous manner without hurting anybody's feelings. And the Ministers have been able to communicate the bitterest and the complicated things in a most pleasant and in an acceptable manner by using wit and humour. The most difficult situations have been handled by the Presiding Officers by resorting to wit and humour on the floor of the House, Shri Patil added.

In this context, Shri Patil recalled an instance when one Minister of Agriculture was faced with a situation in which members belonging to the ruling party and the Opposition kept raising the question of locusts ravaging a certain agricultural area. It was asked as to what steps the Government would take in case of a locust visit the following year too. The

Minister did not know how to stop that kind of a debate, for which he was not responsible. If the locusts came, the Minister could not be held responsible. And yet, he felt that members were unreasonably critical of what was being done by the Ministry. One member then got up and asked : "When do you expect the locust to come next year ?". The Minister was quick to retort this time. He said : "I have not received the tour programme. After the tour programme is received, I will let you know." As the Speaker Shri Shivraj Patil rightly pointed out, the Minister could come out of a difficult situation by using wit and humour.

Thiru Sedapatti R. Muthiah concurred that humour should be purposeful but should not hurt the feelings of others. To buttress the point, he cited several instances. Once, in the Tamil Nadu Assembly, when Shri Rajaji was the Chief Minister, Shri Jeevanandam of the Communist Party was speaking on a subject of great importance. Shri Rajaji intervened to remind the Speaker about the time. Shri Jeevanandam then humorously observed : "Sir, our Chief Minister has been nominated to the House by the Governor and he is responsible to that one man, His Excellency. But I have been elected by a lakh or more electorate. That is why I am taking more time." Shri Rajaji took this aside in the right spirit and in a sportive manner.

Shri Muthiah cited another instance when a Congress member told the then Chief Minister, Shri C.N. Annadurai : "Mr. Chief Minister, your days are numbered. You know very well 'your days are numbered' appears in Shakespeare." Shri Annadurai retorted by quoting Shakespeare himself : "Thank you. You had told me my days are numbered. But my steps are measured."

On another occasion, Shri Karunanidhi of the DMK was speaking in the House. A member belonging to the ruling AIADMK interrupted him saying, "people who have failed in the SSLC Examination are talking much in the House". Shri Karunanidhi then started saying, "Mr. Speaker, I am only a man who had failed in the SSLC". All of a sudden, the Chief Minister, Shri M.G. Ramachandran intervened to say : "At least you have studied upto SSLC. But a man is here as the Chief Minister who had failed in the Third Standard. You are above me in educational qualifications". And the matter ended there. As Thiru Muthiah concluded, humour should be purposeful and should not hurt the feelings of people.

Shri Hakim Habib Ullah agreed that wit and humour have great potential to help overcome prejudice, hate and ill-will. He cited an instance when a member told the Speaker in the House : "Look here Mr. Speaker, you are not the speaker". The Speaker was taken aback and asked : "If I am not the Speaker, then what am I ?" The member continued : "I tell you honestly that you are not the speaker". The Speaker asserted : "I am very much the Speaker. Why do you say that I am not the Speaker ?" The member's answer brought the House down with laughter : "No, you are the listener, I am the speaker".

Shri Ishwar Singh maintained that wit and humour constituted the very essence of life.

Dr. Umeshwar Prasad Verma felt that wit and humour could lower the tension in the House. Once, in the Bihar Legislative Assembly, the Speaker told a particular member : "The member has lost his temper". Not to be outwitted, the member quipped : "Sir, I have lost it, but then picked it up".

It is pertinent here to note the words of Dr. J. Jayalalitha, the Chief Minister of Tamil Nadu, while inaugurating the Symposium on "How to raise the Level of Debate in the House" on 27 June 1993 at the time of the 58th Conference of Presiding Officers of Legislative Bodies in India held in Madras. She was of the opinion that a certain measure of 'give and take' and 'wit and witticism' not only enlivened the proceedings but also contributed to elevating the standards of performance and drew the best out of each member. Even when one had to take a stand on behalf of one's party, one could always say a word of praise and at the same time, put enough punch in the speech, so as to drive home a point. Dr. Jayalalitha cited an instance in 1939 when Shri C. Rajagopalachari, the then Premier of Madras, was replying to the observations made by Thiru V.S. Srinivasa Sastry during the discussion on a Bill. Rajaji said :

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

Dr. Jayalalitha narrated another instance when, during a debate in the Tamil Nadu Legislative Assembly, a member of the Opposition, Thiru Vinayagam said : "We shall not topple this Government". Shri Annadurai, the then Chief Minister, was quick to reply : "I am pleased to note that there are able people...like Vinayagam to support us. I am repeatedly saying that if you topple our Government, the loss is not to us; on the contrary, it is to the country."

Training and Orientation

There was general unanimity of view that training and Orientation Programmes were desirable in order to make parliamentary participation more effective.

Shri Ishwar Singh felt that members were not in a position to know everything, and training would help.

Shri Hashim Abdul Halim pointed out that the continued success of parliamentary democracy would depend much on the future generations of parliamentarians. In this context, the curriculum of the training programme

should include parliamentary rules, ethics and etiquette. Since the ultimate objective of parliamentarians was effective participation in the democratic process for the betterment of the country, it was important to learn how to do so.

Shri Hakim Habib Ullah believed that the older and more experienced members could be entrusted the duty of training the new members, especially with regard to participation in speeches, debates, etc.

Every elections brought in new members, to whom it was important to impart some training, Shri Keshari Nath Tripathi stressed. Shri Tripathi and Shri Hashim Abdul Halim also emphasised the desirability of audio-visual programme aids for training.

Role of Whips

Shri Shivraj V. Patil defined the Whip as the authority in the House who was expected to know the bend of mind of members. This knowledge was especially useful when it came to selecting speakers for debates. As for the role of the Presiding Officer, he was expected to maintain harmony in the House. The Presiding Officer should not speak except when it was absolutely necessary, and should always go by consensus in the House, Shri Patil added.

The Whip is not only a 'floor manager' but a moving encyclopaedia so far as his party is concerned. Expressing this view, Shri Purushottam Goyal said that the Whip, besides being in a position to use his insight to allocate subjects for debate among members, played an assimilative role both at the intra-party and inter-party levels.

Dr. Umeshwar Prasad Verma stressed the importance of the role of Whips in ensuring attendance, acting as coordinator, and allocating subjects or issues on which members could speak.

A Whip could give valuable guidelines on how to speak, what to speak and when to speak, Shri Hakim Habib Ullah noted.

Allocation of Time for discussion of Budget, Five Year Plans, etc.

There was general agreement that it was necessary to spend adequate time on Budget and other legislative business. Shri Hakim Habib Ullah mentioned that the quality of the time spent was very important, and not just the quantum. Shri Purushottam Goyal felt that while it was vital to spend time on the discussion of Five Year Plans and the Budget, draft Plans were better discussed in a Committee. Dr. Umeshwar Prasad Verma expressed concern that in State Legislatures, not enough time was being spent on legislative business.

Impact of telecast of House Proceedings

The primary intention behind televising was to 'inform' the people, an objective which was being largely achieved, Shri Shivraj V. Patil pointed out. By and large viewers had also been appreciative of the efforts at televising. The feedback from the Leaders of Parties, Members of Parlia-

ment, media persons, intellectuals and others was positive, Shri Patil added.

Televising of proceedings enabled viewers to acquire a first hand idea of what was happening inside the House, Shri Keshari Nath Tripathi felt.

In a similar vein, Thiru Sedapatti R. Muthiah observed that telecasting had helped the public to assess the functioning of their representatives in Parliament.

Shri T.S. Negi agreed that Television was definitely a force enabling members to present themselves and perform better on the floor of the House.

Dr. Umeshwar Prasad Verma expressed satisfaction that telecast of proceedings had made members conscious of the need to observe a certain standard of decorum, a view shared by Shri Hashim Abdul Halim.

Shri Halim noted that televising had brought an element of sobriety and seriousness to the proceedings on the floor of the House. He said that access to information about Parliament was very important, although financial constraints might not permit such access on a very elaborate scale.

The Role of the Media, particularly the Press

The proceedings of the House have to be reported to the people, and in this the Press plays a major role. The Speaker, Lok Sabha, Shri Shivraj V. Patil observed that the Press, especially the newspapers were constrained for space and were not able to devote adequate space to important matters. This often resulted in less important matters being given more publicity. Shri Patil held that it was essential that the considered views of members, based on a careful study of their statements, were given greater coverage.

Shri Purushottam Goyel and Thiru Sedapatti R. Muthiah also pointed out that serious debate got limited coverage as compared to 'scenes' in the House.

Dr. Umeshwar Prasad Verma felt that the Press have been great breeders of democracy in the States. But the reporting of debates was not entirely satisfactory.

Shri Hakim Habib Ullah observed that the Press was free to criticise but should refrain from personal attacks.

Shri Hari Shankar Bhabhra held that the Press was the fourth pillar of democracy and as such played an important role vis-a-vis the Legislature.

Shri Keshari Nath Tripathi believed that the Press could play a vital role in initiating debate on matters of public importance. The Press was more than just a silent spectator in the democratic process. Members on their part could work effectively with the Press if they kept themselves well informed.

Shri Hashim Abdul Halim applauded the role of the Press and suggested that the Press should be bound by a code specifying what should

and what should not be published.

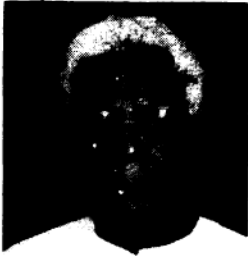
Conclusion

The foregoing account gives an idea of the considerable thinking that has gone into the analysis of a many sided issue. Presiding Officers, who shoulder the enormous responsibility of steering the proceedings of the House, have recognised that the standard of debate is directly indicative of the level of maturity of representative parliamentary democracy.

It bodes well for the future of parliamentary system in India that timely attention is being given at the highest level under the guidance of Honourable Speaker, Shri Shivraj V. Patil, to steps which would enable legislators to fulfil their parliamentary obligations to the maximum.

OUR CONSTITUENCY AND CONSTITUENTS

Mohan Lal Jhikram, MP (Mandla, Madhya Pradesh)*



My constituency Mandla, in Madhya Pradesh, is a predominantly tribal and economically backward district. Nearly 85 per cent land area of this district is covered by forests and hills. 15 per cent or about 4 lakh hectares is arable land. Nearly 2.5 lakh hectares of uneven wasteland is not presently arable. Serious efforts need to be made to make this land level and fit for cultivation.

Agriculture provides a livelihood for the majority of the population. Agricultural labourers comprise a large percentage of the population. They are unfortunately dependent, for work and wages, on the annual yield. In bad seasons they are forced to migrate in search of work and better prospects.

In addition to wheat, rice and maize, other crops grown are coarse grains like "kodon" and "kutki", which are mainly dependent on rains. Of the cultivable land, the area irrigated is merely 4 per cent as compared to the State average of 21 per cent. The consumption of fertilizers at 6 kg per hectares is also considered inadequate.

The rivers Narmada, Banjar and Matiyari offer irrigation potential for Mandla, and medium dams have been constructed for irrigation. In the adjacent Jabalpur district, the Banragi dam is a major irrigation project, which largely serves Jabalpur and Narsinghpur districts. Better irrigation facilities are required for Mandla. It may be mentioned that steps have been taken to provide for tube wells and lift irrigation as well as to have dams constructed on the Narmada, Phoolsagar, Balai and Niwara rivers.

Mandla lags behind in industrial development. Although the region is rich in dolomite and bauxite, they are not being adequately mined. Efforts have been made to set up industries in Maneri near Jabalpur. It is hoped that these will benefit Mandla also.

Mandla district requires more up to date transport facilities. There is at present no national highway through the district. A narrow gauge railway line of the South Eastern Railway, serves the district. Nainpur used to

* This write-up is prepared on the basis of the material supplied by Shri Mohan Lal Jhikram, MP.

serve as an important narrow gauge rail junction. This has, however, been shifted to Nagpur.

The Rural Electrification Corporation has completed the electrification of approximately 80 per cent of the villages in Mandla district but the problem of shortage of electricity persists.

There has been some improvement in the economic life of the villages as a result of the implementation of the Jawahar Rozgar Yojana, although it is important that the scheme is constantly monitored. The District Planning Board has also been undertaking important developmental work. It may be mentioned that some of the developmental work that I oversaw during my tenure as Legislator in the Madhya Pradesh Legislative Assembly from 1980-84 included setting up a 133 kw electricity sub-station, construction of a new market complex at Mandla, supply of piped drinking water to the towns of Mandla, Vineka, Anjama and Nainpur, renovation of 16 wharfs and construction of embankments for flood protection. In addition, efforts were made to improve telecommunications through enhanced S.T.D. telephone facilities. Besides, developmental work was undertaken on the Kanha Kisli National Park.

Efforts have been made to improve the quality of education in my constituency. As Deputy Minister for Education in 1983-84, I set up six colleges as well as a number of high schools, middle and primary schools, including Navodaya Vidyalayas in the district. Post Graduate classes were started in Mandla and Dindauri Colleges. The Private Girls' College at Mandla was brought under Government control. A Law College was set up in Mandla. Efforts are on to establish an Agricultural Research Centre.

It is evident that much remains to be done for Mandla to bring it on par with other economically developed regions. Special attention needs to be given to agricultural development and the promotion of small and cottage industries. We must also urgently consider how best to utilise the developmental potential of the vast tracts of forest and hill areas, as well as waste lands. It is imperative, moreover, that the work already begun on canals, dams, roads and buildings is completed speedily.

OUR BUDDING PARLIAMENTARIANS

Lakshmi Narain Mani Tripathi (Kaiserganj)*



Shri Lakshmi Narain Mani Tripathi was elected to the Lok Sabha in 1991 on a BJP ticket from Kaiserganj constituency in Uttar Pradesh. This was a fulfilment of a long-standing wish, originated in 1952, when Shri Tripathi first visited Delhi and had the opportunity to watch Lok Sabha in session.

The majestic dignity of Parliament as well as the decorum and etiquette shown by Members, many of whom were respected leaders of India's freedom struggle, made

an abiding impression on young Lakshmi Narain. Thus it was that at a young age he resolved to some day offer his humble services to the august House. However, pressing family responsibilities intervened, and only after satisfactorily discharging them did Shri Tripathi consider it proper to devote himself to politics. It may be mentioned though that he has been involved in politics in one way or another from as far back as 1956.

Shri Lakshmi Narain Mani Tripathi believes that politics is first and foremost a medium of service to society and the nation. He deplores the craze for lucre and power. It is unfortunate, he feels, that politics is being increasingly seen as an avenue to make money. This trend cannot but be extremely detrimental to society. It is the bounden duty of all representatives of the people to steer clear of the corrupting influence of money power.

Shri Tripathi's desire to become a Member of Parliament was founded on the urge to secure justice to the poor and deprived, especially in rural areas. Housing, medical facilities, food, clothing and education remain denied to large numbers of people and he seeks to rectify the situation. Women and children are the worst affected and Shri Tripathi is especially anxious to ameliorate their condition.

He is also concerned about the welfare of his constituency, Kaiserganj, and Bahraich district of which it forms a part. Poverty and illiteracy, and lack of adequate civic and medical facilities remain matters of serious

*This write-up is based on the material supplied by Shri Lakshmi Narain Mani Tripathi, MP.

concern. The district lags behind in industrial development. He is of the opinion that priority action needs to be taken for setting up industries such as paper factories and sugar mills in the public sector, for improving educational facilities and for expanding communication links.

In this context, Shri Lakshmi Narain Mani Tripathi holds that the primary concern of the members of representative institutions should be the all-round development of the nation, with particular reference to the traditionally deprived sections of society, namely the rural poor, women and children. Legislators must be driven by a sense of nationalism and commitment to the cause of democracy.

A firm believer in parliamentary democracy, Shri Tripathi is convinced that the primary responsibility of a representative of the people is to serve society through Parliament. As the supreme representative institution of the land, Parliament is the upholder of the rights of the masses. As the instrument, par excellence, of social engineering, Parliament is hard pressed to make the most of the time at its disposal. The time of the House is precious and must be put to the most effective use. It is a matter of deep regret to Shri Tripathi that the valuable time of the House is being increasingly wasted in uproarious scenes and frequent adjournments. He is especially concerned that quorum is not maintained at all times and that attendance is sometimes thin. There is urgent need for greater discipline in this regard, he feels.

Shri Tripathi is of the staunch belief that it is imperative to maintain the solemn dignity of the institution of Parliament. The whole nation looks up to Parliament and it is only right that those who represent and guide the nation must rigorously observe the rules of procedure and decorum. In the interests of the smooth functioning of the House, therefore, Members should refrain from any action causing hindrance or obstruction to proceedings, as also conscientiously abide by the directions and orders from the Chair.

Members of Parliament stand in the vanguard of the great national movement for economic and social development. The urgent need of the hour, according to Shri Tripathi, is a sense of purpose and commitment to the cause of national welfare. Members of Parliament must always aim to work individually and collectively, for the good of the people. Only by so doing can they truly redeem the faith that the masses repose in them.

Shri Lakshmi Narain Tripathi draws inspiration from the words of the great poet, Goswami Tulsidas, inscribed in Parliament House :

जहाँ सुमति तहँ सम्पति नाना ।

जहाँ कुमति तहँ बिपति निदाना ।।

which, translated, reads :

When the good mind prevails, then
true riches are found;
But when evil prevails, then
for trouble we are bound.

Shri Tripathi fervently hopes that fellow parliamentarians will also be inspired by these noble words in the discharge of their onerous duties.

PARLIAMENTARY EVENTS AND ACTIVITIES

CONFERENCES AND SYMPOSIA

39th Commonwealth Parliamentary Conference : The 39th Commonwealth Parliamentary Conference was held in Cyprus from 6 to 10 September 1993. The Indian Delegation to the Conference was led by Shri Shivraj V. Patil, Speaker, Lok Sabha. The other members of the Delegation were : Shri Ram Niwas Mirdha (Regional Representative for Asia Region), Shri Ram Vilas Paswan, Prof. Saurin Bhattacharya, Shri Rajubhai A. Parmar and Smt. Santosh Chowdhary, all Members of Parliament. Shri C.K. Jain, Secretary-General, Lok Sabha was Secretary to the Delegation.

Besides, the Delegation included the following delegates from the State Branches of CPA in India : Shri D. Sripada Rao, Speaker, Andhra Pradesh Legislative Assembly; Prof. Debesh Chandra Chakraborty, Speaker, Assam Legislative Assembly; Shri Ghulam Sarwar, Speaker, Bihar Legislative Assembly; Shri Shaikh Hassan Haroon, Speaker, Goa Legislative Assembly; Shri Suresh Chandra R. Mehta, MLA, Gujarat Legislative Assembly; Shri D.B. Kalmankar, Chairman, Karnataka Legislative Council; Shri Ishwar Singh, Speaker, Haryana Legislative Assembly; Shri P.P. Thankachan, Speaker, Kerala Legislative Assembly; Shri Jayantrao Shridhar Tilak, Chairman, Maharashtra Legislative Council and Regional Representative for Asia Region; Shri Moreswar V. Termurde (Patil) Deputy Speaker, Maharashtra Legislative Assembly; Dr. H. Borobabu Singh, Speaker, Manipur Legislative Assembly; Shri Monindra Rabha, Deputy Speaker, Meghalaya Legislative Assembly; Shri Rokamlova, Speaker, Mizoram Legislative Assembly; Shri Neiba Ndong, Speaker, Nagaland Legislative Assembly; Shri Yudhisthir Das, Speaker, Orissa Legislative Assembly; Shri Harnam Dass Johar, Speaker, Punjab Vidhan Sabha; Shri Bimal Singha, Speaker, Tripura Legislative Assembly; and Shri Hashim Abdul Halim, Speaker, West Bengal Legislative Assembly.

Shri C.S. Janakiraman, Secretary, Tamil Nadu Legislative Assembly; Shri G.L.Kaul, Secretary, Punjab Vidhan Sabha and Shri Zhangulie, Secretary, Nagaland Legislative Assembly were Secretaries from the State Branches.

The following subjects were discussed at the Conference :

(i) The role of the Commonwealth in world economic development and its impact on the environment; the strengthening of parliamentary democracy; world security and the safeguarding of human rights;

(ii) The role of Commonwealth Parliaments in promoting equitable development between the developed and developing countries;

(iii) The threats to democracy posed by poverty, famine, illiteracy, population explosion and environmental degradation;

(iv) As the United Nations approaches its 50th anniversary, what should be the contribution of Commonwealth Parliaments to promoting adherence to the Charter of United Nations and the implementation of its Resolutions and decisions ?

(v) The need for Commonwealth Parliaments to integrate the perspective of women into mainstream political issues;

(vi) Towards 1994—The Year of the Family;

(vii) In a time of movement towards multi-party democracy, what is the contribution and future of the CPA ?

Conclusion of the 50th Anniversary Celebrations of the Quit India Movement : A meeting of Members of Parliament was held on 9 August 1993 in the Central Hall of Parliament House to mark the conclusion of the 50th Anniversary Celebrations of the Quit India Movement. The meeting was addressed by the Vice-President of India and Chairman, Rajya Sabha, Shri K.R. Narayanan, the Prime Minister, Shri P.V. Narasimha Rao and the Speaker, Lok Sabha, Shri Shivraj V. Patil.

Unveiling of the portrait of Shri Rajiv Gandhi : On 20 August 1993, a portrait of the former Prime Minister, Shri Rajiv Gandhi, was unveiled by the President of India, Dr. Shanker Dayal Sharma in the Central Hall of Parliament House. The function, which coincided with the birth anniversary of Shri Rajiv Gandhi, was also addressed by the Vice-President of India and Chairman, Rajya Sabha, Shri K.R. Narayanan; the Prime Minister, Shri P.V. Narasimha Rao; and the Speaker, Lok Sabha, Shri Shivraj V. Patil.

Birth Anniversaries

On the birth anniversary of those national leaders whose portraits adorn the Central Hall of Parliament, a brief function is organised under the auspices of the Indian Parliamentary Group (IPG) at which floral tributes are paid to those leaders. The birth anniversaries of the following national leaders were thus celebrated during the period July to September, 1993.

Dr. Syama Prasad Mookerjee : On the occasion of the birth anniversary of Dr. Syama Prasad Mookerjee, a function was held on 6 July 1993 in the Central Hall.

Dr. Manmohan Singh, Minister of Finance; Shri Sikander Bakht, the Leader of the Opposition in Lok Sabha; Shri S. Mallikarjunaiah, Deputy Speaker, Lok Sabha; Smt. Sukhbans Kaur, Minister of State in the Ministry of Civil Aviation and Tourism; Shri Uttambhai Patel, Minister of State in the Ministry of Rural Development; Kumari Selja, Deputy Minister in the Ministry of Human Resource Development; Members of Parliament and former Members of Parliament and others paid floral tributes to Dr. Mookerjee on the occasion. A booklet containing a profile of Dr. Syama Prasad Mookerjee, prepared by the Research and Information Division of Lok Sabha

Secretariat, was also brought out on the occasion.

Lokmanya Bal Gangadhar Tilak : On the occasion of the birth anniversary of Lokmanya Bal Gangadhar Tilak, a function was held on 23 July 1993 in the Central Hall of Parliament House.

Shri Shivraj V. Patil, Speaker, Lok Sabha; Shri S.B. Chavan, Minister of Home Affairs; Shri Atal Bihari Vajpayee, the Leader of the Opposition in Lok Sabha; Shri S. Mallikarjunaiah, Deputy Speaker, Lok Sabha; Shri Rameshwar Thakur, Minister of State in the Ministry of Rural Development; Shri Uttambhai Patel, Minister of state in the Ministry of Rural Development; Kumari Selja, Deputy Minister in the Ministry of Human Resource Development; Members of Parliament and former Members of Parliament and others paid floral tributes to Lokmanya Tilak on the occasion. A booklet containing a profile of Lokmanya Tilak, prepared by the Research and Information Division of Lok Sabha Secretariat was also brought out on the occasion.

Shri Dadabhai Naoroji : On the occasion of the birth anniversary of Shri Dadabhai Naoroji, a function was held on 4 September 1993 in the Central Hall of Parliament House.

Shri S. B. Chavan, Minister of Home Affairs; Shri Balam Singh Yadav, Minister of State in the Ministry of Mines; Shri Uttambhai Patel, Minister of State in the Ministry of Rural Development; Members of Parliament, former Members of Parliament and others paid floral tributes to Shri Naoroji. A booklet containing a profile of Shri Naoroji, prepared by the Research and Information Division of the Lok Sabha Secretariat was also brought out on the occasion.

Exchange of Parliamentary Delegations

Parliamentary Delegations Visiting India

Romania : On the invitation of the Parliament of India, a nine-member Parliamentary Delegation, led by Mr. Doru Ioan Taracila, Vice-President of the Senate, visited India from 5 to 12 August 1993. The Delegation called on the Speaker, Lok Sabha, the Minister of Parliamentary Affairs and Water Resources and the Deputy Chairman, Rajya Sabha on 5 August. The Deputy Chairman, Rajya Sabha, hosted a banquet in their honour later in the evening. The Delegation called on the President of India and also the Minister of State for External Affairs on 6 August, and the Prime Minister on 7 August. They called on the Vice-President of India and Chairman, Rajya Sabha on 9 August. A meeting between the Delegation and Members of our Parliament was also held on the same day.

Besides Delhi, the Delegation visited Agra, Bombay and Faridabad.

BUREAU OF PARLIAMENTARY STUDIES AND TRAINING (BPST)

During the period 1 July to 30 September 1993, the following Programmes/Courses were organised by the BPST :

Ninth Parliamentary Internship Programme for Foreign Parliamentary Officials : The Ninth Parliamentary Internship Programme for Foreign Parliamentary Officials was organised from 22 September 1993 to 9 November 1993. The Programme was designed to meet the special needs of officers of foreign Parliaments and to enable them to study the working of parliamentary institutions in India and their processes and procedures. It also aimed at providing an opportunity to the officers to exchange ideas in the context of their experience in their Legislatures.

The Programme was attended by four Parliamentary Officials from various Afro-Asian countries, including Indonesia, Philippines, Sri Lanka and Laos.

PRIVILEGE ISSUES

LOK SABHA

Alleged misleading of the House by a member : On 21 August 1993, Shri A. Charles a member, gave notice of a question of privilege against Shri Ram Vilas Paswan, another member, for allegedly wilfully misleading the House on 13 August 1993 while raising a matter of urgent importance regarding reservation for SC/ST employees in promotion in the Syndicate Bank. In his notice, Shri Charles stated that Shri Paswan had made misleading statement that SC/ST employees in the Syndicate Bank were denied reservation and that nearly 1600 vacancies had been kept vacant on the basis of the orders of the Government of India consequent to the Judgement of the Supreme Court in the Mandal Case.

On 27 August 1993, Shri Charles with the permission of the Speaker, raised the matter in the House. Shri Charles stated that on 13 August 1993, during Zero Hour, some members had raised the question of implementation of the Mandal Commission Report. During the discussion, according to Shri Charles, Shri Ram Vilas Paswan made an allegation against the Minister of Welfare, Shri Sitaram Kesri that the reservation to the Schedule Caste and Scheduled Tribe Employees of the Syndicate Bank was denied because of the non-implementation of orders of the Supreme Court in the Mandal Case. Since that was factually incorrect, Shri Kesri made a statement on 19 August clarifying the whole position. The statement made by Shri Kesri revealed that there was absolutely no connection between the Mandal Commission judgement and the Syndicate Bank employees issue.

Concluding his speech, Shri Charles stated, *inter alia*, as follows :

The following facts have thus been clearly proved :

- (i) That reservation of the SC/ST employees was denied to them on the basis of the clarificatory orders of the Government dated 1 November 1990;
- (ii) That the above orders were issued by Shri V.P. Singh's Government;
- (iii) That Shri Ram Vilas Paswan was a Cabinet Minister in that Government in charge of the Ministry of Welfare which is directly responsible for the Welfare of the SC/ST;
- (iv) That as Cabinet Minister of the V.P. Singh Government Shri Ram Vilas Paswan was not only aware of the above orders but he was also responsible for the above unjust orders;

- (v) That on 13 August 1993 while participating in the discussion he not only deliberately suppressed the above facts, but knowingly made false allegations and misled the House;
- (vi) That he deliberately accused Shri Kesriji of false charges knowing fully well that Kesriji was not responsible for denying promotion to SC/ST employees of the Syndicate Bank;

Shri Charles contended that the above acts of Shri Ram Vilas Paswan constituted a serious case of breach of privilege of the House.

The same day, while replying to the points raised by Shri Charles, Shri Ram Vilas Paswan *inter alia* stated :

...I only want to put before you this fact that a Circular was issued on 1 November 1990...and on 1 April 1991, the Full Bench of the Supreme Court stated that there should be reservation in promotions. Afterwards, on 23 December 1992, when this matter was raised in Parliament, I enquired about it...Since Shri Sitaram Kesri in this statement quoted 22 December I was also mentioning the date as 22 December. I am now correcting it as 23 December. when the matter was raised on 23 December, Shri Sitaram Kesri told that the Circular had already been issued and that reservation in promotions would not be discontinued. The House is aware of it. The Judgement was given on 1 April 1991 and on 23 December 1992 Shri Sitaram Kesri told that the Circular had already been issued and that reservation in promotion would not be discontinued.

I had raised the matter regarding Syndicate Bank. The Syndicate Bank issued a Circular on 28 April 1995. According to that circular, the Syndicate Bank appointed 1600 employees and reservation in promotions was not allowed in those appointments, so I raised such a question. Even today, I want to say that Government had not issued a Circular and the Government misled the House by stating that a circular was issued. But Government did not issue a circular and on 23 December, it was stated that the circular was issued. The circular had been issued three days before.

The same day, the Speaker ruled as follows :

My ruling is—and I am giving ruling for the first time on a breach of privilege of the House—that certain facts were brought to the notice of the House by the Members on both the sides. I think there was great desire and enthusiasm to make the points, and in that great desire and enthusiasm to make the points certain limits might have been crossed here and there. But I think that the Members wanted to clinch the issue and do justice. I do not find any intention to mislead the House and so this does not constitute a breach of privilege.

STATE LEGISLATURES

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY

Alleged obstructions caused to members by police officers : On 14 February 1991, Kumari Shyama Sharma, a member, gave notice of a

question of privilege against Shri Rajender Singh, Senior Superintendent of Police, Chamba, Himachal Pradesh for allegedly preventing her from welcoming the then Prime Minister (Shri Chandra Shekhar) on his arrival at Palampur, Himachal Pradesh, in connection with some tree plantation programmes on 10 February 1991, by not allowing her car to proceed with the convoy of the Prime Minister.

Kumari Sharma, *inter alia* stated that in spite of showing her identity card and registration of her vehicle, Shri Rajender Singh did not permit her to proceed towards the venue. Since she was invited through an invitation card to attend the Programmes in her capacity as a member of the Legislative Assembly, it was her privilege to attend these programmes and by stopping and preventing her publicly from attending these programmes, she was subject to humiliation which amounted to breach of privilege.

On 14 February 1991, the Speaker referred the matter to the Committee of Privileges for examination, investigation and report.

On 15 February 1991, Kanwar Durga Chand, another member, gave notice of a question of privilege on the same subject against Shri Somesh Goyal, superintendent of Police, Chamba, Himachal Pradesh for allegedly obstructing him from proceeding to Rajpur on 10 February 1991 in connection with the tree plantation programme of the then Prime Minister Shri Chandra Shekhar.

Kanwar Durga Chand, in his notice of question of privilege, *inter alia* stated that he was obstructed by the State Government through its machinery, *i.e.*, the police, from participating in the Government functions, which amounted to breach of privilege and contempt of the House.

On 16 February 1991, the Speaker referred the matter to the Committee of Privileges for examination, investigation and report.

The Committee of Privileges, after considering all the relevant documents and written submissions of Shri Rajender Singh, Senior Superintendent of Police, Chamba and Shri Somesh Goyal, Superintendent of Police, Chamba and examining in person Shri Somesh Goyal in their First Report presented to the House on 10 September 1991, reported *inter alia* that it was quite clear that Kanwar Durga Chand, Kumari Shyama Sharma and Shri Jagat Singh Negi, MLA, were stopped by the police. It was also evident that the vehicle in which the members were travelling was not included in the motorcade list and, therefore, stopping of their vehicle by the police undoubtedly was a part of the duty of the police.

The Committee noted that the matter under consideration was in no way related to the House or any of its Committees. It was just an official work and the members were invited to that official function. Therefore, the matter did not constitute a breach of privilege and contempt of the House.

The Committee also noted that there was a luxury bus in the motorcade which was used for transportation purposes of the other important invites but prior information about this bus was not given to Kanwar Durga

Chand, Kumari Shyama Sharma and Shri Jagat Singh Negi, MLAs. Had they been given this information in advance, they would have probably travelled in that bus.

The Committee recommended that to avoid such incidents in future, whenever MPs or MLAs were invited to any special function in which any VVIP was also expected, the members so invited should be apprised in advance of the security arrangements, etc., so that no inconvenience was caused to them.

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

ORISSA LEGISLATIVE ASSEMBLY

Alleged Assault on a member by some miscreants : On 29 January 1992, Shri Brundaban Majhi, a member, gave notice of a question of privilege regarding alleged assault on him on 10 January 1992, at Sambalpur Bus Station by one Shri Surya Bohidar and three others. The member stated that he was threatened by the miscreants not to raise the matter in the House.

On 4 March 1992, the Speaker referred the matter to the Committee of Privileges for examination, investigation and report.

The Committee of Privileges, after examining in person Shri Brundaban Majhi, member, in their Fourth Report presented to the House on 20 July 1993, reported *inter alia* that the facts of the case did not constitute breach of privilege but that it was an issue relating to normal law and order. Hence, the Committee recommended that the matter may be dropped.

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

Alleged assault on a member by some anti-social elements : On 2 March 1992, Shri Dasarathi Jena, a member, gave notice of a question of privilege regarding assault on him and his family members on 2 March 1992 by some anti-social elements at his residence in the MLA Colony. The member stated that the said anti-social elements threatened him and his son with dire consequences if the matter was raised in the House.

On 12 March 1992, the Speaker referred the matter to the Committee of Privileges for examination, investigation and report.

The Committee of Privileges, after examining in person Shri Dasarathi Jena, member, in their Second Report presented to the House on 20 July 1993, reported *inter alia* that Shri Dasarathi Jena had stated before the Committee that the matter had been amicably settled on their (miscreants) having tendered apology.

The Committee found that the facts of the case basically involved law and order issue and did not constitute breach of privilege. The Committee, therefore, recommended that the matter may be dropped.

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

WEST BENGAL LEGISLATIVE ASSEMBLY

Alleged casting of reflections on the House by a Government Organisation : On 25 March 1992, Shri Deba Prasad Sarkar, a member, gave notice of a question of privilege against the General Manager, Eastern Railway Authority against the House in a Press release which was published in the *Ananda Bazar Patrika*, a Bengali daily, in its issue dated 25 March 1992, under the caption "*Jami Adhigrahan Baki, Tabu Kano Delhi Darbar, Bujhchhena-Rail.*" The impugned Press-release allegedly contained derogatory remarks against the West Bengal Legislative Assembly in the matter of sending an all-party parliamentary delegation to Delhi to meet the Railway Minister to ensure expeditious implementation of the pending railway projects of the State.

On 26 June 1992, the House referred the matter to the Committee of Privileges for examination, investigation and report.

The Committee of Privileges, after examining in person Shri Ashok Bhatnagar, General Manager, Eastern Railway and Shri Aveek Sarkar, Editor, *Ananda Bazar Patrika*, in their First Report presented to the House on 6 April 1993, reported *inter alia* that the impugned news item was admittedly a travesty of truth to the knowledge of the Eastern Railway itself. But curiously, no protest was lodged on behalf of the said Railway with the concerned Press who published the news item.

The said Press report had created a wrong impression in the minds of the public at large about the propriety of the decision taken by the august House on the matter of sending an all-party parliamentary delegation to Delhi to meet the Railway Minister to ensure expeditious implementation of the pending Railway projects in the State. The impugned remark thereby tended to cast reflection on the wisdom of the House and undermined the dignity of the House.

The Committee opined that had such a remark been made, it would have constituted breach of privilege and contempt of the House.

The G.M. Eastern Railway had at the first instance denied that any such statement was made on behalf of his Railway. However, G.M. Eastern Railway and the Editor, *Ananda Bazar Patrika* had both admitted their lapses and tendered unqualified apology.

The G.M., Eastern Railway had sent a Press note to the concerned Press, as directed by the Committee. The Editor, *Ananda Bazar Patrika* had also published the summary of the contents of his letter dated 23 November 1992 along with the contents of the Press release received from Eastern Railway Authority on 12 January 1993.

On a conspectus of the above facts and findings, the Committee was of the view that as both of them had tendered unconditional apology and expressed their regret the matter need not be proceeded with further.

The Committee accordingly recommended that the matter may be dropped and treated as closed.

The House adopted the Report of the Committee.

PROCEDURAL MATTERS

LOK SABHA

Instance of Members being permitted to seek clarifications from the Attorney-General : As desired by the House on 3 August 1993, the Attorney-General of India gave his opinion on 4 August 1993 on the following :

- (i) Scope and extent of disciplinary authority of the Election Commission in respect of officers and staff deployed for election work; and
- (ii) Scope and extent of authority in the matter of deployment of forces to maintain law and order to ensure free and fair elections, keeping in view the constitutional and legal position that maintenance of law and order is primarily a state subject.

The Speaker, thereafter, permitted some members to ask clarificatory questions and the Attorney-General replied thereto.

Speaker can give consent for adjournment of debate : On 5 August 1993, when the Deputy Speaker who was in the Chair, asked Shri Sudhir Giri, a member, to continue his unfinished speech on Statutory Resolution regarding Disapproval of Recovery of Debts due to Banks and Financial Institutions Bill, another member (Shri George Fernandes) sought adjournment of the debate under Rule 109* submitting that the Bill should have been referred to the Departmentally related Standing Committee on Finance under the provisions of Rule 331(E)** of the Rules of Procedure and Conduct of Business in Lok Sabha.

* At any stage of a Bill which is under discussion in the House, a motion that the debate on the Bill be adjourned may be moved with the consent of the Speaker.

** (1) The functions of each of the Standing Committees shall be—

- (a) to consider the Demands for Grants of the concerned Ministries/Departments and make a report on the same to the Houses. The report shall not suggest anything of the nature of cut motions;
 - (b) to examine such Bills pertaining to the concerned Ministries/Departments as are referred to the Committee by the Chairman, Rajya Sabha or the Speaker, as the case may be, and make report thereon;
 - (c) to consider annual reports of Ministries/Departments and make reports thereon;
 - (d) to consider national basic long term policy documents presented to the Houses, if referred to the Committee by the Chairman, Rajya Sabha or the Speaker, as the case may be, and make reports thereon.
- (2) The Standing Committees shall not consider the matters of day to day administration of the concerned Ministries/Departments.

The Minister of State in the Ministry of Parliamentary Affairs (Shri P.R. Kumaramangalam) submitted that the issue of referring Bills to the Standing Committees was discussed in the Rules Committee and also in the House when the rules were being adopted. He further submitted that the Speaker had also discussed the issue in the Business Advisory Committee and with Leaders of Parties/Groups in which it was felt that the Bills replacing Ordinances need not be referred to the Standing Committees, since an Ordinance lapsed after a particular period. There was no formal motion before the House for adjournment of debate.

Thereafter, the Deputy Speaker observed :

The objection raised by Shri George Fernandes, is, under Rule 109, at any stage of the Bill which is under discussion in the House, a motion that the debate on the Bill be adjourned may be moved with the consent of the Speaker.

The motion for adjournment of the debate can only be with the consent of the Hon'ble Speaker. The Hon'ble Speaker has not given his consent...The Hon'ble Speaker or the Deputy Speaker has not given his consent.

Further, I rule out the relevant objection raised by Shri George Fernandes in Rule 109.

Members can ask for clarificatory questions from Ministers : On 5 August 1993, on a statement made by the Minister of Law, Justice and Company Affairs (Shri H.R. Bhardwaj) regarding steps taken by the Union of India to resolve the deadlock created by the order dated 2 August 1993, of the Chief Election Commissioner of India, the Speaker permitted some members to seek clarifications.

On 10 August 1993, on a statement made by the Minister of State for Home Affairs (Shri Rajesh Pilot) regarding the bomb explosion which occurred at the RSS Head Quarters in Madras, some members sought clarifications and the Minister replied thereto.

On 27 August 1993, on a statement made by the Minister of Welfare (Shri Sitaram Kesri) regarding steps taken to implement the reservation policy in Central Government jobs in accordance with the judgement of the Supreme Court in the Mandal Case, the Deputy Speaker permitted some members to seek clarifications and the Minister replied thereto. Thereafter, normal business as listed in the agenda was taken up.

Members not to talk with Officers sitting in the Official Gallery : On 6 August 1993, Chairman (Shri Ram Naik), on seeing a member (Dr. Krupasindhu Bhoi) talking to some officers in the Official Gallery, directed him not to do so.

On 19 August 1993, the Speaker also made similar observations.

Matters relating to an MLA to be raised in State Assembly and Matters to be decided by the Court should not be discussed in the House : On 12

August 1993, a member (Shri S.M. Lai Jan Basha), raised the matter regarding the fatal bomb attack on Shri P. Siva Reddy, Telegu Desam MLA (Andhra Pradesh) and demanded a judicial enquiry into the matter. Amidst interruptions, Shri Basha and some other members came and sat on the floor of the House. Thereafter, on a request made by the Speaker, members went back to their seats. Another member, (Shri Buta Singh) submitted that as per parliamentary conventions, such matters should be raised in the State Assembly. Some members demanded that the CBI should investigate the matter. The Speaker, thereupon, observed that matters which had to be decided by the Court should not be discussed in the House. Some members demanded a statement from the Government in that regard. The Speaker, then, observed that a statement on the subject had already been made on 10 August 1993.

Later, the Minister of State in the Ministry of Home Affairs (Shri Rajesh Pilot) made another statement on the issue on which some members asked clarificatory questions and the Minister replied thereto.

Members not to bring Video Cassettes to the House : On 17 August 1993, a member (Shri Rajnath Sonker Shastri) exhibited a video cassette in the House. The Speaker, thereupon, observed that members could not bring such things in the House, without his permission.

Reference to the President of India : On 23 August 1993, a member (Md. Ali Ashraf Fatmi) referred to the President of India. The Speaker, thereupon, directed the member not to refer to the President.

On 5 August 1993, when the Speaker permitted some Members to seek clarifications on the statement made by the Minister of State in the Ministry of Law, Justice and Company Affairs (Shri H.R. Bhardwaj) regarding steps being taken by the Union of India to resolve the deadlock created by the order dated 2 August 1993 of the Chief Election Commissioner, a member (Shri Mohan Singh) referred to the President of India. The speaker, however, did not allow the reference to the President to go on record.

Expunction of derogatory remarks and Speaker's power to direct a Member to withdraw from the House : On 26 August 1993, after the Question Hour, a member (Shri Hari Kishore Singh) made certain objectionable remarks. The Speaker, thereupon, directed the member to withdraw those remarks and apologise. The member withdrew his remarks, but did not apologise. The Speaker then directed him to withdraw from the House. Later, on requests made by the Leader of Opposition in Lok Sabha (Shri Atal Bihari Vajpayee) and another member (Shri Srikanta Jena), the Deputy Speaker informed the House that the Speaker had permitted Shri Singh to come back to the House.

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 July to 30 September 1993)

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

—Editor

INDIA DEVELOPMENTS AT THE UNION

Elections to Rajya Sabha : On 3 July 1993, the Congress(I) nominee and Minister of External Affairs, Shri Dinesh Singh was elected to the Rajya Sabha from Haryana.

On 17 August, the following were declared elected to the Rajya Sabha from West Bengal : Dr. Ashok Mitra, Smt. Chandrakala Pandey, Shri Jeevan Roy and Shri R. Goswami (all CPI-M); and Shri Pranab Mukherjee (Congress-I).

On the same day, the following were elected to the Rajya Sabha from Gujarat : Shri Ahmed Patel and Smt. Urmilaben Patel (both Congress-I); and Shri Chimanbhai Shukla (BJP).

Nominated Members of Rajya Sabha : On 27 August, five new Members nominated to the Rajya Sabha by the President took oath. They are : Smt. Vijayantimala Bali, Dr. M. Aram, Shri Bidhu Bhushan Dutta, Shri Mahendra Prasad and Maulana Habeebur Rehman Nomani.

By-elections to Lok Sabha : Shri S. Sivaraman of the CPI(M) was declared elected to the Lok Sabha from the Ottappalam constituency in a by-election held on 7 September.

Shri P. Kumaraswamy of the AIADMK was elected to the Lok Sabha from Palani constituency in a by-election held on 20 September.

Re-induction of Minister: On 8 July, the Union Commerce Minister Shri Pranab Kumar Mukherjee resigned from the Council of Ministers as he could not have got elected to either House of Parliament before 16 July, the date when he would have completed six months as Minister without being a member of either House of Parliament. Shri Mukherjee was re-inducted into the Cabinet with the same portfolio on 31 August, following his election to the Rajya Sabha from West Bengal on 17 August.

Resignation of Member : On 3 September, the Speaker, Lok Sabha, Shri Shivraj V. Patil announced that he had accepted the resignation of Shri Sharad Pawar from the House with effect from that date.

Death of sitting Members : The sitting Congress(I) member of Lok Sabha, Shri Bhagey Gobardhan, who represented the Mayurbhanj constituency of Orissa, passed away on 31 July 1993.

The Congress(I) member of Rajya Sabha from Andhra Pradesh, Shri T. Chandrasekhar Reddy passed away on 15 September.

New Leader of Opposition in Lok Sabha : On 26 July, the Speaker Shri Shivraj V. Patil announced in the Lok Sabha that he had recognised Shri Atal Bihari Vajpayee, Leader of the BJP in Lok Sabha, as the Leader of the Opposition in Lok Sabha with immediate effect.

No-confidence motion defeated : On 28 July, the Lok Sabha rejected an Opposition-sponsored no-confidence motion in the Narasimha Rao Government with 251 votes in favour and 265 against.

Seven MPs join Congress(I) : Seven Lok Sabha members belonging to the breakaway Janata Dal(A) joined the Congress(I) on 2 August. They are : Sarvashri Ram Lakhan Singh Yadav, Roshan Lal, Abhay Pratap Singh, Govinda Chandra Munda, Ram Sharan Yadav, Anandi Charan Das and Gulam Mohammad Khan.

HVP member joins Congress(I) : On 30 September, the Haryana Vikas Party MP from Bhiwani, Shri Jangbir Singh joined the Congress(I).

Developments involving the Election Commission : On 2 August, the Election Commission postponed all the by-elections to the Lok Sabha and the State Legislative Assemblies as well as the biennial elections to the Rajya Sabha and the State Legislative Councils already notified or the programme which had been announced. The elections were rescheduled for 18 December. The Chief Election Commissioner (CEC), Shri T.N. Seshan said on 3 August that no election would be held till the Government accepted the Commission's position regarding its authority over selection of staff for conduct of Bills. On 4 August, the Attorney-General of India, Shri Milon Kumar Banerjee appeared before the Lok Sabha* and gave his opinion on : (i) the scope and extent of disciplinary authority of the Election Commission in respect of officers and staff deployed for election work; and (ii) the scope and extent of authority in the matter of deployment of forces to maintain law and order to ensure free and fair elections, keeping in view the constitutional and legal position that maintenance of law and order was primarily the state subject.

On 10 August, the Election Commission agreed before the Supreme Court to reconsider the entire matter. A new election schedule was later announced on 11 August.

* For details, see Sessional Review, Lok Sabha

Election schedule for State Legislative Assemblies : On 25 September, the Election Commission announced poll dates for several State Legislative Assemblies as under : Delhi—6 November; Himachal Pradesh—9 November; Rajasthan—11 November; Uttar Pradesh—18 and 21 November; and Madhya Pradesh—24 and 27 November.

AROUND THE STATES

ANDHRA PRADESH

Death of MLA : Telegu Desam MLA, Shri P. Shiva Reddy was killed in a bomb attack on 7 August.

Cabinet re-shuffle : On 7 September, all members of the State Cabinet submitted their resignations to the Chief Minister to enable him to reconstitute his Cabinet.

On 8 September, the Chief Minister Shri K. Vijaya Bhaskara Reddy reconstituted his Cabinet. Four Ministers—Sarvashri Mohammed Jani, C. Ramachandra Reddy, S. Santosh Reddy and K.V. Mohan Rao—were dropped.

Four Ministers of Cabinet rank—Shri V. Rambhupal Chowdhury, Shri D.L. Ravindra Reddy, Shri Sangeeta Venkata Reddy and Smt. M. Lakshmi Devi—were inducted.

Twelve new Ministers of State were also inducted. They are : Sarvashri Mohammed Ali Shabbeer, M.K. Baig, G.M. Gaddena, P. Jaganmohan Rao, D. Narasinga Rao, N. Raghuveera Reddy, M. Sashidhar Reddy, M.B. Satya Rao, Malladi Samy, Puli Veeranna, Gade Venkat Reddy and K. Yannadi Reddy.

ARUNACHAL PRADESH

Resignation of Governor : On 1 July, the President of India accepted the resignation of the Governor of Arunachal Pradesh, Shri Surendranath Dwivedi. Later, the Governor of Meghalaya, Shri Madhukar Dighe was given additional charge as Governor of Arunachal Pradesh.

BIHAR

New Governor : On 14 August, Dr. A.R. Kidwai was sworn in as the new Governor in succession to Shri Mohd. Shafi Quereshi.

Cabinet expanded : On 15 September, the Chief Minister Shri Laloo Prasad Yadav expanded his Cabinet inducting three Cabinet Ministers—Shri Chandradeo Prasad Verma and Shri Vinayak Prasad Yadav—and two Ministers of State—Shri Ram Parichhan Sahu and Shri Deo Nath Prasad.

GUJARAT

New Deputy Speaker : On 16 August, Shri Man Singh Patel, an independent member supported by the Congress(I), was elected Deputy Speaker of the State Legislative Assembly.

HARYANA

Merger of parties : On 11 July, the Janata Dal ((Virender) merged with the Congress(I).

HVP faction MLAs join Congress(I) : On 3 September, a four-member breakaway group of the Haryana Vikas Party (HVP) formed a new party under the banner of HVP(A). The members are : Sarvashri Dharam Pal Singh, Amar Singh Dhanak, Peer Chand and Lehri Singh. The new group joined the Congress(I) on 6 September.

By-election result : The Congress(I) nominee Shri Chander Mohan was declared elected to the Vidhan Sabha from the Kalka constituency in a by-election held on 17 July.

KARNATAKA

Merger of parties : On 9 August, the State unit of the SJP formally merged with the Janata Dal.

Defeat of no-confidence motion : On 6 September, the State Legislative Assembly defeated a no-confidence motion against the Veerappa Moly Government by a voice vote.

MADHYA PRADESH

New Governor : The Governor of Bihar, Shri Mohd. Shafi Quereshi was appointed Governor of Madhya Pradesh on 14 August. He was sworn in the same day.

MAHARASHTRA

CM elected to Legislative Council : On 19 August, the Chief Minister Shri Sharad Pawar was declared elected to the State Legislative Council from the Pune Local Authorities constituency.

MANIPUR

New Governor : Lt. Gen. (Retd.) V.K. Nayar was appointed the new

Governor of Manipur on 28 August. He was sworn in on 31 August.

MEGHALAYA

Political developments : On 2 September, nine Independent MLAs belonging to the ruling coalition submitted a letter to the State Governor withdrawing their support to the Congress(I) led S.C. Marak Government. On 3 September, the Chief Minister expanded his Cabinet inducting two independent members—Shri Surjit Sangma and Dr. F.S. Khonglam—as Cabinet Ministers. Another Cabinet Minister Shri S.S. Lyngdoh was inducted on 4 September. Their portfolios are as under : Shri Surjit Sangma : *Power*; Dr. F.S. Khonglam : *Health and Welfare*; and Shri S.S. Lyngdoh : *Public Works and Department*.

NAGALAND

Election of Deputy Speaker : On 12 July, Congress(I) nominee Shri H. Chuba Chang was elected the Deputy Speaker of the State Legislative Assembly.

PUNJAB

Developments in BJP Legislature Party : On 7 July, the Deputy Speaker, Shri Ramesh Chander Dogra allotted separate seat to a two-member breakaway group of the BJP called the BJP (Punjab). The two members are Shri Ramesh Dutt Sharma and Shri Harbans Lal.

Reshuffle of portfolios : On 9 July, the Chief Minister Shri Beant Singh reshuffled the portfolios of the Council of Ministers as under :

Cabinet Ministers : **Shri Beant Singh (Chief Minister)** : *Personnel and General Administration; Vigilance; Home Affairs and Justice; Industries; Information and Public Relations; Revenue and Rehabilitation. Science, Technology and Environment; Irrigation and Power; PWD (B&R); Transport and other Departments not specifically attached to any other Minister; Harcharan Singh Brar* : *Health and Family Welfare except the Department of Medical Education and Research and Government Medical and Dental Colleges; Dr. Kewal Krishan* : *Finance; Planning; and Local Government* ; **Shri Umrao Singh** : *Rural Development and Panchayats; and Parliamentary Affairs; Shri Dilbagh Singh* : *Agriculture and Forests; Smt. Rajinder Kaur Bhattal* : *Technical Education and Industrial Training; Shri Shamsheer Singh Dullo* : *Excise and Taxation; Shri Lal Singh* : *Food and Supplies; Shri Balmukand Sharma* : *Housing and Urban Development; Shri Sajjan Kumar Jakhar* : *Cooperation, Shri Harnam Dass Johar* : *Relief and Resettlement* ; **Shri Brahm Mohindra** : *Medical Education and Research and Government Medical and Dental Colleges.;*

Shri Lakhmir Singh Randhawa : *Education and Languages.*

Ministers of State : **Shri Harbans Singh Sidhu** : *Animal Husbandry and Fisheries*; **Shri Joginder Singh Mann** : *Labour and Employment*; **Shri Gulzar Singh** : *Attached to the Chief Minister to look after the Department of PWD (B&R)*; **Shri Jagjit Singh** : *Social and Women's Welfare and Welfare of Scheduled Castes and Backward Classes*; **Master Jagir Singh** : *Attached to the Department of Rural Development and Panchayats and the Department of Revenue*; **Shri Maninder Singh Bitta** : *Public Works (Public Health)*; **Shri D.P. Sabharwai** : *Printing and Stationery*; **Shri Mohinder Singh Kaypee** : *Youth Services; Sports and attached to the Chief Minister for Transport Department*; **Shri Karam Singh Gill** : *Attached to the Chief Minister for the Department of Industries and any other work to be allotted to by the Chief Minister out of the Departments with him*; **Shri Gurmej Singh** : *Removal of Grievances, Pension and Welfare of Pensioners and Welfare of Freedom Fighters (Independent Charge)*; **Smt. Sushil Mahajan** : *Attached to the Education Minister for Primary Education*; **Shri Surender Kapur** : *Tourism and Cultural Affairs (Independent Charge) and attached to the Chief Minister to look after the Department of Public Relations*; **Shri Jagmohan Singh Kang** : *Attached to the Chief Minister to look after the Departments of Jails and Judicial*; **Shri Naresh Thakur** : *Defence Services Welfare (Independent Charge).*

Resignation of Minister : On 21 July, the Minister of Rural Development, Panchayats and Parliamentary Affairs, Shri Umrao Singh resigned from the Cabinet and also from the Vidhan Sabha following his election to the Lok Sabha on 19 May.

Election of Speaker : Congress(I) nominee Shri Harnam Das Johar was unanimously elected Speaker of the Vidhan Sabha on 21 July.

RAJASTHAN

Merger of parties : On 21 August, the Janata Dal (Digvijay) announced its merger with the Congress(I).

TAMIL NADU

Death of MLA : Shri T.M. Rangarajan of the AIADMK, who represented the Mylapore constituency in the State Legislative Assembly, was killed in a road accident on 10 September.

By-election result : Shri K.V.S. Mohanan of the AIADMK was declared elected to the State Legislative Assembly from the Ranipet constituency in a by-election held on 20 September.

TRIPURA

New Governor : On 11 August, Shri Romesh Bhandari was appointed as the new Governor of Tripura in succession to Shri K.V. Raghunath Reddy. Shri Bhandari was sworn in on 15 August.

UTTAR PRADESH

Six MLAs join Samajwadi Party : Six members of the Vidhan Parishad announced their decision to join the Samajwadi Party on 14 September. They are : Sarvashri Ram Karan Singh Yadav, Rampal Verma, Daya Ram Choudhry, Gyasuddin and Sunder Singh (all Janata Party); and Shri Raj Kishore Mishra (Lok Dal).

WEST BENGAL

Death of Governor : The Governor Prof. S. Nurul Hasan passed away on 12 July. On 13 July, the Governor of Orissa, Shri S. Satyanarayan Reddy was given additional charge as Governor of West Bengal. The Governor of Tripura, Shri K.V. Raghunath Reddy, who was later appointed Governor of West Bengal was sworn in on 14 August.

Resignation of Minister : On 1 September, the Chief Minister Shri Jyoti Basu forwarded to the Governor for acceptance the resignation submitted by the Minister of Information and Cultural Affairs, Shri Buddhadeb Bhattacharya.

By-election results : CPI (M) nominees were declared in all the three seats to the State Legislative Assembly for which by-elections were held on 2 September. They are : Shri Anil Chatterjee (Chowringhee); Shri Tulsi Bhattarai (Kurseong); and Shri Dawa Lama (Darjeeling).

DEVELOPMENTS ABROAD

ALGERIA

New Prime Minister : On 22 August, Foreign Minister Mr. Redha Malek was appointed the new Prime Minister by the ruling High State Committee, replacing Mr. Belaid Abdessalam.

Assassination of former Prime Minister : On 22 August, the former Prime Minister Mr. Kasdi Merbah was assassinated by an unknown gunman.

BELGIUM

Death of King : King Baudoin of Belgium passed away on 1 August. Prince Albert took over as the new King on 9 August.

BULGARIA

Resignation of Vice-President : The Vice-President Blaga Dimitrova resigned from office on 11 July.

Defeat of no-confidence motion : On 30 July, Prime Minister Mr. Lyuben Berov's Government survived a no-confidence motion in the Lower House by 141 to 60 votes.

BURUNDI

Election results : On 2 July, President-elect Melchior Ndadaye's Probedus Party won 65 seats in the country's first multi-party elections to the 81-member Legislature. The Uprona Party which had held power for 31 years won 16 seats.

CAMBODIA

Political developments : On 1 July, the 120-member Constituent Assembly approved an interim coalition Government with Funcinpec Leader Prince Runaridh and the Cambodian People's Party leader Mr. Hun Sen as Co-Presidents. The interim Government took over on 2 July. The 120-member Assembly approved a new Constitution on 21 September. Prince Norodom Sihanouk who returned to the country on 23 September took oath as the King the next day.

CONGO

Emergency declared : President Mr. Parcal Lissouba declared a state of emergency in the country on 17 July following clashes between Government and Opposition supporters. The emergency was lifted on 17 August.

GEORGIA

Political developments : On 27 July, in a Russian-mediated ceasefire, the Georgian Government and the Abkhazi separatists signed an agreement calling for an immediate ceasefire, the withdrawal of Georgian troops from Abkhazia and the deployment of Russian and international observers. The President Mr. Eduard Shervandnadaze was nominated caretaker Prime Minister by the Parliament on 6 August. On 20 August, Mr. Otar Patsatsic was approved by Parliament as the new Prime Minister.

GREECE

Elections in October : The Prime Minister Mr. Constantine Mitsotakis submitted his resignation on 9 September. The President Mr. Constantine Caramanlis later dissolved the Parliament and called for elections in October.

HAITI

New PM : On 26 August, Parliament approved Mr. Robert Malvel as the new Prime Minister. He assumed office on 31 August.

IRAQ

PM replaced : On 5 September, President Saddam Hussain appointed Finance Minister Mr. Ahmed Hussain as the new Prime Minister replacing Mr. Mohammed Hamze Al-Zubaid.

JAPAN

Political developments : On 18 July, the ruling Liberal Democratic Party (LDP) lost its majority in the elections to the 511-member Lower House. The results are as under : Liberal Democratic Party : 223; Social Democratic Party : 70; Japan Renewal Party : 55; Komeito Party : 51; Japan New Party : 35; Japan Communist Party : 15; Democratic Social Party : 15; New Harbinger Party : 13; United Social Democratic Party : 4; and Independents: 30;

On 22 July, Prime Minister Mr. Kiichi Miyazawa resigned as Leader of the LDP. He was succeeded by Mr. Yohei Kono who was elected to the post on 30 July. Mr. Miyazawa resigned as Prime Minister on 5 August.

A coalition Government headed by Mr. Morihiro Hosokawa was elected to office on 6 August.

LATVIA

President elected : On 8 July, the Parliament elected Mr. Guntis Ulmanis as President of Latvia.

LIBERIA

Peace pact signed : On 26 July, interim President Mr. Almos Sawyer and the representatives of the two warring factions, NPFL and ULIMO

officially signed an agreement to end more than three years of civil war.

MALDIVES

President re-elected : Mr. Maumoon Abdul Gayoom was re-elected President of Maldives on 23 August, winning 28 votes in the 48 member Parliament.

NIGERIA

Political developments : On 13 July, the Military Government of Gen. Ibrahim Babangida ordered fresh presidential elections by 31 July. General Babangida stepped down from office on 26 August after appointing Mr. Ernest Shonekan to head an interim Government. On 11 September, the National Electoral Commission fixed 19 February 1994 as the date for Presidential and local Government elections.

PAKISTAN

Political developments : On 18 July, the Prime Minister Mr. Nawaz Sharif resigned from office after recommending dissolution of the National Assembly. Under an agreement mediated by the Army, President Ghulam Ishaq Khan also announced his resignation. The President later proceeded on four months leave and his resignation would take effect from 12 December when his term would expire.

Later, the Senate Chairman Mr. Wasim Sajjad took over as acting President. Mr. Moeen Quereshi was sworn in as Prime Minister.

PARAGUAY

New President : On 16 August, Mr. Juan Carlos Wasmosy was sworn in as the first democratically elected interim President in succession to Gen. Andres Rodriguez.

RUSSIA

Political developments : On 1 July, it was reported that the Svendlovsk Regional Council declared the region a Republic with Vekaterinburg as its Capital. Viadivostok's Parliament passed a resolution on 8 July, also declaring itself to be a Republic.

On 12 July, delegates, to the constitutional convention approved a final draft of a new Constitution for the country.

On 27 July, President Mr. Boris Yeltsin dismissed the Minister of Security, Mr. Viktor Barannikov.

The Minister for Foreign Economic Relations, Mr. Sergei Glaziyer resigned on 21 August.

On 1 September, President Yeltsin suspended Vice-President Mr. Alexander Rutskoi and the first Deputy Prime Minister Mr. Vladimir Shumeiko until allegations of misbehaviour involving them were cleared up. Parliament, on 3 September, voted to suspend the decree and called on the Constitutional Court to rule whether the decree was constitutional.

President Yeltsin dissolved the Parliament on 21 September and called for fresh elections on 11 and 12 December. Parliament declared Mr. Rutskoi as the acting President. They also urged the troops to disobey President Yeltsin's orders.

On 22 September, the Constitutional Court declared President Yeltsin's decree illegal.

On 23 September, the President announced that Presidential elections would be held on 12 July 1994. The Parliament, in an emergent session, passed a resolution asking the President to "surrender or leave the country".

The Russian guards surrounded the White House on 24 September. The Government, on 29 September, issued an ultimatum to those holed up inside the White House to give up arms and hand themselves over to the authorities by 4 October.

RWANDA

New Prime Minister : On 18 July, President Juvenal Habyarimana appointed Ms. Agatha Uwilingiyimana as the country's Prime Minister.

SEYCHELLES

Election results : On 24 July, Mr. Albert Rene was re-elected President in the country's first multi-party elections in 16 years. Mr. Renes Seychelles Peoples Progressive Front won 28 of the 33 parliamentary seats.

SINGAPORE

New President : On 29 August, the former Deputy Prime Minister Mr. Ong Teng Cheong was elected President winning 59 per cent of the valid votes polled.

SOUTH AFRICA

Bill on power-sharing passed : On 23 September, Parliament approved a Bill providing for a Transitional Executive Council which would comprise representatives from all sections of society.

TOGO

Election results : The Military ruler Gnassingbe Eyadema secured 96.99 per cent votes in the Presidential elections held on 27 August. The elections were boycotted by the Opposition.

UK

Trust vote passed : On 23 July, Prime Minister Mr. John Major won a vote of confidence in the House of Commons by 339 votes to 299 votes.

DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST

The Delhi Municipal Corporation (Amendment) Bill, 1993 sought to reorganise the administrative and municipal set up in Delhi. The Government appointed a Committee to go into the various issues connected with the administrative and municipal set up of Delhi and to recommend measures for streamlining of the same. The Committee recommended a decentralised municipal administration.

To give effect to the recommendations of the Committee and decision of the Government thereto, the Delhi Municipal Corporation (Amendment) Bill 1992 was introduced in Lok Sabha on 24 November 1992. With the passing of the Constitution (Seventy-second Amendment) Bill, 1992 and Constitution (Seventy-third Amendment) Bill, 1992 relating to Panchayats and Municipalities, respectively, and since the provisions of these constitutional Amendments had a bearing on the composition, duration, reservation of seats and responsibilities of Panchayats and Municipalities, it became necessary to make further changes in the Delhi Municipal Corporation (Amendment) Bill, 1992. The Government had, therefore, proposed to withdraw the Delhi Municipal Corporation (Amendment) Bill, 1992 and to introduce a new Amendment Bill in harmony with the aforesaid Constitution Amendment Acts with such modifications as were necessary in view of the special requirements of the Union Territory of Delhi.

The Bill sought to bring changes, *viz.* constitution of Wards Committees comprising of one or more wards, increase the number of Councillors to 134, inclusion of 10 persons with special knowledge or experience in Municipal administration, representation of Members of Lok Sabha representing constituencies in the municipal areas and Members of Rajya Sabha registered as electors in the municipal areas in the Corporation, reservation of seats for women, setting up of an Election Commission for the National Capital Territory of Delhi, setting up of a Finance Commission to review the financial position of the Corporation, etc. The Bill which sought to achieve the above objectives was passed by Lok Sabha and Rajya Sabha on 4 and 19 August 1993, respectively, and received President's assent on 17 September 1993.

The Parliament (Prevention of Disqualification) Amendment Bill, 1993 sought to amend the Parliament (Prevention of Disqualification) Act, 1959 to give effect to the recommendations of the Joint Committee on Offices of Profit. The Committee examined

the emoluments and allowances payable to the Chairpersons, Vice-Chairpersons and members of the Planning Commission, the National Commission for Minorities, the National Commission for Scheduled Castes and Scheduled Tribes and the National Commission for Women with a view to considering whether the holders of offices of these Commissions would incur disqualification under article 102(1) of the Constitution for being a member of Parliament. It recommended the Government to amend the Parliament (Prevention of Disqualification) Act, 1959 so as to include these offices under the relevant Schedule to prevent the holders of these posts from incurring disqualification for being a Member of Parliament.

The Parliament (Prevention of Disqualification) Act 1959 was amended by the Parliament (Prevention of Disqualification) Amendment Act, 1992 for exempting the holder of the office of Deputy Chairman, Planning Commission from incurring disqualification. In order to exempting the holder of office of Deputy Chairman, Planning Commission, the Parliament (Prevention of Disqualification) Amendment Ordinance, 1993 was promulgated on 19 July 1993. It was proposed to replace the said Ordinance and give effect to the other recommendations of the Joint Committee referred to above.

The Bill which sought to achieve the above objectives was passed by Rajya Sabha and Lok Sabha on 18 and 21 August 1993, respectively, and received President's assent on 27 August 1993.

The Extradition (Amendment) Bill, 1993 sought to amend the Extradition Act 1962, which made a distinction between Commonwealth countries and foreign States and considered only foreign States as treaty States. Such distinction made in the Extradition Act, 1962 between foreign States and Commonwealth countries did not hold good in view of the change of time and rapid developments in Extradition Law at the international level. The Civil Law countries have specific requirements for purposes of extradition with them. In addition to that, terrorism and drug trafficking had thrown new challenges necessitating changes in the Extradition Law.

The purpose of the Bill was to amend the Extradition Act, 1962 to incorporate in it the above changes and to achieve the objectives, viz. to enable India to conclude extradition treaties with foreign States, including the Commonwealth countries. It sought to provide for extra-territorial jurisdiction over foreigners for crimes committed by them outside India; to incorporate composite offences in the definition of extradition offence; to exclude political offence as a defence in case of offences of a serious nature; to cover extradition requests on the basis of international conventions within the scope of the Act; to enable Central Government to make and receive requests for provisional arrest of fugitives in urgent cases; and to enable the Central Government to give assurance pursuant to a treaty obligation to the requested State

for the non-execution of death penalty. The Bill, which sought to achieve the above objectives, was passed by Rajya Sabha and Lok Sabha on 24 and 28 August 1993, respectively, and received President's assent on 4 September 1993.

We reproduce here the text of the above Acts.

—Editor

THE DELHI MUNICIPAL CORPORATION (AMENDMENT) ACT, 1993

An Act further to amend the Delhi Municipal Corporation Act, 1957.

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

1. *Short title and commencement.* (1) This Act may be called the Delhi Municipal Corporation (Amendment) Act, 1993.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

2. *Amendment of section 2.* In section 2 of the Delhi Municipal Corporation Act, 1957 (hereinafter referred to as the principal Act)—

(a) for clause (1), the following clause shall be substituted, namely :

'(1) "Administrator" means the Lieutenant Governor of the National Capital Territory of Delhi;

(b) clauses (12), (14) and (14A) shall be omitted;

(c) after clause (15), the following clauses shall be inserted, namely :

'(15A) "Election Commission" means the Election Commission of the National Capital Territory of Delhi referred to in section 7;

(15B) "Election Commissioner" means the Election Commissioner of the National Capital Territory of Delhi appointed by the Administrator under section 7;

(d) clause (19) shall be omitted;

(e) after clause (21), the following clause shall be inserted, namely :

'(21A) "Government" means the Government of the National Capital Territory of Delhi;

(f) in clause (27), the words "or an alderman thereof" shall be omitted;

(g) clause (31) shall be omitted;

(h) after clause (63), the following clause shall be inserted, namely:

'(63A) "Wards Committee" means the Wards Committee referred to in section 50;

- (i) clause (65) shall be omitted;
- (j) after clause (67), the following clause shall be inserted, namely :
'(68) "Zone" means a Zone referred to in section 3A.'

3. Amendment of section 3. In section 3 of principal Act—

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

"(3) (a) The Corporation shall be composed of the councillors;

(b) the following persons shall be represented in the Corporation, namely:

- (i) ten persons, who are not less than 25 years of age and who have special knowledge or experience in municipal administration, to be nominated by the Administrator :

Provided that the persons nominated under this sub-clause shall not have the right to vote in the meetings of the Corporation;

- (ii) members of the House of the People representing constituencies which comprise wholly or partly the area of the Corporation and the members of the Council of States registered as electors within the area of the Corporation;

- (iii) as nearly as possible one-fifth of the members of the Legislative Assembly of the National Capital Territory of Delhi representing constituencies which comprise wholly or partly the area of the Corporation to be nominated by the Speaker of that Legislative Assembly, by rotation, every year :

Provided that while nominating such members, by rotation, the Speaker shall ensure that as far as possible all the members are given an opportunity of being represented in the Corporation at least once during the duration of the Corporation;

- (iv) the Chairpersons of the Committees, if any, constituted under sections 39, 40 and 45, if they are not councillors."

(ii) in sub-section (4), the words "and alderman shall be chosen by the councillors from among persons who are qualified to be councillors but are not councillors themselves" shall be omitted;

(iii) for sub-section (6), the following sub-section shall be substituted, namely :

"(6) Upon the completion of each census after the establishment of the Corporation the number of seats shall be on the basis of the population of Delhi as ascertained at that census and shall be determined by the Central Government by notification in the Official Gazette

and the number of seats to be reserved for the members of the Scheduled Castes shall, as nearly as may be, bear the same ratio to the total number of seats as the population of Scheduled Castes bears to the total population of Delhi :

Provided that the total number of seats shall in no case be more than one hundred and thirty-four or less than eighty :

Provided further that the determination of seats as aforesaid shall not affect the then composition of the Corporation until the expiry of the duration of the Corporation :

Provided also that for the first election to the Corporation to be held immediately after the commencement of the Delhi Municipal Corporation (Amendment) Act, 1993, the provisional population figures of Delhi as published in relation to 1991 census shall be deemed to be the population of Delhi as ascertained in that census :

Provided also that the seats reserved for the Scheduled Castes may be allotted by rotation to different wards in such manner as the Central Government may, by order published in the Official Gazette, direct.,"

(iv) for sub-section (7), the following sub-section shall be substituted, namely :

"(7) Seats shall be reserved for women belonging to the Scheduled Castes, from among the seats reserved for the Scheduled Castes, the number of such seats being determined by the Central Government by order published in the Official Gazette which shall not be less than one-third of the total number of seats reserved for the Scheduled Castes."

(v) after sub-section (7), the following sub-section shall be inserted, namely :

"(8) Seats shall be reserved for women the number of such seats being determined by order published in the Official Gazette by the Central Government which shall not be less than the one-third of total number of seats other than those reserved for the Scheduled Castes :

Provided that such seats reserved for women shall be allotted by rotation to different wards in such manner as the Central Government may, by order published in the Official Gazette, direct in this behalf."

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

"3A. *Division of Delhi into zones.* (1) Delhi shall be divided in to the number of zones specified in column (1) of the Fourteenth Schedule and each zone shall be known by the name specified in column 2 of that Schedule and each zone shall extend to the areas comprised in the wards specified against that zone in column (3) of the said Schedule.

(2) The Central Government may after consultation with the Government, from time to time, by notification in the Official Gazette, alter the names, increase or diminish the area or any zone specified in column (3) of the Fourteenth Schedule."

5. *Substitution of new section for section 4.* For section 4 of the principal Act, the following section shall be substituted, namely :

"4. *Duration of the Corporation.* (1) The Corporation, unless sooner dissolved under section 490, shall continue for five years from the date appointed for its first meeting and no longer.

(2) An election to constitute the Corporation shall be completed—

(i) before the expiry of a its duration specified in sub-section (1);

(ii) before the expiration of period of six months from the date of its dissolution :

Provided that where the remainder of the period for which the dissolved Corporation would have continued is less than six months, it shall not be necessary to hold any section under this sub-section for constituting the Corporation for such period."

6. *Amendment of section 5.* In section 5 of the principal Act, in sub-section (2),-

(i) in clause (b), the word "and" occurring at the end, shall be omitted;

(ii) after clause (c), the following clauses shall be inserted, namely :

"(d) the wards in which seats shall be reserved for women; and

(e) the manner in which seats shall be rotated under sub-sections (6) and (8) of section 3."

7. *Omission of section 5A.* Section 5A of the principal Act shall be omitted.

8. *Substitution of new section for section 7.* For section 7 of the principal Act, the following section shall be substituted, namely :

"7. *Elections to the Corporation.* (1) The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to the Corporation shall be vested in the Election Commission of the National Capital Territory of Delhi consisting of an Election Commissioner to be appointed by the Administrator.

(2) Subject to the provisions of any law made by the Legislative Assembly of the National Capital Territory of Delhi, the conditions of service and tenure of office of the Election Commissioner shall be such as the Administrator may by rules determine : .

Provided that the Election Commissioner shall not be removed

from office except in a like manner and on the like grounds as a Judge of a High Court and the conditions of service of the Election Commissioner shall not be varied to his disadvantage after his appointment.

(3) The Administrator shall, when so requested by the Election Commission make available to that Commission such staff which the Administrator considers necessary for discharge of the functions conferred on the Election Commission by sub-section(1)."

9. *Amendment of section 7B.* In section 7B of the principal Act,—

(i) in sub-section (1), for the words "Central Government may", the words "the Election Commission may, in consultation with the Government," shall be substituted;

(ii) in sub-section (2), for the words "Director of Municipal Elections may employ such persons as he thinks fit," the words "Election Commission may employ such persons as it thinks fit" shall be substituted.

10. *Amendment of section 7C.* In section 7C of the principal Act, in sub-section (1), for the words "the Central Government," the words "the Election Commission" shall be substituted.

11. *Amendment of section 7D.* In section 7D of the principal Act,—

(i) for the words "a parliamentary constituency," in both the places where they occur, the words "an assembly constituency" shall be substituted;

(ii) in the *Explanation*, for the words "parliamentary constituency," the words "an assembly constituency" shall be substituted.

12. *Amendment of section 7E.* In section 7E of the principal Act,—

(i) for the words "Central Government", wherever they occur, the words "Election Commission" shall be substituted;

(ii) in sub-section (1), in the proviso, for the words "parliamentary constituency", in both the places where they occur, the words "the assembly constituency" shall be substituted.

13. *Amendment of section 7F.* In section 7F of the principal Act, for the words "Director of Municipal Elections", the words "Election Commission" shall be substituted.

14. *Amendment of section 7H.* In section 7H of the principal Act, for the words "Director of Municipal Elections", the words "Election Commission" shall be substituted.

15. *Amendment of section 7-I.* In section 7-I of the principal Act, in clause (b) for the words "Director of Municipal Elections", the words "Election Commission" shall be substituted.

16. *Amendment of section 8.*—In section 8 of the principal Act,-

(i) for the words "unless his name", the words "unless he has attained the age of twenty-one years and his name" shall be substi-

tuted;

(ii) after the proviso, the following proviso shall be inserted, namely :-

"Provided further that in the case of a seat reserved for woman, no person other than a woman shall be qualified to be chosen as a councillor."

17. *Amendment of section 9.* In section 9 of the principal Act,—

(i) in sub-section (1),—

(a) in the opening portion, the words, "or an alderman" shall be omitted;

(b) for clauses (d) and (e), the following clauses shall be substituted, namely :

"(d) if he is so disqualified by or under any law for the time being in force for the purposes of elections to the Legislative Assembly of the National Capital Territory of Delhi;

(e) if he is so disqualified by or under any law made by the Legislative Assembly of the National Capital Territory of Delhi;"

(c) in clause (g), after the word "Government", the words "or Central Government" shall be inserted;

(d) in clause (k), for the words "Central Government", the words "Election Commission" shall be substituted;

(ii) in sub-section (2),—

(a) sub-clause (a) shall be omitted;

(b) in clause (b),—

(A) in sub-clause (ii), the words "or an alderman" shall be omitted;

(B) for sub-clause (iii), the following sub-clause shall be substituted, namely :

"(iii) any fee for attendance at meetings of any committee of the Corporation;"

(c) in clause (c), for sub-clause (vi), the following sub-clause shall be substituted, namely :

"(vi) any agreement or contract with the Corporation or any municipal authority for any goods or services which the Corporation may generally supply."

18. *Amendment of section 11.* In section 11 of the principal Act,—

(i) sub-section (2) shall be omitted;

(ii) in sub-section (3),—

(a) for the words "Director of Municipal Elections", the words "Election Commission" shall be substituted;

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

"Provided further that where in any ward a seat has been reserved for woman, such notification or notifications shall specify that the person to fill that seat shall be a woman."

19. Amendment of section 12. In section 12 of the principal Act,—

(a) in sub-section(1),—

(i) for the words "Director of Municipal Elections", the words "Election Commission" shall be substituted;

(ii) in the proviso, for the words "four months", the words "six months" shall be substituted;

(b) after sub-section (2), the following sub-section shall be inserted, namely :

"(3) If the vacancy be a vacancy in a seat reserved for women the notification issued under sub-section(1) shall specify that the person to fill that seat shall be a woman."

20. Omission of section 13. Section 13 of the principal Act shall be omitted.

21. Substitution of new section for section 14. For section 14 of the principal Act, the following section shall be substituted, namely :

"14. *Publication of result of election.* The names of all persons elected as councillors shall, as far as may be, after each election, be published by the Election Commission simultaneously in the Official Gazette."

22. Amendment of section 15. In section 15 of the principal Act,—

(a) in sub-section (1), the words "or an alderman" shall be omitted;

(b) for sub-section (2), the following sub-section shall be substituted, namely :

"(2) An election petition calling in question any such election may be presented under any of the grounds specified in section 17 by any candidate at such election, by any elector of the ward concerned or by any councillor."

23. Amendment of section 17. In section 17 of the principal Act, in sub-section (1), in clause(a), the words "or, as the case may be, as an alderman" shall be omitted.

24. Amendment of section 21. In section 21 of the principal Act, in sub-section (2), the words "or an alderman" shall be omitted.

25. Amendment of section 30. In section 30 of the principal Act, in sub-section (5), for the words "Director of Municipal Elections", the words "Election Commission" shall be substituted.

(b) if he files a declaration under that sub-section which is either false or which he knows or believes to be false.

32B. Vacation of seats in case of multiple membership. No councillor shall be member both of the Corporation and Parliament or the Legislative Assembly and if a person is so chosen, then at the expiration of fourteen days from the date of the publication in the Gazette of India, or as the case may be, in the Official Gazette, whichever is later that he has been so chosen, that person's seat in Parliament or the Legislative Assembly shall become vacant unless he has previously resigned his seat in the Corporation."

29. Amendment of section 33. In section 33 of the principal Act,—

(a) the words "or an alderman" wherever they occur shall be omitted;

(b) in sub-section (1), in clause (a), for the words and figure "section 9 or", the words, figures, brackets and letter "section 9 or sub-section (2) of section 32A or" shall be substituted;

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

"(3) If any question arises as to whether a councillor has become subject to any of the disqualifications mentioned in section 9 or sub-section (2) of section 32A, the question shall be referred for the decision of the Administrator and his decision shall be final."

(d) after sub-section (3), the following sub-section shall be inserted, namely :-

"(4) Before giving any decision on any such question, the Administrator shall obtain the opinion of the Election Commission and shall act according to such opinion."

30. Insertion of new sections 33A to 33D. After section 33 of the principal Act, the following sections shall be inserted, namely :

"33A. Powers of Election Commission. (1) Where in connection with the tendering of any opinion to the Administrator under sub-section (4) of section 33, the Election Commission considers it necessary or proper to make an inquiry, and the Commission is satisfied that on the basis of the affidavits filed and the documents produced in such inquiry by the parties concerned of their own accord, it cannot come to a decisive opinion on the matter which is being inquired into, the Commission shall have, for the purposes of such inquiry, the powers of a civil court, while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters, namely :

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

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

other material object producible as evidence;

(c) receiving evidence on affidavits;

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

(e) issuing commissions for the examination of witnesses or documents.

(2) The Commission shall also have the power to require any person, subject to any privilege which may be claimed by that person under any law for the time being in force, to furnish information on such points or matters as in the opinion of the Commission may be useful for, or relevant to, the subject-matter of the inquiry.

(3) The Commission shall be deemed to be a civil court and when any such offence, as is described in section 175, section 178, section 179, section 180 or section 223 of the Indian Penal Code, is committed in the view or presence of the Commission, the Commission may, after recording the facts constituting the offence and the statement of the accused as provided for in the Code of Criminal Procedure, 1973, forward the case to a magistrate having jurisdiction to try the same and the magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case had been forwarded to him under section 346 of the Code of Criminal Procedure, 1973.

(4) Any proceeding before the Commission shall be deemed to be a judicial proceeding within the meaning of section 193 and section 228 of the Indian Penal Code.

33B. *Statements made by persons to the Election Commission.* No statement made by a person in the course of giving evidence before the Election Commission shall subject him to, or be used against him in, any civil or criminal proceeding except a prosecution for giving false evidence by such statement :

Provided that the statement—

(a) is made in reply to a question which he is required by the Commission to answer; or

(b) is relevant to the subject-matter of the inquiry.

33C. *Procedure to be followed by the Election Commission.* The Election Commission shall have the power to regulate its own procedure (including the fixing of places and times of its sittings and deciding whether to sit in public or in private).

33D. *Protection of action taken in good faith.* No suit, prosecution or other legal proceedings shall lie against the Commission or any person acting under the direction of the Commission in respect of anything which is in good faith done or intended to be done in pursuance of the foregoing provisions of sections 33A to 33C or of any order made thereunder or in respect of the tendering of any opinion by the Commission to the Adminis-

trator or in respect of the publication, by or under the authority of the Commission of any such opinion, paper or proceedings.

31. Amendment of section 34. In section 34 of the principal Act, for the words "the councillors and the alderman", the words, brackets, letter and figures "the councillors and the persons referred to in clause (b) of sub-section (3) of section 3" shall be substituted.

32. Amendment of section 35. In section 35 of the principal Act,—

(i) in sub-section (1),-

(A) after the words "its members to be", the words "the Chairperson to be known as" shall be added;

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

"Provided that during the duration of the Corporation, the office of the Mayor shall be reserved in favour of a member who is a woman for the first year of the Corporation and in favour of a member belonging to a Scheduled Caste for the third year of the Corporation."

(ii) after sub-section(2), the following sub-section shall be inserted, namely :

"(3) If the vacancy be a casual vacancy in the office of the Mayor and is reserved for woman or for Scheduled Castes, the vacancy shall be filled by electing one of the councillors from amongst women or a member of the Scheduled Castes as the case may be."

33. Amendment of section 36. In section 36 of the principal Act,—

(i) in sub-section (1), the words "or his term of office as a member of the Corporation terminates in any manner" shall be omitted;

(ii) in sub-section (3),—

(a) in clause (a), the letter and brackets "(a)" shall be omitted;

(b) clause (b) shall be omitted.

34. Amendment of section 39. In section 39 of the principal Act,—

(i) in sub-section (1) for the words "the Delhi Electric Supply Committee and the Delhi Water Supply and Sewage Disposal Committee", the words "and the Wards Committee" shall be substituted;

(ii) in sub-section (7), for the words "to be the Chairman and another member to be the Deputy Chairman", the words "who is a councillor to be the Chairman and another member to be the Deputy Chairman" shall be substituted.

35. Amendment of section 40. In section 40 of the principal Act,—

(i) sub-sections (3), (4) and (5) shall be omitted;

(ii) in sub-section (6), after the words "one of its members," the

words "who is a councillor" shall be inserted.

36. Amendment of section 42. In section 42 of the principal Act,—

(i) in the opening portion, for the words "It shall be incumbent", the words "Subject to the provisions of this Act and any other law for the time being in force, it shall be incumbent" shall be substituted;

(ii) clauses (b), (d) and (u) shall be omitted;

(iii) in clause (j), the word "hospitals" shall be omitted;

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

"(jj) the maintenance including the expansion and upgradation of facilities of the hospitals existing on the date of the commencement of the Delhi Municipal Corporation (Amendment) Act, 1993;"

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

"(wa) the preparation of plans for economic development and social justice."

37. Amendment of section 43. In section 43 of the principal Act, in the opening portion, for the words "The Corporation may in its discretion", the words "Subject to any general or special order of the Government, from time to time, the Corporation may" shall be substituted.

38. Substitution of new section for section 44. For section 44 of the principal Act, the following section shall be substituted, namely;

"44. Enumeration of municipal authorities. For the efficient performance of its functions, there shall be the following municipal authorities under the Corporation, namely :

(a) the Standing Committee;

(b) the Wards Committee; and

(c) the Commissioner."

39. Amendment of section 45. In section 45 of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted namely :

"(1) The Standing Committee shall consist of —

(i) six members elected by the councillors from among themselves at the first meeting of the Corporation;

(ii) one member each elected by the members of each Wards Committee from among themselves at the first meeting of the Wards Committee;

After each general election or as soon as possible at any other meeting subsequent thereto."

(b) in sub-section (2), for the words "from the date of such election", the words "from such date as may be determined by the Corporation by

resolution" shall be substituted;

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

"(3) One-half of the members referred to in clause (i) of sub-section (1) and one-half of the members referred to in clause (ii) of that sub-section shall retire on the expiration of one year from the date of the constitution of the Standing Committee after the commencement of the Delhi Municipal Corporation (Amendment) Act, 1993, and for that purpose they shall be selected by lot from amongst their respective categories before the said expiration in such manner as the Chairman of the Standing Committee may determine."

(d) for sub-section (5), the following sub-section shall be substituted, namely :

"(5) The Corporation or the concerned Wards Committee, as the case may be, shall in a meeting held immediately before the occurrence of the vacancies caused by the retirement of the members under sub-section (3) or sub-section(4), elect the requisite member or members from amongst the councillors or from amongst members of the Wards Committee, as the case may be, to fill up those vacancies."

(e) in sub-section (6), the words "or alderman" shall be omitted.

40. *Amendment of section 46.* In section 46 of the principal Act, in sub-section (1),—

(i) for the words "Corporation shall", the words "Corporation or, as the case may be, Wards Committee shall" shall be substituted; and

(ii) for the word "alderman", the words, brackets, letter and figures "persons referred to in sub-clause (i) of clause (b) of sub-section (3) of section 3" shall be substituted.

41. *Amendment of section 47.* In sub-sections (1) and (3) of section 47, after the words "one of its members", the words "who is a councillor" shall be inserted.

42. *Substitution of new heading and new sections for heading and sections 50 to 53.* For the heading "*The Delhi Electric Supply Committee and the Delhi Water Supply and Sewage Disposal Committee*" before section 50 and for sections 50 to 53 (both inclusive) of the principal Act, the following heading and sections shall be substituted, namely :

The Wards Committees

50. *Constitution of the Wards Committee.* (1) For each Zone there shall be a Wards Committee which shall consist of,—

(a) all the councillors elected from the wards comprised in that Zone; and

(b) the person, if any, nominated by the Administrator under sub-

clause (i) of clause (b) of sub-section (3) of section 3 if his name is registered as an elector within the territorial limits of the Zone concerned.

(2) The Wards Committee shall be deemed to have been constituted from the date on which the Corporation is constituted after each general election.

51. *Application of sections 47 and 48.* The provisions of sections 47 and 48 shall apply in relation to a Wards Committee as they apply in relation to the Standing Committee.

52. *Powers and functions of the Wards Committee.* (1) Subject to the provisions of this Act every Wards Committee shall exercise the powers and perform the functions as specified in the Fifteenth Schedule on behalf of the Corporation in relation to that Zone.

(2) The Central Government may, after consultation with the Government by notification in the Official Gazette amend the Fifteenth Schedule.

(3) When any question arises as to whether any matter falls within the purview of a Wards Committee or the Corporation, it shall be referred to the Government and the decision of that Government thereon shall be final.

43. *Amendment of section 59.* In section 59 of the principal Act,—

(a) in the opening portion, the words "other than those pertaining to the Delhi Electric Supply Undertaking" shall be omitted;

(b) for clause (d), the following clause shall be substituted, namely:

"(d) subject to any regulation that may be made in this behalf. be the disciplinary authority in relation to all municipal officers and other municipal employees."

44. *Omission of sections 60 to 64.* The heading "*The General Manager (Electricity)*" before section 60 and sections 60 to 64 (both inclusive) of the principal Act shall be omitted.

45. *Amendment of section 65.* In section 65 of the principal Act, in sub-section (1), for the words "the Delhi Electric Supply Committee or the Delhi Water Supply and Sewage Disposal Committee", the words "or the Wards Committee" shall be substituted.

46. *Amendment of section 66.* In section 66 of the principal Act,—

(a) in sub-section (1),

(i) the words and brackets "or the General Manager (Electricity)";

(ii) the words "or General Manager, as the case may be" shall be omitted;

(b) in sub-section (2),—

(i) the words and brackets "or the General Manager (Electricity)";

(ii) in the proviso, the words "or such General Manager" shall be omitted.

47. Amendment of section 67. In section 67 of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted, namely :

"(1) A member of the Standing Committee or a Wards Committee, if he ceases to be a councillor or ceases to represent any of the categories mentioned in sub-clause (ii) of clause (b) of sub-section (3) of section 3 shall cease to be a member of that Committee and his seat shall thereupon become vacant."

(b) in sub-section (2), the words "the Delhi Electric Supply Committee or the Delhi Water Supply and Sewage Disposal Committee" shall be omitted.

48. Amendment of section 68. In section 68 of the principal Act, for the words "the Delhi Electric Supply Committee or the Delhi Water Supply and Sewage Disposal Committee, the words "or the Wards Committee" shall be substituted.

49. Amendment of section 69. In section 69 of the principal Act, for the words "the Delhi Electric Supply Committee, the Delhi Water Supply and Sewage Disposal Committee", the words "the Wards Committee" shall be substituted.

50. Amendment of section 70. In section 70 of the principal Act,—

(a) in sub-section (1), in clauses (b) and (c), the words "except in regard to the Delhi Electric Supply Undertaking" shall be omitted;

(b) sub-section (3) shall be omitted.

51. Amendment of section 71. In section 71 of the principal Act, in clause (b), in sub-clause (i), the words "or, as the case may be, the Delhi Electric Supply Committee or the Delhi Water Supply and Sewage Disposal Committee" shall be omitted.

52. Amendment of section 72. In section 72 of the principal Act, in sub-section (2) for the words "and alderman", the words, brackets, letter and figures "and other person referred to in clause (b) of sub-section (3) of section 3" shall be substituted.

53. Amendment of section 73. In section 73 of the principal Act, the words "of alderman" shall be omitted.

54. Amendment of section 74. In section 74 of the principal Act,—

(i) for the words "and alderman" in both the places where they occur, the words, brackets, letter and figures "and the persons referred to in clause (b) of sub-section (3) of section 3" shall be substituted.

(ii) in the proviso, for the words "or alderman", the words, brackets, letter and figures "or the persons referred to in clause (b) of sub-section (3) of section 3" shall be substituted.

55. Amendment of section 75. In section 75 of the principal Act, in sub-section (1), the words, figures, letter and brackets "and the persons referred to in sub-clauses (ii), (iii) and (iv) of clause (b) of sub-section (3) of section 3" shall be inserted at the end.

56. Amendment of section 76. In section 76 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely :

"(2) In the absence of both the Mayor and Deputy Mayor from the meeting, the members and the persons referred to in sub-clauses (ii), (iii) and (iv) of clause (b) of sub-section (3) of section 3 shall elect one from among the councillors to preside."

57. Amendment of section 77. In section 77 of the principal Act, in clause (a), the words "or an alderman" shall be omitted.

58. Amendment of section 78. In section 78 of the principal Act,—

(i) in sub-section (1), for the word "members", the words, brackets, letter and figures "members and persons referred to in sub-clauses (ii), (iii) and (iv) of clause (b) of sub-section (3) of section 3" shall be substituted;

(ii) in sub-section (3), for the word "members", the words, brackets, letter and figures "members and persons referred to in sub-clauses (ii), (iii) and (iv) of clause (b) of sub-section (3) of section 3" shall be substituted;

(iii) in sub-section (4), for the word "members", the words, brackets, letter and figures "members and persons referred to in sub-clauses (ii), (iii) and (iv) of clause (b) of sub-section (3) of section 3" shall be substituted.

59. Amendment of section 79. In section 79 of the principal Act,—

(i) for the words "or alderman", wherever they occur, the words, brackets, letter and figures "or persons referred to in clause; (b) of sub-section (3) of section 3" shall be substituted;

(ii) in sub-section (4), for the word "members" the words, brackets, letter and figures "members and persons referred to in sub-clauses (ii), (iii) and (iv) of clause (b) of sub-section (3) of section 3" shall be substituted.

60. Amendment of section 80. In section 80 of the principal Act, for the word "alderman", the words, brackets, letter and figures "person referred to in sub-clauses (ii), (iii) and (iv) of clause (v) of sub-section (3) of section 3" shall be substituted.

61. Amendment of section 81. In section 81 of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted, namely :

"(1) The Commissioner or any municipal officer authorised by him in this behalf may attend, speak in, or otherwise take part in the proceedings of any meeting of the Corporation or any of its Committees, but none of the persons specified herein shall by virtue of this sub-section be entitled to vote in any such meeting."

(b) in sub-section (2), for the word "alderman", the words, brackets, letter and figures "person referred to in sub-clauses (ii), (iii) and (iv) of clause (b) of sub-section (3) of section 3" shall be substituted;

(c) sub-section (8) shall be omitted.

62. Amendment of section 83. In section 83 of the principal Act,—

(a) in sub-section (1), for the words "Delhi Electric Supply Committee and the Delhi Water Supply and Sewage Disposal Committee", the words "Wards Committee" shall be substituted;

(b) in sub-section (2), for the words "of their numbers" the words "from amongst the councillors" shall be substituted.

63. Amendment of section 85. In section 85 of the principal Act,

(i) for the words "members present", the words, brackets, letter and figures "members and other persons referred to in clause (b) of sub-section (3) of section 3 present" shall be substituted;

(ii) the words "of the councillors for the election of any alderman and of each meeting" shall be omitted.

64. Amendment of section 86. In section 86 of the principal Act,—

(i) in sub-section (1), for the words "members of the Corporation", the words brackets, letter and figures "persons referred to in clause (b) of sub-section (3) of section 3" shall be substituted;

(ii) in sub-section (2), for the words "members of the Corporation", the words, brackets, letter and figures "persons referred to in clause (b) of sub-section (3) of section 3" shall be substituted.

65. Amendment of section 88. In section 88 of the principal Act,—

(i) in sub-section (1),

(a) in clause (a), the words "or alderman" shall be omitted;

(b) in clause (c), for the words "councillor having voted", the words, brackets, letter and figures "councillor or any person referred to in sub-clauses (ii), (iii) and (iv) of clause (b) of sub-section (3) of section 3" shall be substituted;

(ii) in sub-section (2), the words "of the councillors for the election of any alderman or" shall be omitted.

66. Amendment of section 89. In section 89 of the principal Act,—

(a) in sub-section (1), the words and brackets "the Chief Engineer (Water Supply)" shall be omitted;

(b) in sub-section (2), the word "Central" shall be omitted.

67. Amendment of section 90. In section 90 of the principal Act,—

(a) in sub-section (1), (4), (5) and (6) for the words "appropriate authority", wherever they occur, the word "Commissioner" shall be substituted;

(b) in sub-sections (1), (4) and (5), for the words "the Committee concerned", wherever they occur, the words "the Standing Committee" shall be substituted;

(c) in sub-sections (3) and (6), for the words "The Committee concerned", wherever they occur, the words "The Standing Committee" shall be substituted;

(d) in sub-section (3), for the words "appropriate authority or at the instance of such authority" the words "Commissioner or at his instance" shall be substituted;

(e) in sub-section (4), for the words "such authority", the words "the Commissioner" shall be substituted;

(f) sub-section (7) shall be omitted.

68. Amendment of section 92. In section 92 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely :

"(1) Subject to the provisions of section 89, the power of the appointing municipal officers and other municipal employees whether temporary or permanent shall vest in the Commissioner :

Provided that the power of appointing officers and other employees immediately subordinate to the Municipal Secretary or the Municipal Chief Auditor to category B posts or category C posts shall vest in the Standing Committee :

Provided further that the Standing Committee may delegate to the Municipal Secretary or the Municipal Chief Auditor the power of appointing officers and other employees immediately subordinate to the said Secretary or Auditor, to category C posts.

69. Insertion of new section 92A. After section 92 of the principal Act, the following section shall be inserted, namely :

"92A. *Recruitment to category B and category C posts.* The direct recruitment to category B and category C posts may be made by the Government through such agencies as may be prescribed by it."

70. Amendment of section 95. In section 95 of the principal Act, in sub-section (4), the following proviso shall be inserted at the end, namely :

"Provided that in the case of an officer or other employee

appointed by the Commissioner an appeal shall lie to the Administrator."

71. Amendment of section 96. In section 96 of the principal Act, the words and brackets "to the post of the General Manager (Electricity) or" shall be omitted.

72. Amendment of section 99. In section 99 of the principal Act,—

(a) in sub-section (1), clause (h) shall be omitted;

(b) for sub-section (2), the following sub-section shall be substituted, namely :

"(2) The Municipal Fund shall be held by the Corporation in trust for the purposes of this Act subject to the provisions herein contained and a General Account relating to all moneys received by or on behalf of the Corporation shall be maintained."

73. Substitution of new section for section 100. For section 100 of the principal Act, the following section shall be substituted, namely :

"100. *Municipal Fund to be kept in the State Bank of India.* All moneys payable to the credit of the Municipal Fund in the General Account shall be received by the Commissioner and shall be forthwith paid into the State Bank of India to the credit of the said Account which shall be entitled "The General Account of the Municipal Fund of Delhi."

74. Amendment of section 101. In section 101 of the principal Act, in sub-section (1), for clause (b), the following clause shall be substituted, namely :

"(b) the Commissioner or a Deputy Commissioner or an officer subordinate to the Commissioner authorised by the Standing Committee in this behalf."

75. Amendment of section 104. In section 104 of the principal Act, for the words and brackets, "or, as the case may be, the General Manager (Electricity) shall forthwith communicate the circumstances to the Standing Committee or the Delhi Water Supply and Sewage Disposal Committee or, as the case may be, the Delhi Electric Supply Committee", the words "shall forthwith communicate the circumstances to the Standing Committee" shall be substituted.

76. Amendment of section 106. In section 106 of the principal Act,—

(a) in sub-section (1), for the words and brackets "the General Manager (Electricity) in the case of any work in connection with the Delhi Electric Supply Undertaking and the Commissioner in the case of any other work", the words "the Commissioner" shall be substituted;

(b) in sub-section (3) , the words and brackets "or as the case may be, the General Manager (Electricity)" shall be omitted.

77. Substitution of new sections for section 107. For section 107 of the principal Act, the following sections shall be substituted, namely :

***107. Investment of surplus moneys.** (1) Surplus money standing at the credit of General Account of the Municipal Fund which cannot immediately be applied for the purposes specified in section 105 shall be deposited in the State Bank of India or in such scheduled bank or banks as the Corporation may select or be invested in public securities.

(2) The loss, if any, arising from such deposit of investment shall be debited to the General Accounts of the Municipal Fund.

107A. Constitution of Finance Commission. (1) The Administrator shall, as soon as may be, within one year from the commencement of the Constitution (Seventy-third Amendment) Act, 1992 and thereafter at the expiration of every fifth year constitute a Finance Commission to review the financial position of the Corporation and to make recommendations to the Administrator as to,—

(a) the principles which should govern,—

(i) the distribution between the National Capital Territory of Delhi and the Corporation of the net proceeds of the taxes, duties, tolls and fees leviable by the National Capital Territory of Delhi which may be divided between them;

(ii) the determination of the taxes, duties, tolls and fees which may be assigned to or appropriated by the Corporation;

(iii) the grants-in-aid to the Corporation from the consolidated fund of the National Capital Territory of Delhi;

(b) the measures needed to improve the financial position of the Corporation;

(c) any other matter referred to the Finance Commission by the Administrator in the interest of sound finance of the Corporation.

(2) The Legislature of the National Capital Territory of Delhi may by law provide for the composition of the Commission, the qualifications which shall be required for appointment of members thereof, and the manner in which they shall be selected.

(3) the Commission shall determine their procedure and shall have such powers in the performance of their functions as the Legislature of the National Capital Territory of Delhi, may, by law, confer on them.

(4) The Administrator shall cause every recommendation made by the Commission under this section together with an explanatory memorandum as to the action taken thereon to be laid before the Legislative Assembly of the National Capital Territory of Delhi."

78. Amendment of section 109. In section 109 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely :

"(1) The Corporation shall, on or before the 31st day of March of every year, adopt for the ensuing year the budget estimate which shall be an estimate of the income and expenditure of the Corporation to be

received and incurred on account of the municipal government of Delhi."

79. Amendment of Section 110. In section 110 of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted, namely :

"(1) On the recommendation of the Standing Committee in respect of the budget estimate, the Corporation may from time to time, during the year,—

(i) increase the amount of budget grant under any head;

(ii) make an additional budget grant for the purpose of meeting any special or unforeseen requirement arising during the said year; or

(iii) reduce the amount of the budget grant under any head :

Provided that due regard shall be had to all the requirements of this Act and in making any increase or any additional budget grant the estimated case balance at the close of the year shall not be reduced below the sum of one lakh rupees or such higher sum as the Corporation may determine in respect of the budget estimate."

(b) sub-section (5) shall be omitted.

80. Amendment of section 112. In section 112 of the principal Act, the words "or, as the case may be, the Delhi Electric Supply Committee or the Delhi Water Supply and Sewage Disposal Committee" shall be omitted.

81. Amendment of section 114. In section 114 of the principal Act, in sub-section (1), clauses (a), (b) and (c) shall be omitted.

82. Amendment of section 115. In section 115 of the principal Act,—

(a) sub-sections (1), (2) and (3) shall be omitted;

(b) in sub-section (4), in clause (b), the words "and not used or intended to be used exclusively for the purposes of the Delhi Electric Supply Undertaking or the Delhi Water Supply and Sewage Disposal Undertaking" shall be omitted.

83. Amendment of section 116. In section 116 of the principal Act, in sub-section (1), the following *Explanation* shall be inserted at the end, namely :

'*Explanation*—The expressions "water tax" and "scavenging tax" shall mean such taxes of that nature as may be levied by an appropriate authority.'

84. Omission of sections 117 and 118. Sections 117 and 118 of the principal Act shall be omitted.

85. Amendment of section 123. In section 123 of the principal Act, for

the Explanation, the following *Explanation* shall be substituted, namely :

'*Explanation*—The term "property taxes" in this section shall be deemed to include the costs on recovery of property taxes and the penalty, if any, payable, as specified in the bye-laws.'

86. Amendment of section 150. In section 150 of the principal Act, in sub-section (2), the word "Central" shall be omitted.

87. Amendment of section 164. In section 164 of the principal Act,—

(a) in sub-sections (1) and (2), the words "the scavenging tax, the fire tax and", wherever they occur shall be omitted;

(b) sub-section (3) shall be omitted.

88. substitution of new section for section 184. For section 184 of the principal Act, the following section shall be substituted, namely :

"184. *Proceeds of entertainment tax.* The proceeds of the entertainment and betting taxes collected in Delhi under the provisions of the Uttar Pradesh Entertainment and Betting Tax Act, 1937, as extended to Delhi (which shall form part of the Consolidated Fund of the National Capital Territory of Delhi) reduced by the cost of collection as determined by the Government shall, if the Legislative Assembly of the National Capital Territory of Delhi by appropriation made by law in this behalf so provides, be paid to the Corporation for the performance of its functions under this Act."

89. Amendment of section 185. In section 185 of the principal Act, in sub-section (1), for clause (d), the following clause shall be substituted, namely :

"(d) to pay off any debt due to the Central Government or the Government."

90. Amendment of section 195. In section 195 of the principal Act,—

(a) in sub-section (1), for the word "Government", in both the places where it occurs, the words "Central Government or the Government" shall be substituted;

(b) in sub-section (2), in the proviso, for the word "Government", the words "Central Government" shall be substituted.

91. Amendment of section 202. In section 202 of the principal Act,—

(i) for clauses (c) and (d), the following clauses shall be substituted, namely :

"(c) no contract which will involve an expenditure exceeding ten lakh rupees or such higher amount as the Central Government may from time to time, fix, shall be made by the Commissioner unless the same is previously approved by the Standing Committee; and

(d) every contract made by the Commissioner involving an expenditure exceeding one lakh rupees but not exceeding ten lakh rupees or such higher amount as may be fixed under clause (c) shall be reported by him, within one month after the same has been made to the Standing Committee."

(ii) clause (e) shall be omitted.

92. Substitution of new section for section 204. For section 204 of the principal Act, the following section shall be substituted, namely :

"204. *Accounts to be kept.* They shall be kept in such manner and in such form as may be prescribed by regulations the General Account of all receipts and expenditures of the Corporation."

93. Amendment of section 206. In section 206 of the principal Act, in sub-section (5), the word "Central" shall be omitted.

94. Amendment of section 207. In section 207 of the principal Act, in sub-section (1),

(a) for the words "of any of the Accounts", the words "of the General Account" shall be substituted;

(b) the word "Central", wherever it occurs, shall be omitted.

95. Amendment of section 208. In section 208 of the principal Act,—

(a) in sub-section (3), for the words, "the Standing Committee, the Delhi Electric Supply Committee, or the Delhi Water Supply and Sewage Disposal Committee," the words "or the Standing Committee" shall be substituted;

(b) in sub-section (4), the words "or, as the case may be, the Delhi Electric Supply Committee, or the Delhi Water Supply and Sewage Disposal Committee" shall be omitted.

96. Omission of Chapters XII and XIII. Chapters XII and XIII of the principal Act shall be omitted.

97. Amendment of section 298. In section 298 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely :

"(3) Notwithstanding anything contained in sub-sections (1) and (2), the Central Government may, by notification, direct that all or any of the functions of the Corporation or the Commissioner, in respect of public streets under this Act shall be performed by such authority as may be specified therein."

98. Insertion of new section 330A. In Chapter XVI of the principal Act, before section 331, the following section shall be inserted, namely :

"330A. *General superintendence, etc., of the Central Government.* Notwithstanding anything contained in any other provision of this Act, the Commissioner shall exercise his powers and discharge his functions under this Chapter, under the general superintendence, direction and control of the Central Government."

99. Insertion of new section 349A. In Chapter XVI of the principal Act, after section 349, the following section shall be inserted, namely :

***349A. Power of the Central Government to make bye-laws.** (1)
The Central Government may, by notification in the Official Gazette, make bye-laws for carrying out the provisions of this Chapter :

Provided that all bye-laws made by the Corporation under paragraph F of sub-section (1) of section 481 of this Act as it stood immediately before the commencement of the Delhi Municipal Corporation (Amendment) Act, 1993 and in force immediately before such commencement, shall be deemed to have been made under the provisions of this section and shall continue to have the same force and effect after such commencement until it is amended, varied, rescinded or superseded under the provisions of this section.

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

- (a) the regulation or restriction of the use of sites for buildings for different areas;
- (b) the regulation or restriction of buildings in different areas;
- (c) the form of notice of erection of any building or execution of any work and the fee in respect of the same;
- (d) the plans and documents to be submitted together with such notice and the information and further information to be furnished;
- (e) the level and width of foundation, level of lowest floor and stability of structure;
- (f) the construction of buildings and the materials to be used in the construction of buildings;
- (g) the height of buildings whether absolute or relative to the width of streets or to different areas;
- (h) the number and height of storeys composing a building and the height of rooms and the dimensions of room intended for human habitation;
- (i) the provision of open spaces external and internal, and adequate means of light and ventilation;
- (j) the provision of means of egress in case of fire, fire-escapes and water lifting devices;
- (k) the provision of secondary means of access for the removal of house refuse;
- (l) the materials and methods of construction of external and party walls, roofs and floors;
- (m) the position, materials and methods of construction of hearths,

smoke-escapes, chimneys, stair-cases, latrines, drains and cesspools;

(n) the provision of lifts;

(o) the paving of yards;

(p) the restriction on the use of inflammable materials in buildings;

(q) the restriction on construction of foundation on certain sites;

(r) the measures to be taken to protect buildings from damp arising from sub-soil;

(s) the wells, tanks and cisterns and pumps for the supply of water for human consumption in connection with buildings;

(t) in the case of wells, the dimensions of the well, the manner of enclosing it and if the well is intended for drinking purposes, the means which shall be used to prevent pollution of the water;

(u) the supervision of buildings;

(v) the setting back of garages and shops from the regular line of a street;

(w) the construction of portable structures and permission for such construction.

(3) The draft of the bye-laws referred to in sub-section (1) shall be forwarded to the Commissioner, who shall cause the same to be published in the Official Gazette for inviting objections and suggestions from the public within thirty days from the date of such publication.

(4) The Commissioner shall forward the draft bye-laws to the Central Government along with his recommendations and the objections and suggestions received from the public, within three months of their publication in the Official Gazette.

(5) The Central Government may issue such directions to the Commissioner as it thinks fit, for ensuring proper implementation of the bye-laws made under this section."

100. Amendment of section 354. In section 354 of the principal Act, the words, letter, brackets and figures "in respect of which the Commissioner has not given public notice under clause (b) of sub-section (2) of section 115 or" shall be omitted.

101. Amendment of section 355. In section 355 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely :

"(1) It shall be lawful for the Commissioner to take or cause to be taken measures for the daily collection, removal and disposal of all filth and polluted and obnoxious matters from latrines, urinals and cesspools not connected by a drain with a municipal drain from all premises situate in any portion of Delhi."

102. Amendment of section 431. In section 431 of the principal Act,—

(a) in the opening portion—

(i) the words and brackets "the General Manager (Electricity)" shall be omitted;

(ii) for the words "any of the aforesaid municipal authorities", the word "him" shall be substituted;

(b) in clause (b), the words and brackets "the General Manager (Electricity)" shall be omitted.

103. Amendment of section 432. In section 432 of the principal Act, in sub-section (1), for the portion beginning with the words "The Commissioner" and ending with the words "aforesaid municipal authorities", the words "The Commissioner or any person authorised by him in this behalf shall be substituted.

104. Amendment of section 433. In section 433 of the principal Act,—

(a) in sub-section (1), for the portion beginning with the words "the Commissioner" and ending with the words "aforesaid municipal Authorities, the words "the Commissioner or any person authorised by him in this behalf" shall be substituted;

(b) in sub-section (2), the words and brackets "the General Manager (Electricity)" shall be omitted.

105. Amendment of section 438. In section 438 of the principal Act,—

(a) for the portion beginning with the words "any of the following appropriate municipal authorities" and ending with the words "aforesaid municipal authorities", the words "the Commissioner or of any municipal officer authorised by him in this behalf" shall be substituted;

(b) for the words "appropriate municipal authority", the word "Commissioner" shall be substituted.

106. Amendment of section 440. In section 440 of the principal Act, for the words and brackets "or the General Manager (Electricity) or of any municipal officer, A written document signed by any such municipal authority", the words "or of any municipal officer, a written document signed by the Commissioner" shall be substituted.

107. Amendment of section 442. In section 442 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:

"(1) Every licence, written permission, notice, bill, summons or other document which is required by this Act or any rule, regulation or by law made thereunder to bear the signature of the Commissioner or of any municipal officer, shall be deemed to be properly signed if it bears a facsimile of the signature of the Commissioner or officer, as the case may be, stamped thereupon."

108. Amendment of section 443. In section 443 of the principal Act, for the words and brackets "any of the following appropriate municipal authorities that is to say, the Commissioner, or the General Manager (Electricity)",

the words "the Commissioner" shall be substituted.

109. substitution of new section for section 450. For section 450 of the principal Act, the following section shall be substituted, namely :

"450. *General power to pay compensation.* In any case not otherwise provided for in this Act or in any bye-law made thereunder, the Commissioner, with the previous approval of the Standing Committee, may pay compensation to any person who sustains damage by reason of the exercise of any of the powers vested by this Act or any bye-law in the Commissioner or in any municipal officer or other municipal employee."

110. Amendment of section 458. In section 458 of the principal Act, in sub-sections (1) and (2), the word "Central" shall be omitted.

111. Amendment of section 460. In section 460 of the principal Act, in clause (b), the word "Central" shall be omitted.

112. Amendment of section 462. In section 462 of the principal Act,—

(a) for the portion beginning with the words "Any councillor or alderman" and ending with the words "other committee of the Corporation", the words, brackets and figures "Any councillor or any person referred to in clause (b) of sub-section (3) of section 3 of any committee of the Corporation" shall be substituted;

(b) the words and brackets "the General Manager (Electricity)" shall be omitted;

(c) the words "or an alderman" wherever they occur, shall be omitted.

113. Amendment of section 467. In section 467 of the principal Act, in clause (c), for the words and brackets "any of the following appropriate municipal authorities, that is to say, the Commissioner, the General Manager (Electricity) or a person authorised by any of them", the words "the Commissioner, or a person authorised by him" shall be substituted.

114. Amendment of section 468. In section 468 of the principal Act, in sub-section (1), for the words and brackets "Any of the following appropriate municipal authorities, that is to say, the Commissioner, the General Manager (Electricity), the General Manager (Transport) or any person authorised by any of them" the words "The Commissioner or any person authorised by him" shall be substituted.

115. Amendment of section 469. In section 469 of the principal Act,—

(a) in sub-section (1),

(i) the word "Central" shall be omitted;

(ii) for the words "magistrates of the first class", the words "Metropolitan Magistrates" shall be substituted;

(b) in sub-sections (3) and (4), the word "Central" shall be omitted;

(c) in sub-section (6),

(i) for the words and figures "the Code of Criminal Procedure, 1898", the words and figures "the Code of Criminal Procedure, 1973" shall be substituted;

(ii) for the word and figures "section 12", the word and figures "section 16" shall be substituted.

116. Amendment of section 473. In section 473 of the principal Act,—

(a) in sub-section (1), for the words and brackets "the General Manager (Electricity) or any municipal officer or other municipal employee authorised by any of the aforesaid municipal authorities", the words "or any municipal officer or other municipal employee authorised by him" shall be substituted;

(b) in sub-section (2), for the words "any of the appropriate municipal authorities", the words "the Commissioner" shall be substituted;

(c) in sub-section (5), the words "or any other appropriate municipal authority" shall be omitted.

117. Amendment of section 475. In section 475 of the principal Act, the words "or any other appropriate municipal authority" shall be omitted.

118. Amendment of section 476. In section 476 of the principal Act,—

(a) in sub-section (1), in clause (i), after the words "Standing Committee", the words "or the Wards Committee" shall be inserted;

(b) sub-section (2), shall be omitted.

119. Amendment of section 479. In section 479 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely :

"(2) Every rule made under this Act, every notification issued under sub-section (2) of section 3A and sub-section (2) of section 52 and bye-laws made by the Central Government under section 349A shall be laid as soon as may be after it is made or issued before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, bye-law or notification or both Houses agree that the rule bye-law or notification should not be made or issued, the rule bye-law or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule, bye-law or notification."

120. Amendment of section 481. In section 481 of the principal Act, in sub-section (1),—

(a) the paragraph "B. Bye-laws relating to water supply, drainage and sewage disposal" and the entries occurring thereunder shall be omitted;

(b) the paragraph "C. Bye-laws relating to electric supply" and the entry occurring thereunder shall be omitted;

(c) the paragraph "F. Bye-laws relating to buildings" and entries occurring thereunder shall be omitted;

(d) in paragraph "L. Bye-laws relating to miscellaneous matters" entry 1 shall be omitted.

121. Amendment of section 483. In section 483 of the principal Act, the word "Central", wherever it occurs shall be omitted.

122. Amendment of sections 485 and 486. In sections 485 and 486 of the principal Act, after the words "Central Government". wherever they occur, the words "or the Government" shall be inserted.

123. Amendment of section 487. In section 487 of the principal Act,—

(a) in sub-section (1), for the words "whether on receipt of", the words "whether on receipt of a report or on receipt of " shall be substituted;

(b) sub-sections (2) and (3) shall be omitted.

124. Substitution of new section for section 490. For section 490 of the principal Act, the following section shall be substituted, namely :

"490. Dissolution of the Corporation. (1) If, in the opinion of the Central Government, the Corporation persistently makes default in the performance of the duties imposed on it by or under this Act or exceeds or abuses its powers, the Central Government may by an order published, together with a statement of reasons therefor, in the Official Gazette, dissolve the Corporation :

Provided that the Corporation shall be given a reasonable opportunity of being heard before its dissolution.

(2) When the Corporation is dissolved by an order under sub-section (1),—

(a) all councillors shall, on the date of the dissolution, vacate their office as such councillors and the persons referred to in clause (b) of sub-section (3) of section 3 shall cease to be represented in the Corporation;

(b) during the period of dissolution of the Corporation, all powers and duties conferred and imposed upon the Corporation by or under this Act or any other law, shall be exercised and performed by such officer or authority as the Central Government may appoint in that behalf;

(c) all property vested in the Corporation shall, until it is re-consti-

tuted, vest in the Central Government.

(3) An election to constitute the Corporation shall be completed before the expiration of a period of six months from the date of its dissolution.

(4) An order of dissolution made under this section together with a statement of the reasons therefor shall be laid before each House of Parliament and the Legislative Assembly of the National Capital Territory of Delhi as soon as may be, after it has been made."

125. Insertion of new section 490A. In Chapter XXV of the principal Act, after the Chapter heading "MISCELLANEOUS" and before section 491, the following section shall be inserted, namely :

"490A. *Delegation of power by the Central Government.*" The Central Government may, by notification in the Official Gazette, direct that any power exercisable by it under this Act shall, subject to such conditions, if any, as may be specified in the notification be exercisable by the Government or any of its officers or by the Commissioner or any other authority."

126. Amendment of section 499. In section 499 of the principal Act, in sub-section (1),—

(a) for the words and brackets "Every councillor and alderman, the Commissioner, the General Manager (Electricity)," the words, brackets, letter and figures "Every councillor and every person referred to in clause (b) of sub-section (3) of section 3, the Commissioner," shall be substituted;

(b) the word "Central" in both the places where it occurs shall be omitted.

127. Amendment of section 500. In section 500 of the principal Act, for the words and brackets "Every councillor and alderman, the Commissioner, the General Manager (Electricity)," the words, brackets, letter and figures "Every councillor and every person referred to in clause (b) of sub-section (3) of section 3, the Commissioner," shall be substituted.

128. Amendment of section 501. In section 501 of the principal Act, in sub-section (1) and (2), the word "Central" shall be omitted.

129. Amendment of section 504. In section 504 of the principal Act, sub-section (1) shall be omitted.

130. Amendment of section 507. In section 507 of the principal Act, the word "Central", wherever it occurs, shall be omitted.

131. Insertion of new section 508A. In Chapter XXV of the principal Act, after section 508, the following section shall be inserted, namely :

"508A. *Corporation to undertake work on agency basis.* Notwithstanding anything contained in any other provision of this Act, the Corporation may on such terms and conditions as may be determined by agreement between the Corporation and any authority, body or person,

carry out any work which is not connected with its functions on agency basis."

132. Omission of section 509. Section 509 of the principal Act shall be omitted.

133. Insertion of new sections 511A and 511B. After section 511 of the principal Act, the following sections shall be inserted, namely :

"511A. Temporary provision with respect to electricity, water, sewage, etc. Notwithstanding the commencement of the Delhi Municipal Corporation (Amendment) Act, 1993, all the provisions existing in the principal Act before such commencement relating to—

- (a) water supply, drainage and sewage disposal;
- (b) electric supply; and
- (c) prevention and extinguishing of fire,

and matters connected therewith or incidental thereto shall be deemed to continue in operation till such date as the Central Government may, by notification in the Official Gazette, specify and different dates may be specified by the Central Government for any of the aforementioned different matters.

511B. Special provision as to transferred functions. (1) In this section, "transferred functions" means such functions of the Corporation which immediately before the commencement of the Delhi Municipal Corporation (Amendment) Act, 1993 were the functions of the Corporation but as from such commencement become the functions of any other authority or functionary hereinafter called the "new authority".

(2) On and from such commencement,—

(a) all lands and buildings (together with all interests of whatsoever nature and kind therein) vested in the Corporation immediately before such commencement and used for the purposes of "transferred functions" shall pass to and vest in the new authority concerned;

(b) all stores, articles and other movable properties belonging to the Corporation immediately before such commencement and utilised for or in connection with the "transferred functions" shall pass to and vest in the new authority concerned;

(c) all appointment, notifications, orders, schemes, rules, forms, notices or bye-laws made or issued or any licence or permissions granted by the Corporation immediately before such commencement in connection with the "transferred functions" shall continue in force and be deemed to have been made, issued or granted by the new authority concerned unless and until they are superseded by any appointment, notification, order, scheme, rule, form, notice or bye-law made or issued or any licence or permission granted by the new authority concerned;

(d) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for, the Corporation immediately before such commencement for or in connection with the "transferred functions" shall be deemed to have been incurred, entered into, engaged to be done by, with or for, the new authority concerned;

(e) all assessments, valuations, measurements or divisions made by the Corporation immediately before such commencement in or in connection with the "transferred functions" shall continue in force and be deemed to have been made by the new authority concerned unless and until they are superseded by any assessment, valuation, measurement or division made by that authority;

(f) all rates, taxes, fees, rents and other sums of money due to the Corporation in relation to the "transferred functions" immediately before such commencement shall be deemed to be due to the new authority concerned;

(g) all rates, fees, rents and other charges leviable in, or in relation to, the "transferred functions" shall, unless and until they are varied by the new authority concerned continue to be levied at the same rate at which they were being levied by the Corporation immediately before such commencement;

(h) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by or against the Corporation immediately before such commencement for any matter in relation to the "transferred functions" may be continued or instituted by or against the new authority concerned;

(i) every officer and other employee serving under the Corporation immediately before such commencement in connection with the "transferred functions" shall be transferred to and become an officer or other employee of the new authority concerned with such designation as such authority may determine and hold office by the same tenure and at the same remuneration and on the same terms and conditions of service as he would have held the same if the new authority concerned had not been established and shall continue to do so unless and until such tenure, remuneration and terms and conditions are duly altered by that authority :

Provided that the tenure, remuneration and terms and conditions of service of any such officer or other employee shall not be altered to his disadvantage without the previous sanction of the Central Government :

Provided further that any service rendered by any such officer or other employee before such commencement shall be deemed to be service rendered under the new authority concerned :

Provided also that the new authority concerned may employ any such officer or other employee in the discharge of such functions as it may think

proper and every such officer or other employee shall discharge those functions accordingly.

(3) As soon as may be after the commencement of the Delhi Municipal Corporation (Amendment) Act, 1993, the Central Government shall decide,—

(a) which stores, articles and other movable properties referred to in clause (b) of sub-section (2) have been utilised by the Corporation for or in connection with the "transferred functions";

(b) which debts, obligations, liabilities, contracts, matters and things referred to in clause (d) of the said sub-section have been incurred, entered into or engaged to be done by, with or for, the Corporation for or in connection with the "transferred functions";

(c) which officers and other employees referred to in clause (i) of that sub-section served under the Corporation in connection with the "transferred functions".

(4) In case of any dispute in relation to any of the matters referred to in the various clauses of sub-section (2) other than clauses (b), (d) and (i), the dispute may be referred to the Central Government by the Corporation or the new authority concerned and the decision of that Government shall be final."

134. Insertion of new section 514A. After section 514 of the principal Act, the following section shall be inserted, namely :

"514A. *Transitory provision.* Notwithstanding anything contained in this Act, the Central Government may, if necessary, appoint a person to be called the Special Officer, to exercise the powers and discharge the functions of the Corporation until the day on which the first meeting of the Corporation is held after the commencement of the Delhi Municipal Corporation (Amendment) Act, 1993."

135. Amendment of Twelfth Schedule. In the Twelfth Schedule to the principal Act, all the entries with respect to section 214 to 273 (both inclusive) shall be omitted.

136. Insertion of Fourteenth and Fifteenth Schedules. After the Thirteenth Schedule to the principal Act, the following Schedules shall be inserted, namely,—

THE FOURTEENTH SCHEDULE

(See section 3A)

THE NUMBER, NAMES AND AREAS OF VARIOUS ZONES

Sl.No.	Name	Area of the Zone*/ Number and name of the municipal ward
(1)	(2)	(3)

(1)	(2)	(3)
1.	City	1 Minto Road 2 Darya Ganj 66 Shardhanand Bazar 67 Dariba 68 Maliwara 69 Ballimaran 70 Farash Khana 71 Ajmeri Gate 72 Kucha Pati Ram 73 Lal Darwaza 74 Matia Mahal 75 Sui Walan
2.	Central	3 Nizam-ud-din 4 Jang Pura 5 Sewa Nagar 6 Kotla Mubarakpur 7 Lajpat Nagar 8 Amar Colony 9 Okhla 11 Kalkaji
3.	South	10 Kailash 12 Malviya Nagar 13 Hauz-Khas 14 Munirka 15 Mohammad Pur 16 R.K. Puram 44 Mehrauli 45 Madangir 46 Tughlakabad
(1)	(2)	(3)
4.	Karol Bagh	17 Rajender Nagar 18 Narayana 92 Motia Khan

		93	Tibbia College
		94	Rahgarpura
		95	Dev Nagar
		96	East Patel Nagar
		97	West Patel Nagar
		98	Sat Nagar
		99	Anand Parvat
		100	Baljit Nagar
5.	Sadar Pahar Ganj	76	Paharganj
		77	Dariba Pan
		78	Ram Nagar
		79	Qadam Sharif
		80	Basti Julahan ?
		81	Kasab Pura
		82	Deputy Ganj
		83	Teliwara
		84	Arya Pura
		86	Pratap Nagar
		90	Sarai Rohilla
		91	Manakpura
6.	West Zone	19	Nagal Raya
		20	Ashok Nagar
		21	Tilak Nagar
		22	Tagore Garden
		23	Subhash Nagar
		24	Rajouri Garden
		25	Ramesh Nagar
		26	Moti Nagar
		39	Madi Pur
		40	Vishnu Garden
7.	Civil Lines	32	Wazirabad
		59	Mori Gate
		60	Civil Lines
		61	Timar Pur

		62	Kingsway Camp
		63	Model Town
		64	Vijay Nagar
		65	Jawahar Nagar
		85	Sohan Garj
		87	Shakti Nagar
8.	Shahdara—South	47	Geeta Colony
		48	Lakshmi Nagar
		49	Gandhi Nagar
		50	Dharampura
		51	Krishna Nagar
		52	Patparganj
		53	Vishwas Nagar
		54	Shahdara
9.	Shahdara—North	55	Rohtas Nagar
		56	Naveen Shahdara
		57	Ghonda
		58	Usmanpur
10.	Rural Narela	33	Alipur
		34	Narela
		35	Bawana
		36	Kanjhawala
11.	Rural Najafgarh	37	Nangloi
		38	Najafgarh
		41	Isapur
		42	Palam
		43	Mahipalpur
12.	Rohini	27	Shakur Basti
		28	Badli
		29	Rampura
		30	Onkar Nagar
		31	Wazir Pur
		88	Shastri Nagar
		89	Karam Pura

Note : *The area is indicated in terms of the extent of the municipal wards as they existed on the date of the commencement of the Delhi Municipal Corporation (Amendment) Act, 1993.

THE FIFTEENTH SCHEDULE

(See section 52)

POWERS AND FUNCTIONS OF THE WARDS COMMITTEE

(1) Sanction estimates and plans for municipal works to be carried out within the Zone costing up to rupees one crore, other than works taken up and executed for Delhi as a whole or those covering more than one Zone, provided that specific provision exists therefor in the budget sanctioned by the Corporation.

(2) Call for any report return, plan, estimate, statement, account or statistics from the Commissioner, connected with matter pertaining to the municipal administration in the Zone.

(3) Scrutinize monthly statements of receipts and disbursements and of the progress reports in the collection of revenue in the Zone.

(4) Consider and make recommendations on the proposals regarding estimates of revenue and expenditure pertaining to the Zone under different heads of account of the budget before being forwarded to the Commissioner.

(5) Report on advice upon any matter which the Corporation may refer to it under the Act.

(6) Deal with such other matters as may be delegated by the Corporation to the Wards Committee.

(7) In general, exercise all such municipal powers and functions of the Corporation as are to be performed exclusively in the Zone concerned other than those relating to Delhi as a whole or involving two or more Zones.

THE PARLIAMENT (PREVENTION OF DISQUALIFICATION)

AMENDMENT ACT, 1993

An Act further to amend the Parliament (Prevention of Disqualification) Act, 1959.

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

1. *Short title and commencement.* (1) This Act may be called the Parliament (Prevention of Disqualification) Amendment Act, 1993.

(2) Section 2 and clauses (b) and (d) of section 3 shall come into force at once and the remaining provisions of this Act shall be deemed to have come into force on the 19th day of July, 1993.

2. *Amendment of section 2.* In section 2 of the Parliament (Prevention of Disqualification) Act, 1959 (hereinafter referred to as the principal Act),

in clause (a), for the words and figures "the Salaries and Allowances of Members of Parliament Act, 1954", the words and figures "the Salary, Allowances and Pension of Members of Parliament Act, 1954" shall be substituted.

3. Amendment of section 3. In section 3 of the principal Act,—

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

"(ab) the office of Deputy Chairman, Planning Commission;"

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

"(ba) the office of chairperson of—

(i) the National Commission for Minorities constituted under section 3 of the National Commission for Minorities Act, 1992;

(ii) the National Commission for the Scheduled Castes and Scheduled Tribes constituted under clause (1) of article 338 of the Constitution;

(iii) the National Commission for Women constituted under section 3 of the National Commission for Women Act, 1990;"

(c) for clause (i), the following clause shall be substituted, namely :

"(i) the office of chairman, director or member of any statutory or non-statutory body other than any such body as is referred to in clause (h), if the holder of such office is not entitled to any remuneration other than compensatory allowance, but excluding (i) the office of chairman of any statutory or non-statutory body specified in Part I of the Schedule, and (ii) the office of chairman or secretary of any statutory or non-statutory body specified in Part II of the Schedule;"

(d) in *Explanation I*, for the words "chairman or secretary", the words "chairman, Deputy Chairman or secretary" shall be substituted.

4. Amendment of the Schedule. In the Schedule to the principal Act, Part II I shall be omitted.

5. Repeal and saving. (1) The Parliament (Prevention of Disqualification) Amendment Ordinance, 1993 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act, as amended by this Act.

THE EXTRADITION (AMENDMENT) ACT, 1993

An Act further to amend the Extradition Act, 1962.

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

1. *Short title extend and commencement.* (1) This Act may be called the Extradition (Amendment) Act, 1993. (2) It extends to the whole of India. (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of long title.* In the Extradition Act, 1962 (hereinafter referred to as the principal Act), in the long title, after the word "criminals", the words "and to provide for matters connected therewith or incidental thereto" shall be added.

3. *Substitution of words "foreign State" for words "commonwealth country".* In the principal Act—

(a) the words "or commonwealth country" and the words "or country", wherever they occur, shall be omitted;

(b) for the words "commonwealth country", wherever they occur the words "foreign State" shall be substituted.

4. *Amendment of section 2.* In section 2 of the principal Act,—

(a) for clause (a), the following clause shall be substituted, namely :

'(a) "composite offence" means an act or conduct of a person occurred, wholly or in part, in a foreign State or in India but its effects or intended effects, taken as a whole, would constitute an extradition offence in India or in a foreign State, as the case may be; "

(b) for clause (c), the following clause shall be substituted, namely:

'(c) "extradition offence" means—

(i) in relation to a foreign State, being a treaty State, an offence provided for in the extradition treaty with that State;

(ii) in relation to a foreign State other than a treaty State an offence punishable with imprisonment for a term which shall not be less than one year under the laws of India or of a foreign State and includes a composite offence;'

(c) in clause (d), for the words "or agreement" at both the places where they occur, the words, "agreement or arrangement" shall be substituted;

(d) in clause (e), the words "other than a commonwealth country," shall be omitted;

(e) for clause (f), the following clause shall be substituted, namely :

'(f) "fugitive criminal" means a person who is accused or convicted of an extradition offence within the jurisdiction of a foreign State and includes a person who, while in India, conspires, attempts to commit or incites or participates as an accomplice in the commission of an extradition offence in a foreign State'.

5. Amendment of section 3. In section 3 of the principal Act, —

(a) for sub-section (1), the following sub-section shall be substituted, namely :

“(1) The Central Government may, by notified order, direct that the provisions of this Act, other than Chapter III, shall apply to such foreign State or part thereof as may be specified in the order”.

(b) after sub-section (3), the following sub-section shall be inserted, namely :

“(4) Where there is no extradition treaty made by India with any foreign State, the Central Government may, by notified order, treat any Convention to which India and a foreign State are parties, as an extradition treaty made by India with that foreign State providing for extradition in respect of the offences specified in that Convention”.

6. Amendment of Chapter II. In Chapter II of the principal Act, in the heading, the words “And To Commonwealth Countries” shall be omitted.

7. Amendment of section 10. In section 10 of the principal Act, in sub-section (2), in clause (d), the word “respectively” shall be omitted.

8. Amendment of section 11. In section 11 of the principal Act, the words “of a commonwealth country” shall be omitted.

9. Amendment of Chapter III. In Chapter III of the principal Act, in the heading, for the words “Commonwealth Countries”, the words “Foreign States” shall be substituted.

10. Amendment of section 12. In section 12 of the principal Act, in sub-section (1), for the word “country”, the word “State” shall be substituted.

11. Amendment of Chapter IV. In Chapter IV of the principal Act, in the heading, the words “Or Commonwealth Countries” shall be omitted.

12. Substitution of new section for section 21. For section 21 of the principal Act, the following section shall be substituted namely :

“21. *Accused or convicted person surrendered or returned by foreign State not to be tried for certain offences.* Whenever any person accused or convicted of an offence, which, if committed in India would be an extradition offence, is surrendered or returned by a foreign State, such person shall not, until he has been restored or has had an opportunity of returning to that State, be tried in India for an offence other than—

(a) the extradition offence in relation to which he was surrendered or returned; or

(b) any lesser offence disclosed by the facts proved for the purposes of securing his surrender or return other than an offence in relation to which an order for his surrender or return could not be

lawfully made; or

(c) the offence in respect of which the foreign State has given its consent."

13. Amendment of section 25. In section 25 of the principal Act, for the words and figures "the Code of Criminal Procedure 1898", the words and figures "the Code of Criminal Procedure 1973" shall be substituted.

14. Amendment of section 26. In section 26 of the principal Act, after the words "of abetting", the words, conspiring, attempting to commit, inciting or participating as an accomplice in the commission of" shall be inserted.

15. Amendment of section 30. In section 30 of the principal Act, the words "or commonwealth country or from any foreign State and any commonwealth country" shall be omitted.

16. Amendment of section 31. In the principal Act,—

(a) section 31 shall be re-numbered as sub-section (1) of that section and in sub-section(1) as so re-numbered, for clause (c), the following clause shall be substituted, namely :

"(c) unless provision is made by that law of the foreign State or in the extradition treaty with the foreign State that the fugitive criminal shall not be determined or tried in that State for an offence other than—

(i) the extradition offence in relation to which he is to be surrendered or returned;

(ii) any lesser offence disclosed by the facts proved for the purposes of securing his surrender or return other than an offence in relation to which an order for his surrender or return could not be lawfully made; or

(iii) the offence in respect of which the Central Government has given its consent;"

(b) after sub-section(1) as so re-numbered, the following sub-sections shall be inserted, namely :

"(2) For the purposes of sub-section (1), the offences specified in the Schedule shall not be regarded as offences of a political character.

(3) The Central Government having regard to the extradition treaty made by India with any foreign State may, by notified order, add or omit any offence from the list given in the Schedule."

17. Substitution of new sections for section 31. For section 34 of the principal Act, the following sections shall be substituted, namely :

"34. *Extra-territorial jurisdiction.* An extradition offence committed by any person in a foreign State shall be deemed to have been com-

mitted in India and such person shall be liable to be prosecuted in India for such offence.

34A. Prosecution on refusal to extradition. Where the Central Government is of the opinion that a fugitive criminal cannot be surrendered or returned pursuant to a request for extradition from a foreign State, it may, as it thinks fit, take steps to prosecute such fugitive criminal in India.

34B. (1) Provisional arrest. On receipt of an urgent request from a foreign State for the immediate arrest of a fugitive criminal, the Central Government may request the Magistrate having competent jurisdiction to issue a provisional warrant for the arrest of such fugitive criminal.

(2) A fugitive criminal arrested under sub-section (1) shall be discharged upon the expiration of sixty days from the date of his arrest if no request for his surrender or return is received within the said period.

34C. Provision of life imprisonment for death penalty. Notwithstanding anything contained in any other law for the time being in force, where a fugitive criminal, who has committed an extradition offence punishable with death in India, is surrendered or returned by a foreign State on the request of the Central Government and the laws of that foreign State do not provide for a death penalty for such an offence, such fugitive criminal shall be liable for punishment of imprisonment for life only for that offence."

18. Substitution of new Schedule for the First and Second Schedules. In the principal Act, for the First and Second Schedules, the following Schedule shall be substituted, namely :

THE SCHEDULE

[See section 31 (2)]

OFFENCES WHICH ARE NOT TO BE REGARDED AS OFFENCES OF A POLITICAL CHARACTER

The following list of offences is to be construed according to the law in force in India on the date of the alleged offence. Wherever the names of the relevant Acts are not given, the sections referred to are the sections of the Indian Penal Code (45 of 1860) :

1. Offences under the Anti-Hijacking Act, 1982 (65 of 1982).
2. Offences under the Suppression of Unlawful Acts against Safety of Civil Aviation Act, 1982 (66 of 1982).
3. An offence within the scope of the Convention on the punishment of crimes against Internationally protected persons including diplomatic agents, opened for signature at New York on 14th December, 1973.

4. An offence within the scope of the International Convention against the taking of hostages opened for signature at New York on 18th December, 1979.

5. Culpable homicide, murder (sections 299 to 304).

6. Voluntarily causing hurt or grievous hurt by a dangerous weapon or means (sections 321 to 333).

7. Offences under the Explosive Substances Act, 1908 (6 of 1908).

8. Possession of a fire arm or ammunition with intention to endanger life [section 27 of the Arms Act, 1959 (54 of 1959)].

9. The use of a fire arm with intention to resist or prevent the arrest or detention [section 28 of the Arms Act, 1959 (54 of 1959)].

10. Causing of loss or damage to property used for public utilities or otherwise with intention to endanger life (section 425 read with section 440).

11. Wrongful restraint and wrongful confinement (sections 339 to 348).

12. Kidnapping and abduction including taking of hostages (sections 359 to 369).

13. Offences related to terrorism and terrorist acts [Terrorist and Disruptive Activities (Prevention) Act, 1987 (28 of 1987)].

14. Abetting, conspiring or attempting to commit, inciting, participating as an accomplice in the commission of any of the offences listed above."

SESSIONAL REVIEW

TENTH LOK SABHA SEVENTH SESSION

The Monsoon Session (Seventh Session) of the Tenth Lok Sabha, which commenced on 26 July 1993, was adjourned *sine die* on 28 August 1993. The House was prorogued by the President of India on 23 September 1993. The House had 24 sittings in all. A brief resume of the important business transacted during the period is given below.

A. DISCUSSIONS/STATEMENTS/ANNOUNCEMENTS

Motion of No-confidence in the Council of Ministers : Moving the motion in the House on 26 July 1993, Shri Ajoy Mukhopadhyay said that the Government's economic and industrial policy had led to a situation where the base of a self-reliant economy had been seriously endangered. As regards the question of communalism, the approach of the Government would strike a grievous blow at the secular basis of the Indian Constitution. It was thus the sacred duty of the august House to bring down the Government forthwith, Shri Mukhopadhyay added.

Supporting the motion on 27 July 1993, the Leader of the Opposition in the Lok Sabha, Shri Atal Bihari Vajpayee said that two years ago when the present Government came into existence, people had hoped for a new chapter in politics. The Prime Minister had talked of running the country on the basis of consensus but such a situation did not last long. Foreign debts were increasing and the new economic policy which was thought would remove unnecessary controls had instead resulted in the security scam. A selfless and inspiring leadership was a must for the reconstruction of the country, Shri Vajpayee added.

Participating in the discussion,*Shri Somnath Chatterjee said that by acts of omission and commission, the Government had lost all its credibility. The Government had failed to protect the interests of the common people and of the country as a whole and had neither the capability nor the will to govern.

*Others who took part in the discussion were : Sarvashri Buta Singh, Jaswant Singh, George Fernandes, Pawan Kumar Bansal, P. Chidambaram, P.C. Chacko, Satyapal Singh Yadav, Pius Turkey, Frank Anthony, E. Ahamad, Nirmal Kant Chatterjee, Suraj Mandal and Mahant Abedya Nath.

Supporting the motion, the former Prime Minister, Shri Vishwanath Pratap Singh, held that the Government had lost the confidence of the people. As a matter of fact, the Government had repeatedly broken the promises made by them to the people of the country.

Participating in the discussion on 27 July, Shri Ebrahim Sulaiman Sait said that the common man was suffering because of rising prices; corruption was increasing and there was no security for the minorities and the Dalits.

The Minister of State of the Ministry of Surface Transport, Shri Jagdish Tytler, while opposing the motion, clarified the points raised earlier by a Member, regarding the setting up of the Cargill Project for manufacturing industrial salt on a 100 per cent export basis.

Continuing the discussion, on 28 July, Shri P.G. Narayanan said that for the past two years the country had passed through crisis after crisis. The Government did not look after the interests of the common people, the working people, the peasantry, the landless labourers or the unemployed youth.

Former Prime Minister, Shri Chandra Shekhar said in support of the motion that democracy, Constitution and secularism had to be saved, and the ultimate struggle would be to solve the economic problems.

Intervening in the debate, the Minister of Human Resource Development, Shri Arjun Singh said that the Congress Party was fully aware of the historical responsibility which it had shouldered during the freedom struggle and even after Independence. The leaders of the Opposition had not been able to assure the people that the path which they had taken recourse to would lead to healthy politics, safeguard the rights of the poor, provide social justice or maintain the secular fabric of the country.

Supporting the motion, Shri Indrajit Gupta maintained that the further continuance of the Government in power would be disastrous for the future of the country. If there was a single issue on which the Government deserved to go, it was the events of 6 December 1992, he added, the other being that of external debt.

Referring to the issues listed in the motion the Minister of Finance, Dr. Manmohan Singh, said that right from the day the Government came into office, they had recognised corruption as a formidable problem and had started the process of dismantling the license permit raj and the process of reducing tax rates. The Government's commitment to deal with corruption should never be in doubt, he added. The Minister said that as far as economic policies were concerned, the process of reforms had started, and started well.

Supporting the motion, Shri Sobhanadreeswara Rao Vadde said that the Government had lost credibility and the right to continue in power.

Shri Chitta Basu held that what was at stake was not the political

fortune or career or prospects of an individual. The future of our country, its prestige and its standing among the nations, as well as the principles enshrined in our Constitution were at stake.

Supporting the motion, Shri Sultan Salahuddin Owaisi maintained that the Government was fully responsible for the demolition of the Babri Masjid.

Participating in the discussion, Shri Ram Sagar stated his party's resolve to keep away from the motion.

Supporting the motion, Shri Sharad Yadav said that the country was facing a variety of challenges and our ideals and values were being gradually eroded.

Intervening in the discussion, the Prime Minister, Shri P.V. Narasimha Rao said with reference to liberalisation that it had become necessary because the Indian economy had to integrate itself with the world economy. At the same time, the ill-effects of liberalisation that could be anticipated in advance were effectively forestalled. Further, there had been a record procurement of 180.3 million tonnes of food grains and an unprecedented breakthrough in oilseeds. Steps were being taken to curb the use of religion in politics and to bring forward a comprehensive package in electoral reforms.

The Prime Minister said that the Bodoland problem, the Karbi Anglong problem in Assam, and the problem pertaining to Darjeeling had been solved. The Government were also fully aware of the seriousness of the Jharkhand problem.

Concluding the discussion, Shri Ajoy Mukhopadhyay said that on all important matters that had far-reaching implications, instead of trying to find a consensus as assured by the Prime Minister, the Government had all along been moving according to their own choice. In the circumstances if the Government were allowed to continue with their present policies any further, the country's hard-earned Independence would be in jeopardy.

The motion was later negatived.

Review of Drug Policy, 1986 : Moving the motion on 19 August 1993, the Minister of State in the Ministry of Chemicals and Fertilizers, Shri Eduardo Faleiro said that the need for modification in the drug policy had arisen mainly because of the changes in the new industrial policy, and due to the need to make the price control mechanism easy to operate, to encourage new investments for meeting the growing requirement of medicines in the country and to ensure the availability of medicines, their quality as well as fair prices.

Participating in the discussion* on 21 August 1993, Shri Sobhanad-

*Others who took part in the discussion were Sarvashri Rajnath Sonker Shastri, Md. Ali Ashraf Fatmi, Ramesh Chennithala, Dau Dayal Joshi, Shravan Kumar Patel, Nitish Kumar, Upendra Nath Verma; Dr. Lakshminarain Pandey, Dr. Asim Bala, Prof. K.V. Thomas, Prof. K. Venkatagiri Gowda, Prof. (Smt.) Malini Bhat-tacharya and Smt. Geeta Mukherjee.

reeswara Rao Vadde urged the Government to stick to their basic objective of supplying medicines to the poor at reasonable rates. The Government should insist on the process patent system and not accept the product patent system, he said.

Replying to the discussion, the Minister of State in the Ministry of Chemicals and Fertilizers, Shri Eduardo Faleiro, stated that it would be in the interests of the growth of the drug industry if it was allowed to take advantage of the removal of industrial licensing controls. The Minister clarified that all controls such as price control, quality control, etc. applied in the drug sector would be applicable to foreign companies in the sector. Besides, steps were being taken for the revival and rehabilitation of public sector companies like Indian Drugs and Pharmaceuticals Limited (IDPL) and the Hindustan Aeronautics Limited (HAL) to ensure their continued presence in the drug sector, he added.

Opinion of Attorney-General regarding the Authority of the Election Commission : The Attorney-General of India, Shri Milon Kumar Banerjee, giving his opinion on 4 August 1993 about the scope and extent of disciplinary authority of the Election Commission in respect of Officers and staff deployed for election work, and about the scope and extent of authority in the matter of deployment of forces to maintain law and order to ensure free and fair elections, said that article 324 of the Constitution of India nowhere gave any disciplinary jurisdiction to the Election Commission. The only possible claim to disciplinary jurisdiction of the Election Commission could arise from section 13 CC of the Representation of People Act, 1950 and section 28 A of the Representation of the People Act, 1951.

The said provisions provided that the staff shall be "deemed to be on deputation" which, in the opinion of the Attorney-General, was not the same as deputation proper. It was well known in service jurisprudence that the borrowing authority did not exercise disciplinary jurisdiction in respect of Officers on deputation with it except with the approval of, or in consultation with, the parent department. It was, therefore, unreasonable to assume that the aforesaid sections intended to confer disciplinary jurisdiction on the Election Commission in absolute terms.

As regards the deployment of forces to maintain law and order to ensure free and fair elections, the subject of public order being in the State List, it was for the State authorities to assess the law and order situation and to decide upon the requirement and deployment of police or other forces. The Central Government could not be directed by the Election Commission to send to a State, Central forces contrary to the desire of the State Government and without any request being made for the same. The working of the federal Constitution did not contemplate such a situation save in the exceptional situations provided for in the Constitution.

The Attorney-General further observed that if the Election Commission was made a multi-member body, the question as to whether the Chief Election Commissioner (CEC) would have any overriding authority in the

Commission would depend upon what rules were framed.

He concluded that the word "discipline" did not necessarily bring in the concept of the Election Commission being the disciplinary authority.

Making a statement on 5 August 1993, the Minister of State in the Ministry of Law, Justice and Company Affairs, Shri H.R. Bhardwaj, said that the Government accepted the opinion expressed by the Attorney-General of India in Lok Sabha, on 4 August 1993. The Government of India were firmly committed to resolve the deadlock created by the Order of the Chief Election Commissioner of India. The Government were keen that the issues arising out of the said Order of the Chief Election Commissioner were heard and decided as early as possible so that the democratic process of holding elections could continue without any hindrance. The Government were taking steps to seek expeditious disposal of all the court cases in this regard, the Minister added.

Serious situation arising out of recent floods in various parts of the country : Raising the discussion under Rule 193 on 29 July 1993, Shri Nitish Kumar pointed out that about 40 million hectares of land in the country were flood prone out of which 7.5 million hectares of land were invariably affected by floods every year. Floods had become a recurring phenomena due to indiscriminate felling of trees and silting of rivers. Concrete steps should be taken to solve the problem at the national level, he added.

Participating in the discussion,*Shri Sobhanadreeswara Rao Vadde urged that suitable steps be taken to bring flood control into the Concurrent List of subjects. Not only the Ministry of Agriculture, but the Ministry of Water Resources and Ministry of Forests and Environment should also be involved to tackle the stupendous task of reducing or controlling the annual losses, he added.

Replying to the discussion, the Minister of Agriculture, Dr. Bal Ram Jakhar stated that coordination between the State Governments and the Central Government was the key to the issue of flood control. The Government would do everything that was possible. If need be, money from the Prime Minister's Relief Fund would be released. Help would also be provided through Jawahar Rozgar Yojana and the Accelerated Water Scheme, the Minister added.

Drought conditions prevailing in different parts of the country : Raising the discussion under Rule 193 on 3 August 1994, Shri Nitish Kumar said that a large part of the country particularly Bihar, Andhra Pradesh, parts of

*Others who took part in the discussion were : Sarvashri Nurul Islam, Kabindra Purkayastha, Sant Ram Singla, Jitendra Nath Das, Peter G. Marbaniang, B.L. Sharma Prem, Hari Kishore Singh, Jagmeet Singh Brar, Pius Tirkey, Kamla Mishra Madhukar, Md. Ali Ashraf Fatmi, Amar Roy Pradhan, Harchand Singh, Surya Narain Yadav, Mohan Singh, Ratilal Kalidas Verma, Premchand Ram, Ram Vilas Paswan, Girdhari Lal Bhargava, Devendra Prasad Yadav and Dr. C. Silvera.

Karnataka, Gujarat, and eastern Uttar Pradesh, were in the grip of severe drought. There had, in fact, been a cycle of flood and drought in the country. The Government should, therefore, find a permanent solution to the problem. There should also be proper coordination between the Government and the Ministry for Rural Development, he added.

Intervening in the discussion* the Minister of State in the Ministry of Rural Development, Shri Rameshwar Thakur, referred to the funds made available to the States, particular to Bihar, which were suffering from drought. It was the responsibility of all to meet the drought and flood situation unitedly and to ensure that the amount given for relief work was fully utilised for providing employment, water and power, the Minister added.

Replying to the discussion, the Minister of Agriculture, Dr. Bal Ram Jakhar said that the problem of drought and floods could be solved if river waters were properly harvested. The Minister also referred to the assistance rendered to the states of Rajasthan, Bihar, Madhya Pradesh and Uttar Pradesh which were affected by these problems.

Socio-economic Criteria for exclusion of "creamy layer" from other backward classes : Raising the discussion under Rule 193 on 5 August 1993, Shri Ram Vilas Paswan said that it was a matter of regret that the Government found themselves incapable of providing justice to the weaker sections of society. Not a single job had been given on the basis of the report of the Mandal Commission. Reservation in promotion had been stopped. Shri Paswan suggested that until 27 per cent reservation was filled up by Schedule Castes and Scheduled Tribes, the issue of economic criteria should not be taken up. Also, the list of backward castes had not been prepared yet in many States according to the recommendations of Mandal Commission. Therefore, stern action should be taken in this regard to ensure justice.

Participating in the discussion,** former Prime Minister Shri Vishwanath Pratap Singh observed that despite the absence of economic criterion in the case of Scheduled Castes and Scheduled Tribes, their quota of reservations had so far been filled only to the extent of 50 per cent. He urged the Government to provide reservations in promotions to SCs/STs. The

*Others who participated in the discussion were : Sarvashri Vijay Kumar Yadav, Sudhir Giri, Oscar Fernandes, Ram Kripal Yadav, Ram Tahal Choudhary, V. Krishna Rao, Premchand Ram, Bhagwan Shankar Rawat, Chandulal Chandrakar, Ramnihore Rai, B.K. Gudadinni, Dattatraya Bandaru, Ram Pujan Patel, H.H. Muniyappa, Tej Narain Singh, Manjay Lal, Kamla Mishra Madhukar, Ramashray Prasad Singh, Sureshanand Swamy, Shyam Bihari Misra, Chattrapal Singh, Virender Singh, Dr. Chinta Mohan, Dr. G.L. Kanaujia, Dr. Laxminarain Pandey, Prof. Rasa Singh Rawat and Smt. Bhavna Chikala.

**Others who took part in the discussion were : Sarvashri Rudrasen Choudhury, Ram Laxhan Singh Yadav, Prem Chand Ram, Vijay Kumar Yadav, Dattatraya Bandaru and Uday Pratap Singh.

issue of Mandal Commission did not merely relate to getting Government jobs but ultimately aimed to ensure the rightful place to the backward classes in the country's administration, Shri V.P. Singh added.

Replying to the debate, the Minister of Welfare, Shri Sitaram Kesri, said that the Expert Committee constituted in pursuance of the Supreme Court judgement to identify the "Creamy Layer" had submitted its recommendation which had been accepted in toto. In case 27 per cent were not filled up by backward classes, Government would assuredly review the matter. As far as the reservation for SC/ST in promotion was concerned, all State Governments had been directed in this regard, the Minister added.

Statutory Resolution regarding disapproval of the Consumer Protection (Amendment) Ordinance and Consumer Protection (Amendment) Bill : Moving the resolution on 19 August 1993, Shri Ram Naik said that the Bill was originally introduced in the Rajya Sabha, but could not be passed. After introducing the Bill, to pass an Ordinance amounted to misusing the authority of the Ordinance, Shri Naik stated.

Moving that the Bill be taken into consideration, on the same day, the Minister of State in the Ministry of Civil Supplies, Consumer Affairs and Public Distribution and Minister of State in the Ministry of Commerce, Shri Kamaluddin Ahmed said that the objection raised by Shri Naik was of a technical nature. The Bill could not be passed in the Rajya Sabha for reasons well known. Subsequently, the Consumer Protection Council meeting was held and members requested that an Ordinance be issued in this regard.

Participating on 20 August 1993 in the combined discussion* on the motion for the consideration of the Bill moved by Shri Kamaluddin Ahmed and discussion on the Statutory Resolution moved by Shri Ram Naik, Shri Sobhanadreeswara Rao Vadde said that the success of the Consumer Protection Act would depend upon its implementation at the district level. He requested the Government to ensure that consumer awareness was created and that a strong consumer momentum was built up.

Replying to the debate, the Minister of State in the Ministry of Civil Supplies, Consumer Affairs and Public Distribution and Minister of State in the Ministry of Commerce, Shri Kamaluddin Ahmed said that this legislation was in addition to a number of legislations available to consumers. The present legislation was brought forward for the sole purpose of providing an immediate, less expensive redressal to the consumer.

*Others who participated in the discussion were : Sarvashri Sharad Dighe, Ram Kapse, Mohan Singh, Rajnath Sonker Shastri, Amal Dutta, Sriballav Panigrahi, Bhagwan Shankar Rawat, P.C. Thomas, Kadambur M.R. Janarthanan, Ramashray Prasad Singh, Dattatraya Bandaru, Girdhari Lal Bhargava, Oscar Fernandes, Ram Nihore Rai, P.C. Chacko, Janardan Misra, Tej Narayan Singh, Jagat Vir Singh Drona and Dr. Parshuram Gangwar.

The main recommendation of all the Members was the inclusion of medical services in the Government sector. In this regard there were practical difficulties; hence it had been decided to go slow in this matter, the Minister said. A number of suggestions had been made, which could be taken care of through subordinate legislation, he added.

The resolution was negatived and the Bill was passed.

Statutory Resolution regarding continuance in force of Proclamation by President in relation to the State of Jammu and Kashmir : Moving the Resolution on 26 August 1993, the Minister of State in the Ministry of Home Affairs, Shri Rajesh Pilot said that while the security situation in the State of Jammu and Kashmir remained under control, the level of terrorist violence continued to be fairly high. The fear of the gun had prevented people from coming out openly against militancy. On the political side, while political leaders in the State had shown enthusiasm in initiating the political process, progress on the ground in this direction had so far been limited.

Keeping in view the recommendation of the State Governor, the situation prevailing in the State and taking all relevant factors into consideration, the Minister sought the approval of the House to extend President's Rule for a further period of six months, with effect from 3 September 1993.

Participating in the discussion* on 28 August, Shri Chitta Basu said that there was no other alternative at the present moment with the Government. The Government should take appropriate political, administrative and economic measures to meet the situation arising out of the stalemate in Jammu and Kashmir.

Replying to the discussion, the Minister of State in the Ministry of Home Affairs, Shri Rajesh Pilot said that Kashmir was the problem of the entire country and everybody would have to rise above party lines to solve it. The need of the hour was to tackle the problem of militancy so that a conducive atmosphere was created and the confidence of the people restored, he added.

The resolution was adopted.

B. LEGISLATIVE BUSINESS

*The Delhi Municipal Corporation (Amendment) Bill, 1993*** : Moving that the Bill be taken into consideration on 29 July 1993, the Minister of

*Others who took part in the debate were : Sarvashri Madan Lal Khurana, Hannan Mollah, Laeta Umbrey, Md. Ali Ashraf Fatmi, Satya Pal Singh Yadav, S.M. Lal Jan Basha, Bhogendra Jha, Prof. Prem Dhumal and Maj. Gen. (Retd.) Bhuwan Chandra Khakduri.

**The Bill was introduced in the Lok Sabha on 14 May 1993.

Home Affairs, Shri S.B. Chavan* stated that the amending Bill sought to confer necessary supervisory powers of the Government of the National Capital Territory of Delhi over the Corporation.

Replying to the debate on 4 August 1993, the Minister of Home Affairs, Shri S.B. Chavan said that some corrections were thought to be necessary to the existing Act. With the passage of time it was felt that some more powers were required for implementing the objectives with reference to Ward Committees. Delhi being the Capital city, certain responsibilities would have to be handled by the Government; hence the provision for delegation of powers in the Bill, he added.

The Bill, as amended, was passed.

*The Parliament (Prevention of Disqualification) Amendment Bill, 1993*** Moving that the Bill be taken into consideration on 21 August 1993, the Minister of State in the Ministry of Law, Justice and Company Affairs, Shri H.R. Bhardwaj*** said that the Bill sought to repeal and replace the Parliament (Prevention of Disqualification) Amendment Ordinance, 1993. The Bill also proposed to give effect to the other recommendations of the Joint Committee relating to the office of Chairpersons of National Commission for the Scheduled Castes and Scheduled Tribes, the National Commission for Minorities and the National Commission for Women. The Bill also provided for change of short title of Act 30 of 1954.

Replying to the debate, the Minister expressed the hope that there would be another comprehensive legislation with regard to other offices of profit.

The Bill was passed.

*The Constitution (Seventy-Seventh Amendment) Bill, 1992 :***** Moving that the Bill be taken into consideration on 24 August 1993, the Minister of Urban Development, Smt. Sheila Kaul*****, said that the proposed constitutional amendment was an important element of the Model Rent legislation which had been laid before both Houses of Parliament. The move to set up the Rent Tribunal had been endorsed by State Governments. It was expected that the establishment of the Tribunal would reduce the time taken for disposal of cases and reduce the cost both to the Government and the litigants, the Minister added.

*Others who took part in the discussion were : Sarvashri Madan Lal Khurana, Sajjan Kumar, Mohan Singh, Pawan Kumar Bansal, Hannan Mollah, Kalka Das, Vijay Kumar Yadav, Tara Chand Khandelwal, S.M. Lal Jan Basha and George Fernandes.

**The Bill was introduced in the Rajya Sabha on 29 July, 1993.

***Others who took part in the discussion were : Sarvashri Mohan Singh, Bhogendra Jha, Rajveer Singh, Nitish Kumar, Dr. Laxminarain Pandey and Prof. (Smt.) Malini Bhattacharya.

****The Bill was introduced in the Lok Sabha on 14 July 1992.

*****Others who took part in the discussion were : Sarvashri Madan Lal Khurana, Sharad Dighe, Mohan Singh, V. Dhananjaya Kumar, Chandulal Chandrakar, Vijay Kumar Yadav, Nitish Kumar, Surya Narayan Yadav, M.V.V.S. Murthy, P.C. Chacko and Dr. Sudhir Ray.

Participating in the discussion, Shri Ebrahim Sulaiman Sait suggested that all the Wakf properties should be exempted from the purview of the Rent Control Act.

Supporting the Bill, Shri P.C. Thomas observed that this was not a legislation meant for either tenants alone or for landlords alone. He hoped that the Minister would take into account the fact that tenants required protection and to some extent landlords also.

Replying to the discussion, the Minister of Urban Development, Smt. Sheila Kaul said that there would be provision for both tenants as well as landlords in the Bill. The proposed National Tribunals would have branches in each State, the Minister added.

The Bill, as amended, was passed.

The Extradition (Amendment) Bill, 1993.* Moving that the Bill to further amend the Extradition Act, 1962 as passed by the Rajya Sabha be taken into consideration on 28 August 1993, the Minister of State in the Ministry of External Affairs, Shri R.L. Bhatia** said that the amendments aimed at enlarging the legislative basis and framework of the extradition law to enable the full and effective implementation of treaties concluded with countries adopting different legal systems.

Participating in the discussion, Shri P.G. Narayanan expressed the opinion that the proposed amendments and the new law of extradition would not, in any way, affect the traditional protection India gave to the fundamental rights and freedoms of the individual and its objective and it should be consistent with the present trend at the international level.

The Minister of State in the Ministry of External Affairs, Shri R.L. Bhatia replied to the debate.

The Bill was passed.

C. QUESTION HOUR

During the Session 21,185 notices of Questions (17,187 Starred, 3,966 Unstarred and 32 Short Notice Questions) were received. Out of these, 460 Questions were admitted as Starred and 4,908 Questions as Unstarred but no Short Notice Question was admitted. 70 Unstarred Questions were deleted/postponed/transferred from one Ministry to another.

During the Session the Question Hour was fixed for 23 sittings. The sitting fixed for 9 August 1993 was cancelled as decided at the meeting of Leaders of Parties and Groups on 6 August 1993 to enable the Members

*The Bill was introduced in the Rajya Sabha on 29 July 1993.

**Others who took part in the discussion were Sarvashri Rajvir Singh, Mohan Singh, Vishwanath Shastri, Kamla Mishra Madhukar and Dr. Sudhir Ray.

to participate in the concluding celebrations of the 50th Anniversary of the Quit India Movement. Answers to Questions listed for that day were laid on the Table on 10 August 1993.

Daily Average of Questions

The average number of Starred Questions answered orally on the floor of the House during the Session was 5. The maximum number of Starred questions answered on a day was 8 on 28 July 1993 and the minimum number was 4 on 26 July and 13, 26 and 27 August 1993.

The average number of Questions in the Unstarred List came to 213 against the prescribed limit of 230, the minimum being 154 Questions on 13 August 1993 and maximum being 235 on 9, 18 and 25 August 1993.

Half-an-Hour Discussion

In all, 34 Notices of Half-an-Hour Discussions were received during the Session. Out of these two notices were included in the List of Business and were discussed on the floor of the House.

D. OBITUARY REFERENCES

During the Session references were made to the passing away of Prof. Saiyid Nurul Hasan (Governor of West Bengal and former Union Minister); Sarvashri Bhagey Gobardhan (sitting Member); M.L. Dwivedi (Member, Constituent Assembly, Provisional Parliament and First to Third Lok Sabhas); Shri N. Alexander (Member, Provisional Parliament); and Sudam Deshmukh, Hynniewta Hoover, D. Basumatari, Narayan Rao Waghmare, Nihal Singh, S.K. Sambandhan, Raichandbhai N. Shah, Prem Kishan Khanna, R. Gundu Rao, Debeshwar Sarmah, Baksi Nayak, S.R. Damani and R.R. Bhole, Chowdhury Brahm Prakash and Smt. Vijayamala Rajaram Chhatrapati Bhonsle (all former Members).

RAJYA SABHA

HUNDRED AND SIXTY-EIGHTH SESSION*

The Rajya Sabha met for its Hundred and Sixty-Eighth Session on 26 July 1993 and adjourned *sine die* on 27 August 1993. A resume of some of the important discussions held and other business transacted during the Session is given below.

A. DISCUSSIONS

The havoc caused by recent floods in various parts of the country : On 27 July 1993, Shri Murlidhar Chandrakant Bhandare called the attention of the Minister of Agriculture to the havoc caused by recent floods in various

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

parts of the country and the action taken by the Government in regard thereto.

Replying to the calling attention, the Minister of Agriculture Dr. Bal Ram Jakhar said that according to the reports received from the State Governments, rain and flood waters had extensively affected life and agricultural operations. The affected States were still in the process of making a detailed assessment of the extent of damage caused to human and cattle lives, crops, houses and private and public property, including physical infrastructure in the districts.

The Minister said that the concerned State Governments had mounted timely rescue and relief measures in the flood affected areas, including evacuation of marooned population to safer places with the assistance of the Armed Forces, distribution and air-dropping of food packets, distribution of essential commodities, opening of relief camps, medical assistance, vaccination to prevent out-break of epidemics and distribution of ex-gratia payment to the families of the victims. Government of India was also assisting the affected States in restoration of national highways, rail and telecommunication networks, power installations and distribution systems, particularly in the States of Punjab, Haryana, Himachal Pradesh, Jammu and Kashmir, Bihar and West Bengal, which had been very severely affected by floods. The Crisis Management Group (CMG) in the Ministry of Agriculture was reviewing the flood situation and relief, rehabilitation and restoration works in the affected States.

The Minister further informed that the Ninth Finance Commission had recommended the creation of a Calamity Relief Fund (CRF) to be operated by the State Governments. Seventy-five per cent of the CRF was contributed by the Government of India and the balance 25 per cent by the States concerned. The annual contribution to the States' CRF was released in four quarterly instalments. Two quarterly instalments of the Central share of CRF had been released to all the States during the current year, the Minister added.

Prevailing drought conditions in different parts of the country : On 4 August 1993, Shri N.E. Balaram called the attention of the Minister of Agriculture to the prevailing drought conditions in different parts of the country and the action taken by the Government in regard thereto.

Replying to the calling attention, the Minister of Agriculture, Dr. Bal Ram Jakhar said that while some parts of the country were affected by floods, other areas such as Bihar, Orissa, Andhra Pradesh, Maharashtra, Gujarat, Madhya Pradesh, Uttar Pradesh and Karnataka were experiencing drought conditions because of uneven distribution of rains.

After receiving the forecast for the South-West Monsoon, a model contingency plan was circulated to all the States in the first week of June. Accordingly, the States had prepared contingency plans to meet any eventuality due to any aberration of monsoon. Various programmes such as

introduction of water budgeting, energy management, delivery of agricultural inputs and providing extension support had been evolved to ensure necessary critical agricultural inputs at the farm level to support the contingency crop plan. The developing situation in the rainfall deficient areas was being monitored on a continuing basis.

The Minister informed that two quarterly instalments of the Central share of CRF during the current year had been released to all the States, including States affected by floods and droughts, Government had also launched several schemes to meet the drought-situation in various States and had allocated a sum of Rs. 207 crore, he added.

Verdict of the Swiss Supreme Court relating to Bofors : A Short Duration Discussion on the subject took place in the House on 29 July 1993 and 12, 16 and 17 August 1993.

Initiating the discussion on 29 July 1993, Shri P. Upendra said that the Swiss Justice Ministry released on 22 July the names of five individuals and two companies following the judgement of the Federal Court of Switzerland. He said that efforts had been made by the National Front Government to continue investigations which paved the way for ultimately bringing out the truth. For the first time, an FIR was filed on 22 January 1990. A letter rogatory was sent to the Swiss authorities and the CBI was allowed to interrogate the then Managing Director of Bofors, Mr. Martin Ardbo. Section 16(a) of the Criminal Procedure Code was amended and on India's request the Swiss investigating Judge decided to assist India. The beneficiaries of the kickbacks made several attempts subsequently through their appeals in the Cantonal Courts in Zurich and Geneva and the Swiss Federal Court to prevent passage of documents to the Government of India. Disclosures had come from Switzerland that as many as seven parties, who received kickbacks, were trying to block the disclosure.

The member demanded that whatever information was available, particularly with the Central Bureau of Investigation (CBI), must be shared with the nation. A special emissary of the Government of India should be sent to Switzerland to further conduct the investigations. He suggested that a new Joint Parliamentary Committee be appointed in view of the revelations so that the investigation could go on further and the issue could be closed once and for all.

Replying to the discussion* on 17 August 1993, the Minister of State in the Ministry of Personnel, Public Grievances and Pensions, Smt. Margaret Alva said that there was no mention of corruption or bribe in the judgement of the Swiss Court. The Government was firm in its intention to unravel the truth and punish those guilty as per the process of law. It was because of the pressure which the CBI had kept up over the last one year that the

*Other members who took part in the discussion were: Sarvashri S.S. Ahluwalia, Jagdish Prasad Mathur, Ram Jethmalani, Vishvjit P. Singh, Kamal Morarka, Sukomal Sen, Madan Bhatia, V. Gopalsamy, Suresh Pachouri, N. Giri Prasad, Prof. G.G. Swell, Jagmohan, Smt. Sushma Swaraj and Smt. Jayanthi Natarajan.

present judgement of the Swiss Court had come. Names of seven appellants had been released by the Swiss Federal Court. Besides that, some other points had also come out of the judgement, *i.e.* the judicial assistance would be granted to the Indian authorities to carry on with the investigation further; the examining Magistrate would examine and make available records which related to Bofors payments; the parties had the right to appeal against the order; and the concerned accounts would remain frozen until the process was completed.

The Minister said that the Swedish authorities had not acceded to India's request for the supply of Mr. Martin Ardbo's diary and documents. In the FIR of the Bofors case, G.P. Hinduja had been named as accused amongst others. The preliminary examination of two Hinduja brothers, G.P. Hinduja and S.P. Hinduja, was done by two Joint Directors of CBI in January 1991 in London. Both of them admitted that M/s Jubilee Finance Inc. belonged to them. The Government would find out everything—where the funds came from, who got them, who used them and who hid them.

The Minister said that the name of Mr. Quattrocchi did not figure in the FIR as an accused. However, in the communication now received from the Swiss authorities after the judgement was pronounced on 20 July 1993 in the Swiss Federal Court, it had been mentioned that Mr. Quattrocchi was one of the seven appellants before the Swiss Court. His exact role would be known only on receipt of the bank documents and other relevant papers from Switzerland. The CBI had already requested the Swiss authorities to give all possible documents to India. All the accused would be treated equally when the documents were received, the Minister added.

Situation arising out of large scale disinvestment in Public Sector Undertakings : On 6 August 1993, Shri Jagdish Prasad Mathur called the attention of the Ministry of Finance to the situation arising out of large scale disinvestment in Public Sector Undertakings (PSUs).

Replying to the calling attention, the Minister of Finance, Dr. Manmohan Singh said that during the year 1991-92 the Government disinvested a portion of its equity holding in 30 PSUs in favour of public sector mutual funds, banks and financial institutions through competitive bidding and realised a sum of Rs. 3,038 crore. In recent weeks, there had been extensive media coverage and criticism of disinvestment.

Responding to the main criticism, the Minister stated that the Government's bonafides in the matter were above reproach, and that the disinvestment had been conducted properly with full Cabinet authority and with no impropriety.

The Minister said that there had been criticism that the method adopted by the Government for sale of shares in bundles had depressed value realisation of 'very good' and 'good' PSUs as result of their being clubbed together with 'average' PSUs. The answer to this criticism was that bundling of shares enabled a broader based disinvestment in which the 'very

good' PSUs were disinvested along with 'less good' PSUs. Mobilising the resources was not the only object of disinvestment. Wider participation in PSU equity was also an important objective and it was felt that bundling would help achieve this objective in the initial stages. Clearly, without bundling the shares, 'very good' PSUs might have fetched higher prices than were imputed to them within the bundles. Equally, the prices realised by 'average' PSU shares would have been lower if those had been sold individually, or it might have been difficult to disinvest those shares, thus preventing broad based participation.

The Minister said that the perceptions regarding future earning and profit prospects could differ significantly. That was more likely in the case of public sector enterprises whose shares had not been traded on the stock market in the past, where the disinvestment proposed was only of a part of the equity which was not going to lead to loss of Government control over management and where enterprises faced different market structures.

By limiting participation in bidding for public sector shares to public sector financial institutions in the initial stages, Government's intention was to ensure that if by chance the sale took place at an underpriced level, the benefit would accrue to public sector institutions rather than private entities. That by itself was indicative of Government's bonafides and honest intentions, the Minister added.

INSAT-2B Satellite : Making a statement on 13 August 1993 on the successful launching of the second indigenously built second generation multipurpose geostationary Satellite, INSAT-2B, the Prime Minister said that the Satellite achieved its full in-orbit configuration on schedule, due to the excellent performance of all the systems on board. It would be put into regular operational use from 15 August 1993.

The Prime Minister informed that INSAT-2B would add capacity to the INSAT system for long distance telecommunication circuits, business network, remote area communication, teleconferencing, national and regional TV networks. The Search and Rescue payload which was a new feature added to the INSAT-2 system would instantaneously detect distress alerts over a vast region around India for taking appropriate rescue measures.

The Prime Minister conveyed the deep appreciation and heartiest support to the staff of the Indian Space Research Organisation (ISRO) and the Department of Space for the great success that they had achieved in making available INSAT-2B for national services. The country could be justifiably proud of this magnificent achievement, he said.

Situation arising out of the scrapping of Cryogenic Rocket Engine deal by Russia unilaterally : On 18 August 1993, Shri N.E. Balam called the attention of the Minister of Space to the situation arising out of the scrapping of the Cryogenic Rocket Engine deal by Russia unilaterally.

Replying to the calling attention, the Prime Minister said that self-reliance in launch vehicles was most essential in providing continuity in

operational space services. While the solid and liquid propulsion technologies developed by ISRO had enabled India's space scientists to proceed with the launch vehicles programme, the need for launching 2.5 tonne class of Satellites in geo-synchronous transfer orbits by the Geosynchronous Satellite Launch Vehicle (GSLV) required the more efficient cryogenic propulsion system. The cryogenic technology was highly sophisticated and had taken over 10 years for development even in advanced nations. Glavkosmos of the then USSR offered the technology transfer and cryogenic stages at most competitive rates. Other countries under consideration as a source of this technology were France and the US. Government decided to accept the Glavkosmos offer. An agreement was signed in January 1991, with Glavkosmos at the cost of Rs. 235 crore for technology transfer along with supply of two units of cryogenic stages in a period of about 6 years. This contract had been making normal progress.

The Prime Minister stated that in May 1992, the USA imposed an embargo on ISRO and Glavkosmos for two years citing that the agreement violated the Missile Technology Control Regime (MTCR). Both the sides had consistently pointed out that this Agreement did not come under the purview of MTCR since the intended use of the cryogenic upper stage as a part of GSLV was only for launching geosynchronous Satellites for peaceful uses towards national development. There was also provision in the contract against transfer of this technology to any third country.

As part of routine periodic consultations between M/s Glavkosmos and the ISRO the Secretary, Department of Space and a team of officers from the Department visited Moscow in the early part of July 1993. The Indian side, during the course of their discussion, reiterated the long standing relations between the two countries in the field of space research. MTCR concern was not relevant to the cryogenic technology whereas technology transfer was the heart of the Agreement. They also emphasised the provision in the Agreement on the non-transfer of technology to a third country.

Subsequently, the Chief of the Directorate of International Scientific and Technical Cooperation of the Russian Ministry of Foreign Affairs handed over a non-paper to the Indian Ambassador in Moscow on 16 July in which it had been stated that in the context of unforeseen circumstances, Glavkosmos found itself in a situation of not being able to fulfil further its obligations regarding the transfer of technology and production equipment under the Agreement of January 1991. The paper given to the Indian Ambassador invoked the *force majeure* clause of the January 1991 Agreement as the basis of Glavkosmos resiling from its contractual obligations. No other communication regarding the agreement had been received. The Russian side, however, had expressed its readiness to hold further consultation with India in the matter.

Replying to the points raised by the members, the Prime Minister said that under the Agreement with Glavkosmos, engines and technology would have been supplied by the end of 1996. If the Agreement was not imple-

mented, ISRO felt that they could develop the technology with a little delay of two years beyond the original scheduled date, he added.

Need for Government to undertake measures for revival of sick Public Sector Undertakings : On 26 August 1993, Shri Gurudas Das Gupta called the attention of the Minister of Industry to the urgent need for the Government to undertake measures for the revival of sick Public Sector Undertakings (PSUs).

Replying to the calling attention, the Minister of State in the Ministry of Industry, Smt. Krishna Sahi said that the Government was concerned with the problems of sickness of certain units of central public enterprises and was fully alive towards their solution. In some cases, the Government had to undertake the responsibility of those units with a view to protecting employment opportunities and preventing economic instability. The Minister said that there was a need to establish several industries in the public sector to give momentum to industrialisation in the country because without those industries it was not possible for other industries to get machinery and other support facilities.

Referring to the measures taken by the Government for the revival/rehabilitation schemes for public sector enterprises, the Minister informed that the government policy relating to sick public sector industries was announced as part of the Industrial Policy on 24 July 1991.

In pursuance of that policy statement, the Government had amended the Sick Industrial Companies Act (SICA) in December 1991 and made it obligatory for all public sector units to be referred to the Board of Industrial and Financial Reconstruction (BIFR). To protect the interests of public sector workers, a National Renewal Fund (NRF) had also been set up in February 1992. Through that, schemes had been proposed to assist the employees in re-training, re-deployment and counselling. Provision of funds through NRF also existed for cases where workers retired voluntarily or were declared surplus. To implement the scheme of NRF, an empowered authority had been created and a provision of Rs. 700 crore had been made in the current year's budget.

The Government was serious in bringing about improvement in the working of its public sector industries. It was the endeavour of the Government that public sector enterprises improved their technology and production and became strong enough to face competition from the private sector so that there was no need to give them protection and they could function as strong profitable industries, the Minister added.

B. LEGISLATIVE BUSINESS

The Parliament (Prevention of Disqualification) Amendment Bill, 1993 :* Moving the motion for consideration of the Bill on 13 August 1993, the

*The Bill was introduced in the Rajya Sabha on 29 July 1993.

Minister of State in the Ministry of Law, Justice and Company Affairs, Shri H.R. Bhardwaj said that in view of the urgency felt by the Government, the Parliament (Prevention of Disqualification) Amendment Ordinance, 1993 was promulgated on 19 July 1993 in order to confer the intended benefit to the holder of the office of the Deputy Chairman, Planning Commission*. The present Bill sought to repeal and replace the said Ordinance. The Bill also proposed to give effect to some other recommendations of the Joint Committee of Parliament relating to the offices of Chairpersons of the National Commission for Scheduled Castes and Scheduled Tribes and the National Commission for Minorities, etc.

The Bill was passed on the same day.

*The Extradition (Amendment) Bill, 1993*** : Moving the motion for consideration of the Bill on 24 August 1993, the Minister of State in the Ministry of External Affairs, Shri R.L. Bhatia said that at present, the Law of Extradition in India was contained in the Extradition Act 1962 (Act 34 of the 1962). The 1962 Act made a distinction between Commonwealth countries and foreign States and considered only foreign States as treaty States. The extradition with Commonwealth countries was separately governed by the Second Schedule of the Act and the Union Government was given powers under Chapter III to conclude special extradition arrangements in respect of Commonwealth countries only. Such distinction made in the Extradition Act, 1962 between foreign States and Commonwealth countries did not hold good in view of the change of time and rapid developments in Extradition Law at the international level. Commonwealth countries were concluding extradition treaties among themselves. India had in recent years concluded separate extradition treaties with Canada and UK. Moreover, the Civil Law countries had specific requirements for purposes of extradition with them. In addition, terrorism and drug trafficking as two most heinous crimes affecting innocent lives, had thrown new challenges necessitating changes in the existing Extradition Law to effectively deal with these new crimes. Many international Conventions dealing with these and other crimes had laid down specific obligations on State parties to extradite or prosecute a fugitive offender. India was a State party to many of these international conventions.

The Bill was passed on the same day.

*The Constitution (Seventy-Seventh) Amendment Bill, 1992**** : Moving the motion for consideration of the Bill on 26 August 1993, the Minister of Urban Development, Smt. Sheila Kaul said that the Bill sought to amend Article 323(B) of the Constitution of India to enable the Legislatures of

*For details, see Sessional Review, Lok Sabha.

**The Bill was introduced in the Rajya Sabha on 29 July 1993.

***The Bill, as passed by the Lok Sabha, was laid on the Table on 25 August 1993.

States and Union territories to enact legislation for the establishment of Rent Tribunals. As in the case of the Central Administrative Tribunal, only the jurisdiction of the Supreme Court would be retained in the new set up for adjudicating rent control cases in different States. That was a major piece of legal reform which would be welcomed by landlords and tenants all over the country.

Presently, thousands of rent control cases were pending in various courts in the country, the number of which was increasing day by day. The State Governments felt that it would be more appropriate to set up State-level rent tribunals according to local needs, rather than setting up only a National Tribunal as suggested by the Supreme Court. These States tribunals could deal with all cases relating to rent control more smoothly. Therefore, it was expected that the establishment of the State-level rent tribunals would reduce the time taken for disposal of cases relating to rent.

The Bill was passed.

C. QUESTION HOUR

During the 168th Session of the Rajya Sabha, 10,166 notices of Questions (9,637 Starred and 531 Unstarred) were received. Out of these, 449 Starred Questions and 4,588 Unstarred Questions were admitted. 6 Short Notice Questions were received out of which only one was admitted. After Lists of questions were printed, 12 Starred and 107 Unstarred Questions were transferred from one Ministry to the other.

Daily Average of Questions : Each of the Lists of Starred Questions contained 17 to 21 Questions. On an average 4 Questions were orally answered per sitting. The maximum number of Questions orally answered was 7 on 24 August 1993 and the minimum number of Questions orally answered was 8 on 26 July 1993 and also on 4,6,18 and 20 August 1993.

The minimum number of Questions admitted in Unstarred Lists was 65 on 26 July 1993 and their maximum number was 322 on 18 August 1993. Their average came to 199.

Half-an-Hour Discussion : 29 Notices of Half-an-Hour Discussion were received, out of which only one was admitted.

Statement correcting answers to Questions : 4 Statements correcting answers to Questions were made/laid by the Ministers concerned.

D. OBITUARY REFERENCES

During the Session, references were made to the passing away of Sarvashri Laxmi Narain, Dharanidhar Basumatari, D. Ramanuja Rao, Prof. S. Nurul Hasan, Bholu Prasad, N. Sri Rama Reddy and Smt. Usha Barthakur,

all ex-members. Members stood in silence for a while as a mark of respect to the deceased.

STATE LEGISLATURES

ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY*

The Ninth Session of the First Arunachal Pradesh Legislative Assembly commenced on 20 September and was adjourned *sine die* on 22 September 1993. The House was prorogued by an Order of the Governor of Arunachal Pradesh on the same day.

Legislative Business : During the Session, the following Bills, viz. (a) The Arunachal Pradesh Excise Amendment Bill, 1993; (b) the Arunachal Pradesh Motor Vehicle Taxation Amendment Bill, 1993; (c) The Essential Service Maintenance (Arunachal Pradesh) Bill, 1993; (d) The Arunachal Pradesh Fire Service Force (Amendment) Bill, 1993; and (e) The Arunachal Pradesh University (Amendment) Bill, 1993 were introduced, considered and passed by the House.

MANIPUR LEGISLATIVE ASSEMBLY**

The Eleventh Session of the Fifth Manipur Legislative Assembly commenced on 9 July 1993 and was adjourned *sine die* on 26 July 1993.

Legislative Business : During the Session, seven Bills were introduced. Out of these, four Bills, viz. (a) The Manipur Appropriation (No. 3) Bill, 1993; (b) The Manipur University (Second Amendment) Bill, 1993; (c) The Salaries and Allowances of Members of the Legislative Assembly, Manipur (Fifth Amendment) Bill, 1993; and (d) The Manipur Municipalities (Eighth Amendment) Bill, 1993 were considered and passed by the House.

MIZORAM LEGISLATIVE ASSEMBLY***

The Fourteenth Session of the Second Mizoram Legislative Assembly commenced on 30 September 1993 and was adjourned *sine die* on 4 October 1993.

Legislative Business : During the Session, the Mizoram Publication Bill, 1993 was discussed and passed by the House. The House also ratified the Constitution (Seventy-Seventh) Amendment Bill, 1993 as passed by both the Houses of Parliament.

Obituary References : On the opening day of the Session, obituary references were made on the passing away of Shri K. Thanfianga, former Deputy Speaker of the Mizoram Legislative Assembly.

*Material contributed by the Arunachal Pradesh Legislative Assembly Secretariat.

**Material contributed by the Manipur Legislative Assembly Secretariat.

***Material contributed by the Mizoram Legislative Assembly Secretariat.

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APPENDIX-I

STATEMENT SHOWING THE WORK TRANSACTED DURING THE SEVENTH SESSION OF THE TENTH LOK SABHA

1. PERIOD OF THE SESSION	26 July to 28 August 1993
2. NUMBER OF SITTINGS HELD	24
3. TOTAL NUMBER OF SITTING HOURS	162 hours and 5 minutes.
4. NUMBER OF DIVISIONS HELD	6
5. GOVERNMENT BILLS	
i) Pending at the commencement of the Session	28
ii) Introduced	15
iii) Laid on the Table as passed by Rajya Sabha	4
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	2
vii) Reported by Select Committee	Nil
viii) Reported by Joint Committee	3
ix) Referred to Departmentally-related Standing Committee by Speaker/Chairman, Rajya Sabha.	16
x) Reported by Standing Committees	10
xi) Discussed	23
xii) Passed	20
xiii) Withdrawn	Nil
xiv) Negatived	Nil
xv) Part-discussed	1
xvi) Discussion postponed	2
xvii) Returned by Rajya Sabha without any recommendation	9
xviii) Motion for concurrence to refer the Bill to Joint Committee adopted	Nil
xix) Pending at the end of the Session	27
6. PRIVATE MEMBERS' BILLS	
i) Pending at the commencement of the Session	234
ii) Introduced	23
iii) Motion for leave to introduce negatived	Nil
iv) Laid on the Table as passed by Rajya Sabha	Nil
v) Returned by Rajya Sabha with any amendment and laid on the Table	Nil
vi) Reported by Select Committee	Nil
vii) Discussed	2

viii) Passed	Nil
ix) Withdrawn	Nil
x) Negatived	1
xi) Circulated for eliciting opinion	Nil
xii) Part-discussed	1
xiii) Discussion postponed	Nil
xiv) Motion for circulation of Bill negatived	Nil
xv) Referred to Select Committee	Nil
xvi) Removed from the register of Pending Bills	Nil
xvii) Pending at the end of the Session	256
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 193 (Matters of Urgent Public Importance)	
i) Notices received	213
ii) Admitted	3
iii) Discussion held	3
iv) Part-discussed	Nil
8. NUMBER OF STATEMENTS MADE UNDER RULE 197 (Calling attention to matters of Urgent Public Importance)	
i) Statement made by Minister	2
9. MOTION OF NO-CONFIDENCE IN COUNCIL OF MINISTERS	
i) Notices received	40
ii) Admitted and discussed	1
iii) Barred	39
iv) Withdrawn	Nil
10. HALF-AN- HOUR DISCUSSIONS HELD	2
11. STATUTORY RESOLUTIONS	
i) Notices received	83
ii) Admitted	8
iii) Moved	7
iv) Adopted	2
v) Negatived	4
vi) Withdrawn	1
12. GOVERNMENT RESOLUTIONS	
i) Notices received	1
ii) Admitted	1
iii) Moved	Nil
iv) Adopted	Nil
13. PRIVATE MEMBERS' RESOLUTIONS	
i) Received	6
ii) Admitted	5
iii) Discussed	2

iv) Adopted	Nil
v) Negatived	1
vi) Withdrawn	Nil
vii) Part-discussed	1
viii) Discussion postponed	Nil
14. GOVERNMENT MOTIONS	
i) Notices received	5
ii) Admitted	5
iii) Discussed	1
iv) Adopted	Nil
v) Part-discussed	Nil
15. PRIVATE MEMBER'S MOTIONS	
i) Notices received	277
ii) Admitted	93
iii) Moved	Nil
iv) Discussed	Nil
v) Adopted	Nil
vi) Negatived	Nil
vii) Withdrawn	Nil
viii) Part-discussed	Nil
16. MOTIONS RE : MODIFICATION OF STATUTORY RULE	
i) Received	2
ii) Admitted	2
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	15, 822
19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON SINGLE DAY AND DATE ON WHICH ISSUED	1500 on 28 July 1993
20. NUMBER OF ADJOURNMENT MOTIONS	
i) Brought before the House	Nil
ii) Admitted	Nil
iii) Barred in view of adjournment motion admitted on the subject	Nil
iv) Consent withheld by Speaker outside the House	20
v) Consent given by Speaker but leave not asked for by members concerned	Nil
21. TOTAL NUMBER OF QUESTIONS ADMITTED	
i) Starred	460

ii) Unstarred

4908

iii) Short Notice Questions

Nil

22. WORKING OF PARLIAMENTARY COMMITTEES

Sl.	Name of the Committee	No. of sittings he'd during the period 1 July-30 September 1993	No. of Reports presented to the House
1	2	3	4
(i)	Business Advisory Committee	5	5
(ii)	Committee of Absence of Members	1	1
(iii)	Committee on Public Undertakings	6	—
(iv)	Committee on Papers laid on the Table	3	1
(v)	Committee on Petitions	6	2
(vi)	Committee on Private Members Bills and Resolutions	4	4
(vii)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes	5	—
(viii)	Committee on Privileges	2	—
(ix)	Committee on Government Assurances	3	1
(x)	Committee on Subordinate Legislation	5	1
(xi)	Estimates Committee	7	2
(xii)	House Committee	2	—
	(a) Accommodation Sub-Committee	—	—
	(b) Sub-Committee on Amenities	—	—
	(c) Sub-Committee on Furnishing	—	—
(xiii)	Public Accounts Committee	4	1
(xiv)	Railway Convention Committee	4	1
(xv)	Rules Committee	1	1

JOINT/SELECT COMMITTEES

(i)	Joint Committee on Offices of Profit	4	1
(ii)	Joint Committee on the Copyright (Second Amendment) Bill, 1992	4	1
(iii)	Joint Committee on the Constitution (Eightieth Amendment) Bill, 1993	8	1
(iv)	Joint Committee on the Representation of the People (Amendment) Bill, 1993	8	1

STANDING COMMITTEES

(i) Committee on Agriculture	9	—
(ii) Committee on Communications	10	2
(iii) Committee on Defence	8	1
(iv) Committee on Energy (Sub-Committees)	10	—
(v) Committee on External Affairs	7	—
(vi) Committee on Finance	5	1
(vii) Committee on Food, Civil Supplies and Public Distribution	5	—
(viii) Committee on Labour and Welfare	4	1
(ix) Committee on Petroleum and Chemicals	13	1
(x) Committee on Railways	6	1
(xi) Committee on Urban and Rural Development	13	2
23. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE		6
24. PETITIONS PRESENTED		1
25. NUMBER OF NEW MEMBERS SWORN IN		2

APPENDIX-II

STATEMENT SHOWING THE WORK TRANSACTED DURING THE HUNDRED AND SIXTY-EIGHTH SESSION OF RAJYA SABHA

1. PERIOD OF THE SESSION	26th July to 27th August 1993	
2. NUMBER OF SITTINGS HELD		22
3. TOTAL NUMBER OF SITTING HOURS	139 hours and 47 minutes	
4. NUMBER OF DIVISIONS HELD		4
5. GOVERNMENT BILLS		
(i) Pending at the commencement of the Session		25
(ii) Introduced		5
(iii) Laid on the Table as passed by Lok Sabha		17
(iv) Returned by Lok Sabha with any amendment		Nil
(v) Referred to Select Committee by Rajya Sabha		Nil
(vi) Referred to Joint Committee by Rajya Sabha		Nil
(vii) Reported by Select Committee		Nil
(viii) Reported by Joint Committee		Nil
(ix) Discussed		20
(x) Passed		20
(xi) Withdrawn		Nil
(xii) Negatived		Nil
(xiii) Part-discussed		Nil
(xiv) Returned by Rajya Sabha without any recommendation		9
(xv) Discussion postponed		Nil
(xvi) Pending at the end of the Session		26
6. PRIVATE MEMBERS BILLS		
(i) Pending at the commencement of the Session		114
(ii) Introduced		33
(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		1
(viii) Passed		Nil
(ix) Negatived (Motion for leave to introduce the Bill)		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	145
7. Number Of Discussions Held Under Rule 176	
(MATTERS OF URGENT PUBLIC IMPORTANCE)	
(i) Notices received	73
(ii) Admitted	3 (on one subject)
(iii) Discussions held	1
8. NUMBER OF STATEMENTS MADE UNDER RULE 180	
(Calling-Attention To Matters Of Urgent Public Importance)	
Statements made by Ministers	5
9. Half-an-hour discussions held	1
10. STATUTORY RESOLUTIONS	
(i) Notices received	58
(ii) Admitted	58
(iii) Moved	8
(iv) Adopted	2
(v) Negatived	1
(vi) Withdrawn	5
11. GOVERNMENT RESOLUTIONS	
(i) Notices received	1
(ii) Admitted	1
(iii) Moved	Nil
(iv) Adopted	Nil
12. PRIVATE MEMBERS' RESOLUTIONS	
(i) Received	7
(ii) Admitted	7
(iii) Discussed	1 (discussion not concluded)
(iv) Withdrawn	Nil
(v) Negatived	Nil
(vi) Adopted	Nil
(vii) Part-discussed	Nil
(viii) Discussion postponed	
13. GOVERNMENT MOTIONS	
(i) Notices received	do
(ii) Admitted	do
(iii) Moved	

(iv) Adopted	Nil
(v) Part-discussed	Nil
14. PRIVATE MEMBERS' MOTIONS	
(i) Received	98
(ii) Admitted	94
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Part-discussed	Nil
(vi) Negatived	Nil
(vii) Withdrawn	Nil
15. MOTIONS REGARDING MODIFICATION OF STATUTORY RULE	
(i) Received	Nil
(ii) Admitted	Nil
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Negatived	Nil
(vi) Withdrawn	Nil
(vii) Part-discussed	Nil
16. NUMBERS OF PARLIAMENTARY COMMITTEES CREATED, IF ANY DURING THE SESSION	Nil
17. TOTAL NUMBER OF VISITORS' PASSES ISSUED	1948
18. TOTAL NUMBER OF PERSONS VISITED	2593
19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED	187 (26.8.1993)
20. MAXIMUM NUMBER OF PERSONS VISITED ON ANY SINGLE DAY AND DATE ON WHICH VISITED	311 (25.8.1993)
21. TOTAL NUMBER OF QUESTIONS ADMITTED	
(i) Starred	449
(ii) Unstarred	4588
(iii) Short-Notice Questions	1
22. DISCUSSION ON THE WORKING OF THE MINISTRIES	Nil
23. WORKING OF PARLIAMENTARY COMMITTEES	

Sl.	Name of Committee	No. of meetings held during the period from 1 July to 30 September 1993	No. of Reports presented during the 168th Session
(i)	Business Advisory Committee	5	Nil
(ii)	Committee on Subordinate Legislation	3	Nil
(iii)	Committee on Petitions	5	1
(iv)	Committee on Privileges	4	Nil
(v)	Committee on Rules	Nil	Nil

(vi) Committee on Government Assurances	12	1
(vii) Committee on Papers Laid on the Table	3	2
(viii) Departmentally related Committee on Commerce	16	1
(ix) Home Affairs	12	4
(x) Human Resource Development	7	1
(xi) Industry	5	Nil
(xii) Science and Technology and Environment and Forests	8	Nil
(xiii) Transport and Tourism	7	1
24. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE		4
25. PETITIONS PRESENTED		Nil
26. NAME OF NEW MEMBERS SWORN IN WITH DATES		

S. No.	Name of Member sworn-in	Date on which sworn in
1	2	3
1.	Shri Brahmadeo Anand Paswan	26-7-1993
2.	Shri John F. Fernandes	—do—
3.	Shri Dinesh Singh	—do—
4.	Shri Govindrao Adik	4-8-1993
5.	Shri Ahmed Mohemadhai Patel	20-8-1993
6.	Shrimati Urmilaben Chimanbhai Patel	—do—
7.	Shri Chimanbhai Haribhai Shukla	—do—
8.	Shri Ramnarayan Goswami	—do—
9.	Shri Ashok Mitra	—do—
10.	Shri Pranab Mukherjee	—do—
11.	Shri Jibon Behari Roy	—do—
12.	Shrimati Chandra Kala Pandey	23-8-1993
13.	Shri Tridib Chaudhuri	24-8-1993
14.	Dr. M. Aram	27-8-1993
15.	Shrimati Vyjayantimala Bali	—do—
16.	Dr. B.B. Dutta	—do—
17.	Maulana Habibur Rahman Nomani	—do—
18.	Shri Mahendra Prasad	—do—

27. OBITUARY REFERENCES

S.No.	Name	Sitting Member/ Ex-Member
1.	Shri Laxmi Narain	Ex-member
2.	Shri Dharanidhar Basumatari	—do—
3.	Shri D. Ramanuja Rao	—do—
4.	Prof. S. Nurul Hasan	—do—
5.	Shri Bhola Prasad	—do—
6.	Shri N. Rama Reddy	—do—
7.	Shrimati Usha Barthakur	—do—

APPENDIX-III

STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF STATES AND UNION TERRITORIES DURING THE PERIOD

1 July 1993 to 30 September 1993

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
1	2	3	4	5	6	7	8
STATES							
Andhra Pradesh, LA	2.8.1993 to 13.8.1993	8	6(9)	—	272(58)	272(46)#	44(3)
Arunachal Pradesh, LA	20.9.1993 to 22.9.1993	3	5(5)	—	100(91)	42(39)	—
Assam L.A.*	—	—	—	—	—	—	—
Bihar L.A.	5.7.1993 to 6.8.1993	25	19(19)	—	5755(2213)	5755(670)	791
Bihar L.C.	12.7.1993 to 8.8.1993	22	(16)	—	1404(1020)	3(39)	588(270)
Goa L.A.	5.7.1993 to 29.7.1993	19	14(11)	3	266(192)	128(202)	—
Gujarat L.A.	6.8.1993 to 19.8.1993	9	5(6)	3	1122(494)	299(138)	16(2)

1	2	3	4	5	6	7	8
Haryana L.A.	30.8.1993 to 2.9.1993	4	3(3)	—	187(104)	72(45)	—
Himachal Pradesh L.A.	—	—	—	—	—	—	—
Jammu & Kashmir L.A. ¹⁰	—	—	—	—	—	—	—
Jammu & Kashmir L.C.	—	—	—	—	—	—	—
Karnataka L.A.	23.8.1993 to 6.9.1993	9	7	—	685(180)	(472)	—
Karnataka L.C.	26.8.1993 to 7.9.1993	7	—	—	407(89)	211	3
Kerala L.A.	21.6.1993 to 29.7.1993	24	5(4)	3	(866)	(7667)	15(5)
Madhya Pradesh (a)	—	—	—	—	—	—	—
Maharashtra L.A. ¹⁰	—	—	—	—	—	—	—
Maharashtra L.C. ¹⁰	—	—	—	—	—	—	—
Manipur L.A. ¹⁰	—	—	—	—	—	—	—
Meghalaya L.A. ¹⁰	—	—	—	—	—	—	—
Mizoram L.A. ¹⁰	—	—	—	—	—	—	—
Nagaland L.A. ¹⁰	—	—	—	—	—	—	—
Orissa L.A. ¹⁰	20.7.1993 to 21.7.1993	2	5(5)	—	90(62)	18(16)	—
Punjab L.A.	—	—	—	—	—	—	—

Rajasthan L.A. ¹⁴	—	—	—	—	—	—	—	—	—
Sikkim L.A.	13.9.1993. to 14.9.1993	2	5(5)	—	9	—	1	—	—
Tamil Nadu L.A. ¹⁶	—	—	—	—	—	—	—	—	—
Tripura L.A.	9.7.1993 to 27.7.1993	12	3(3)	—	353(202)	—	8(37)\$	—	1
Uttar Pradesh L.A. ¹⁴	—	—	—	—	—	—	—	—	—
Uttar Pradesh L.C. ¹⁶	—	—	—	—	—	—	—	—	—
West Bengal L.A. ¹⁶	—	—	—	—	—	—	—	—	—
UNION TERRITORIES									
Delhi Metropolitan Council ¹⁴ **	—	—	—	—	—	—	—	—	—
Pondicherry L.A. ¹⁶	—	—	—	—	—	—	—	—	—

*Information not received from State Legislature.

**During Governor's rule in the State, the Assembly was dissolved on 19.2.1990 and the state was brought under President's rule from 19.7.1990.

***Delhi Metropolitan Council stands dissolved since 13.1.1990.

(a) Legislative Assembly stood dissolved on 15 December 1992, with no further change during period referred to.

(b) Nil report received

(c) President's rule since 6 December 1992, with no further change during the period concerned.

#Figure 46 includes starred questions admitted as unstarred.

\$Figure 37 includes 29 Starred Questions admitted as unstarred.

APPENDIX—III (Contd.)

Committees at Work/Number of Sittings held and number of Reports presented during the period 1 July '93 to 30 Sept '93.

		9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
	Business Advisory Committee	3	18	—	—	—	8	6	13	9	—	1	4	10	—	—	—
	Committee on Govt. Assurance	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	Committee on Petitions	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	Committee on Private Members' Bills and Resolutions	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	Committee of Privileges	—	—	—	—	6	—	—	—	—	—	—	—	—	—	—	—
	Committee on Public Undertakings	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	Committee on Subordinate Legislation	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	Committee on the Welfare of SC and ST	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	Estimates Committee	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—
	General Purposes Committee	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	House/Accommodation Committee	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	Library Committee	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	Public Accounts Committee	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	Rules Committee	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	Joint/Select Committee	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	Other Committees	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
STATES																	
	Andhra Pradesh L.A.	3	18	—	—	—	8	6	13	9	—	1	4	10	—	—	—
	Arunachal Pradesh L.A.	1	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	Assam L.A.*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Bihar L.A.	3	63	91	—	5	134	10	31(1)	43	—	32	21	22	6	—	(e)
Bihar L.C.	8(7)	18	17(2)	10	8(5)	—	13(1)	7	—	1	8	8	—	—	—	(b)
Goa L.A.	1(1)	1(1)	—	—	1	1	3	—	2	—	—	—	2	—	—	(c)
Gujarat L.A.	2(2)	5	—	1(1)	6	5	3(2)	—	5(1)	—	1	—	14	—	—	(d)
Haryana L.A.	1(1)	15	—	—	6	18	15	14	10	—	3	13	27	—	—	(e)
Himachal Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir L.A. @	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir L.C.\$	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Karnataka L.A.	3	8	—	3	(2)	8	9	8	10	—	7	1	2	1	—	(f)
Karnataka L.C.	4	8	8	1(1)	7(2)	—	—	—	—	—	—	—	—	1(1)	—	—
Kerala L.A.	2(2)	14	8(1)	13(7)	2	16(6)	9(1)	9(1)	17(3)	—	6	4	11(19)	—	—	(g)
Madhya Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Maharashtra L.A.*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Maharashtra L.C.*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Manipur L.A.*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Meghalaya L.A.	—	9	3	—	—	8	—	5	3	—	1	3	6	—	—	—
Mizoram L.A.	—	—	—	—	1	5	2	—	9	—	—	—	14	—	—	—
Nagaland L.A.*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Orissa L.A.*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Punjab L.A.	—	16	9	—	7	17	11	13	21	—	5	7	20	—	—	(h)
Rajasthan L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sikkim L.A.	—	4	—	—	—	—	—	—	6	—	2	—	10	—	—	—

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Tamil Nadu L.A.	—	16	7	—	—	10	3	—	5	—	—	1	11	—	—	0
Tripura L.A.	2(2)	3	3	—	1	2	—	—	2	—	—	1	2	—	—	0
Uttar Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Uttar Pradesh L.C.\$	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
West Bengal L.A.	4(4)	8(1)	3	—	4	3(1)	6	6	8(2)	—	2	—	7(2)	—	—	(k)
UNION TERRITORIES																
Delhi Metropolitan Council#	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Pondicherry L.A.	—	1	1	—	1	—	—	—	29	—	—	5	32	—	—	—

@ President's Rule since 19 July 1990.

\$ Nil report received.

Delhi Metropolitan Council stands dissolved since 13 January 1990.

(a) Question and Calling Attention Committee—101 Sittings; Nivedan Committee—20 sittings; Zila Parishad and Panchayat Raj Committee—56 sittings.

(b) Question and Call Attention Committee—25 sittings and 13 Reports; Implementation Committee—14 sittings; Committee on Leprosy Control—16 sittings; Nivedan Committee—8 sittings and 1 Report; Committee on District Board and Panchayat Raj—12 sittings.

(c) Budget Committee—1 sitting and 1 Report; Select Committee on Bill No.29, The Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Bill, 1993—1 sitting; Select Committee on Bill No. 30 of 1991, Goa Panchayat Raj, 1993—1 sitting; Select Committee on Bill No. 24 of 1993, The Goa Public Health (Third Amendment) Bill, 1993—1 sitting.

* Information not received from State Legislature.

** Legislative Assembly dissolved on 15 December 1992, with no further change during period concerned.

*** President's rule since 6 December 1992, with no further change during period concerned.

- (d) Committee on Welfare of Scheduled Castes—7 sittings; Committee on Welfare of Scheduled Tribes—3 sittings; Committee on Welfare of Socially and Educationally Backward Classes, Nomadic Tribes and Denotified Tribes—3 sittings; Committee on Panchayat Raj—6 sittings; Committee on Papers Laid on the Table of the House—4 sittings and 1 Report;
- (e) Press Gallery Committee—1 sitting.
- (f) Rules Sub-Committee—5 sittings and 1 Report; Joint Select Committee on Karnataka State Open University Bill, 1982—1 Report.
- (g) Committee on Environment—9 sittings; Committee on the Welfare of Women and Children—12 sittings; Committee on the Welfare of Backward Class Communities—5 sittings and 1 Report; Subject Committees : i) no sittings and 3 Reports; II 1 sitting and 3 Reports; III 3 sittings and 3 Reports; IV 2 sittings and 3 Reports; V 2 sittings and 3 Reports; VI 1 sitting and 3 Reports; VII 1 sitting and 3 Reports; VIII 2 sittings and 4 Reports; IX 2 sittings and 3 Reports; X no sittings and 3 Reports.
- (h) Committee on Papers Laid/to be laid on the Table of the House—7 sittings.
- (i) Committee on Papers laid on the Table of the House—8 sittings.
- (j) Committee on Delegated Legislation—1 sitting; Committee on Welfare of Scheduled Castes—2 sittings; Committee on Welfare of Scheduled Tribes—3 sittings.
- (k) Subject Committees on (i) Health and Family Welfare—2 sittings; (ii) on Environment—4 sittings; (iii) on Panchayat—2 sittings; (iv) on Education and Information and Cultural Affairs—4 sittings; (v) on Transport—5 sittings; (vi) on Irrigation and Waterways—3 sittings; (vii) on Welfare, Tourism and Sports & Youth Services—3 sittings; (viii) on Power and Commerce and Industries—6 sittings; (ix) on Agriculture, Food and Supplies—3 sittings; and (x) on Public Works—7 sittings; Ad-hoc Committee on the Questions of Subject Committees—2 sittings.

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 1993.

S. No.	Title of the Bill	Date of assent by the President
1	2	3
1.	The Betwa River Board (Amendment) Bill, 1993	27.8.1993
2.	The Consumer Protection (Amendment) Bill, 1993	27.8.1993
3.	The Recovery of Debts Due to Banks and Financial Institutions Bill, 1993	27.8.1993
4.	The Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Bill, 1993	27.8.1993
5.	The Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Amendment) Bill, 1993	27.8.1993
6.	The Parliament (Prevention of Disqualification) Amendment Bill, 1993	27.8.1993
7.	The Jammu and Kashmir Appropriation (No. 2) Bill, 1993	31.8.1993
8.	The Himachal Pradesh Appropriation (No. 2) Bill, 1993	31.8.1993
9.	The Rajasthan Appropriation (No. 2) Bill, 1993	31.8.1993
10.	The Madhya Pradesh Appropriation (No. 2) Bill, 1993	31.8.1993
11.	The Uttar Pradesh Appropriation (No. 2) Bill, 1993	31.8.1993
12.	The Appropriation (No. 3) Bill, 1993	31.8.1993
13.	The Appropriation (No. 4) Bill, 1993	31.8.1993
14.	The Appropriation (Railways) No. 3 Bill, 1993	31.8.1993
15.	The Appropriation (Railways) No. 4 Bill, 1993	31.8.1993
16.	The National Commission for Safai Karamcharis Bill, 1993	4.9.1993
17.	The Oil and Natural Gas Commission (Transfer of Undertaking and Repeal) Bill, 1993	4.9.1993
18.	The Extradition (Amendment) Bil, 1993	4.9.1993
19.	The Delhi Municipal Corporation (Amendment) Bill, 1993	17.9.1993

APPENDIX-V

LIST OF BILLS PASSED BY THE LEGISLATURES OF STATES AND UNION TERRITORIES DURING THE PERIOD 1 JULY TO 30 SEPTEMBER 1993

ANDHRA PRADESH LEGISLATIVE ASSEMBLY

1. The Andhra Pradesh Civil Courts (Amendment) Bill, 1992.
2. The Code of Criminal Procedure (Andhra Pradesh Amendment) Bill, 1993.
3. The Andhra Pradesh Commission for Backward Classes Bill, 1993.
4. The Andhra Pradesh General Sales Tax (Amendment) Bill, 1993.
5. The Andhra Pradesh (Telangana Area) Abolition of Inams (Amendment) Bill, 1993.
6. The Andhra Pradesh (Regulation of Wholesale Trade and Distribution and Retail Trade in Indian Liquor, Foreign Liquor, Wine and Beer) Bill, 1993.
7. The Andhra Pradesh University Acts (Amendment) Bill, 1993.
8. The Andhra Pradesh Universities (Second Amendment) Bill, 1993.
9. The Andhra Pradesh Education (Amendment) Bill, 1993.

ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY

- *1. The Arunachal Pradesh Excise (Amendment) Bill, 1993.
- *2. The Arunachal Pradesh Motor Vehicles Taxation (Amendment) Bill, 1993.
- *3. The Essential Services Maintenance (Arunachal Pradesh) Bill, 1993.
- *4. The Arunachal Pradesh Fire Service Force (Amendment) Bill, 1993.
- *5. The Arunachal Pradesh University (Amendment) Bill, 1993.

BIHAR LEGISLATIVE ASSEMBLY

1. The Bihar Appropriation Bill, 1993.
2. The Bihar Tenancy (Amendment) Bill, 1993.
3. The Bihar Sugarcane (Supply and Purchase Regulation) Amendment Bill, 1993.
4. The Bihar Lottery Prohibition Bill, 1993.
5. The Bihar Taxation Bill (Amendment and Validation) Bill, 1993.

*Awaiting Assent

6. The Entry Tax on Goods for Sale and use of Local Area in Bihar Bill, 1993.
7. The Bihar Electricity Duty (Amendment) Bill, 1993.
8. The State Commission for Backward Classes Bill, 1993.
9. The Reservation in Vacancies for Bihar Posts and Services (Scheduled Castes and Scheduled Tribes) (Amendment) Bill, 1993.
10. The Bihar Public Land Encroachment (Amendment) Bill, 1993.
11. The Bihar Crime Control (Amendment) Bill, 1993.
12. The Joint Cadre of the Secretariat and Attached Officials (Amendment) Bill, 1993.
13. The Bihar Inter-University Board (Amendment) Bill, 1993.
14. The Bihar and Orissa Public Demand Recovery (Amendment) Bill, 1993.
15. The Patna University (Amendment) Bill, 1993.
16. The Bihar State University (Amendment) Bill, 1993.
17. The Patna Corporation (Amendment and Validation) (Amendment) Bill, 1993.
18. The Bihar Panchayat Raj Bill, 1993.

BIHAR LEGISLATIVE COUNCIL

1. Bihar Viniyog Vidheyak, 1993.
2. Bihar Antar Vishvavidhyalaya Board (Sanshodhan) Vidheyak, 1993.
3. Bihar Apradh Niyantaran (Sanshodhan) Vidheyak, 1993.
4. Bihar Sthaniya Kshetra Me Upbhog Vyavahar Athawa Bikri ke Liye Mal Ko Pravesh Par Kar Vidheyak, 1993.
5. Bihar Karadhan Vidhi (Sanshodhan Evam Vidhi Manyakaran) Vidheyak, 1993.
6. Bihar Panchayat Raj Vidheyak, 1993.
7. Patna Vishwavidyalaya (Sanshodhan) Vidheyak, 1993.
8. Pichde Vargon Ke Liye Rajya Ayog Vidheyak, 1993.
9. Bihar Eekh (Aapoortee Evam Kharid Ka Viniyam) (Sanshodhan) Vidheyak, 1993.
10. Bihar Evam Orissa Lok Maang Vasooli (Sanshodhan) Vidheyak, 1993.
11. Bihar Rajya Vishwavidyalaya (Sanshodhan) Vidheyak, 1993.
12. Bihar Lok Bhoomi Adhikranan (Sanshodhan) Vidheyak, 1993.
13. Bihar Lottery Prabandh Vidheyak, 1993.
14. Bihar Padon Evam Sevaon Me Riktiyon Me Aarakshan (Anusoochit

Jatiyon, Anusoochit Janajatiyon Evam Anya Pichade Vargo ke Liye (Sanshodhan) Vidheyak, 1993.

15. Patna Nagar Nigam (Sanshodhan Evam Vidhinanyakaran) (Sanshodhan) Vidheyak, 1993.
16. Sachivalaya Evam Sanlagnak Karyalayon ke Sahayakon ka Sanyukt Samvarj (Sanshodhan) Vidheyak, 1993.

GOA LEGISLATIVE ASSEMBLY

1. The Goa Appropriation Bill, 1993.
2. The Goa State Guarantees Bill, 1993.
- *3. The Goa Barge Tax (Amendment) Bill, 1993.
- *4. The Goa Barge (Taxation on Goods) Bill, 1993.
- *5. The Goa (Extension of the Orphanages and other Charitable Homes) (Supervision and Control Act) Bill, 1993.
6. The Goa Sales Tax (Amendment) Bill, 1993.
- *7. The Goa Salary, Allowances and Pension of Members of the Legislative Assembly (Amendment) Bill, 1993.
- *8. The Goa Marine Fishing Regulation (Relaxation of Time Limit for Registration of Vessels) Bill, 1993.
- *9. The Goa Mundkars (Protection from Eviction) (Amendment) Bill, 1993.
- *10. The Goa Agricultural Tenancy (Amendment) Bill, 1993.
- *11. The Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Bill, 1993.

GUJARAT LEGISLATIVE ASSEMBLY

1. The Bombay Civil Courts (Gujarat Amendment) Bill, 1993.
2. The Gujarat Panchayats (Second Amendment) Bill, 1993.
3. The Bombay Provincial Municipal Corporation (Gujarat Amendment) Bill, 1993.
4. The Bombay Provincial Municipal Corporation (Gujarat Amendment) Bill, 1993.
5. The Gujarat Municipalities (Amendment) Bill, 1993.
6. The Gujarat Panchayats Bill, 1993.

HARYANA LEGISLATIVE ASSEMBLY

- *1. The Haryana Relief of Agricultural Indebtedness (Amendment) Bill, 1993.
2. The Haryana Private Lotteries Prohibition Bill, 1993.
3. The Haryana Appropriation (No. 3) Bill, 1993.

*Awaiting Assent

KERALA LEGISLATIVE ASSEMBLY

1. The Kerala Appropriation (No. 3) Bill, 1993.
2. The Kerala Finance Bill, 1993.
3. The Kerala Appropriation (No. 4) Bill, 1993.
4. The Kerala Cooperative Societies (Second Amendment) Bill, 1993.

PUNJAB LEGISLATIVE ASSEMBLY

1. The Punjab Municipal (Amendment) Bill, 1993.
2. The Punjab General Sales Tax (Second Amendment) Bill, 1993.
3. The Punjab Panchayat Samities and Zila Parishads (Temporary Super-session) Amendment Bill, 1993.
4. The Village Common Lands (Regulations) Amendment Bill, 1993.
5. The Punjab Agricultural Produce Markets (Amendment) Bill, 1993.

SIKKIM LEGISLATIVE ASSEMBLY

1. The Sikkim Panchayat Bill, 1993.
2. The Sikkim Appropriation Bill, 1993.
3. The Sikkim Commission for Backward Classes Bill, 1993.
4. The Sikkim Essential Services Maintenance Bill, 1993.
5. The Sikkim Lotteries (Prohibition on Running of and Sale of Single Digit and Private Lottery Tickets) Bill, 1993.

TRIPURA LEGISLATIVE ASSEMBLY

1. The Tripura Commission for Women Bill, 1993.
2. The Tripura Appropriation Bill, 1993.
3. The Tripura Panchayats Bill, 1993.

APPENDIX-VI
ORDINANCES PROMULGATED BY THE PRESIDENT DURING THE PERIOD FROM
1 JULY TO 30 SEPTEMBER 1993

Sl. No.	Subject	Date of Promulgation	Date on which laid Before the House	Date of Cessation	Remarks
UNION GOVERNMENT					
1.	The Oil and Natural Gas Commission (Transfer of Undertaking and Repeal) Ordinance, 1993	2.7.1993	26.7.1993	—	Replaced by Legislation
2.	The Parliament (Prevention of Disqualification) Amendment Ordinance, 1993	19.7.1993	26.7.1993	—	—do—
3.	The Protection of Human Rights Ordinance, 1993	28.9.93	—	—	—do—
4.	The Kalakshetra Foundation Ordinance, 1993	29.9.93	—	—	—do—
STATE GOVERNMENTS					
ANDHRA PRADESH					
1.	The Andhra Pradesh Education (Amendment) Ordinance, 1993.	—	—	—	—do—
2.	The Andhra Pradesh Universities (Second	—	—	—	—do—

Sl. No.	Subject	Date of Promulgation	Date on which laid Before the House	Date of Cessation	Remarks
	Amendment) Ordinance, 1993				
3.	The Andhra Pradesh General Sales Tax (Amendment) Ordinance, 1993	—	—	—	Replaced by Legislation
4.	The Andhra Pradesh (Regulation of Wholesale Trade and Distribution and Retail Trade in Indian Liquor and Foreign Liquor, Wine and Beer) Ordinance, 1993	—	—	—	do
		BIHAR			
1.	Bihar Rajya Vishwavidyalaya (Tritiya Sanshodhan) Adhyadesh, 1993	—	—	—	—
2.	Patna Vishwavidyalaya (Tritiya Sanshodhan) Adhyadesh, 1993	—	—	—	—
3.	Bihar Panchayat Rajya (Sanshodhi Evam Vidhi Manyakari) Dwitiya Adhyadesh 1993	—	—	—	—
4.	Pichde Vargon ke Liye Rajya Ayog, Dwitiya Adhyadesh, 1993	—	—	—	—
5.	Bihar Padon Evam Sevson ke Rikhtiyon Me Aarakshan (Anusoochit Jatiyon, Anusoochit Janajatiyon Evam Anya Pichde Vargon ke Liye) (Dwitiya Sanshodhan) Adhyadesh, 1993	—	—	—	—

6. Bihar Sthaneya Kshetra Me Upabhog Vyavahar Athwa Bikri ke Liye Maal ke Pravesh Par Kar, Dwitiya Adhyadesh, 1993	—	—	—	—
7. Bihar Vidhyut Shulk (Sanshodhan) Dwitiya Adhyadesh, 1993	—	—	—	—
8. Bihar Aakasmita Nidhi (Sanshodhar.) Dwitiya Adhyadesh, 1993	—	—	—	—
9. Bihar Karadhan Vidhi (Sanshodhan) Evam Vidhi Manyakaran (Adhyadesh), 1993	—	—	—	—
10. Bihar Lottery Pratibandh Adhyadesh, 1993.	—	—	—	—
	GOA			
1. The Goa Mundkars (Protection From Eviction) (Amendment) Ordinance, 1993	—	5.7.1993	—	—
2. The Goa Agricultural Tenancy (Amendment) Ordinance, 1993	—	—do—	—	—
	GUJARAT			
1. The Gujarat Motor Transport Vehicle Toll (Amendment) Ordinance, 1993	—	1.9.1993	—	—
2. The Bombay Animal Preservation (Gujarat Amendment) Ordinance, 1993	—	23.9.1993	—	—
	KARNATAKA			
1. Karnataka Essential Services Maintenance Ordinance, 1993	—	27.7.1993	—	—

Sl. No.	Subject	Date of Promulgation	Date on which laid Before the House	Date of Cessation	Remarks
1.	Kerala Essential Services Maintenance Ordinance, 1993	KERALA 24.9.1993	—	—	—
1.	The Sikkim Lotteries (Prohibition on Running of and Sale of Single Digit and Private Lottery Tickets) Ordinance, 1993	SIKKIM 31.7.1993	13.9.1993	14.9.1993	—
1.	The Tamil Nadu Cooperative Societies (Appointment of Special Officers) Second Amendment Ordinance, 1993	TAMIL NADU 13.7.1993	To be laid on the Table of the House on the First day of the next meeting of Assembly	—	—
2.	The Tamil Nadu Panchayats and Panchayat Union Councils (Appointment of Special Officers) Amendment Ordinance, 1993	30.9.1993	—	—	—
3.	The Tamil Nadu Municipal Laws (Amendment) Ordinance, 1993	30.9.1993	—	—	—

(a) A.I.M.E.I.M.	1
(b) A.S.D.C.	1
A.G.P.	1
(c) J.M.M.	6
(d) JANATA PARTY	1
(e) I.C.(S)	1
MUSLIM LEAGUE	2
K.C.(M)	1
(f) B.S.P.	1
(g) SHIVSENA	2
(h) M.P.P.	1
(i) B.S.P.	1
(j) S.S.P.	1
(k) JANATA PARTY	1
SAMAJWADI PARTY	3
B.S.P.	1
(l) A.I.F.B.	3
R.S.P.	3

B. PARTY POSITION IN RAJYA SABHA (AS ON 1 OCTOBER 1993)

Sl. No.	State/Union Territories	Seats	Cong.(I)	Janata Dal	CPI(M)	BJP	Janata Dal(S)	Others	Unattached	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11	12
STATES											
1.	Andhra Pradesh	18	8	1	1	—	—	6(e)	1	17	1
2.	Arunachal Pradesh	1	1	—	—	—	—	—	—	1	—
3.	Assam	7	5	—	—	—	—	1(b)	1	7	—
4.	Bihar	22	8	8	—	2	2	2(c)	—	22	—
5.	Goa	1	1	—	—	—	—	—	—	1	—
6.	Gujarat	11	6	1	—	3	—	—	1	11	—
7.	Haryana	5	2	—	—	1	2	—	—	5	—
8.	Himachal Pradesh	3	1	—	—	2	—	—	—	3	—
9.	Jammu and Kashmir	4	—	—	—	—	—	1(d)	—	1	3
10.	Karnataka	12	9	3	—	—	—	—	—	12	—
11.	Kerala	9	3	1	3	—	—	2(e)	—	9	—
12.	Madhya Pradesh	16	7	—	—	9	—	—	—	16	—
13.	Maharashtra	19	15	1	—	2	—	1(f)	—	19	—
14.	Manipur	1	—	1	—	—	—	—	—	1	—
15.	Meghalaya	1	—	—	—	—	—	1(g)	—	1	—
16.	Mizoram	1	1	—	—	—	—	—	—	1	—
17.	Nagaland	1	—	—	—	—	—	1(h)	—	1	—
18.	Orissa	10	3	6	—	—	1	—	—	10	—

19. Punjab	7	7	—	—	—	—	—	—	—	—	—	—	—	—	—	7	—
20. Rajasthan	10	4	1	—	3	1	—	—	—	—	—	—	—	—	10	—	
21. Sikkim	1	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	
22. Tamil Nadu	18	2	—	—	—	—	—	—	—	—	—	—	—	150	18	—	
23. Tripura	1	1	—	—	—	—	—	—	—	—	—	—	—	—	1	—	
24. Uttar Pradesh	34	11	4	—	—	8	5	—	—	—	—	—	—	33(k)	33	1	
25. West Bengal	16	1	—	—	—	—	—	—	—	—	—	—	—	40	16	—	
UNION TERRITORIES																	
Delhi	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	3
Pondicherry	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
Nominated	12	5	—	—	—	—	—	—	—	—	—	—	—	—	7	12	—
	245	102	27	15	30	12	—	—	—	—	—	—	—	38	237	8	—

(a) Telugu Desam—5; C.P.I.—1.

(b) Asom Gana Parishad—1.

(c) C.P.I.—2.

(d) National Conference—1.

(e) M.L.—1; CPI—1.

(f) Shiv Sena—1.

(g) H.S.P.D.P.—1.

(h) Nagaland People's Council—1.

(i) Sikkim Sangram Parishad—1.

(j) AIADMK 6; D.M.K.—9.

(k) Janata Party—1; C.P.I.—1; Samajwadi Party—1.

(l) R.S.P.—2; CPI—1; F.B.—1.

1	2	3	4	5	6	7	8	9	10	11	12
Tripura, L.A. (As on 1.10.1993)	60	10	1	—	—	44	—	5(o)	—	60	—
Uttar Pradesh, L.A.\$- (As on 1.7.1993)	—	—	—	—	—	—	—	—	—	—	—
Uttar Pradesh, L.C. West Bengal L.A. (As on 1.10.1993)	295	42	1	—	—	190	6	54(p)	1	294	1
UNION TERRITORIES											
Delhi Metropolitan, Council @ (As on 1.7.1993)	—	—	—	—	—	—	—	—	—	—	—
Pondicherry, L.A. (As on 1.7.1993)	30	15	1	—	—	1	—	10(q)	3	30	—

* Excluding Speaker/Chairman of Legislative Assembly/Legislative Council.

** No Information received.

*** Legislative Assembly dissolved on 15 December 1992, with no further change during period referred to.

\$ President's rule since 6 December 1992 with no further change during period referred to.

President's rule since 19 July 1990.

@ Delhi Metropolitan Council dissolved on 13.1.1990, with no further change during the period referred to.

(a) Telugu Desam Party—72; All India Majlis-Ittehad-Ul-Muslimeen—3; Marxists Communist Party of India—1; Democratic People's Front (Independent group)—10; Nominated—1.

(b) Jharkhand Mukti Morcha—8; Indian People's Front—7; Socialist Party (Lohia)—1; Marxist Co-ordination Party—2; Jharkhand Party—1; Unattached—6; Nominated—1.

- (e) Jharkhand Mukti Morche—1; Unattached—1.
- (f) Mahatshrawadi Gornantak Party—11; Gosen People's Party—1.
- (g) Lok Sweraaj March—1.
- (h) Janata Party—17; Haryana Vikas Party—11; Bahujan Samaj Party—1; Unattached—1.
- (i) National Conference—1.
- (j) Raitha Sanghe—2; A.I.A.D.M.K.—1; Muslim League—1; Nominated—1.
- (k) Muslim League—19; Kerala Congress(M)—10; Indian congress (Socialist)—3; Revolutionary Socialist Party—2; National Democratic Party—2; Kerala Congress(B)—2; Kerala Congress—1; C.M.P.—1.
- (l) United Meghalaya Parliamentary Front—39; H.P.U.—11; H.S.P.D.P.—6; P.D.I.C.—2.
- (m) M.N.F.—12; M.N.F.'D'—1.
- (n) Bahujan Samaj Party—9; Shiromani Akali Dal (Kabul)—3; Bharatiya Janata Party (Punjab)—2; Indian People's Front—1.
- (o) Sikkim Sangram Parishad—31; Unattached—1.
- (p) A.I.A.D.M.K.—161; D.M.K.—2; Pattali Mahikal Katchi—1; MGR Anna D.M. Kazhagam—1; Unattached—2; Nominated—1.
- (q) R.S.P.—2; Forward Block—1; Tripura Hill People's Party—1; Janata Dal—1; Congress (I)—10; T.U.S.—1.
- (r) All India Forward Bloc—28; R.S.P.—18; Democratic Socialist Party—1; Marxist Forward Block—1; Revolutionary Communist Party of India—1; S.U.C.I.—2; Jharkhand Party—1; Unattached—1; Nominated—1.
- (s) A.I.D.M.K.—6; D.M.K.—4.

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