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EDITORIAL NOTE

The first half of the year 1991 witnessed many a significant development as far as the Indian polity is concerned. The Chandra Shekhar Government tendered its resignation on 6 March 1991 following which the Ninth Lok Sabha was dissolved on 13 March. The nation went to the polls yet another time in less than two years to elect its representatives to the Lok Sabha in May-June in what turned out to be a momentous, yet tragic electoral process. Momentous it was since parliamentary democracy asserted its primacy once again in our political system. Tragedy struck the nation in the brutal assassination of former Prime Minister Shri Rajiv Gandhi at Sriperumbudur near Madras on 21 May midway through the election while he was about to address an election meeting there on that fateful night. It speaks volumes of the maturity of the Indian electorate that this most shocking event, while plunging the nation into a trauma, did not prevent the electoral process from being completed.

We mourn the tragic and untimely loss of this great son of India and extend our heartfelt condolences to the bereaved family. We include a special Feature on "Obituary References" on the passing away of Shri Rajiv Gandhi and three other noble sons of the country—Sarvashri S.A. Dange, Uma Shankar Dikshit and Dinesh Goswami—in respectful homage to these departed souls.

On completion of the electoral process, the Tenth Lok Sabha was constituted on 20 June 1991 and the House met for the first time on 9 July 1991. We extend our heartiest congratulations and a cordial welcome to all the newly elected members of the new Lok Sabha. The special Feature "Tenth Lok Sabha : A Momentous Beginning" highlights the events leading to the General Elections, the constitution of the House and some important constitutional and parliamentary developments during the first week of the first Session of the House.

The Office of the Speaker occupies a pivotal position in a parliamentary democracy. On behalf of the *Journal of Parliamentary Information* and its worldwide readership, we offer our heartiest felicitations to Shri Shivraj V. Patil on his unanimous election as the Speaker of the Tenth Lok Sabha on 10 July 1991. Shri Patil brings to the office of the Speaker rich and varied experience, maturity and dignity, qualities which are acutely needed in a Presiding Officer. We include in this issue a special Feature on the Speaker's election.

Earlier in May 1991, the portraits of two great sons of India were unveiled in the Central Hall of Parliament House. On 30 May, the then Prime Minister Shri Chandra Shekhar unveiled the portrait of Dr. Rammanohar Lohia, an outstanding figure in the country's Socialist firmament, an original thinker and philosopher and eminent parliamentarian. The portrait of Dr. Syama Prasad Mookerjee, a great patriot, educationist and

Parliamentarian, was unveiled in the Central Hall of Parliament on 31 May by President Shri R. Venkataraman. We pay our tributes to the memory of these two great leaders by covering these events as a prominent Feature in this issue.

Elections are the barometer of democracy and contestants are the lifeline of elections. The responsibility of conducting the elections to the office of the President and the Vice-President and the Houses of Parliament and State Legislatures has been vested in the Election Commission under article 324 of the Constitution. The former Chief Election Commissioner of India, the Late Shri R.V.S. Peri Sastry, in his article "Election: A Code of Conduct for Contestants", discusses the deterioration in the standards of election campaigns over the years. Emphasising the need for a Code of Conduct for contestants and political parties, he rightly points out that the observance of such a code "assumes added significance in the context of the climate of violence prevailing in the country today". In the wake of the disturbing reports of largescale violence and some instances of electoral malpractices witnessed during the elections to the Tenth Lok Sabha, Shri Peri Sastry's view that "unless these activities are not stopped forthwith, the will of the electorate will not be reflected in the seats won" carries added conviction.

In the second article, "Disturbance During President's/Governor's Address", the author Shri K.M. Panchal discusses untoward incidents which mar the solemnity and dignity of the occasion when the President or the Governor addresses the two Houses of Parliament assembled together or the State Legislature, respectively. Citing several instances in this context, he points out that such address by the President or the Governor is one of the most solemn and formal duties as laid down in the Constitution and hence utmost dignity and decorum appropriate to that occasion have to be maintained. The author concludes that such interruptions are "not conducive to the development of parliamentary democracy" and, therefore, all political parties should think over this issue and adopt a common point of view and decide to grace the occasion of President's and the Governor's address as an ideal constitutional occasion".

We felicitate Sarvashri Himmatlal T. Mulani, Ishwar Singh, P.P. Thankachan and Sedapatti R. Muthiah on their election as Speakers of the Legislative Assemblies of Gujarat, Haryana, Kerala and Tamil Nadu, respectively. We also extend our felicitations to Sarvashri Simon Peter D'Souza, Sumer Chand Bhatt and Heera Singh Chauhan and Prof. K. Ponnuswamy on their election as Deputy Speakers of the Legislative Assemblies of Goa, Haryana, Rajasthan and Tamil Nadu, respectively.

This issue carries the other regular Features, viz. parliamentary events and activities, privilege issues, procedural matters, parliamentary and constitutional developments, documents of constitutional and parliamentary interest, book reviews and recent literature of parliamentary interest. A

brief resume of the Sixth Session of the Ninth Lok Sabha, which we could not carry in the March 1991 issue, is included in the regular Feature "Sessional Review". This Feature also covers the Seventh Session of the Ninth Lok Sabha, the Hundred and Fifty Sixth and Hundred and Fifty Seventh Sessions of the Rajya Sabha and different Sessions of the State Legislatures.

Our enlightened readership may be aware that the India Branch and the State Branches of the Commonwealth Parliamentary Association (CPA) would be having the proud privilege and honour of hosting the 37th Commonwealth Parliamentary Conference in New Delhi in September 1991. To mark this momentous occasion, the September 1991 issue (Vol XXXVII, No. 3) of the *Journal of Parliamentary Information* is being brought out as a Special Number with the focal theme "Parliamentary Democracy at Work in India". The Special Number will carry articles from eminent parliamentarians, renowned journalists and distinguished academics on various aspects of the focal theme. We are hopeful that our readership will certainly welcome this Special Number which will delve deep into a subject of topical concern. In view of this, the September 1991 issue will not be carrying our regular Features which will appear in our December 1991 issue (Vol. XXXVII, No. 4).

It has been our constant endeavour to make this *Journal* more useful and informative. Needless, to say, we would wholeheartedly welcome suggestions from our esteemed readers for 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.

-- K.C. Rastogi

UNVEILING OF PORTRAITS IN THE CENTRAL HALL OF PARLIAMENT

The portraits of two great sons of India were unveiled in the Central Hall of Parliament House at a brief solemn function held on 30 and 31 May, 1991.

On 30 May 1991, the Prime Minister, Shri Chandra Shekhar unveiled the portrait of Dr. Rammanohar Lohia, an outstanding figure in the country's socialist firmament, an original thinker and philosopher who fashioned a Socialism suited to Indian needs, prolific writer, revolutionary leader of the masses, who championed the cause of freedom from want and oppression and an eminent parliamentarian. The portrait made by Shri Ghulam Rasool Santosh, an eminent painter, was presented to Shri Rabi Ray, Speaker, Lok Sabha, by Shri Vidya Sagar Gupta, General Secretary of the *Khoj Parishad*, a public organisation which is engaged in pioneering research work on political philosophy. The Prime Minister Shri Chandra Shekhar and the Speaker, Lok Sabha, Shri Rabi Ray, recalled in eloquent words the contributions made by Dr. Lohia.

The Prime Minister also released a book entitled *Lohia and Parliament* Published by the Lok Sabha Secretariat, it profiles the great leader and theoretician that Dr. Lohia was. It also contains articles by Dr. Lohia's contemporaries and close associates and excerpts from his select speeches in Parliament. Besides, it includes tributes paid to him in both Houses of Parliament on his demise as also excerpts from speeches by several dignitaries at Dr. Lohia's birth anniversary celebrations held under the auspices of the Indian Parliamentary Group in 1990.

On 31 May 1991, the portrait of Dr. Syama Prasad Mookerjee, a great patriot, educationist, parliamentarian and statesman, was unveiled in the Central Hall of Parliament by President Shri R. Venkataraman. The portrait, made by eminent artist Shri N.S. Subha Krishna, was presented to Shri Rabi Ray, Speaker, Lok Sabha, by the veteran parliamentarian Shri Atal Bihari Vajpayee on behalf of the Bharatiya Janata Party. Prime Minister Shri Chandra Shekhar and the Speaker, Lok Sabha, Shri Rabi Ray also addressed the gathering.

The speeches delivered by the dignitaries at the two functions are reproduced below.

—Editor



Prime Minister Shri Chandra Shekhar unveiling the portrait of Dr. Rammanohar Lohia. On his left is Shri Rabi Ray, Speaker, Lok Sabha.



Prime Minister Shri Chandra Shekhar releasing the book "Lohia and Parliament." On his right is Shri Satya Prakash Malaviya, Union Minister for Petroleum and Chemicals and Parliamentary Affairs and on his left are Shri Rabi Ray, Speaker, Lok Sabha and Shri Vidya Sagar Gupta, General Secretary, *Khaj Parishad*

UNVEILING OF THE PORTRAIT OF DR. RAMMANOHAR LOHIA

SPEECH* BY SHRI VIDYA SAGAR GUPTA,
GENERAL SECRETARY, KHOJ PARISHAD

Respected Prime Minister Shri Chandra Shekharji, Honourable Speaker of the Lok Sabha, Shri Rabi Rayji, Honourable Minister of Parliamentary Affairs, Shri Satya Prakash Malaviyaji, special invitees, brothers and sisters:

I consider it my good fortune to say a few words on this momentous occasion of the unveiling of the portrait of Dr. Rammanohar Lohia, a great freedom fighter, thinker, leader of many mass movements and an eminent parliamentarian in this historic Central Hall of Parliament House.

Although Dr. Lohia was a member of Lok Sabha for a short period only, he used every possible opportunity to raise the problems of the common man like poverty, a curse faced by 60 per cent of our masses and turned Parliament into a forum reflecting the sentiments, problems, feelings and aspirations of the people and thus, he left an indelible impression on the parliamentary proceedings.

Our research institute, *Khoj Parishad* had requested the Honourable Speaker Shri Rabi Ray last year, to install an oil portrait of this great parliamentarian in the Central Hall of Parliament House. The *Khoj Parishad* was established by Dr. Lohia, in Calcutta, after Independence. On receiving the consent of the Honourable Speaker, we requested Shri Ghulam Rasool Santosh, an eminent painter of India, to prepare an oil portrait of Dr. Lohia. Shri Santosh hails from Kashmir, the most beautiful region of our country. He has held many exhibitions of his paintings, both at home and abroad, and he is a recipient of many citations also. We are extremely grateful to Shri Santosh for painting such a beautiful portrait of the late leader, despite paucity of time.

Today, we are oversurged by the memories of Dr. Lohia. He pursued his studies in Bombay, Varanasi and Calcutta and later in Germany. He was one of the founder-leaders of the Congress Socialist Party. When Pandit Jawaharlal Nehru appointed him as the Secretary of the Foreign Affairs Cell of the All India Congress Committee, he was only 26 years of age. The entire country will remember him for ever for his leading role in the 'Quit India' Movement of 1942. I was acquainted with Shri Jaiprakash Narain and Dr. Lohia ever since they had gone underground during this movement. He was a close friend of my elder brother, Shri Balkrishna Gupta, who had been a member of the Rajya Sabha, and he used to stay at our Calcutta residence, when he continued his struggle underground.

*Delivered originally in Hindi and translated into English.

Moreover, our Calcutta residence remained his permanent address, even after Independence. He used to stay there for at least six months in a year. Dr. Lohia was imprisoned 25 times during his lifetime for his participation in many mass movements, including the country's freedom struggle, the movement for the liberation of Goa, Hyderabad and Nepal. He was also arrested in the United States of America for supporting the civil disobedience movement against racism. Today, people the world over are giving a serious thought to his concept of a World Parliament and travel throughout the world without passport.

Dr. Lohia was an untiring crusader against all forms of injustice and, like Mahatma Gandhi, he worked in this direction throughout his life. Gandhiji had a deep affection for him. His views on language, dress, equality for men and women, the disparities between the rich and the poor and on various other issues of social and national concern had a tremendous and radical influence on Indian politics. His prophecy regarding the re-unification of Germany has come true today. His second prophecy regarding the re-unification of India and Pakistan is today compelling people to think in that direction. His farsightedness, his views on Indo-Pak confederation, his participation in movements like 'Save Himalayas' and 'Control the Prices' made him a leader.

On religion and politics, he often stressed in his speeches that politics was a short-term religion and religion was a long-term politics. In the present times, this observation of Dr. Lohia has a special message.

Dr. Lohia made a great contribution towards the movement for democracy in Nepal which is bearing fruits today. Indeed, it is a matter of great rejoicing today that democracy has once again been ushered in in Nepal. I take this opportunity to extend our heartiest greetings to the Nepalese people.

Mr. Speaker, Sir, may I now present this oil portrait of Dr. Lohia to the Parliament of India and to you for installation in the Central Hall of Parliament House.

ADDRESS BY SHRI RABI RAY, SPEAKER, LOK SABHA

Honourable Prime Minister, Honourable Shri Satya Prakash Malaviyaji, Shri Vidya Sagar Guptaji, Distinguished Members of Parliament Ladies and Gentlemen:

It is a matter of deep satisfaction and pleasure that the portrait of Dr. Rammanohar Lohia is being unveiled today in the historic Central Hall of Parliament. Many accolades can justly be heaped on Dr. Lohia—an outstanding figure in India's Socialist firmament, a thinker and philosopher who fashioned a Socialism suited to Indian needs, prolific writer, revolutionary leader of the masses who championed the cause of freedom from want and oppression and a first ranking Parliamentarian. Lohia was not merely a visionary but an original thinker and revolutionary too. He

was always ahead of his times. The prophet in him was obviously aware of this when he said before his premature death on the 12th of October, 1967, "People will listen to me, perhaps after I am dead. But they will most certainly listen to me". It is heartening to note that not only in India but people all over the world have started listening to him.

To me, he was all this and much more. He was my mentor and *guru* who imparted his understanding of Socialism to me and initiated me into the Socialist faith. That is not a debt that can be adequately repaid. I can only hope to pay a very humble tribute to a great son of the country, through words of gratitude and remembrance.

Friends, Lohia was one of those rare individuals, a man of stature, whose lives serve an an example beyond their times. Humankind tends to look to great public figures for inspiration and indeed, Lohia's life provides us what we seek, in ample measure.

To Dr. Lohia, the attainment of equality and freedom—of mind, body and soul—remained an unshakeable article of faith. We, who are committed to the dismantling of all forms of discrimination and socio-economic inequity, can take heart from Lohia's relentless crusade for equality.

His notion of equality was all encompassing. In his usual clear thinking and original manner, he envisaged a "revolution" that would truly liberate human beings. He held that revolt was justified if it aimed to overthrow foreign rule and establish democratic government, to prevent inequalities in capital accumulation, to dismantle caste, to establish complete equality between men and women, to prevent interference in the private lives of citizens and aimed at the recognition of *satyagraha* as a legitimate weapon to fight various types of injustices prevailing in the society.

The attainment of a free and just society based upon the long cherished ideals of liberty, equality and fraternity has been our primary goal since Independence. In this endeavour, we as a nation can only claim varying degrees of success. While we can be proud of our achievements in some areas, the journey ahead is still long and arduous. Every single person must be an active participant in this national cause, and no one can afford to lose sight of the goal that must be realized in its totality. As we grapple with this mammoth task, let us take stock of our progress in the light of Lohia's enlightened vision and make renewed efforts in the areas where we have faltered.

Dr. Lohia's place in the Indian Socialist movement is very special. As theoretician of the party and a leader of the movement, he laid the doctrinal foundations of a Socialism applicable to under developed economies.

It was indeed an honour to the Lok Sabha when Lohia made his entry, though belatedly, in 1963. After taking affirmation when Lohia took his

seat in the House, he was given, and rightly so, a standing ovation and that was the measure of esteem in which he was held by all his contemporaries in spite of differences of opinion. His maiden participation in the debate in No Confidence Motion against the Council of Ministers, tabled for the first time since Independence, gave a new direction to the discussions in the House. Every word he spoke echoed his inner self and reflected his deep concern for the poor. He resented whenever he found that matters affecting the common man and covering the very principles which, according to him, were to be the foundation of future India, were not allowed to be debated for one or the other technical reason. He felt that Parliament must mirror the urges and aspirations of the people and serve as an effective instrument to relieve them of their sufferings. To reduce the Parliament to a mere elitist club or debating society, he warned time and again, would shake the confidence of the people in the system and was bound to weaken the country. His genius and his transparent sincerity turned even the short and usually less noticed debates in the House, such as half-an-hour and short duration discussions, into significant and historic discussions. His tenure in Parliament, although brief, would be remembered as a landmark in our parliamentary history and he as a most distinguished parliamentarian.

Rammanohar inherited from his family and the atmosphere of intense nationalism in which he grew up, his egalitarian and liberal philosophy. This rich inheritance stamped his life-work. Indeed, the ideas and activity that it generated—the theory of seven revolutions^{*} or '*Saptakranti*', the notion of economic decentralisation and four-pillar state, his universality of outlook and incisive debates in Parliament, the destruction of the caste system and communal harmony—are our national legacy.

We can best honour Dr. Lohia by honouring his ideals and translating them into action, as he would have wished. Let us hand over his priceless legacy to future generations of our citizens in its true form and meaning.

It is very thoughtful of the *Khoj Parishad*, a leading organisation engaged in very valuable work of research on ideas of Lohia and other political thinkers, and its General Secretary, Shri Vidya Sagar Gupta, to have presented the beautiful portrait of Dr. Lohia to Parliament. We are indeed thankful to him. The portrait will always be a source of inspiration for the future generations to come.

Thank you.

ADDRESS^{*} BY THE PRIME MINISTER SHRI CHANDRA SHEKHAR

Mr. Speaker, Satya Prakash Malaviyaji, Vidya Sagarji, Ladies and Gentlemen: I am grateful to the Honourable Speaker for having given me the honour to unveil the portrait of Dr. Rammanohar Lohia. I am conscious

^{*}The address, originally delivered in Hindi, has been translated.

of the fact that I do not have as much claim to this honour as many of my friends present here who were more well-acquainted with Dr. Lohia than I was. They had the privilege of working with him for a longer time. I too got the opportunity to work under his leadership for some days but I did not have the privilege to be so closely associated with him as Honourable Speaker yourself, or my friend and colleague Shri Madhu Limaye. Nonetheless, as a worker of Socialistic movement, we all regarded Dr. Lohia as a leading light and a thinker who gave a new dimension to the definition of Socialism. Dr. Lohia was a great source of inspiration not only to our country but to the entire Socialist world. Dr. Lohia was one of the front ranking revolutionaries of the world who wanted to usher in revolution by bringing about a change in human psychology, ideas and outlook instead of resorting to violent means. He closely identified himself with human misery. Human liberty was the philosophy of his life. Whenever humanity suffered by way of torment, exploitation or bondage, Dr. Lohia always raised his voice against such onslaught. Even now I feel the fearless voice of Dr. Lohia resonating in the entire atmosphere, may it be in Hyderabad, in Goa or in far-flung Nepal, and it will continue to give inspiration and strength to the people.

Today, democracy is gaining ground in Nepal and Dr. Lohia was the first to make an attempt in this direction. Dr. Lohia was not only a great thinker but he had immense capability of translating his thoughts into action to such an extent that no power in the world could deter him from his path. If, out of all our political leaders, any individual had the power to raise a stern voice against the entire world, it was Dr. Rammanohar Lohia. He never cared as to what the people would say about him. He said whatever he thought was right. I remember that in those days there were many things about Dr. Rammanohar Lohia which I disliked and I used to criticise him for the same. However, after so many days and particularly during my experience of the last few months, I have realized my mistake. Dr. Lohia was in the right and I was in the wrong. This was so because Dr. Lohia had understood, realised and recognised the reality in a much better way. He had tremendous power to think and was a farsighted person to the extent we cannot even think of. As a revolutionary, Dr. Rammanohar Lohia gave a new dimension to Gandhism. It had been universally accepted thousands of years ago that if human beings are reformed, the society would change for the good. Many eminent persons took birth in this world. Great religious figures like Buddha, Jesus Christ and Prophet Mohammad were born, but the world remained unchanged. As a temporary phase, it appeared that the world was changing but soon the same atmosphere of hatred, ill-will and animosity surfaced.

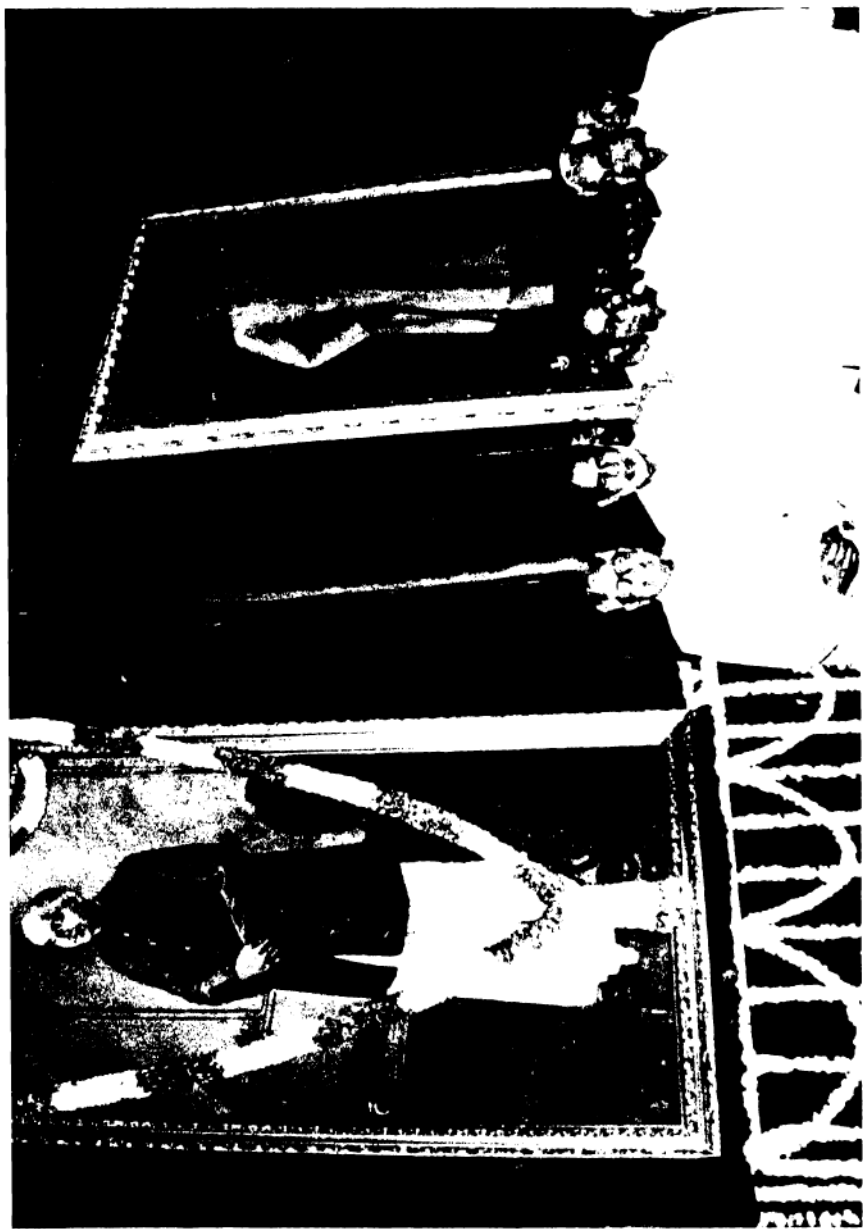
As against it, a new ideology emerged in the West that if society is changed somehow, man will automatically change. I do not want to go into its details. This experiment was carried on in a large part of the world for a long period of fifty years but it did not succeed. Those who were together

during the revolution, parted company and became enemies of each other. Gandhiji, therefore, said that it is not enough to change man, rather change should be brought into the society. After the death of Gandhiji, Dr. Rammanohar Lohia gave it a new dimension in parliamentary democracy. Mr. Speaker, Sir, you may recall that Dr. Lohia had said that jail, spade and elections, all the three, were essential for the development and uplift of the country. This was not just a slogan, but a new ideology. If a revolution is to be brought about, if society is to be changed to give rightful place to the neglected and the downtrodden, thinking of the people will have to be changed and for that we will have to go to them. We will have to identify ourselves with the toiling masses who, with their hard labour, do constructive work and produce wealth. Therefore, the ideology of constructive work propounded by Gandhiji as part of his movement was followed by Dr. Lohia, but he emphasised that besides parliament and elections, manpower was equally important in parliamentary democracy.

On the other hand, protest has also got its importance because society will become stagnant in its absence. Unless a person raises his voice against the prevalent system and criticises it, society will stop progressing. Dr. Lohia was bold enough to raise his voice against the system prevailing at that time. Therefore, he set new standards in Parliament. He was able to do this not because he had a large following in the House, but because his voice was powerful enough to reach far and wide in the country as it reflected the sufferings of the neglected and backward people. Dr. Lohia had the courage to voice the sufferings of the masses. Therefore, he advocated that Parliament was meant not only to uphold a certain amount of decorum and to observe certain rules and regulations but also to echo the woes, sufferings and anguish besieging the society.

I am pained to say that Dr. Rammanohar Lohia passed away at a time when he was needed the most. Even today, the people are suffering and are being exploited and as such the voice of Dr. Lohia rings in our ears. We have been committing the mistake of following personalised politics for quite a long time. We wish that we may have the strength to follow the resolve of Dr. Lohia to keep politics away from all such forces and to base it on the agonies and sufferings of the common man. The inspiration given by him may provide us new vigour, new vitality and energy to march ahead with a new resolve. We may succeed in this endeavour of ours and that will be the best tribute to him. I salute the memory of Dr. Rammanohar Lohia, an epoch making personality, a thinker, revolutionary, a builder of society and a visionary.

Thank you.



Standing left to right after unveiling the portrait of Dr. Syama Prasad Mookerjee are President Shri R. Venkataraman, Prime Minister, Shri Chandra Shekhar, Speaker, Lok Sabha, Shri Rabi Ray, veteran parliamentarian Shri Atal Bihari Vajpayee and Union Minister for Petroleum and Chemicals and Parliamentary Affairs, Shri Satya Prakash Malaviya.

UNVEILING OF THE PORTRAIT OF DR. SYAMA PRASAD MOOKERJEE

SPEECH* BY SHRI ATAL BIHARI VAJPAYEE

His Excellency Mr. President, Respected Speaker of Lok Sabha, Honourable Prime Minister, Ladies and Gentlemen:

It is a very happy occasion today for all of us. For the last nearly three decades, it has been our earnest desire and endeavour that a portrait of Dr. Syama Prasad Mookerjee is installed in the Central Hall of Parliament House. Our efforts have borne fruit today, we have succeeded in our endeavour.

Mr. Speaker, Sir, for this, we are grateful to you, to all the Honourable members of the General Purposes Committee and to the representatives of all the parties for having accepted our request, consequent to which the portrait of Dr. Syama Prasad Mookerjee is being installed here. Mr. President, Sir, we are also grateful to you for agreeing to our request to unveil the portrait of Dr. Syama Prasad Mookerjee. You were one of the members of the First Lok Sabha along with Dr. Mookerjee and you had the opportunity to observe him from close quarters. On this occasion today, your presence instils special strength in us. We are also grateful to the Honourable Prime Minister who has made it convenient to grace this occasion.

Sir, in fact, without the portrait of Dr. Mookerjee, we felt as if something was missing in this Hall, not just because Dr. Mookerjee was a great patriot, also not for the reason that he was a staunch nationalist, a great scholar, an educationist, an irrepressible statesman, a man of the masses with a clean image and bright record, but for the fact that he was the first Leader of Opposition of independent India. Democracy is incomplete without Opposition. Neither Dr. Mookerjee was appointed as the Leader of Opposition nor was there any official recognition granted to him as such. In fact, the party of which he was the founder President—by party I am referring to the Bharatiya Jana Sangh—had only two other members in the House. But Dr. Mookerjee's greatness needed no recognition. He took up the responsibility of the Leader of Opposition in a very unassuming manner. At that time, the strength of our Communist friends in the House was quite significant. The business of the House used to be transacted with complete mutual understanding. Despite the fact that the numerical strength of the Opposition in the House was quite low, Dr. Mookerjee succeeded in discharging his responsibilities as Leader of Opposition.

'Ekashchandra tamohanti na ki taragan api'

All stars together cannot dispel the darkness but the moon can do so alone.

*The speech, delivered originally in Hindi, has been translated.

As I said, nobody installed Dr. Mookerjee as the Leader of the Opposition. Lion needs no coronation. He had left the ruling party and his action was issue-based. In fact, issue-based politics started with him. He could have remained in the Government and clung to Ministership had he so desired, but the agonies of the displaced Hindus from East Pakistan had shaken him. Moved as he was, he joined the Opposition. This was the time when the Opposition was comparatively weak. The ruling party mainly comprised of freedom fighters—all veterans of sorts—but Dr. Mookerjee lived upto his responsibilities.

Whenever he spoke in the House, there used to be pin-drop silence. All heard him with rapt attention. He added new dimensions to Indian democracy through his pointed logic, satirical remarks and effective marshalling of facts. When the ruling party becomes more powerful than is normally needed, it gives rise to a ruthless tendency. Whenever the Opposition becomes very weak, it tends to become unrestrained. In fact, in democracy a balance between the ruling party and the Opposition has to be maintained.

We hope that the Lok Sabha that will come into being after the present mid-term elections will be a balanced one and it will be helpful in making our democracy stable. Dr. Mookerjee was a sharp critic, but he was never rash. He used to strike full blows on his opponents, but he never hit below the belt. He never let the standard of debate go down. Democracy is a system in which dissent is to be expressed without causing any hatred and change of power is to be brought about without resorting to violence. Our democratic set-up has not stood the test on this anvil. We claim that ours is the largest democracy in the world, but the roots of democracy are yet to be strengthened. This portrait of Dr. Mookerjee, his life and his personality would always inspire us in this regard. I remember once he was speaking about the agitation launched by the *Praja Parishad* on the issue of full integration of Jammu and Kashmir. There was a controversy in the country over this agitation. Nehruji was the Prime Minister at that time. Nehruji got furious and said, "I will crush the agitation with an iron hand." Dr. Mookerjee sprang to his feet and retorted— "I will crush this very psychology." There is no place for crushing or trampling in a democracy.

There is another similar instance. Somebody interrupted Dr. Mookerjee and said: "Why don't you face the truth?" Dr. Mookerjee quipped: "How can I face the truth when I am facing the Treasury Benches?"

As I said, the standard of debates should be maintained. Though it is true that the trials and tribulations of the man on the street have to be highlighted in Parliament, yet at the same time Parliament should not be turned into a street. Its dignity should not be lowered at any cost. Your Excellency, we are his followers. We are his heirs. We have endeavoured that a code of conduct should be followed in Parliament. We never go to

the well of the House, though we know that it is not very deep. Even so, this tendency of moving to the well of the House has to be checked. Undoubtedly, Dr. Mookerjee would always be a beacon light for the Opposition and continue to inspire us. As I said earlier, without his portrait here we felt as if something was missing in this Hall. Now we have the portrait of Dr. Bhimrao Ambedkar. Yesterday, the portrait of Dr. Lohia was installed. Now the Hall gives a full look. This Hall of Parliament is now going to become a place of special importance and I am sure Dr. Mookerjee's portrait would always inspire the future generations. On behalf of the Bharatiya Janata Party, I present this portrait to you, Mr. Speaker and I hope that you would accept it and it would adorn the Hall.

Thank you very much.

ADDRESS BY SHRI RABI RAY, SPEAKER, LOK SABHA

Esteemed Rashtrapatiji, Honourable Prime Minister, Honourable Members of Parliament, Ladies and Gentlemen:

I take this opportunity to recall, by way of humble tribute and gratitude, the splendid contributions of an eminent son of India—Dr. Syama Prasad Mookerjee.

We in India have a tradition of honouring all those who made sacrifices for superior and noble causes. Dr. Syama Prasad Mookerjee was indeed one of them to whom our posterity will always feel indebted.

Friends, of the men and women whose ideas and activities have gone into the making of an independent, sovereign and democratic India, Syama Prasad truly deserves to be called a "founding father". He was a great patriot, educationist, parliamentarian, statesman, humanist and above all, a tireless crusader for national unity and integrity.

He inherited from his family deep nationalist leanings, a love for learning, and broadness of vision. A worthy son of a worthy father, Syama Prasad started his public career, at the age of 33, as the youngest Vice-Chancellor of the Calcutta University, a coveted office which his father Sir Ashutosh Mookerjee had also adorned.

Throughout his academic, professional and public life, Dr. Syama Prasad exhibited an impressive blend of scholarship, scientific outlook, spirituality and most importantly, tolerance and humanity. These traits which marked him out as a brilliant student, also contributed to his thoroughly nationalistic outlook which earned for him the wholehearted approbation of Gandhiji. Syama Prasad had, in fact, used his years in college to spread the feeling of nationalism through the promotion of the vernacular as against the English language. We are all aware that the vernacular language and press proved to be an invaluable aid to the early nationalist cause.

In 1937, the introduction of the Provincial part of the Government of

India Act of 1935, gave Syama Prasad an opportunity to emerge as a practical and far-sighted political leader, with a single minded devotion to national unity. He became a Minister in the Government of the then undivided province of Bengal but resigned his office in 1942 in protest against official interference in the ministerial discharge of duties.

This independence of spirit and firm belief in a just cause also marked his stint in Parliament after independence. In those early years of independence, the nation was singularly fortunate to have the services of Syama Prasad, first as an efficient Minister in the first national Cabinet and later as a respected and forceful Opposition leader.

As the Minister of Industry and Supply, Syama Prasad Mookerjee played a significant role in the early industrial and economic development of free India. Today, as we take just pride in our industrial progress, let us remember the efforts that Dr. Mookerjee made towards establishing three giant industrial undertakings—the Chittaranjan Locomotives, the Sindri Fertilizer Corporation and the Hindustan Aircrafts Factory.

Dr. Mookerjee resigned following sharp differences with Prime Minister Pandit Jawaharlal Nehru on broad matters of policy, particularly over what he regarded as inept handling of India's relations with Pakistan and the failure of the Government to protect the interests of the minorities in what was formerly East Bengal. His criticism of the Government's inaction, on the floor of the House, was always sharp, but tempered with reason and dignity. True to his character, in the hour of test, Syama Prasad preferred to sacrifice his office rather than compromise on the principles which were so dear to him.

Syama Prasad was elected to the first Lok Sabha in 1952 and shone as a brilliant Opposition leader. We all recognize the value of meaningful and healthy Opposition in a parliamentary democratic system. He fulfilled this role with rare competence and acute understanding of issues and problems facing the nation. His constructive and nationalistic attitude and his enlightened but determined resistance to all anti-national and totalitarian policies and trends made Dr. Mookerjee the bulwark of freedom and democracy in the country.

Dr. Mookerjee's sudden demise in 1953 under tragic circumstances deprived the nation of an outstanding public figure and a great patriot. The loss to the nation as a whole and to Parliament in particular was enormous. The country deeply mourned the passing away of a life dedicated to the highest cause of service to the people.

Great lives are lived with a strength of purpose which is quite out of the ordinary. And so with Syama Prasad. We, who are blessed to have had him as our fellow countryman, can best honour him by adopting his ideals as our own. His portrait, presented to Parliament and being displayed in this historic Hall, will, I am sure, always inspire the generations to come.

We are thankful to the Bharatiya Janata Party for presenting this beautiful portrait of Dr. Mookerjee to Parliament.

Thank you.

ADDRESS* BY THE PRIME MINISTER, SHRI CHANDRA SHEKHAR

His Excellency Mr. President, Mr. Speaker, Gurudev Atalji, Ladies and Gentlemen:

I am grateful to you, Mr. Speaker, Sir, for giving me the opportunity to associate with this humble endeavour which is being made to cherish and preserve the memory of Dr. Syama Prasad Mookerjee. Dr. Mookerjee was one of those great sons of India who contributed in several fields of our public life.

Just now, Atalji told us about his life and personality and Mr. Speaker, Sir, you told us about his qualities. I know only this much that Dr. Syama Prasad Mookerjee tried to establish a link between the present and the glorious past of the country which is so reverable to all of us. Any nation which wants to build a new future cannot foreget its past completely. The past of every society, every nation has definitely some good and beneficent characteristics and if I may say so, it is the duty of all of us to find out solutions to the present-day problems keeping in view the virtues that lie in our millennia-old civilization and culture and think of carving out a new future.

The thinking of Dr. Syama Prasad Mookerjee drew strength from our glorious past. His vision of a new future comprehended immediate need to provide solutions to human problems and sufferings of the common man. I am sure, Dr. Syama Prasad Mookerjee felt equally about the agony of the minorities, whether they belonged to East Bengal or India. I believe that Dr. Mookerjee was the last of our sages and path finders who represented our age old tradition of treating the whole world as one family. We are reminded of our age old ideal:

*"Ayam Nijah Paroveti Ganana Lagnuchetsam,
Udar Charitanaamtu, Vasudhaiva Kutumbakam."*

Thousands of years ago, this country had given the message of *Vasudhaiva Kutumbakam*. 'The entire world is one family' was the message which was given by no other country than India. Today, when we all are trying to cherish the memory of Dr. Syama Prasad Mookerjee, we have to do some introspection. It seems that the country which had once given the slogan that the entire world is one family, is today on the brink of disintegration. If we have to preserve our glorious past and would like to present the qualities and virtues of our past before the world and if we want to build a new future, we will have to at least think and work for

*The address, originally delivered in Hindi, has been translated.

keeping our own family together and united, even though we may not be able to realise the dream of a world family. We should maintain unity and integrity of our own country, and not let any consideration distract and dissuade us from our goal and divide us. As Atalji has said, any criticism by Dr. Syama Prasad Mookerjee was always dignified. The force of logic in his views penetrated deep into the minds of the people but at the same time he had also taken care to see that our faith in humanity, our feelings of mutual respect and equality did not suffer.

I regret to say that we fail to maintain equilibrium in our life, in our thoughts as well as in our deeds. We fail in maintaining equilibrium in our thoughts because the incessant stream of our ancient culture which had a wonderful strength to keep us together is being eroded. Subjugation of about 200 to 250 years had weakened that strength considerably. We thought that after Independence we would be able to retain the same strength which will keep us together and closer. But the fissiparous and divisive tendencies prevailing today call for the need to make endeavours to imbibe and pursue the virtues which Dr. Syama Prasad Mookerjee had followed in his life and on the edifice of which he had planned to build a new future. We should all make concerted efforts not only to keep those chapters of our glorious history intact but also to inspire crores of people of this country to build a new future.

The nation is proud of the work done by Dr. Syama Prasad Mookerjee for his contribution not just in one but in many spheres. He inherited patriotism from his forefathers. He was an educationist who had resolved to impart education to one and all. It is a matter of deep regret that despite having produced a great educationist like Dr. Mookerjee, nearly half the population in our country is still illiterate. I am sure that by remembering Dr. Mookerjee, we shall instil a sense of confidence in the minds of the depressed, suppressed and neglected people and it will be our endeavour to bring in a new light to remove the darkness of ignorance. The conventions created by him in Parliament would inspire us to respect each other despite having differences of opinion. Atalji has rightly said that Parliament is not a place where we should indulge in mud-slinging on each other, rather it is a place where we should try to understand each other. Parliament should be an institution to unite people in order to strengthen the country and Dr. Syama Prasad Mookerjee all through his life made efforts to achieve this objective. Today, on this auspicious occasion when His Excellency the President is unveiling his portrait in the Central Hall, we should resolve to uphold dignity and decorum in Parliament and make Parliament an institution where despite having different views, we will have respect for each other. Though we are wedded to the past, we should try to see present-day problems in a proper perspective in order to build a bright future. This would be our best tribute to Shri Syama Prasad Mookerjee and with these words I pay my respectful homage to his memory.

Thank you.

ADDRESS BY SHRI R. VENKATARAMAN, PRESIDENT OF INDIA

Mr. Prime Minister, Honourable Speaker, Shri Atal Behari Vajpayeeji, Members of the Union Council of Ministers, Honourable Members of Parliament, Members of the family of the late Dr. Syama Prasad Mookerjee, Distinguished invitees and friends:

It is with real pleasure and a sense of personal satisfaction that I participate in this function to unveil the portrait of one who was the pride of India—Dr. Syama Prasad Mookerjee. I would therefore like to thank the Honourable Speaker most sincerely for inviting me to unveil this portrait and thereby pay my tribute to that great patriot.

In the many-splendoured renaissance of India, Bengal played a distinguished role. Sri Ramakrishna, Swami Vivekananda, Raja Ram Mohun Roy, Aurobindo Ghosh, Rabindranath Tagore, Subhas Chandra Bose, Sarojini Naidu and a host of others formed a galaxy of stars that shine eternally in our memory.

It is remarkable that this galaxy came into being almost contemporaneously with the national awakening for freedom. In that stellar formation, two stars stood together, shedding a unique lustre of their own: the distinguished Asutosh Mookerjee and his brilliant son, Syama Prasad Mookerjee.

Scholarship, nationalism and fearlessness suffused the atmosphere of the Mookerjee home into which Syama Prasadji was born on 6 July, 1901. Asutoshji personified re nascent Bengal's self-respect, self-reliance and self-confidence. As Vice-Chancellor of the Calcutta University Sir Asutosh had said: "Freedom first, Freedom last, Freedom always". Syama Prasadji imbibed this message from his father—and enriched it.

Not surprisingly, Syama Prasadji's early years bespoke excellence in every field and sphere of activity. He graduated from Calcutta's Presidency College, standing first in the first class with English Honours as his subject. He also took his Master's degree in 1923 with a first class first, studying "Indian Vernaculars" instead of English, in tune with Sir Asutosh's policy of giving Bengali and Indian languages their rightful place. He performed the hat-trick by securing, in 1924, a first class first once again in the B.L. degree examination. Very few Indians in any walk of life ever matched his distinguished academic career. He inherited from his father the passion for education and an insight into the working of the educational system. No wonder he was elected to the University Senate and Syndicate, and also became its youngest Vice-Chancellor in 1934. Barely 33 years old, Syama Prasad made an immediate impression. It was during his term as Vice-Chancellor of the Calcutta University that his formidable reputation as an educationist, social thinker and powerful orator spread beyond the boundaries of Bengal.

Syama Prasadji was elected to the Legislative Council from the Calcutta University constituency. He later became a Member of the Legislative Assembly of Bengal where he won the regard, respect and admiration of even the alien Government. He served as the Finance Minister of undivided Bengal in the Fazal-ul-Haque Ministry.

Syama Prasadji protested with all the vehemence and eloquence at his command against the British actions during the Quit India Movement. Most of the Congress leadership was then behind bars. Syama Prasadji, though a member of the Bengal Government at that time, exhorted the British Government to release the leaders, take the people into confidence, and raise a National Defence Force. This attempt having met with no success, he opted to leave the Bengal Government. He condemned the British administration for its callous attitude to the Bengal famine and, in his parleys with the Cripps Mission, asked for India's liberation.

Syama Prasadji's differences with the Congress Party did not stand in the way of his pursuing his patriotic instincts and striving for the freedom of the country. His name became a byword for uncompromising patriotism, pride in India's heritage and unflagging zeal. He commanded the respect of people across political boundaries, as a foremost champion of the cause of Indian liberation.

But Syama Prasadji was much more than a leading soldier of our army of Independence. For him redeeming the self-respect which we as a nation had lost, was a priority. What was at stake for him was not merely the conferment on our countrymen of a right to choose our Government, but the inculcation of a sense of pride in our ancient heritage. A staunch Hindu by birth, upbringing and belief, Syama Prasadji had an eclectic mind. His interest in the work of the Mahabodhi Society of India as its President, for instance, bears testimony to his broad and liberal non-sectarian outlook.

Syama Prasadji was elected to the Constituent Assembly from West Bengal. He made memorable contributions to its deliberations and to its Committees such as the Advisory Committee on Fundamental Rights, the Union Constitution Committee and the Minorities Sub-Committee. The proceedings of those bodies reveal that whatever be the divergences in individual perception, the leaders of those times did not hesitate to come together in the national interest, a lesson which all of us should re-learn.

Jawaharlal Nehru, our first Prime Minister, invited distinguished non-Congressmen like Syama Prasadji, John Mathai, Shanmugam Chetty and Babasaheb Ambedkar to join the Union Cabinet in 1947 along with the Congress leaders. Syama Prasadji was entrusted with the crucial portfolio of Industries. His remarkable mental agility came to the fore when he handled the portfolio of Industries. He laid the foundation for what was later called the 'mixed economy' with a rare felicity. As a member of Parliament at that time I had the privilege of observing Syama Prasadji's

work from close quarters. An ardent believer in the appropriate role for private enterprise and market economy, it was nonetheless given to Syama Prasadji to establish the outstanding public sector undertakings like the Chittaranjan Works, the Hindustan Aeronautics Ltd. and the Sindri Fertilizers. Pragmatism and not dogmatism informed his Industrial Policy. Every sector, the public, the private, the cooperative, the self-employed, the small and the rural industries received his fostering care and generous assistance.

I should like to cite one example: Around 1948, the workers of Salt Pans in the district of Tirunelveli in South India had formed a cooperative for the manufacture of salt and applied for assignment of land to the Central Government. The idea was novel and was resisted by the bureaucracy from the lowest level to the highest in the Government of India. I represented to Syama Prasadji the cause of the salt workers and explained to him that this was a new experiment which was worth trying. Syama Prasadji, over-ruling all objections, allowed the cooperative to be formed and assigned the land. It is today one of the outstanding examples of cooperative salt manufacture by the workers themselves.

As Industries Minister, Dr. Syama Prasad Mookerjee had a practical and sympathetic approach to labour problems. While he did not subscribe to the Marxist doctrine of class struggle, Syama Prasadji believed in cooperation between labour and employer for the benefit of increased production and productivity. He had a great solicitude for the welfare of labour for which I can also bear personal testimony.

Syama Prasadji was an eloquent speaker, a skilful debater and an able parliamentarian. Quick witted and nimble in expression, he was devastating in his repartees. Syama Prasadji's historic statement on his resignation from the Union Cabinet over the Nehru-Liaquat Pact left a very deep impression both on the Parliament and the people outside.

As a Leader of the Opposition he was alert, active and quick at response. Few in Parliament matched his eloquence and his debating skill. When Nehruji, Rajaji and Sardar Patel crossed swords with Dr. Syama Prasad, it was not sparks that emanated from the clash but glittering gems that rolled out of it.

Syama Prasadji was a man of great moral courage. His demise in jail is one of the tragic episodes in our national history. The news plunged the entire country in grief. I was in the House when Jawaharlal Nehru as Prime Minister and Leader of the House, made a memorable obituary reference. With the greatness of heart and elegance that was character-

istic of him, Jawaharlalji spoke movingly of his erstwhile colleague (and I quote):

This is not the time to think of differences but rather of the many agreements and of the fact that we are deprived of the personality who had played such a notable and great part in the country.

(Unquote)

Jawaharlalji also referred to the fact that Syama Prasadji's death was so palpably premature. "A large and good stretch of years was before him" said he and added with a sorrow that spoke for the entire nation: "But that was not to be."

May I on this occasion express the fervent hope and prayer that his courage, patriotism and dedication to the nation will continue to inspire this and succeeding generations.

I would like to congratulate the Honourable Speaker of the Lok Sabha on enriching the galaxy of portraits of national leaders in the Central Hall of Parliament, with the portrait of one who was rightly described as a Lion of Parliament.

I have great pleasure in unveiling the portrait of such a great national leader and a distinguished Parliamentarian. May his example continue to inspire our lives.

THE TENTH LOK SABHA : A MOMENTOUS BEGINNING LARRDIS

In a parliamentary democracy, people elect their representatives for a specific term so that they are in a position to judge their performance during this period. A representative who is not able to come up to the expectations of the electorate is likely to be rejected by the people at the next polls. Thus, periodic elections of the representatives ensure their accountability to the electorate.

According to established principles of parliamentary democracy, the Constitution of India makes the Council of Ministers collectively responsible to the Lok Sabha. This is keeping in view the popular Character of the Lok Sabha being a directly elected body. The implication of this provision is that to remain in office, the Council of Ministers must have the confidence of the Lok Sabha.

Political developments in our country during the tenure of the Ninth Lok Sabha brought into sharp focus this aspect of the working of parliamentary democracy as never before. Thus, the National Front Government headed by Shri Vishwanath Pratap Singh bowed out of office when, on 7 November 1990, a Confidence Motion moved by him in the Lok Sabha was rejected by the House.

A new Government headed by Shri Chandra Shekhar was later sworn in by President Shri R. Venkataraman on 10 November 1990. Nearly four months later, Shri Chandra Shekhar submitted his resignation and that of his Council of Ministers to the President on 6 March 1991, following the decision of the Congress (I) Party, which was supporting the Government from outside, to abstain from House on the issue of the surveillance on the residence of the then Congress (I) President Shri Rajiv Gandhi in New Delhi.

The President, while accepting the resignation, asked Shri Chandra Shekhar to continue in office till alternate arrangements were made. Consequently, both the Houses of Parliament, which were then in Session, adjourned after the Prime Minister's announcement of the resignation of the Council of Ministers. Meanwhile, leaders of several Opposition parties called on President Shri R. Venkataraman requesting that the Lok Sabha be dissolved and a general election announced. The Congress (I), the single largest party in the Ninth Lok Sabha, also decided not to stake its claim to form a Government but preferred to go in for fresh elections. Meanwhile, on 12 March 1991, Lok Sabha was adjourned *sine die* after concluding all essential legislative business. The next day, President Shri R. Venkataraman dissolved the Ninth Lok Sabha. The

Presidential notification also said that a new Lok Sabha would be constituted on or before 5 June 1991.

On 12 April 1991, the Election Commission announced that polling for elections to the Tenth Lok Sabha except from the State of Jammu and Kashmir would be held on 20, 23 and 26 May and a Presidential notification in this regard was issued on 18 April. Elections in Assam were to be held on 6 and 8 June and those in Punjab on 22 June.

Elections:

On 20 May, the first phase of polling spread over nine States and four Union Territories got over.

Assassination of Rajiv Gandhi:

Elections to the Tenth Lok Sabha were marred by violence in several States. Tragedy struck in a big way when on 21 May, former Prime Minister and Congress (I) President, Shri Rajiv Gandhi was assassinated in a powerful bomb explosion a few minutes before he was to address a public meeting at Sriperumbudur near Madras. The next day, the Election Commission announced that polling for the remaining two phases scheduled for 23 and 26 May would now be held on 12 and 15 June 1991. A Presidential communique issued on 29 May directed that the Tenth Lok Sabha may now be constituted on or before 20 June 1991. Assam went to the polls to elect its representatives to the Lok Sabha as also the State Assembly on 6 and 8 June. On 12 June, the second phase of elections was over and on 15 June, the third and final round of polling for Tenth Lok Sabha was completed.

Election results: The counting of votes all over the country started on 16 June. Soon it became clear that no single party was going to gain an absolute majority in the Tenth Lok Sabha. With the results pouring in from all parts of the country, the Congress (I) emerged as the single largest party in the Tenth Lok Sabha* The BJP came second and the third position went to Janata Dal.

Punjab election postponed: On 21 June, the Election Commission postponed the election in Punjab scheduled for 22 June to 25 September in view of the prevailing situation in the State.

Resignation of members: On 23 June, Shri Atal Bihari Vajpayee, an elected member from Vidisha constituency in Madhya Pradesh and Lucknow constituency in Uttar Pradesh, resigned his seat in Lok Sabha from Vidisha constituency. The Speaker accepted his resignation with effect from 24 June.

Shri L.K. Advani, an elected member from New Delhi constituency of Delhi and Gandhinagar constituency of Gujarat, resigned his seat in

*For details of party position in the Tenth Lok Sabha as on 9.7.1991, see Table.

Lok Sabha from New Delhi constituency. The Speaker accepted his resignation with effect from 26 June.

Anglo-Indian members nominated: On 8 July, Shri Frank Anthony and Mj. Gen. R.G. Williams (Retd.) were nominated to Lok Sabha under article 331 of the Constitution by the President to represent the Anglo-Indian community.

Election of CPP-I Leader: The Congress (I) Parliamentary Party, which met in New Delhi on 20 June, unanimously elected Shri P.V. Narasimha Rao as its Leader. Shri Narasimha Rao later called on President Shri R. Venkataraman who invited him to form the Government. The President also advised him to establish his majority in the Lok Sabha within four weeks.

Constitution of Tenth Lok Sabha: The Tenth Lok Sabha was constituted on 20 June with the Election Commission issuing a notification under Section 73 of the Representation of the People Act.

Three-tier Ministry Sworn In: A three-tier 54-member Union Council of Ministers headed by Shri P.V. Narasimha Rao was sworn in by President Shri R. Venkataraman on 21 June. The Ministers were allocated portfolios on 23 May as under:

Cabinet Ministers: Sarvashri P.V. Narasimha Rao: **Prime Minister** and also incharge of the Ministries/Departments of **Personnel, Public Grievances and Pensions, Science & Technology, Ocean Development, Electronics, Atomic Energy, Space, Chemicals and Fertilizers, Rural Development, Civil Supplies & Public Distribution** and the additional charge of the **Ministries of Defence and Industry** and other subjects not allocated to any other Cabinet Minister or Minister of State (Independent Charge); Arjun Singh: **Human Resource Development**; Bal Ram Jakhar: **Agriculture**; S.B. Chavan: **Home**; M.L. Fotedar: **Health and Family Welfare**; Ghulam Nabi Azad: **Parliamentary Affairs**; C.K. Jaffar Sharief: **Railways**; Smt. Sheila Kaul: **Urban Development**; Sitaram Kesri: **Welfare**; K. Vijaya Bhaskara Reddy: **Law, Justice and Company Affairs**; Madhav Rao Scindia: **Civil Aviation and Tourism**; B. Shankaranand: **Petroleum and Natural Gas**; V.C. Shukla: **Water Resources**; Manmohan Singh: **Finance**; Madhavsingh Solanki: **External Affairs**.

Ministers of State with Independent Charge: Sarvashri H.R. Bhardwaj: **Planning and Programme Implementation**; P. Chidambaram: **Commerce**; Santosh Mohan Deb: **Steel**; Ashok Gehlot: **Textiles**; Tarun Gogoi: **Food**; Giridhar Gomango: **Food Processing Industries**; Kamal Nath: **Environment and Forests**; Ajit Kumar Panja: **Information and Broadcasting**; Rajesh Pilot: **Communications**; Kalp Nath Rai: **Power and Non-conventional Energy Sources**; K. Ramamurthy: **Labour**; P.A.

Sangma: Coal; Jagdish Tytler: Surface Transport; and Balram Singh Yadav: Mines.

Ministers of State: Sarvashri Kamaluddin Ahmed: Civil Supplies and Public Distribution; Smt. Margaret Alva: Personnel, Public Grievances and Pensions; M. Arunachalam: Urban Development; Kum. Mamata Banerjee: Human Resource Development, Department of Youth Affairs and Sports; Eduardo Faleiro: External Affairs; M.O.H. Farook: Civil Aviation and Tourism; M.M. Jacob: Parliamentary Affairs, Home Affairs; Rangarajan Kumaramangalam: Law, Justice and Company Affairs; S. Krishna Kumar: Petroleum and Natural Gas; P.J. Kurien: Industry; K.C. Lenka: Agriculture; M. Mallikarjun: Railways; Chinta Mohan: Chemicals and Fertilizers; Uttambhai H. Patel: Rural Development; Shantaram Potdukhe: Finance; Mullappally Ramachandran: Agriculture; Dalbir Singh: Finance; G. Venkat Swamy: Rural Development and P.K. Thungon: Industry.

Deputy Ministers: Sarvashri Paban Sing Ghatowar: Labour; Smt. K. Kamala Kumari: Welfare; Salman Khurshid: Commerce; P.V. Rangayya Naidu: Communications; Ram Lal Rahi: Home Affairs and Km. Girija Vyas: Information and Broadcasting.

On 25 June, Dr. Rudra Pratap Singh, whose name was included in the Union Cabinet as a Minister of State and who could not take oath on 21 June, was dropped from the Union Council of Ministers by the President on the advise of the Prime Minister.

On 26 June, the President administered the oath of office and secrecy to Shri Sharad Pawar who assumed office as a Cabinet Minister holding the portfolio of Defence. Shri Rameshwar Thakur was sworn in as Minister of State in the Ministry of Finance, Smt. D.K. Tharadevi as Minister of State in the Ministry of Health and Family Welfare and S.B. Nyamagouda as Deputy Minister in the Ministry of Coal.

On the same day, Shri S. Krishna Kumar, Minister of State in the Ministry of Petroleum and Natural Gas also assumed additional charge of the office of Minister of State in the Ministry of Defence and Kum. Mamata Banerjee, Minister of State in the Ministry of Human and Resource Development (Department of Youth Affairs and Sports) also assumed additional charge of the office of Minister of State in the Ministry of Human Resource Development (Department of Women and Child Development).

Lok Sabha summoned: On 28 June, the President, in exercise of the powers conferred upon him by clause (1) of article 85 of the Constitution, summoned the Tenth Lok Sabha to meet on 9 July 1991.

Leader of the Opposition in Lok Sabha: On 8 July, the Speaker recognised Shri L.K. Advani, Leader of the Bharatiya Janata Party in Lok Sabha, as the Leader of the Opposition in Lok Sabha with effect from 21 June, in terms of Section 2 of the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977.

Speaker pro-tem: President Shri R. Venkataraman administered the oath of office to veteran parliamentarian Shri Indrajit Gupta as Speaker *pro-tem* on 9 July.

First Session of Tenth Lok Sabha: The First Session of the Tenth Lok Sabha began on 9 July with Speaker *pro-tem* Shri Indrajit Gupta administering oath or affirmation to the newly elected members. A panel of Chairmen, sworn in by the Speaker *pro-tem* before whom members could subscribe oath or affirmation included Sarvashri Buta Singh, P.M. Sayeed, Ebrahim Sulaiman Sait and Atal Behari Vajpayee.

President's Address: The President Shri R. Venkataraman, under article 87 of the Constitution, addressed both Houses of Parliament assembled together on 11 July. A Motion of Thanks on the President's Address, moved on 16 July 1991 by Shri Buta Singh and seconded by Shri Ramesh Chennithala, was adopted by the Lok Sabha by a voice vote on 19 July 1991.

Vote of Confidence: As directed by the President, the Prime Minister Shri P.V. Narasimha Rao moved a Motion of Confidence in the Council of Ministers on 12 July. Discussion on the motion was held on that day and again on 15 July. The Lok Sabha passed the Motion of Confidence in the Council of Ministers on 15 July with 241 members voting for it and 111 against it, with 112 abstentions.

TABLE

PARTY POSITION IN LOK SABHA AS ON 9.7.1991		
Sl. No.	Name of PARTY/GROUP	STRENGTH
1.	Indian National Congress	226
2.	Bharatiya Janata Party	117
3.	Janata Dal	56
4.	Communist Party of India (Marxist)	35
5.	Communist Party of India	13
6.	Telugu Desam Party	13
7.	Ali India Anna Dravida Munnetra Kazhagam	11
8.	Jharkhand Mukti Morcha	6
9.	Janata Party	5
10.	Revolutionary Socialist Party	4
11.	Shiv Sena	4
12.	All India Forward Bloc	2
13.	Muslim League	2
14.	Indian Congress (Socialist-Sarat Chandra Sinha)	1
15.	All India Majlis-E-Ittehadul Muslimeen	1
16.	Autonomous State Demand Committee	1
17.	Asom Gana Parishad	1
18.	Janata Dal (Gujarat)	1
19.	Haryana Vikas Party	1

Sl. No.	Name of PARTY/GROUP	STRENGTH
20.	Kerala Congress (M)	1
21.	Bahujan Samaj Party	1
22.	Manipur People's Party	1
23.	Nagaland People's Council	1
24.	Sikkim Sangram Parishad	1
25.	Independent	1
26.	Nominated	2
27.	*Vacancies	37
		545

*Vacancies :—

1.	Election not held in Punjab	13
2.	Election not held in J & K	6
3.	Polling countermanded/withheld, etc.:—	
	Cuddapah (A.P.)	1
	Barh (Bihar)	1
	Madhepura (Bihar)	1
	Gaya-SC (Bihar)	1
	Purnea (Bihar)	1
	Patna (Bihar)	1
	Kutch (Gujarat)	1
	Dharwad South (Karnataka)	1
	Nanded (Maharashtra)	1
	Dhenkanal (Orissa)	1
	Etawah (U.P.)	1
	Bulandshahar (U.P.)	1
	Meerut (U.P.)	1
	Monghyr (Bihar)	1
4.	Amethi (U.P.) Vice Shri Rajiv Gandhi (Died on 21.5.1991)	1
5.	Vidisha (M.P.) Vice Shri Atal Bihari Vajpayee (Resigned on 24.6.91)	1
6.	New Delhi (Delhi) Vice Shri Lal Krishna Advani (Resigned on 26.6.91)	1
7.	Purulia (W.B.) Vice Shri Chita Mahata (Died on 7.7.91)	1

ELECTION: A CODE OF CONDUCT FOR CONTESTANTS

R.V.S. PERI SASTRY

Elections are the barometer of democracy and contestants are the lifeline of elections. In India, the responsibility of conducting the elections to the office of the President and the Vice-President and both the Houses of Parliament and State Legislatures has been vested in the Election Commission under Article 324 of the Constitution.

Article 327 provides that subject to the provisions of the Constitution, Parliament may, from time to time, by law, make provision with respect to all matters relating to or in connection with elections to either House of Parliament or to the House or either House of the Legislature of a State, including the preparation of electoral rolls, the delimitation of constituencies and all other matters necessary for securing the due constitution of such House or Houses. In pursuance of these provisions, Parliament has enacted two Acts, viz. the Representation of the People Act, 1950, and the Representation of the People Act, 1951. The former contains detailed provisions relating to, among other matters, the preparation or revision of electoral rolls, and the latter the conduct of elections.

Section 28 of the Representation of the People Act, 1950 empowers the Union Government to make rules after consulting the Election Commission, for the purpose of carrying out the provisions of the Act. Similar provisions are contained in Section 169 of the Representation of the People Act, 1951. In pursuance of these provisions, the Registration of Electors Rules, 1960 and Conduct of Elections Rules, 1961, have been framed by the Union Government in consultation with the Election Commission.

During the first two General Elections, the election campaign was carried on at a high ideological plane. The atmosphere was one of friendly bonhomie. For one thing, the leaders of all political parties had directly taken part in the freedom struggle under the leadership of Gandhiji and represented the cream of the Indian populace and the quintessence of Indian culture. Secondly, the average Indian had not, perhaps, become so much politically conscious. The meetings and processions were peaceful and orderly and the speeches made were on the policies and programmes of the respective political parties and contesting candidates.

However, the whole picture changed and continued to change in the subsequent general elections. The campaign became more acrimonious

and the levels of public speeches came down to personal vilification and character assassination. Public meetings began to be disturbed and clashes occurred both during the campaign and during the poll and even at the time of counting and after declaration of results when victory processions were being taken out. Rival political parties tried to remove the posters of other parties and disfigure or erase the slogans and appeals, etc. written by the other parties on the wall, buildings, roads, etc. To avoid clashes and to reduce tension and maintain peace and law and order, various State Governments started taking steps to evolve some sort of a gentleman's agreement.

The credit for adopting for the first time a self-imposed Code of Conduct for observance at elections must go to Kerala. The Code was evolved on the eve of the general election to the Kerala State Legislative Assembly held in February 1960. This Code covered mainly meetings, processions, speeches and slogans and posters and placards.

Towards the end of August, 1966, the Commissioner of Police, Madras city, convened a conference of representatives of political parties regarding a Code of Conduct for the general elections then due. This was followed by a conference of party representatives convened by the Chief Minister of the State towards the end of December, 1966, which evolved a 10-point Code for the guidance of political parties. The Code exhorted parties not to engage in activities which would cause tension among different castes and communities, etc. Among other things, the Code recommended that the criticism of parties should be restricted to their policies and programmes; workers should be prevented from obstructing or breaking up meetings, processions, etc., measures taken to maintain law and order should not impose undue restrictions on the civil liberties; and places of worship should not be used as a forum for election propaganda. As a follow-up measure, a standing committee of seven persons drawn from different political parties was set up. Complaints of any breach of the Code were to be made to this standing committee. This contributed a great deal to the peaceful and orderly conduct of the poll in the State.

A code on almost the same lines as the Madras Code was accepted by the political parties in Andhra Pradesh early in 1967.

In West Bengal, the draft of a Code similar to the Kerala Code was discussed by party representatives at a meeting convened by the Chief Minister in January, 1967. Even though no formal Code was evolved at the meeting, the participants unanimously decided to ensure that the campaign would be conducted peacefully and pledged the support of the parties in the smooth and peaceful conduct of the poll.

On the eve of the general elections in 1968-69 to a number of Legislative Assemblies, the Chief Election Commissioner issued an appeal to the political parties to observe certain rules of conduct. He stressed the need for abjuring violence and violent methods in the course of election propaganda and campaign. The contestants were urged to make it a point not to use words or language which may incite others to violence. Similarly, they were called upon not to make any appeal on the ground of religion, caste, community, etc. and avoid use of places of worship for election propaganda and avoid all activities which were corrupt practices or electoral offences.

In 1968, the Election Commission evolved a Model Code of Conduct for the guidance of political parties and candidates in consultation with the political parties. This Code has no statutory sanction, but has a persuasive position. However, it is observed that the political parties had been, by and large, observing this Code, notwithstanding occasional aberrations. The importance attached to the Code by the ruling parties in several States can be gauged from the fact that they have been seeking the advice of the Commission from time to time as to whether their proposed action would or would not be violative of the Model Code. They have been generally abiding by the advice given by the Commission in all these cases. Whenever any violation of the Code is brought to the notice of the Commission, it is referred to the concerned Ministry in the Union Government or the Chief Secretary of the State concerned for remedial action.

However, to provide legal teeth to the Code, the Commission recommended to the Government in 1982 that the following measures as envisaged in the Model Code may be incorporated in the Representation of the People Act, 1951 as corrupt practices:—

1. (a) Ministers shall not combine their official visit with the electioneering work and shall not also make use of official machinery or personnel during electioneering work;
- (b) Government vehicles, machinery and personnel shall not be used for furtherance of the party in power;
2. Public places such as maidans, etc. shall not be monopolised by ruling party for holding election meetings. Other parties and candidates shall be allowed the use of such places on the same terms and conditions on which they are used by the party in power;
3. Rest Houses, Dak Bangalows or other Government accommodation shall be allowed to be used by other parties or candidates in fair manner;

4. Issue of advertisements at the cost of the public exchequer in newspapers and other media during the election period regarding their achievements with a view to furthering the prospects of the party in power shall be scrupulously avoided;
5. Ministers and other authorities shall not sanction grants/payments out of discretionary fund from the time elections are announced by the Commission; and
6. From the time the elections are announced by the Commission, Ministers and other authorities shall not make any promise to the electorate for construction of roads, provision of drinking water facilities, etc. which may have the effect of influencing the voters in favour of the party in power.

The observance of the Code assumes added significance in the context of the climate of violence prevailing in the country today. Almost all the newspapers and the news magazines all over the country are carrying stories of criminalisation of politics. A number of seminars have been held on this topic where eminent citizens of the country have participated. Earlier, the 3 M's namely, Money Power, Muscle Power and Media Power, were considered to be the bane of Indian politics and prevented the correct reflection of the popular will in the number of seats won by the political parties. Of late, the parties have found to their chagrin that money power and media power are not able to sway the voters and increasingly they are reported to be using muscle power to win the election. Even though the Election Commission had recommended to the Government in 1985 that persons with proven criminal records, history-sheeters and those who are detained under the National Security Act, Foreign Exchange Regulation Act, Conservation of Foreign Exchange and Prevention of Smuggling Act, etc. are to be debarred from contesting elections, no action seems to have been taken by the Government so far on these recommendations. It is reported that a number of legislators in a few States have either been convicted of heinous offences like murder, etc. or facing such charges in different Courts. This phenomenon is not restricted to any one party but is shared by almost all the parties. These criminal elements capture booths, terrorise the electors and prevent persons from casting their votes. Unless these activities are not stopped forthwith, the true will of the electorate will not be reflected in the seats won. Therefore, all the political parties have to take a pledge that they will desist from using criminal elements for subserving their political ends.

Ideally speaking, conducting an election is like refereeing a soccer match. What is expected of each contesting candidate is that he has to play according to the rules of the game and obey the decision of the

referee without questioning. To be satisfied about the truth of this statement, one has only to watch the election in the USA or the Western democracies. A former Chief Election Commissioner had reported that in the U.K., while counting was going on, the candidates were exchanging pleasantries in the adjoining coffee house. So much faith they have in the impartiality of the election machinery. This may be contrasted with the commotion prevailing in our counting halls when almost every decision of the counting staff is suspected.

The President of India, in his message to the nation on the eve of the Independence Day on the 14 August, 1989, highlighted this aspect of electoral politics.

He said:

I wish to take this opportunity to impress upon all those who will be contesting the ensuing elections to abjure acrimony and rancour and to give no quarter to violence. I would like to make a special appeal to contestants and campaigners to ensure that nothing that they say or do aggravates communal or caste feelings. They must also exhibit a respect for the rights of others and a tolerance for contrary points of view. Elections can and do rouse passions. But let those passions be converted into light, not heat. Let the elections be fought with dignity, decorum and decency.

The use of money or muscle power and the totally unacceptable practices of voter intimidation and booth-capturing offend the very foundations of our socio-political order. Political parties, whether ruling or in the Opposition, shoulder a grave responsibility in this regard. Ultimately it is their campaign style which can make or mar an election. Election ethics, as I have said on earlier occasions, are not a matter of procedure alone; they are the veritable life-breath of the political system which our people have given unto themselves.

And so, as the next round of elections draws near, I express my hope that the elections will be free and fair. Officers on election duty must discharge their responsibilities as a sacrament, no less. The electoral mechanism must continue to function, as it has in the past with impartiality and objectivity.

The great Tamil Poet Subramania Bharati sang in the twenties of this century when freedom was a dim distant goal.

"We are all sovereigns of the Country".

The poetic benediction has come true. But the sovereignty of the people will become illusory unless the true will of the people is reflected in the legislatures through fair elections. Ensuring free elections must be the joint endeavour of all parties and the sacred duty of the Nation. I am sure that nothing will be done by anyone to cut at the very roots of democracy.

Let us hope and pray that all the political parties and contesting candidates will listen to this sagely advice given by our President and act on this advice which will ensure a free, fair and incident-free election.

DISTURBANCE DURING PRESIDENT'S / GOVERNOR'S ADDRESS

K. M. PANCHAL

In England, the Crown opens the Session of the Parliament. Keeping this tradition in view, framers of the Constitution of India thought of making a provision for an Opening Address by the President and the Governor at the commencement of the Session of the Parliament and the State Legislature, respectively, and necessary provisions were accordingly made in Articles 87 and 176 of the Constitution of India. In England, Session of the Parliament is summoned only once a year. Of course, such Session continues almost for the whole year and hence the Crown has to address the Parliament only once a year. But in India, the Sessions of the Parliament and State Legislatures are summoned more than once, which necessitated the President and the Governor to come for giving the Opening Address at the commencement of each Session of Parliament and State Legislature, respectively. Such a procedure involved many repetitions in the address and it had inherent practical difficulties too. To overcome these difficulties, Dadasaheb Mavalankar, the First Speaker of the Lok Sabha, suggested that instead of President's address at the commencement of each Session of Parliament, there should be a provision that it should be made at the commencement of the first Session of each year. In pursuance of this suggestion, the first Amendment to the Constitution of India was made which came into effect from 18 June, 1951. As a result of this Amendment, the words "every Session" were replaced by the words "at the commencement of the first Session after each general election to the House of the People and at the commencement of the first Session of each year". Consequent upon this Amendment, the President now addresses the Parliament only at the commencement of the first Session after each general election and at the commencement of the first Session every year. In the States, the Governors also follow the same procedure.

As in the case of the Crown in England, in India too, the President and the Governor refer to the "causes for summoning the Session" in their addresses. This address is a statement of the Policy of the Government and hence it is prepared and approved by the Cabinet. The President addresses both the Houses of Parliament assembled together in the Central Hall of Parliament House.

To address the Parliament is one of the most solemn and formal duties of the President as laid down in the Constitution of India and hence utmost dignity and decorum appropriate to that occasion have to be

maintained. However, it is observed that during the address of the President or the Governor, a number of incidents have occurred which even the makers of the Constitution might not have envisaged. Of course, no such untoward incident is reported to have occurred in the British Parliament during the address of the Crown. In India also, there is a convention that no member should leave his seat during the address by the President or the Governor. Yet, one member left the Central Hall during the President's address on 5 February, 1952. But on the next day, in a letter addressed to the Speaker, he expressed regret for his behaviour and explained the circumstances compelling him to leave the Central Hall. Thereafter, on 18 February, 1963, when the President was addressing the members of both the Houses of Parliament assembled together in the Central Hall, one member interrupted the address saying the President should Address the members in Hindi. Later, five other members, including a member of Rajya Sabha, staged a walkout protesting that the address was in English. Their action was treated as an incident of grave indiscipline and it was decided to appoint a Committee consisting of 15 members of Lok Sabha to investigate the matter. The next day, the appointment of a Committee was announced by the Speaker in the House. The Committee called for explanations from all the five Lok Sabha members involved in the said incident. After considering the explanations of the two members who pointed out that they did not mean any disrespect to the President, the Committee adopted a lenient view towards them and expressed its displeasure over their conduct. But it recommended that the remaining three members whose behaviour it found "undesirable, undignified and unbecoming" of a member, be reprimanded. The Committee then viewed that any interruption or walkout during the address of the President is a grossly disorderly conduct and recommended that in future, members responsible for such an act should be suspended from the service of the House for a period which may extend upto one year. The House considered the Report of the Committee and a motion, as recommended by the Committee, was moved in the House and it being adopted by the House, the Speaker reprimanded all the three members involved in the incident on behalf of the House.

Despite taking a very strict approach to maintain the dignity and decorum in the House during the address of the President, over the years, the following untoward incidents occurred. On the occasion of the President's address on 12 February 1968, two members interrupted the address and thereafter nearly 70 to 80 members staged a walkout. Later, on 20 February 1968, speaking on a motion regarding this incident, one of the members involved in the issue, said their action was done without any disrespect to the President or his office. He added that their action was to register "our sorrow and our indignation and our anger at the policies of the Government whose programme of work in Parliament the President was going to announce". Later, Lok Sabha adopted a motion on 28

February 1968, disapproving the members' conduct and reprimanded them "for their undesirable, undignified and unbecoming behaviour"

Similarly, on 23 March, 1971, a member created an obstruction and showed disrespect to the President during his address demanding that the President should address members in Hindi. On 2 April 1971, the Lok Sabha decided to appoint a Committee to investigate the incident. This committee presented its First Report to the House on 15 November, 1971 in which it recommended that a lenient view may be taken of the member's conduct even though his action should be viewed with disapproval. In its Second Report, presented to the House on 14 April 1972, the Committee suggested the following guidelines regarding the conduct of members and maintenance of order, dignity and decorum on the occasion of the President's address:

- (i) To insert a new Article 87-A in the Constitution making a provision that the President shall preside on the occasion of his address to the House / Houses of the Parliament;
- (ii) to amend Article 118 to provide that the President, after consultation with the Chairman, Rajya Sabha and Speaker, Lok Sabha may make rules regarding the procedure for maintenance of order, dignity and decorum on the occasion of President's address; and
- (iii) to make similar constitutional provisions in respect of the Governor's address to State Legislatures under Articles 175 and 176 of the Constitution.

However, no steps have been taken so far to make these guidelines effective and year after year, incidents of interruption on the occasion of the President's address have been continuously increasing. Not only this, some new problems have cropped up in the States along with increasing number of incidents of interruption during the Governor's address.

The first such incident took place on 11 December, 1952 in the then Madras State on the occasion of the Governor's address to both the Houses of the State Legislature when three members staged a walkout. Commenting on this incident, the Speaker observed that it was essential for members to remain present during the Governor's address because the Governor was the symbol of the State and, therefore, in the same way as we respect the National flag, we should respect the Governor by observing a certain standard of conduct befitting the occasion of his address to the State Legislature.

In March, 1958, on the occasion of the Governor's address to the Punjab Legislative Assembly, some members created noisy disturbances and thus tried to prevent the Governor from delivering his address. A Committee was appointed thereafter to determine whether a meeting convened for the purpose of the Governor's address could be treated as a

sitting of the Assembly and who should regulate the proceedings of this sitting. The Committee held that though the proceedings of such meeting did not constitute a sitting of the House as laid down in the Constitution, noisy disturbances during the Governor's address constitute a parliamentary offence and since there was provision in the Legislative Assembly Rules for the discussion on the Governor's address, a member, who was obstructed in his listening to the address, might raise a question of breach of privilege.

In West Bengal, when the Governor was addressing both the Houses of the State Legislature on 8 February, 1965, some members created noisy disturbances. The Governor could not read out his speech and so he laid the same on the Table of the House. This procedure was challenged through a writ petition in the Calcutta High Court. Dismissing the writ of mandamus, the Calcutta High Court observed:

That procedural failure should not be over-emphasised because by laying a copy of the Governor's address on the Table, the object of the address was substantially served and the members could become aware of the contents of the address.

That Legislature must not be deemed to have met when a Governor is unable to begin or to finish the address under Article 176 and is compelled otherwise to put the address, as to put a value on such disturbance which they do not deserve.

If a Legislature meets and transacts legislative business without the preliminary address by the Governor, when required under Article 176, its proceedings are illegal, invalid and may be questioned in a Court of Law.

On 26 February, 1966, when the Governor was delivering his address to the Rajasthan Legislative Assembly, some members created disturbance to prevent him from delivering his address. The Governor then ordered the Sergeant-at-Arms to remove those members from the House. Thus, twelve members were removed from the House by the Order of the Governor. The question that arose from this incident was whether the Governor had the authority to remove any member from the House in this manner during the course of his address. As a privilege motion was moved by some members, the matter was referred to the Privileges Committee. The Committee held that the Governor had acted within his powers and authority in order to remove all those members during the course of his address.

The action of the Governor was also challenged by a writ petition in the Rajasthan High Court. The Rajasthan High Court dismissed the writ petition, but it did not express any clear view in this regard. The High Court, however, observed that the Petitioners were removed during the address only to enable the Governor to discharge his constitutional duty of delivering the address and to enable other members to hear him. In this

connection, the Home Ministry of the Government of India observed as under:

When the Governor addresses the State Legislature under Article 176, he functions as an organ of the legislature... he is in charge of the proceedings of the House until his address is completed. It is left to him to conduct the proceedings in an appropriate manner, consistent with the dignity and status of the House. Consequently, he is responsible for maintaining order and discipline during the period the proceedings regarding his address continue.

The first incident of interruption in the history of the Gujarat Legislature took place on 22 January, 1968 during the Governor's address when some members staged a walkout. However, the Governor completed his address. Five years later, on 12 February, 1973, when the Governor was about to begin his address, the Leader of the Opposition got up from his seat and said that the Governor was going to read the usual speech prepared by the Government. He then requested the Governor to read out the speech which he had prepared as the Leader of the Opposition and handed over a copy of the same to the Governor. However, the Governor read out the speech which he was already having. In the sitting of the House after the Governor's address, a member raised a point of order that the conduct of the Leader of the Opposition constituted a contempt of the House, but no action was taken against anybody in this matter.

Again, at the commencement of the Gujarat Legislature Session on 22 January, 1979, the Leader of the Opposition tried to read his own statement before the Governor could start his address. This created a pandemonium in the House. Later, members of the Opposition staged a walkout after the Leader of the Opposition finished reading his statement. Of course, the Governor could also finish his speech. In a sitting of the House held after the Governor's address, a point of order was raised to expunge the statement made by the Leader of the Opposition from the proceedings of the House. The Speaker ruled that the sitting which the Governor addressed was not a part of the duly constituted sitting of the House and therefore the question of expunging the statement made by the Leader of the Opposition from the proceedings of the House did not arise.

On 19 March, 1979, when the Governor was about to deliver his address to the members of the Bihar Legislature, the Leader of the Opposition got up and started reading something. Some other members also started shouting slogans. But when the Governor started reading the address and continued to read it out, some members staged a walkout. Thereafter, the Governor finished his speech.

On 27 January, 1981, when the Governor was addressing both the Houses of the Uttar Pradesh Legislature, some members created obstruction. Even two lady members were also involved in this incident.

The members causing obstruction were removed by the Order of the Governor. Rejecting a point of order raised later in this connection, the Speaker ruled that while delivering his address, the Governor conducted the proceedings of the said sitting and hence the Marshal and the employees of the legislature were supposed to carry out the Governor's order given for maintaining order in the meeting. He further observed that when the Governor performed his duties assigned to him by the Legislature, the conduct and behaviour of the members of the Legislature should be in conformity with the status of the Governor and the importance of the occasion. He further quoted some observations cited below which were made by the then Speaker, Lok Sabha, Dr. G. S. Dhillon, in the House on 2 April, 1971 in respect of some incidents which had taken place in the years 1963 and 1971 :

What can the President do? There is no authority either of the Speaker or the Chairman of the Rajya Sabha. Should we allow ourselves to be held to ransom and keep on watching the disorderly scene? The President has patience, but there is a limit to it.

On 17 February, 1982, when the Governor of Rajasthan got up from his seat to address the members of the Rajasthan Legislative Assembly, some members started creating noise and later they staged a walkout. Before the Governor could complete his address, the Chief Whip of the ruling party intervened and moved a motion that the Governor's address be deemed to have been read out and on the motion being passed by the House, it was held accordingly.

On 13 February, 1984, when the Governor of Uttar Pradesh was addressing the members of the Uttar Pradesh Legislature, the occasion was marred by uproarious scenes, showing of black flags and tearing off of copies of the Governor's address. Even in this atmosphere, the Governor read out the first sentence of his speech and then authorised the Speaker to read the remaining portion of his speech. When the Speaker finished the reading of the speech, the Governor read out the last sentence of his address.

On 2 March 1984, some members of the Madhya Pradesh Legislative Assembly boycotted the Governor's address and staged a walkout. Later on, a motion, seeking suspension of two members from the services of the House for their misconduct till the discussion on the motion of thanks on the Governor's address was over, was moved by the Minister for Law and was adopted by the House.

In Rajasthan, some members boycotted the Governor's address on 20 March, 1985 at the commencement of the first Session of the Rajasthan Legislative Assembly. However, the Governor declared his address as read out after reading the beginning and the last portions of the address before the members present in the House.

In Bihar, when the Governor was addressing a joint sitting of the Bihar

Legislature on 8 January, 1988, some members created a pandemonium. The Leader of the Opposition began to read out his own speech as the Governor started to address. The pandemonium prevailing in the House compelled the Governor to read only the main portion of his address instead of reading out the whole text.

On 5 February, 1988, as soon as the Governor started reading his address before the members of the Gujarat Legislative Assembly, members from the Opposition stood up and started shouting slogans and staged a violent demonstration. As the interruption continued for a much longer time, the Governor declared that his address be treated as read. However, no action was taken against any member for this incident.

In West Bengal Legislature, when the Governor was addressing the House on 7 March 1988, some members described some points of the address as lies and staged a walkout denouncing the address.

Some members stood up and shouted slogans when the Governor was addressing the members of the Gujarat Legislative Assembly on 27 January 1989. On account of the noisy scenes, the Governor could not read more than two to three paragraphs of his speech. Ultimately, he read the last paragraph and declared that his address be treated as read. When the motion of thanks was moved for discussion in the House, a member raised a point of order that the word "read his address" should be replaced by "written address" as the Governor had not addressed the House, *i.e.* he had not read his speech in the House. Rejecting the point of order, the Speaker observed that under Article 176 of the Constitution, it was obligatory for the Governor to address the House in the first Session every year. It was the duty of the members to give a patient hearing to the Governor who comes to address the House to perform his constitutional duty. But the behaviour of the members was a hindrance to the Governor in the performance of his constitutional duty and it had also lowered the dignity of the House. He added that it was the duty of every member to give his respect to the constitutional provisions and to preserve its sanctity.

From the above cases of interruption during the President's/Governor's address and also from the rulings of the Presiding Officers and the Courts of Law, the following points emerge:

- (i) There is a constitutional provision that every year the first Session of the House shall commence with the address by the President/Governor. Even then, if he could not read out his address due to interruptions and he declares that the same be treated as read, it cannot be held that the President/Governor has not addressed the House, and hence the Session of the Parliament/Legislature has not legally commenced as per the constitutional requirement.
- (ii) That the President/Governor is discharging his constitutional duty of addressing the House and if he is not allowed to finish his address

on account of interruption by the members, he can declare that his address be treated as read.

- (iii) That under Articles 87 and 176 of the Constitution of India, it is obligatory on the party of the President/Governor to address both the Houses/House of Parliament/Legislature and he has the right to conduct the meeting. If there is any hindrance during his address, he can, for the purpose of preventing such hindrances, requisition the services of Marshal or any other Officer of the Parliament/Legislature Secretariat.
- (iv) According to the provisions contained in the Constitution and Rules, a sitting of the House is duly constituted only when it is presided over by the Speaker and, therefore, the proceedings of the meeting of the House held during the Governor's address cannot be treated as proceedings of the sittings of a duly constituted House.
- (v) Proceedings of the sitting of the House held during the address by the President/Governor is not treated as sitting of the duly constituted House. Therefore, normally the question of breach of privilege in respect of the incident occurred during that period does not arise. However, if any member indulges in disturbance during this period, the House treats such conduct as improper, undesirable and unbecoming and it can initiate penal action against him.

It is a matter of grave concern that day by day, incidents of interruptions during President's/Governor's address are increasing. An in-depth study of this phenomenon will reveal that there are various causes which culminate in such incidents. Newspapers, i.e. the mass media, have to play a very important role in parliamentary democracy. In a state governed by the parliamentary system of Government, the Press has to climb stiff cliffs in moulding public opinion by putting forth the naked truth. In view of this importance of the Press, special arrangements have been made in the House for their representatives and they are supplied almost the same quantity of literature which is supplied to the members of the House. Reports of Parliamentary Committees are also supplied to the Press representatives. However, we know very well as to which type of news of the proceedings of the House are given prominence in the newspapers. We must admit the fact that news pertaining to interruptions in the House are given more importance by the Press and hence the tendency to create disturbance during the President's/Governor's address has increased. This is not a healthy situation. The Press is expected to make a positive contribution to creating healthy parliamentary traditions.

Interruptions during the President's/Governor's address are mostly meant to show dissent or disregard towards some policies or actions of the Government. In a parliamentary democracy, it is very natural that the people's representatives may hold a dissenting view about some particular matter or the policy of the Government. In a way, this is necessary also

but that does not mean that disturbance should be created when the President or Governor is performing his constitutional duty. It is the duty of all members to show high respect and give a patient hearing to the President's/Governor's address while he is addressing the members as a part of the Parliament/Legislature and as the Head of the Nation/State. A note of dissent at this juncture is totally out of place. It should not be forgotten that tolerance is the essence of parliamentary democracy. Members should display a very high degree of tolerance on such an occasion and they should also adopt a practice of raising a point of dissent, if any, only in the sittings of the duly constituted House. Such interruptions which are increasing day by day are not conducive to the development of parliamentary democracy and, therefore, all political parties should think over this issue and adopt a common point of view and decide to grace the occasion of President's/Governor's address as an ideal constitutional occasion.

ELECTION OF SPEAKER OF THE TENTH LOK SABHA LARRDIS¹

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

The Tenth Lok Sabha was constituted on 20 June 1991. The date for holding election to the office of the Speaker was fixed on 10 July 1991. The members were accordingly informed of the procedure and the programme thereof through the Lok Sabha Bulletin Part II on 2 July 1991 and again on 5 July 1991. Members were required to give notices of motions for the election in the prescribed form before noon on 9 July 1991.

In all, eleven motions were received by the prescribed time. Of these, five motions proposed the name of Shri Shivraj V. Patil for the Office of Speaker. Another five proposed the name of Shri Rabi Ray while one that of Shri Jaswant Singh. All the motions were found to be in order and were included in the revised List of Business for 10 July 1991 in the order in which they were received in point of time.

On 10 July 1991, when the item was taken up, the Speaker *pro tem*, Shri Indrajit Gupta, who was in the Chair, called upon Shri L.K. Advani to move the motion standing in his name proposing Shri Jaswant Singh for the Office of the Speaker, Lok Sabha. Shri Advani stated that he did not propose to move the motion. Two other motions in the name of Smt. Sheila Kaul and Shri K.R. Narayanan were not moved. The fourth motion, proposing the name of Shri Shivraj V. Patil was then moved by Shri Arjun Singh, Leader of the House and Minister of Human Resource Development. The fifth and sixth motions listed in the name of Shri A.R. Antulay and Shri B. Shankaranand were not moved by the movers. The rest of the five motions in the name of Sarvashri Basudev Acharia, Ram Lakhan Singh Yadav, Chun Chun Prasad Yadav, K.P. Unnikrishnan and Suraj Mandal proposing the name of Shri Rabi Ray were also not moved.

The motion moved by Shri Arjun Singh was put to vote of the House and adopted.

¹Prepared by the Library and Reference, Research Documentation and Information Service (LARRDIS)

The Speaker *pro tem*, Shri Indrajit Gupta, then declared Shri Shivraj V. Patil elected as the Speaker of Lok Sabha. Having been chosen as the Speaker, Shri Shivraj V. Patil was then conducted to the Chair by Shri Arjun Singh, Leader of the House and Minister of Human Resource Development and Shri L.K. Advani, Leader of the Opposition in Lok Sabha.

Shri Shivraj V. Patil was warmly felicitated on his election to the Office of the Speaker by the Prime Minister, the Leader of the Opposition and the Leaders of Parties/groups in the House.

Congratulating Shri Patil on his election to the high office, the Prime Minister, Shri P.V. Narasimha Rao said: "Responsibility of this nature you have shouldered in the past and with great distinction. We know that you were Speaker of one of the largest Legislative Assemblies in India, the Maharashtra Legislative Assembly. You had shown your mettle in the past and had handled varied and difficult situations. Your experience will greatly help not only the conduct of this House, but all of us in functioning in the manner expected of us".

The Prime Minister pointed out that the House was meeting at a time when the country was facing a difficult situation on various fronts. He said: "We must work with urgency... we must work collectively and in a determined manner to face the challenges that the nation is confronted with". He added: "In particular, in this House the people expect us to work with devotion, work with single-minded purposefulness and also work with certain dignity. We have to place before ourselves all these expectations of the people, and I am sure, Mr. Speaker, Sir, that under your able guidance, we will be able to conduct the business of this House as well as conduct ourselves as the people expect us to".

Offering felicitations on behalf of his party, and on his own behalf, Shri L.K. Advani, Leader of the Opposition in Lok Sabha, expressed his happiness on the unopposed election of Shri Shivraj Patil to the high post. Shri Advani pointed out that "once a person gets elected to this highest office, then he does not remain confined to any party. He rises above party politics" and added that Shri Patil's illustrious predecessors had followed this high tradition. Shri Advani stated that Shri Patil had discharged his duties with justice, dignity and decorum as Deputy Speaker, Lok Sabha and Speaker, Maharashtra Legislative Assembly and hoped that he would be successful in achieving the same reputation as the Speaker, Lok Sabha, also.

Felicitating Shri Shivraj Patil, Shri Vishwanath Pratap Singh, Leader of the Janata Dal, said that the House was already witness to his sense of impartiality. He hoped that with Shri Patil's assumption of the Office, opportunity would be given to them for giving expression to the woes and grievances of the poor and the downtrodden.

Extending cordial, felicitations to Shri Shivraj Patil, Shri Somnath

Chatterjee, Leader of CPI-M, expressed confidence that Shri Patil would uphold the highest traditions of the Chair. He also urged that justice be given to all sections of the House and adequate opportunity be given to members to give expression to the urges and aspirations of the teeming millions of the country.

Congratulating Shri Shivraj Patil, Shri B. Vijay Kumar Raju (Telugu Desam Party) stated that as Deputy Speaker of the House, he had performed his duties in a very dignified manner and hoped that he would maintain the decorum and decency of the august House in future also.

Offering his felicitations, Shri Frank Anthony (Nominated) said that he was overborne by Shri Patil's mental and political alacrity and found in him certain qualities that would combine to make him a very great Speaker.

Congratulating Shri Shivraj Patil, Shri Indrajit Gupta (CPI) offered him his party's cooperation in the difficult task of conducting the affairs of the House. He said: "... we know you are impartial, that you are sufficiently experienced, that you will have a mastery over the rules of procedure of this House and that you will be firm in your decisions. But your justice, I am sure, will be tempered with mercy and you will see to it that everybody here gets a fair chance to express themselves."

Felicitating Shri Shivraj Patil, Shri P.G. Narayanan (AIADMK) hoped that the privileges and rights of the members would be safeguarded under his custodianship.

Extending his congratulations, Shri Nani Bhattacharya (RSP) expressed confidence that Shri Patil would be able to discharge his duties and responsibilities as Speaker with full impartiality and diligence as the occasion demanded without fear or favour.

Shri Moreshwar Save (Shiv Sena) said that as Speaker of Maharashtra Legislative Assembly and Deputy Speaker of Lok Sabha, Shri Patil had acted impartially and hoped that he would act impartially as Speaker also and would set high traditions.

Extending his party's full-fledged cooperation to the new Speaker, Shri Chitta Basu (Forward Bloc) said: "as you know, this House represents the sovereignty of the people. You, as the Speaker of the House, ought to remain as a vigilant guard to the sovereignty of the people".

Congratulating Shri Shivraj Patil, Shri Ebrahim Sulaiman Sait (Muslim League) expressed his confidence that he would prove to be a great success as the Speaker of the House.

Shrimati Dil Kumari Bhandari (Sikkim Sangram Parishad) extended full support to the new Speaker for the successful conduct of the business of the House.

Shri Shibu Soren (Jharkhand Mukti Morcha) expressed the hope that Shri Shivraj Patil would provide equal opportunity and justice to all.

Congratulating Shri Shivraj Patil, Dr. Jayanta Rongpi (Autonomous State Demand Committee) expressed the hope that the new Speaker "will give us enough support so that our (Assam's) problems will be thoroughly deliberated upon and we will get a democratic solution to our problems".

Shri Muhi Ram Saikia (Asom Gana Parishad) hoped that Shri Shivraj Patil would conduct the House in an impartial manner and would serve as a cementing force of the House in the larger interest of the country.

Offering felicitations to Shri Shivraj Patil, Shri K.P. Unnikrishnan (Congress-S) said that the basic and fundamental task of the House lies in the commitment to social goals and in a more fundamental sense, commitment to national unity and secularism.

Shri Yaima Singh Yumnam (Manipur Peoples Party) also congratulated Shri Shivraj Patil on his election as the Speaker.

Congratulating Shri Shivraj Patil, Shri Chandra Shekhar (Janata Party) hoped that the new Speaker would add a new chapter in the glorious history of the Parliament. He added: "The Prime Minister said that there is a difficult time before us and to prevail over it we require knowledge, as well as power, but for that we will have to create will power in the people. This task of creating will power lies upon this Parliament. As such there is great responsibility on you. I am sure that you will be able to do this successfully".

Replying to the felicitations, the Speaker, Shri Shivraj Patil expressed his deep and heartfelt gratitude to all members in the House for the honour bestowed on him. Extending a warm welcome to all the members of the Tenth Lok Sabha, he said: "This House and the precincts of this House are part of our history, most magnificent and most memorable. They should continue to be like that and also more effective, magnificent and memorable, equal to all such places in the world and in certain respects more effective and more attractive". He added: "To this House, great statesmen in the country and great souls have been elected. They have functioned here with dedication, vision, honesty and love for the people, for the country and for the world, and the great causes, philosophies and ideas. They have left great traditions, conventions and imprints in the annals of the functioning of the parliamentary democracy". Shri Patil pointed out that "it would certainly be wise to remember them and their contributions with gratitude in our hearts and follow the broad outlines and directions given by them". "At the same time", he added, "it would be necessary to use our ingenuities to invent and follow new methods and directions to cope with new and unforeseen circumstances and situations".

Emphasising that "the tasks we have to perform are going to be challenging, intricate and onerous", Shri Patil said that "all the same, we would all certainly rise to the occasion and prove that with our conventions

and convictions, with the realisation of the need to adjust and compromise and understand, on matters of public interest and weal, the good of the country and the world, and the exigencies of time and cope with new situations and new problems”.

The new Speaker observed that friendship between members and presiding officers and the officers should and would prevail and help to understand and cooperate with one another.

Stressing the importance of the media, Shri Patil said that what happens in the House should reach the people and all parts of the country and in this task, the media and the instruments responsible for the same had to play a significant role. He added that they would be facilitated to do the same.

In conclusion, Shri Shivraj Patil sought cooperation of all sections of the House and prayed for the successful discharge of the duties entrusted upon him.

Shri Shivraj V. Patil - A Life Sketch

Son of Late Shri Vishwanath Patil, *alias* Sambhaji Patil, Shri Shivraj V. Patil was born on 12 October 1935 at Chakur Village in Ahmedpur Taluk of Latur District (Maharashtra). He was educated at the Osmania University, Hyderabad and Bombay University, Bombay. He first graduated in Science and later obtained a Master's degree in Law.

Shri Patil, who is an advocate, agriculturist and Honorary Professor of Law, started his political career as the President of Latur Municipality in 1967 and held that position till 1969 and again from 1971 to 1972.

Shri Patil's legislative and parliamentary career began in 1972 with his election to the Maharashtra Legislative Assembly. During his membership of the State Legislative Assembly between 1972-77 and 1977-79, he was the Chairman, Committee on Public Undertakings, during 1974-75. Shri Patil was Deputy Minister holding the portfolios of Law and Judiciary, Irrigation and Protocol during 1975-76. He was elected Deputy Speaker of the State Assembly on 5 July 1977 and held the position till 13 March 1978. He remained Speaker of the House from 17 March 1978 till 6 December 1979.

Shri Patil was elected to Lok Sabha for the first time in 1980 from Latur Parliamentary constituency. He was re-elected to the Eighth, Ninth and Tenth Lok Sabhas in 1984, 1989 and 1991, respectively, from the same constituency. He was member, Joint Committee on Salaries and Allowances of Members of Parliament from 12 May 1980 to 7 September 1980 and Chairman of this Committee from 8 September 1980 to 18 October 1980.

Shri Patil was made a Minister of State in the Union Council of Ministers on 19 October, 1980 and held the following portfolios: Defence—19 October 1980 to 14 January 1982; Commerce (Independent Charge)—

15 January 1982 to 29 January 1983; Science and Technology, Atomic Energy, Electronics, Space and Ocean Development, Bio-Technology—29 January 1983 to 21 October 1986; Defence Production and Supplies—22 October 1986 to 24 June 1988; and Civil Aviation and Tourism (Independent Charge)—25 June 1988 to 2 December 1989.

Shri Patil was Deputy Speaker of the Ninth Lok Sabha from March 1990 to March 1991. In that capacity, he functioned as the Chairman, Committee on Private Members' Bills and Resolutions, and Library Committee. He was also a member of the General Purposes Committee from May 1990.

Shri Patil also held the post of Vice-President, Council of Scientific and Industrial Research (CSIR) from October 1983 to October 1986.

His special interests are foreign affairs, defence, science and technology, law and judiciary, problems of unemployment, agriculture, industry and commerce. During his pastime and recreation, he remains engrossed in reading, swimming, shooting and horse-riding.

A widely travelled person, Shri Patil has visited the Bahamas, Canada, China, Czechoslovakia, Cuba, Ethiopia, Federal Republic of Germany, Finland, France, German Democratic Republic, Iran, Italy, Jamaica, Japan, Mexico, Nicaragua, North Korea, Panama, Poland, Spain, Switzerland, Thailand, UK, USA, USSR and Vietnam.

OBITUARY REFERENCES

May 1991 was a calamitous month for India. On 21 May, the country and the world at large received with shock and disbelief the news of the assassination of former Prime Minister Shri Rajiv Gandhi at Sriperumbudur near Madras. The following day, on 22 May, veteran Communist leader Shri Shripad Amrit Dange passed away in Bombay after protracted illness. A week later, on 30 May, the country suffered another loss when the renowned freedom fighter, parliamentarian and administrator, Shri Uma Shankar Dikshit breathed his last in New Delhi. Yet another grievous loss was the tragic and untimely death of the brilliant parliamentarian Shri Dinesh Goswami in a road accident near Guwahati on 2 June.

We mourn the loss of these noble sons of India and pay our respectful homage to their memory.

—Editor

SHRI RAJIV GANDHI

People the world over received with utter shock and disbelief the news of the brutal assassination of Shri Rajiv Gandhi, former Prime Minister of India, on 21 May 1991. Shri Rajiv Gandhi was to address an election meeting at Sriperumbudur near Madras late in the evening when he fell victim to a bomb explosion. His body was brought to New Delhi the next day and was laid in state at the Teen Murti House where his grandfather, Pandit Jawaharlal Nehru lived and where Rajiv Gandhi spent his childhood days. The Union Government declared a seven-day state mourning in honour of the departed leader. The mortal remains of Shri Rajiv Gandhi were consigned to the flames on the banks of River Yamuna with full state honours on 24 May 1991 in the presence of a galaxy of world leaders. The country's highest civilian award, the 'Bharat Ratna', was conferred posthumously on Shri Rajiv Gandhi by a grateful nation.

Killings are always tragic; more so when a young and charismatic leader like Shri Rajiv Gandhi in whom millions of his countrymen had pinned their hope and faith is assassinated. Born on 20 August 1944, Shri Rajiv Gandhi was the eldest son of Shrimati Indira Gandhi and Shri Feroz Gandhi. He was the grandson of Pandit Jawaharlal Nehru, the first Prime Minister of India. Shri Rajiv Gandhi studied at the Doon School, Dehra Dun, and Trinity College, Cambridge, and did a course in Mechanical Engineering. Politics was not his first love. He chose flying as his profession and served as a pilot with the Indian Airlines. However, destiny willed otherwise. His younger brother Sanjay's death in an air crash was a

turning point in Rajiv's life. It was then that he entered the Indian political scene. He was elected to Lok Sabha for the first time in 1981 from the Amethi parliamentary constituency in Uttar Pradesh from where he was returned again in 1984 and 1989. He was yet again elected with an overwhelming majority in May 1991 from Amethi where elections were held just before his assassination and the results announcing his own as well as his party's victory came ironically only after he was no more.

Soon after the assassination of his mother Shrimati Indira Gandhi in October, 1984, Shri Rajiv Gandhi had to bear the mantle of the office of the Prime Minister of the largest democracy in the world. Although riding on a sympathy wave which swept the country in the wake of the brutal assassination of Shrimati Indira Gandhi and which secured for him an unprecedented mandate of the people in the Eighth General Elections to the Lok Sabha, the subsequent years of his premiership unfolded his competence and ability and proved that he was a leader in his own right. This was further proved by the graceful manner in which he accepted the defeat of his party at the hustings in the Ninth General Elections to the Lok Sabha and played with equal finesse the role of the Leader of the Opposition in the House till 23 December, 1990.

Shri Rajiv Gandhi's five years as Prime Minister were marked by a determined endeavour towards rapid modernisation, rapid economic growth and sensitive, yet decisive handling of myriad problems. He wholeheartedly strived for induction of appropriate technology and modern managerial techniques with a view to redressing the problems of poverty, disease, and lop-sided development. He consciously nurtured and also promoted an awareness among the masses of India's rich and varied cultural heritage with the express purpose of strengthening the emotional unity of the people of India. Time and again, he impressed upon his countrymen that secularism was the only and in fact the very foundation of our nationhood. Ever committed to the cause of parliamentary democracy, he was instrumental in the passing of some historic pieces of legislation such as lowering of the voting age to 18 and the anti-defection bill. These legislations, needless to say, contributed in no small measure towards magnifying the ambit of our democratic polity and providing wholesome parameters to political dynamics.

While Shri Rajiv Gandhi provided a dynamic leadership to the people of his country, he also secured for himself a place in the galaxy of world statesmen. His thoughtful and far-sighted initiatives in resolution of various complex international issues, his outstanding contributions to the promotion of world peace and establishing a new international economic order, and his sincere and ceaseless efforts for promoting understanding and cooperation between India and the comity of nations and for the improvement of bilateral relations with its neighbours, are a living testimony to his farsightedness and clarity of vision.

Shri Rajiv Gandhi was at once a visionary and an idealist who dreamed of an India proud and prosperous. His dastardly assassination is a great blow to the movement for liberty, peace and development, nay a deeply inflicted void in our democratic policy which will not be easily filled.

In his passing away, India has lost a great patriot, the world a great leader and the whole of mankind a great humanist.

SHRI S.A. DANGE

India lost an elderly political figure in the demise of Shri Shripad Amrit Dange in Bombay on 22 May 1991.

Shri Dange was born on 10 October, 1899. He was educated at Nasik and at the Wilson College, Bombay. He came into contact with the working class movement while doing relief work in the Mill areas. He left his studies at the age of 21 to enter politics when the country was still struggling to free itself from the foreign yoke.

Shri Dange was a founder-member of the Communist movement in India and the All-India Trade Union Congress. His life long crusade to get the Indian workers and peasants a place of honour in society will be ever remembered. He led the country's first landmark textile strike in Bombay in 1928. The *Mumbai Girni Kamgar Union* which he formed in the twenties, pioneered the trade union movement with its concept of worker's unity and collective bargaining. It also helped catalyse the industrialisation of modern India based on equitable participation by the working class.

His active political involvement in the freedom movement and the Communist and trade union movements made him spend nearly 16 years of his life in jail. He gave ample proof of his abilities as a parliamentarian when he became a member of the Bombay Legislative Assembly in 1946 and later of the Lok Sabha in 1957 and 1967. His remarkable public life spanning over six decades was a saga of courage and sacrifice.

His scholarly oration and arguments from the Opposition benches, notwithstanding their comparatively small number and fragmented character, made the debates in Lok Sabha lively and the presence of the Opposition felt by the treasury benches. He was always heard with rapt attention.

Shri Dange was also an able theoretician with a capacity to look at life from a broad perspective. He authored a few books, well-known among them being, "India from Primitive Communism to Slavery" and "Mahatma Gandhi and History". For his strong commitment to Socialist ideas and great concern for the toiling masses, Shri Dange was honoured with the Order of Lenin award by the Soviet Union in 1974.

With the passing away of Shri Dange, the working class movement in India has lost one of its founding fathers, and the country a courageous freedom fighter, a dedicated trade unionist and an eminent parliamentarian.

SHRI UMA SHANKAR DIKSHIT

Veteran freedom fighter, renowned parliamentarian and able administrator, Shri Uma Shankar Dikshit, passed away in New Delhi on 30 May, 1991.

Shri Dikshit was born in Unnao in Uttar Pradesh on 12 January 1901. Inspired by the call of Mahatma Gandhi, he discontinued his education and joined the non-cooperation movement in 1920 and was imprisoned four times by the British regime.

Shri Dikshit started his career as a journalist. He was initiated into parliamentary life in 1961 when he was elected to the Rajya Sabha and remained its member till 1976. In the Rajya Sabha, he was the Leader of the House from 1971 to 1975. He was inducted into the Union Council of Ministers in 1971 and held portfolios of Home, Health and Family Welfare and Works and Housing for varying periods. He was appointed Governor of Karnataka in 1976 and of West Bengal from 1984 to 1986.

In the passing away of Shri Uma Shankar Dikshit, India has lost one of the last surviving links between the national movement and post-Independence India.

SHRI DINESH GOSWAMI

Indeed the whole family of parliamentarians suffered a grievous loss when eminent parliamentarian and sitting member of Rajya Sabha, Shri Dinesh Goswami, was killed in a road accident on 2 June 1991 near Guwahati in Assam.

Shri Goswami was born on 27 May 1935 at Village Pallastra, District Barpeta and had his education at Shillong, Guwahati and Calcutta. Shri Goswami, apart from being a political and social worker, also practised law at the Guwahati High Court and the Supreme Court. Shri Goswami was a member of the Lok Sabha from 1971 to 1977 and was a member of the panel of Chairmen in the House in 1974-75. He also served on its various Committees, including the Committee on Public Undertakings.

Shri Goswami was a member of Rajya Sabha from 1978 to 1984. In this House, he was a member of the panel of Vice-Chairmen in 1980-82 and 1983-84.

He again went to Lok Sabha as a member during 1985-89 and came back to Rajya Sabha in April 1990. While for most of his parliamentary life, he sat on the Opposition benches, he adorned the treasury benches from December 1989 to November 1990, having held the office of the Union Minister of Steel and Mines and Law and Justice. Soft-spoken, yet forceful, he was a parliamentarian par excellence.

In Shri Dinesh Goswami's untimely and unfortunate demise, the nation has lost an outstanding parliamentarian, respected by all those who had the opportunity to interact with him.

PARLIAMENTARY EVENTS AND ACTIVITIES

CONFERENCES AND SYMPOSIA

85th Inter-Parliamentary Conference: The 85th Inter-Parliamentary Conference was held in Pyongyang (DPRK) from 29 April to 4 May 1991. The Indian delegation to the Conference was led by Shri B.A. Masodkar, member of Parliament. The other member of the Delegation was Dr. R.K. Poddar, member of Parliament. Shri K.C. Rastogi, Secretary-General, Lok Sabha, was the Secretary to the Delegation.

At the Pyongyang Conference, India was elected Vice-Chairman of the Political Committee of the Inter-Parliamentary Union.

CPA Executive Committee Meetings: The meetings of the Executive Committee of the Commonwealth Parliamentary Association (CPA) were held in Guernsey from 19 to 23 March 1991. Shri Rabi Ray, Speaker, Lok Sabha and Shri Hashim Abdul Halim, Speaker, West Bengal Legislative Assembly, attended these meetings as President of CPA and as Regional Representative for Asia Region, respectively.

PARLIAMENTARY DELEGATIONS VISITING INDIA

Turkey: In response to an invitation from the Parliament of India, a Turkish Parliamentary Delegation, led by His Excellency Mr. Kaya Erdem, President of the Turkish Grand National Assembly, visited India from 18 to 24 February 1991. The Delegation called on Shri Rabi Ray, Speaker, Lok Sabha, on 18 February 1991. The Speaker, Lok Sabha hosted a banquet in honour of the Delegation later in the evening. The Delegation also called on Dr. Shanker Dayal Sharma, Vice-President of India and Chairman, Rajya Sabha and Shri Chandra Shekhar, Prime Minister, on 20 February 1991. Later, the Delegation called on Shri R. Vohataraman, President of India and Shri Satya Prakash Malaviya, Minister of Parliamentary Affairs and Petroleum and Chemicals on 21 February 1991. A meeting between the Members of Parliament and the visiting Delegation was held on the same day. Besides Delhi, the Delegation visited Agra and Bombay.

BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period 1 January to 31 March 1991, the following Programmes/Courses were organised by the Bureau of Parliamentary Studies and Training.

Appreciation Course for Probationers/Officers of All India and Central Services: The following Appreciation Courses were organised by the

Bureau: (i) for Probationers of the Indian Administrative Service from 31 January to 5 February 1991; (ii) for Officers of the newly inducted Indian Audit and Accounts Service from 6 to 8 February 1991; (iii) for Probationers of Indian Railways Personnel Service, Indian Railways Traffic Service, Indian Defence Accounts Service and Indian Defence Estate Service from 11 to 15 February 1991; (iv) for Probationers of Indian Railway's Accounts Service and Central Trade Service from 25 to 28 February 1991; and (v) for Students of Journalism attending a Training Course at the Indian Institute of Mass Communication and for Indian Audit and Accounts Service Officers from 4 to 8 March 1991.

Attachment Programme for Participants attending an International Training Programme on "Audit of Receipts" organised by the Office of the C&AG of India: At the request of the Office of the Comptroller and Auditor General of India, an Attachment Programme for participants from Afro-Asian and Pacific countries, attending an International Training Programme on "Audit of Receipts", was organised by the Bureau from 8 to 10 January 1990 to enable them to study the working of Parliament and Parliamentary Processes and Procedures. The Programme, which was attended by 23 Participants, was inaugurated by Shri Shivraj V. Patil, Deputy Speaker, Lok Sabha.

Attachment Programme for Shri J.M. Sagasii, Committee Clerk, National Assembly of Tanzania: An attachment programme for Shri J.M. Sagasii, Committee Clerk, National Assembly of Tanzania attending Parliamentary Fellowship Programme at the Institute of Constitutional and Parliamentary Studies (ICPS) was organised from 13 to 14 February 1991, with various Heads of Divisions of Lok Sabha Secretariat.

Attachment Programme for Nepalese Parliamentary Officials: An Attachment Programme for four Nepalese Parliamentary Officials was organised by the Bureau from 25 March to 10 April 1991 to study the working of Parliamentary Practices and Procedures in Lok Sabha and Rajya Sabha Secretariats.

Other Attachment Programmes: At the request of the Institute of Constitutional and Parliamentary Studies, an Attachment Programme for 19 Parliamentary fellows and students was organised from 31 December 1990 to 11 January 1991 to enable them to study the working of Legislative Branches, Financial Committee Branches, etc. and Library and Reference, Research, Documentation and Information Service (LARRDIS) of Lok Sabha Secretariat.

Fourth All India Inter-University Competition on Model Parliament: The Fourth All India Inter-University Competition on Model Parliament was organised in Parliament House Annexe, New Delhi from 25 to 26 March 1991. Teams from Universities/Institutes adjudged best in the four zonal Inter-University Competitions held earlier, participated in this competition. In the All India Competition, University of Kerala, Thiruvananthapuram,

was awarded the first Prize, Punjab Agriculture University, Ludhiana, the second prize and Hemvati Nandan Bahuguna University, Srinagar, Garhwal the third prize. The trophies and prizes were presented by Shri Rabi Ray, Speaker, Lok Sabha, to the successful teams.

STUDY VISITS: At the request of various training and educational institutions in New Delhi and outside, the Bureau Organised ten Study Visits for, among others: (i) Senior Lecturers/Professors of various colleges and Universities attending an orientation programme at the Academic Staff College, Jawaharlal Nehru University; (ii) Probationers of Indian Railway Service of Electrical Engineers; (iii) Students of Mass Communication and Journalism of University of Pune; (iv) Foreign participants attending an International Training Programme at the Institute of Secretariat Training and Management, New Delhi, and (v) Students of Library and Information Science Department, North-Eastern Hill University, Shillong.

PRIVILEGE ISSUES

LOK SABHA

Notice to the Speaker from the High Court of Delhi in connection with a Writ Petition: On 27 December, 1990, the Speaker (Shri Rabi Ray) informed the House that a notice was received from the Registrar, Delhi High Court, requiring him to arrange to show cause in connection with Civil Writ Petition No. 3871 of 1990. The Writ Petition, *inter alia*, sought to challenge the validity and constitutionality of paragraphs 6 and 7 of the Tenth Schedule to the Constitution (Fifty-second Amendment) Act, 1985. He pointed out that as per well-established practice and convention of the House, he had decided not to respond to the notice and had passed on the relevant papers to the Minister of Law and Justice for taking such action as he might deem fit to apprise the High Court of the correct constitutional position and the well-established conventions of the House.

On 8 January 1991, the Speaker further informed the House that he had received on that day a letter from the Registrar, Delhi High Court, forwarding therewith a copy of an order dated 8 January 1991 passed by the Division Bench of Delhi High Court. The Division Bench had passed the following orders on the arguments on stay application in Civil Writ Petition No. 3871 of 1990:

"The arguments on the stay application are in progress. It would be in the fitness of things that an order of *status quo* may be passed as the hearing of the arguments on the stay application is likely to take time.

Therefore, we order that all the petitions presented before respondent No. 2 under the Tenth Schedule of the Constitution shall not be proceeded with or pursued by the petitioners before the Speaker and we further order that *status quo* as it exists today shall be maintained by the parties."

On 9 January 1991, the Speaker informed the House that he had discussed the matter with the Leaders of Parties and Groups earlier in the day and it was unanimously agreed that the orders of the High Court be ignored. Accordingly, the Speaker ignored the order of the Delhi High Court.

On 11 January 1991, the Speaker again informed the House that he had received on the same day another letter from the Registrar of Delhi High Court forwarding therewith a copy of an order passed by the Full Bench of the High Court of Delhi on 11 January 1991. The Full Bench had passed the orders that they were *prima facie* of the opinion that the Speaker had jurisdiction to decide the question of disqualification of

members of Lok Sabha under paragraph 6 of the 10th Schedule and the rules framed thereunder on the petitions presented to him and accordingly, they had vacated the interim order passed by them on 8 January 1991.

Shouting of slogan from the Visitors' Gallery: On 10 January 1991, the Deputy Speaker (Shri Shivraj V. Patil) informed the House that at about 1145 hours that day, a visitor, Shri Umesh Choudhary, son of Shri Daya Ram Choudhary, shouted slogan from the Visitors' Gallery. The Director, Security, took him into custody immediately and interrogated him. The visitor had made a statement and had apologised for such action.

The Minister of Petroleum and Chemicals and Parliamentary Affairs (Shri Satya Prakash Malaviya) later moved the following motion which was adopted by the House:

That this House resolved that the person calling himself Umesh Choudhary, son of Shri Daya Ram Choudhary, who shouted slogan from the Visitors' Gallery at about 1145 hrs. today and whom the Director, Security, took into custody immediately, has committed a grave offence and is guilty of the contempt of the House.

This House further resolves that he be let off with a stern warning on the rising of the House.

The matter was thereafter closed.

Notice to the Speaker from the High Court of Delhi in connection with a Writ Petition: On 10 January 1991, the Speaker (Shri Rabi Ray) informed the House that on 4 January 1991, a notice had been received from the Registrar of Delhi High Court in the Matter of Civil Writ Petition No. 3323 of the 1990 regarding the Sixty-first Report of the Public Accounts Committee (1986-87)¹, requiring the Secretary-General, Lok Sabha, to appear before the High Court personally or through counsel to show cause against the admission of the Writ Petition. But, as per well-established practice and convention of the House, the Secretary-General, Lok Sabha, had been asked not to respond to the notice. The Speaker added that the Minister of Law and Justice was being requested to take such action as he might deem fit to apprise the High Court of the correct constitutional position and the well-established conventions of the House.

Notice to the Speaker from the Supreme Court of India in connection with a Transfer Petition: On 26 February 1991, the Deputy Speaker (Shri Shivraj V. Patil) informed the House that on 25 February 1991, a notice was received from the assistant Registrar of the Supreme Court of India requiring the Speaker to show cause in connection with Transfer Petition (Civil) No. 105 of 1991. The Transfer Petition had been filed under article 139A(1) of the Constitution of India seeking to withdraw the case filed in

¹On paragraph 20 of the Report of the Comptroller and Auditor General of India for the year 1983-84 regarding blocking up of capital due to non-commissioning of air conditioning plant, Ministry of Communication.

the Delhi High Court *vide* Writ Petition No. 537/91 to the Supreme Court for disposal in which the validity and constitutionality of paragraphs 6 and 7 of the Tenth Schedule to the Constitution had been challenged. He pointed out that as per well-established practice and convention of the House, the Speaker had decided not to respond to the notice. The Speaker had accordingly passed on the relevant papers to the Minister of Law and Justice for taking such action as he might deem fit to apprise the Supreme Court of the correct constitutional position and the well-established conventions of the House.

Alleged assault on a member inside the jail: On 16 March, 1990, Shri P.R. Kumaramangalam, a member, gave notice of a question of privilege regarding alleged assault on Shri Era Anbarasu, M.P., in the Central Jail of Madras. The member was allegedly beaten up by convicts and thrown out of jail, which, according to Shri Kumaramangalam, amounted to a breach of privilege and contempt of the House.

On the same day, Shri P.R. Kumaramangalam, along with some other members Sarvashri Ajit Kumar Panja, T. Basheer, E. Pandian, Piyare Lal Handoo, Dileep Singh Bhuria, Dinesh Singh, Santosh Mohan Dev, Dr. K. Kalimuthu and Professor N.G. Ranga gave a joint notice of question of privilege alleging that in the Central Jail, Madras, on the direction of the Jail authorities, convicts had assaulted the sitting member, Shri Era Anbarasu and threw him out of the jail. The members contended that it amounted to violation of the privileges of the member as well as of the House.

Two more notices of question of privilege in this regard were received on 19 March 1990, from Shri Harish Rawat and Shri Era Anbarasu, both members. In his notice of question of privilege, Shri Harish Rawat, *inter alia* stated that the incident of assault in Central Jail, Madras, on Shri Era Anbarasu, who was under detention in connection with the *Rail Roko* agitation demanding the naming of a railway station after freedom fighter, Shri Kamaraj, was condemnable as it was a conspiracy to wilfully prevent the member from attending the House. He maintained that this amounted to a contempt of the House and breach of privilege of the member.

Shri Era Anbarasu, *inter alia*, stated that he was arrested on 10 March 1990 at Madras Egmore Railway Station when he was participating in an agitation on public demand, in a peaceful and democratic manner, urging the Government of Tamil Nadu not to change the name of the Kamraj Nagar Railway Station. He, along with Smt. M. Chandrasekhar M.P., Shri G. Lakshmanan, former Deputy Speaker (Lok Sabha), and 4,500 workers, were subsequently detained illegally in the Central Jail of Madras. He added that when he was discussing this subject with the inmates of the jail, all of a sudden the lights were switched off. Nearly 10 convict prisoners surrounded him and suddenly beat him on his neck, back and left hand shoulder with lathis. He claimed that he sustained injuries on his

back and left shoulder and had bleeding injuries on the last toe of his left foot. The Jail Superintendent also caught hold of his shirt and necked him out. Some unknown goondas, supposed to be from the DMK Party, had also beaten him and manhandled him and threw him out of the prison, he added.

On 22 March 1990, when Shri Era Anbarasu sought to raise the matter in the House, the Speaker observed that the matter which was under his active consideration had been referred to the Home Minister for getting the facts. When several other members sought to raise the matter requesting the Speaker to refer it to the Committee of privileges, he observed that since the entire House wanted that the matter should be referred to the Privileges Committee, he was accordingly referring it to that Committee.

The Committee of Privileges, after examining Sarvashri P.R. Kumaramangalam, Era Anbarasu, Smt. M. Chandrasekhar, members, Shri, G. Lakshmanan, former Deputy Speaker, Lok Sabha, and Shri K. Chelladurai, Superintendent, Central Jail, Madras, and also after considering all the relevant documents, presented its First Report to the House on 11 March 1991.

After a careful analysis of the evidence, both written and oral, especially the submissions made by Shri Era Anbarasu, Shrimati M. Chandrasekhar, MP, and Shri G. Lakshmanan, former Deputy Speaker, Lok Sabha who were also lodged in the jail at the relevant time and Shri K. Chelladurai, Superintendent, Central Jail, Madras, the well-established precedents and the past rulings of the Presiding Officers in both the Houses on cases of similar nature, the Committee, in its Report, observed the evidence on record, on 11 March 1990. Shri Era Anbarasu was requested by the Superintendent of Central Jail, to go out of the jail as his release order had been received from the competent authority, but he insisted on remaining in jail till all the agitators were released and until 15 March 1990, he did not go out. The Committee were of the opinion that in the present case, they could not come to the conclusion that Shri Anbarasu was deliberately prevented from coming to the House, particularly when he himself had refused to come out of the jail.

As regards the point whether there was a breach of privilege involved, the Committee noted that it was well-established that it was a breach of privilege and contempt of the House to obstruct or molest a member while in the execution of his duties—that is, while he was attending the House or when he was coming to or going from the House. In the instant case, Shri Anbarasu had admitted that he participated in the agitation while he was 'under summons from the President of India to attend the Parliament session' and he had refused to go out of the jail even when his release order was received by the jail superintendent and he was duly informed about it. It was, therefore, clearly established that he wanted to remain in prison with other agitators and was not interested in being released for

attending the session unless his co-agitators were also released with him. The Committee were, therefore, of the opinion that no question of breach of privilege was involved in this case as Shri Era Anbarasu was not performing his duties as a member of Parliament while taking part in the *Rail Roko* agitation on 10 March 1990.

In view of the regrets expressed by Shri K. Chelladurai, Superintendent, Central Jail, Madras, for the incident which took place on 15 March, 1990, the Committee were of the view that the dignity of the House would be best served by taking no further action in the matter.

The Committee, however, noted that of late there had been several cases of assault on members of Parliament by police and other authorities and in the instant case, a member of Parliament was assaulted by person or persons who had not been identified, within the precincts of the Central Jail, Madras, which was highly reprehensible. The Committee were not satisfied with the evidence given by the Superintendent whose duty was to see that no such incident took place and as such the Committee felt there was dereliction of duty on the part of the jail authorities. The Committee were constrained to express their distress and unhappiness over such repeated incidents of assault on the elected representatives of the people.

The Committee expressed the view that they would like the Ministry of Home Affairs to take appropriate steps immediately to curb the growing tendency on the part of law enforcing authorities of assaulting and ill-treating members of Parliament and other elected representatives of the people. The Committee desired the Ministry of Home Affairs to issue necessary instructions to all the authorities concerned to ensure that such incidents might not recur and members of Parliament were shown due respect and regard while dealing with them. If any Government officer acted in a manner unbecoming of his position and status, serious action should be taken against him.

The Committee hoped that the Ministry of Home Affairs would keep a constant watch to ensure that the above recommendation made by the Committee was observed by the authorities concerned in letter and spirit.

In view of the above findings, the Committee recommended that no further action be taken by the House in the matter and it might be dropped.

The recommendation of the Committee was adopted by the House.

Allegations-made against a member by another member in the House :
On 12 April 1990, while replying to Starred Question No. 439 regarding 'Inquiry into affairs of IFFCO Project', the Deputy Prime Minister and the Minister of Agriculture (Shri Devi Lal) stated that an enquiry had been initiated by IFFCO in respect of the irregularities in the payments involved in the execution of the Aonla Project. He added that it would take some time before the enquiry was completed and that the matter had also been referred to the Central Bureau of Investigation.

During supplementary questions, Shri Rajveer Singh, member, *Inter alia* stated that he would like to know whether two senior Minister of the previous government, *i.e.*, the Minister of Agriculture and the Minister of State in the Ministry of Agriculture were involved in this scandal and whether there were differences between them. He stated that he had got information and some proof in that regard and that Shri R. Prabhu, the former Minister of State in the Ministry of Agriculture, was sheltering the whole scandal. He added that employees and officers had resorted to large-scale bungling under Shri Prabhu's shelter. The report of Internal Audit had been received in that regard and he wanted to know what action had been taken on the basis of the report of Internal Audit.

Shri R. Prabhu thereupon stated that since some wild allegations were made against him and his senior colleague, Shri Bhajan Lal, he was willing to face any inquiry by any organisation of the Government or any forum, if it was so desired.

Prof. P.J. Kurien and Shri Kamal Chaudhry, members, stated that allegations had been made by Shri Rajveer Singh, a member, against Shri R. Prabhu, another member, without obtaining prior permission of the Speaker and the same should, therefore, be expunged. The Speaker observed that Shri Prabhu had made his own submissions and it was already on record. He added that he would look into it whether any allegatory reference had been made.

On 18 April 1990, Shri R. Prabhu gave two notices of question of privilege against Shri Rajveer Singh for making allegations against him on 12 April 1990. Shri Prabhu, *inter alia*, stated that the procedure for making allegations against a member of Parliament was specifically laid down in the Rules of Procedure and Conduct of Business in Lok Sabha. This required the previous permission which had to be granted after following the established parliamentary practice of getting the comments of the member against whom allegations were sought to be made and after the Speaker was satisfied about the *Prima facie* case. The member concerned had not followed the prescribed procedure, he added.

On the same day, four more identical notices of question of privilege were received from Sarvashri Era Anbarasu, S. Krishna Kumar, P. Shanmugam, R. Jeevarathinam, C. Devaraya Naik, Kamal Chaudhry, Kadambur M.R. Janarthanan, Mohammad Shafi Bhat, A.G.S. Ram Babu, N. Dennis, P.R. Kumaramangalam, R. Muthiah, C. Srinivasan, M.G. Sekhar and Kanchee Paneer Selvam, all members, regarding the allegations made by Shri Rajveer Singh against Shri R. Prabhu. It had been *inter alia* stated in the notices, that procedure for making allegations against a member of Parliament was specifically laid down in the Rules of Procedure and Conduct of Business in Lok Sabha under Rule 353 and in this case, it had not been followed. They pointed out that the allegations were of a very serious nature and were defamatory in character and that it was a very bad precedent where an Hon'ble member was allowed to

make serious allegations against another member without following the prescribed rules. They felt that it was of utmost importance and affected the dignity of the House and also the rights and privileges of the members of Parliament. They added that it was clearly a breach of privilege and should be referred to the Committee of Privileges.

On 20 April 1990, Shri Rajveer Singh was requested, as directed by the Speaker, to substantiate the allegations made by him on the floor of the House on 12 April 1990 against Shri R. Prabhu with the help of documentary proof in his possession, if any.

Shri Rajveer Singh, in his reply dated 4 May 1990, *inter alia*, enclosed copies of some documents like newspaper reports, minutes of the meetings held between IFFCO and its transport contractors, and a detailed description of an Audit report of IFFCO. The member stated that the documents clearly showed that there had been a large number of irregularities in the IFFCO (Aonla) Project involving loss of crores of rupees. This project was under the overall charge of the then Minister of State for Fertilizers, Shri R. Prabhu. It was also reported in the newspaper that Shri S.R. Sahore who was looking after the work of the Aonla fertilizer project as its acting Director had the blessings of Shri Prabhu. The member further stated that it was a very serious matter involving loss of crores of rupees due to irregularities in the IFFCO (Aonla) project and needed a thorough enquiry.

A copy of the reply received from Shri Rajveer Singh, together with its enclosures, was forwarded to Shri R. Prabhu as directed by the Speaker, for information/comments, if any. Shri Prabhu gave another notice of question of privilege on 14 May 1990, which *inter alia* stated that Shri Rajveer Singh had made baseless and derogatory allegations against him on the floor of the House and he had been defamed in the process. Shri Singh was trying to justify his action by producing newspaper reports. Shri Prabhu emphasised that it would be a very bad precedent where members flout Rules of Procedure and make such wild allegations and defamatory statements against another member and later on produce newspaper reports to justify the same. Shri Prabhu requested the Speaker to refer the matter to the Privileges Committee so that his privilege would be protected and his honour restored.

On 16 May 1990, the Speaker referred the matter to the Committee of Privileges under rule 227 of the Rules of Procedure and Conduct of Business in Lok Sabha for examination, investigation and report.

The Committee of Privileges, after examining Sarvashri R. Prabhu and Rajveer Singh, members, and also after considering relevant documents, in their Second Report presented to the Speaker and laid on the Table of Lok Sabha on 12 March 1991, *inter alia* recommended that in view of the denial of the allegations by Shri R. Prabhu on the floor of the House and also in view of the fact that Shri Rajveer Singh, member, had no *mala fide*

intention in asking the supplementary question to Starred Question No. 439 regarding enquiry into affairs of IFFCO Project and also there being no question of privilege involved in this case, the matter need not be pursued and it be dropped.

The recommendation of the Committee was adopted by the House.

STATE LEGISLATURES

MIZORAM LEGISLATIVE ASSEMBLY

Alleged misreporting of proceedings of the House and casting reflection on a member by a newspaper : On 26 March 1990, Shri P.C. Bawitluanga, a member, gave notice of a question of privilege against the Editor of the *Mizo Arsi*, a local daily newspaper, for allegedly misreporting the proceedings of the House and casting reflection on Shri P.C. Zoramsangliana, another member, in a newsitem captioned "Ex-servicemen are discontented".

The impugned newsitem read as follows:

According to information received from Pu Sapremthanga, the statement made by Pu P.C. Zoramsangliana, MLA on the floor of the House that with the entry of Ex-Servicemen into politics in Mizoram, crimes and corruption became widespread has made the ex-servicemen very much discontented. The source said that the Mizoram Ex-Servicemen League would meet to consider what steps would be taken.

On the same day, Shri P.C. Bawitluanga raised a question of privilege in the House alleging that the impugned newsitem wrongly reported the speech made by Shri P.C. Zoramsangliana on the floor of the House on 16 March 1990 in connection with a Starred Question relating to double voting in election thereby casting reflection on the member in the discharge of his duty. After some discussion, the House referred the matter to the Committee of Privileges for examination, investigation and report.

The Committee of Privileges, after considering the written explanation of the Editor of *Mizo Arsi*, and hearing him in person, in their Second Report presented to the House on 18 January 1991 *inter alia* reported that the Editor submitted that he had no ill-intention in publishing the newsitem which was stated to have been contributed by Pu Sapremthanga whom the Editor denied of knowing. The Editor also expressed regret and tendered an apology. In view of the apology tendered by the Editor *Mizo Arsi*, the Committee was of the view that the House might not go any further but accept the apology.

The Committee, therefore, recommended that the matter might be dropped.

The report of the Committee was adopted by the House.

PROCEDURAL MATTERS

LOK SABHA

Boycott by the Opposition of Presidential Address to both the Houses of Parliament assembled together: On 21 February 1991 members belonging to the National Front, the Left Front and the BJP boycotted President's address to both the Houses of Parliament. While the National Front and the Left Front boycotted the Address to register their protest against imposition of President's Rule in Tamil Nadu, BJP on the other hand boycotted it in protest against Government's reported decision to present a Vote on Account instead of a full-fledged Budget.

Reference to Governor of a State by name: On 26 February 1991, at about 1255 hrs., a member referred to the Governor of Orissa by name. The Speaker, thereupon, observed that the name of the Governor would not go on record.

Resolution on West Asia: On 22 February 1991, at about 1812 hrs., the Speaker placed the following Resolution before the House:

This House,

Aware of the incalculable human suffering caused by war in the Gulf, the danger it poses to the environment in the region and to international peace and security.

Distressed at the devastation unleashed by the war because of which many innocent lives have been lost and civilian properties, including thousands of dwelling homes, have been destroyed and millions of civilians are without shelter or protection and are facing health hazards due to the absence of electricity and increasing shortage of drinking water.

Convinced that the implementation of the Security Council resolutions constitutes the basis for restoring peace in the Gulf.

Convinced also of the central role of the United Nations, when appropriate through the Security Council, in bringing about a cessation of hostilities and restoring and promoting durable peace and security in the region.

Stressing that the objective of the Security Council resolutions is to liberate Kuwait and not to subdue Iraq or to dismantle its technological and physical infrastructure or to cripple its social and economic life.

Gravely concerned by the possibility of the commencement of an even more destructive phase in the conflict that can result from a ground war.

Noting the statements made by some parties engaged in the Gulf war about the possible use of nuclear and chemical weapons.

Recognizing the role of the Non-aligned Movement in promoting a peaceful solution and the need for affirmative and prompt action in this regard.

Heartened by the reports that an eight-point Peace Plan proposed by President Gorbachev has been accepted by President Saddam Hussain.

Gratified to note that it is very much in line with India's own peace proposal submitted at the NAM meeting in Belgrade.

Convinced that the war must be stopped immediately and peace be restored in West Asia.

(1) Urges the Government of India to exert all efforts in the Security Council to mobilise global support for the acceptance of the Gorbachev Proposals to bring an end in West Asian War and work for sustained peace in the region.

(2) Further urges the multinational forces to desist from launching a land offensive pending efforts and negotiations being currently undertaken in regard to the Gorbachev proposals.

(3) Affirms that:

(a) the Security Council shall monitor the situation in the light of the objectives specified in its relevant resolutions and keep it under constant review;

(b) and the Security Council shall play the primary role in the re-establishment of peace and security in the area, in consultation with all the parties concerned.'

(4) Urges that agreement should also be reached in the Security Council, to address, in a comprehensive manner, after the completion of the process of withdrawal, the Arab-Israaeli conflict, particularly the Palestinian question, through the convening of an international conference, based on the relevant U.N. Security Council resolutions on this subject and with the participation of the PLO; and

(5) Considers that any regional security arrangement in the area should emerge from the initiatives of the regional countries themselves, should be worked out under the overall aegis of the United Nations, guaranteed by the Security Council and UN Peace Keeping Force and underpinned by disarmament measures which are universal in character.

The Resolution was adopted by the House unanimously.

No bar in the presentation of more than one Budget during a Financial Year: On 4 March 1991, when Speaker (Shri Rabi Ray) called Minister of Finance to present Interim Budget (General) for 1991-92, the Leader of the Opposition (Shri L.K. Advani) stated that it would affect the economy

of the nation badly. A member (Shri Somnath Chatterjee), stated that there was no concept of Interim Budget either in the Constitution or Rules and that only a part of the Budget proposals can be approved on the basis of Vote on Account. Another member (Shri Indrajit Gupta) took objection to the sudden decision of the Government to bring an Interim Budget instead of a full-fledged Budget as announced earlier. Yet another member (Prof. Madhu Dandavate) stressed that the purpose of Vote on Account under article 116 of Constitution was to facilitate drawing of certain amount from the Consolidated Fund of India till completion of Budgetary process, but the Interim Budget was being brought by way of political expediency.

Overruling all objections, the Speaker observed that the Constitution of India places no bar on presentation of more than one Budget during the course of the Financial Year. Article 116 specifically empowers the Government to seek a Vote on Account for a part of any financial year pending passing of the Budget for the whole year, he added.

Subsequently, the Minister of Finance presented the Budget.

P.M.'s announcement of the resignation of Council of Ministers: On 6 March 1991, while replying to the discussion on Motion of Thanks on the President's Address, Prime Minister Shri Chandra Shekhar informed the House that the Council of Ministers had decided to tender their resignation and that he would be meeting the President immediately to convey to him their decision and requested the Speaker to adjourn the House without transacting any further business on the Agenda. The House was accordingly adjourned for that day at 1400 hrs. to meet at 1100 hrs on 7 March 1991. At a meeting the Speaker had with Leaders/representatives of Parties/Groups in Lok Sabha at 930 hrs. on 7 March 1991, it was unanimously agreed that pending any solution to the constitutional impasse the Lok Sabha sitting scheduled for 7 March 1991 might be adjourned till 11 March 1991, to enable them to hold consultations among themselves so as to facilitate disposal of urgent financial business and obviate any constitutional impasse in the wake of acceptance of resignation of the Council of Ministers by the President. Accordingly, when the House met at 1100 hrs on 7 March 1991, the Speaker adjourned it immediately till 11 March 1991.

On 11 March 1991, the House met at the scheduled time and as agreed to at the meeting of Speaker with Leaders of various Parties and Groups in Lok Sabha on 7 March 1991, disposed of all financial and legislative business listed for that day.

Motion of Thanks on President's Address rendered infructuous: On 6 March 1991, while concluding his reply to the Motion of Thanks on President's Address to both Houses of Parliament assembled together on 21 February 1991, Prime Minister Shri Chandra Shekhar informed the Lok Sabha that the Council of Ministers had decided to tender their resignation

and that he would be meeting President immediately to convey to him this decision. The Prime Minister, therefore, requested the Speaker to adjourn the House for the day without transacting any further business.

The Speaker, thereupon, observed that in view of the decision of the Council of Ministers to resign, the Motion of Thanks on the President's Address had become infructuous and could not be put to vote of the House.

STATE LEGISLATURES

TAMIL NADU LEGISLATIVE ASSEMBLY

Reference to Matters sub-judice: On 21 January 1991, during discussion on the Motion of Thanks to the Governor's Address, a Member of the State legislature sought clarification from the Chair as to how could there be a mention in the Governor's Address about the Mandal Commission when there was a case pending before the Supreme Court on the same issue. The Chair, thereupon, observed that the case was between the Union Government and the opponents of the Mandal Commission, while the mention in Governor's Address was in furtherance of the action taken by the Government in pursuance of the Resolution already passed by the House and ruled that the House could discuss it.

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 January to 31 March 1991)

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

Leader of Opposition in Lok Sabha: On 27 December 1990, Shri Rabi Ray, Speaker, Lok Sabha recognised Shri L.K. Advani, Leader of the Bharatiya Janata Party in the House, as Leader of the Opposition in Lok Sabha with effect from 27 December 1990, in terms of Section 2 of the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977.

Recognition of Janata Dal(S): On 11 January 1991, the Speaker recognised Janata Dal(S) as a political party with 54 members in the House.

Disqualification of Members: On 11 January again, the Speaker, in exercise of powers vested in him under paragraph 6 of the Tenth Schedule to the Constitution, disqualified seven members for being members of Lok Sabha in terms of paragraph 2(1)(b) of the said Schedule. The members so disqualified were: Sarvashri Basavraj Patil, Hamendra Singh Banera, Vidya Charan Shukla, Sarwar Hussain, Bhagey Gobardhan, Devanada Amat and Dr. Bengali Singh. Another member, Dr. Shakeelur Rehman, was declared disqualified in terms of paragraph 2(1)(a) of the said Schedule. All the aforesaid eight members ceased to be members of Lok Sabha with immediate effect and their seats were declared as having fallen vacant. Those disqualified included five members of the Union Council of Ministers. They were: Sarvashri Vidya Charan Shukla: *External Affairs* and Dr. Shakeelur Rehman: *Health and Family Welfare* (both Cabinet Ministers); and Bhagey Gobardhan: *Railways*; Basavraj Patil: *Steel and Mines*; and Sarwar Hussain: *Food and Civil Supplies* (all three Ministers of State).

The five disqualified Ministers submitted their resignations to the Prime Minister on 12 January. Their resignations were later accepted by the President on 21 February on the recommendation of the Prime Minister.

Election/Bye-elections/Nominations to Rajya Sabha: Shri R.K. Karanjia,

Editor of *Blitz* magazine, was nominated to Rajya Sabha by President Shri R. Venkataraman on 11 January.

On 14 March, Janata Dal nominee Shri Chandra Mohan Sinha was elected uncontested to the Rajya Sabha in a bye-election from Orissa.

On 27 March, Sarvashri A.K. Antony (Congress-I), N.E. Balaram (CPI) and S. Ramachandran Pillai (CPI-M) were elected unopposed to Rajya Sabha from Kerala.

Death of Lok Sabha member: Shri E.S.M. Pakeer Mohammed, Congress (I) MP from Myladuthurai constituency in Tamil Nadu, passed away on 28 January.

Resignation of Lok Sabha members: Shri K. Kalimuthu, who was elected on an AIADMK ticket from Sivakasi constituency in Tamil Nadu and who had subsequently joined the DMK, resigned from Lok Sabha on 2 March.

On 9 March, Shri Anil Shastri, Janata Dal member from Varanasi in Uttar Pradesh, resigned his seat in Lok Sabha.

Resignation of Prime Minister: On 6 March, Prime Minister Shri Chandra Shekhar submitted his resignation and that of the council of Ministers to President Shri R. Venkataraman following the decision of the Congress (I) Party, which was supporting the Government from outside, to abstain from the proceedings of the House on the issue of the surveillance on the residence of Shri Rajiv Gandhi in New Delhi. The President, while accepting the resignation, requested Shri Chandra Shekhar to continue in office till alternate arrangements were made.

Motion on Presentation of an Address to the President for Removal of a Judge of the Supreme Court: On 12 March, the Speaker, Lok Sabha, admitted a motion for the presentation of an address to the President for the removal of Justice V. Ramaswamy, a Judge of the Supreme Court, on allegations of misbehaviour and misuse of public funds. The Speaker also announced the constitution of a three-member Committee of Inquiry under the Judges (Inquiry) Act, 1968.

Adjournment of Lok Sabha: On 12 March, Lok Sabha was adjourned *sine die* after having concluded all essential legislative business.

Dissolution of Lok Sabha: On 13 March, President Shri R. Venkataraman dissolved the Ninth Lok Sabha. Shri Chandra Shekhar was asked to continue as caretaker Prime Minister till a new Lok Sabha was constituted.

Leader of Opposition in Rajya Sabha: On 21 March, Shri M.S. Gurupadaswamy, Leader of the Janata Dal in Rajya Sabha, was recognised as the Leader of the Opposition in the House.

AROUND THE STATES

ARUNACHAL PRADESH

New Governor: On 17 March, the Governor of Assam, Shri Loknath Mishra, was entrusted with the additional charge of the Governor of Arunachal Pradesh. Subsequently, on 20 March, Shri Surendra Nath Dwivedi was appointed as the new Governor of Arunachal Pradesh relieving Shri Loknath Mishra of his additional charge.

ASSAM

President's rule: On 11 March, Lok Sabha approved a statutory resolution providing for the extension of President's rule in Assam by another six months. On 12 March, Rajya Sabha also approved a statutory resolution extending President's rule in Assam for another six months.

New Governor: On 17 March, Shri Loknath Mishra was sworn in as the new Governor of Assam consequent upon the resignation of Shri Devi Das Thakur from the post on 15 March.

BIHAR

Swearing-in of acting Governor: On 8 January, Shri B. Satyanarayana Reddy, Governor of Uttar Pradesh, was sworn in as acting Governor of Bihar in the absence of Shri Yunus Saleem who had proceeded on leave for medical treatment.

Subsequently on 13 February, Shri Yunus Saleem, who had since returned after treatment, was dismissed by the President and Shri B. Satyanarayana Reddy, Governor of Uttar Pradesh, was entrusted with the additional charge of Governorship of Bihar till a successor was appointed.

New Governor: On 19 March, Shri Mohammad Shafi Quereshi was sworn in as the new Governor of Bihar.

GOA

New Chief Minister: Shri Ravi Naik, the Leader of the Maharashtrawadi Gomantak Party rebel faction, was sworn in as Chief Minister on 25 January by Governor Shri Khursheed Alam Khan. On 13 February, the Chief Minister inducted six Ministers into his Cabinet. Following is the list of new Ministers and their portfolios:

Sarvashri Ashok Naik Salgaokar : *Irrigation and Law*; Shri Ratnakar Ghopedekar : *Fisheries and Internal Waterways*; Sanjay Bhandekar : *Sports and Panchayati Raj*; Vinay Kumar Usgaonkar : *Industries and Education*; Pandurang Raut : *Tourism and Health*; and Shankar Salgaokar : *Power and Agriculture*.

Vote of Confidence Passed: On 18 February, Chief Minister Shri Ravi Naik won a Vote of Confidence in the State Assembly with 24 members voting in favour of the motion and 11 against it. Earlier, Shri Ravi Naik was disqualified by the Speaker, Shri Surendra Sirsat with effect from 15

February on grounds of defection under the Anti-Defection Act. Subsequently, on 8 March, the Deputy Speaker, Shri Simon Peter D'Souza re-qualified him.

New Deputy Speaker: Deputy Speaker Shri Prakash Shankar Velip was voted out of office on 25 February. Shri Simon Peter D'Souza was elected as Deputy Speaker on 27 February.

Speaker voted out: On 4 March, a Vote of No-confidence against the Speaker, Shri Surendra Sirsat was passed with 23 members voting in favour of the motion and 12 against it.

Two Ministers re-qualified: On 7 March, the Deputy Speaker Requalified two Ministers Ratnakar Chopdekar and Sanjay Bhandokar who were earlier disqualified under the Anti-Defection Act.

New Governor: On 18 March, Shri Bhanu Pratap Singh was sworn in as the Governor of Goa in place of Shri Khursheed Alam Khan.

GUJARAT

Expansion of Cabinet: Five new Ministers were inducted into Shri Chiman Bhai Patel's Ministry on 5 January. Following is the list of new Ministers and their portfolios:

Cabinet Minister: Shri Ramsingh Parmar: *Labour, Employment and Parliament Affairs.*

Ministers of State: J.B. Barad: *Water Resources*; C.K. Raulji: *Civil Supplies and Water*; Dr. D.B. Parmar: *Health and Family Welfare and Road Transport*; Dr Haridas J. Shah: *Panchayat and Rural Housing.*

New Speaker: On 11 February, Shri Himmatlal T. Mulani was elected as the Speaker of the State Assembly.

HARYANA

New Deputy Speaker: Shri Vasudev Sharma was elected the new Deputy Speaker of the State Assembly on 5 March.

New Chief Minister: Shri Om Prakash Chautala was sworn in as Chief Minister on 22 March following the resignation of Shri Hukum Singh. On the same day, three Ministers who belonged to Shri Hukum Singh's Cabinet—Sarvashri Dharam Bir, Surinder Madan and Rao Narbir Singh resigned from the Cabinet in protest against the appointment of Shri Om Prakash Chautala as Chief Minister. On 23 March, Chief Minister Shri Om Prakash Chautala inducted eleven Ministers of Cabinet rank and fourteen Ministers of State into his Cabinet. Following is the list of new Ministers and their portfolios:

Cabinet Ministers: Sarvashri Hukum Singh: *Deputy Chief Minister holding the portfolios of Agriculture, Development of Panchayats and Excise and Taxation*; Sampat Singh: *Irrigation, Power, Finance and Parliamentary Affairs*; Jagan Nath: *PWD (B and R) and Architecture*;

Dhirpal Singh: *Cooperation, Town and Country Planning and Urban Estates*; **Rao Laxmi Narain:** *Industrial Training, Vocational Education and Fisheries*; **Subhash Katyal:** *Planning, Institutional Finance, Credit Control and Technical Education*; **K.S. Sangwan:** *Industry*; **Nar Singh Danda:** *Food and Supplies*; **O.P. Bhardwaj:** *Health*; **Sachdev Tyagi:** *Revenue, Rehabilitation and Consolidation*; and **Balbir Singh Saini:** *Labour and Employment*.

Ministers of State: **Sarvashri Manphool Singh:** *Printing and Stationery*; **Des Raj:** *Jails*; **Bhagi Ram:** *Public Health*; **Kanti Prakash Bhalla:** *Local Government*; **Shiv Lal:** *Social Affairs and Environment*; **Hazar Chand:** *Dairy Development*; **Surinder Singh Barwala:** *Education*; **Shri Kishan Hooda:** *Tourism*; **Ved Singh Malik:** *Transport*; **Kulbir Singh Malik:** *Animal Husbandry*; **Jagopal Singh Choudhari:** *Elections*; **Surinder Madan:** *Technical Education*; **Mange Ram:** *Cultural Affairs*; and **Shrimati Madhir Kirti:** *Medical Education*.

Disqualification of MLAs: On 26 March, Speaker Shri H.S. Chatha announced the disqualification of the Minister of State for Sports, Shri Vasudev Sharma and of two other MLAs Shri Rao Ram Narain and Shri Azmat Khan under the Anti-Defection Act.

JAMMU AND KASHMIR

Extension of President's rule: On 27 February, both Houses of Parliament approved the statutory resolution seeking to extend President's rule in the State for another six months.

KARNATAKA

Resignation of Governor: The President accepted the resignation of the State Governor Shri Bhanu Pratap Singh on 1 January.

Swearing in of Governor: Shri Khursheed Alam Khan, Governor of Goa, was sworn in as the Governor of Karnataka on 1 January.

MAHARASHTRA

Expansion of Cabinet: On 25 January, Chief Minister Shri Sharad Pawar expanded his Ministry with the induction of four new Cabinet Ministers and seven Ministers of State. Following is the list of new Ministers and their portfolios:

Cabinet Ministers: **Sarvashri Datta Meghe:** *Forests, Social Forestry and Energy*; **Abhaysinh Raje Bhosale:** *Rural Development*; **Jawaharlal Darda:** *Food and Civil Supplies, Textiles and Environment*; **Anantrao Thopate:** *Animal Husbandry, Dairy Development, Fisheries and Rehabilitation*.

Ministers of State: **Sarvashri Ramesh Dubey:** *Housing, Slum Improvement, House Repairs, Social Assistance, Trade and Excise*; **Prakash Dhore:** *Revenue*; **Bhaskarrao Patil Khatgaonkar:** *Rural Development and Rehabilitation*; **Digvijay Khanvilkar:** *Agriculture, Horticulture, Social Welfare and Ex-Servicemen Affairs*; **Sayyad Ahmed:** *Environment, Energy and Textiles*; **Madan Bafna:** *Finance, Planning and*

Law, Judiciary, Transport and Parliamentary Affairs; and Anil Varhade: Education, Technical Education and Cooperation.

MANIPUR

No-confidence Motion Defeated: On 13 March, a no-confidence motion against Chief Minister, Shri R.K. Ranbir Singh, was defeated in the State Assembly.

NAGALAND

Expansion of Cabinet: On 31 January, the seven-month-old Vamuzo Ministry was expanded with the induction of five new Ministers. Following is the list of new Ministers and their portfolios:

Cabinet Ministers: Sarvashri T.A. Ngullie: *Power and Boundary with additional charge of Planning and Coordination;* C. Chongshen: *Rural Development and Higher Technical Education;* Tiameren: *Health and Family Welfare and Labour and Employment.*

Ministers of State: Shri Sedem Kaming: *Tourism, Jail, Physical Education, Sports and Youth Affairs;* Shri T. Penzu: *Cooperation, Information and Public Relations.*

ORISSA

Expansion of Cabinet: On 1 January, eleven new Ministers were inducted into the State Cabinet. Following is the list of new Ministers and their portfolios:

Cabinet Ministers: Sarvashri B.P. Agarwal: *Finance;* H.C. Baxipatra: *Forest and Environment;* A.V. Singh Deo: *Tourism;* Bairagi Jena: *Health and Family Welfare;* Dr. P.K. Patsani: *Public Grievances and Pensions.*

Ministers of State: Sarvashri B.K. Mahananda: *Commerce and Transport;* Kalindi Behera: *Rural Electrification;* R. Hembram: *Irrigation;* Trinath Nayak: *Health and Family Welfare;* K.C. Singhdeo: *Works, Housing and Urban Development;* and P. Ghadai: *Planning and Coordination.*

PONDICHERY

President's rule imposed: On 12 January, President's rule was imposed in the Union territory and its Legislative Assembly was suspended for a period of six months. The resignation of the DMK-Janata Dal coalition Ministry headed by Shri D. Ramachandran was also accepted. On 4 March, the Minister of State for Home Affairs, Shri Subodh Kant Sahay announced in Lok Sabha the dissolution of the Pondicherry Assembly.

PUNJAB

Extension of President's rule: On 12 March, Lok Sabha and Rajya Sabha approved a statutory resolution extending President's rule in Punjab by another six months.

RAJASTHAN

Resignation of Deputy Speaker: Shri Yadunath Singh, Deputy Speaker of the Legislative Assembly, resigned from his post on 21 March. Later, on 25 March, Shri Heer Singh Chauhan of BJP was elected unopposed as the Deputy Speaker.

TAMIL NADU

Recognition of MLAs as unattached: On 21 January, three breakaway legislators belonging to the AIADMK—Sarvashri Thirunanavukkarasu, Ramachandran and S.D. Ugemchand were declared as unattached by the Speaker, Shri Tamilkudimagan. Subsequently, the Speaker modified his ruling and recognised them as a separate group to be known as AIADMK-II.

President's rule imposed: On 30 January, a Presidential Proclamation was issued under article 356 of the Constitution to bring the State under President's Rule after dismissing the DMK Government headed by Shri M. Karunanidhi.

New Governor: Shri Bishma Narain Singh was sworn in as the new Governor of Tamil Nadu on 15 February in place of Shri Surjeet Singh Barnala who resigned from office on 13 February following the Union Government's move to transfer him to Bihar.

UTTAR PRADESH

Resignation of Minister: Shri Amir Alam Khan, Minister of State for Transport, resigned from the State Cabinet and also resigned his Assembly seat on 26 March.

WEST BENGAL

Death of Congress (I) MLA: Congress (I) Legislative Party leader Shri Abdus Sattar passed away on 28 February.

Dissolution of the State Assembly: On 31 March, Governor Shri Nurul Hassan dissolved the State Assembly and asked the State Government to inform the Election Commission of the decision of the Council of Ministers to have the Assembly elections in the State along with the Lok Sabha polls.

DEVELOPMENTS ABROAD

BANGLADESH

Election results: The General Elections to the 330-member Bangladesh Parliament were held on February 27. The Bangladesh nationalist Party (BNP) headed by Begum Khaleda Zia gained a clear majority by winning 136 out of the 320 seats for which elections were held. Her party also won 28 out of 30 seats reserved for women. The position of other political parties is as under:

The Awami League: 84; Jatiya Party: 31; Jamatt-i-Islami: 18 (plus 2

seats reserved for women); Bangladesh Communist Party: 5; Bakshal: 4; Bangladesh Workers Party: 1; Ganotantrik Party: 1; Islamic Oikya Jote: 1; Jatiya Samaj Tantrik Dal: 1; National Awami Party: 1; Independents: 3; and Vacant seats: 20.

Following the elections, Begum Khaleda Zia of BNP was appointed the country's Prime Minister by acting President Shahabuddin Ahmed. The President also appointed 11 Cabinet and 20 Ministers of State. Following is the list of Ministers and their portfolios:

Cabinet Ministers: Mr. Golam Hafiz: *Law and Justice*; Dr. Badruddoza Chowdhury: *Education*; Maj. Gen. (Retd.) Majededul Huq: *Agriculture, Irrigation, Flood Control and Water Resources*; Mr. Mustafizur Rehman: *Foreign Affairs*; Mr. Saifur Rehman: *Finance and Planning*; Mr. Abdus Salam Talukdar: *Local Government, Rural Development and Cooperatives*; Col. (Retd.) Oji Ahmed: *Communications*; Mr. M. Keramat Ali: *Commerce*; Mr. M.K. Anwar: *Shipping*; Mr. Shamshul Alam Khan: *Industry*; Choudhury Kamal Ibne Yusuf: *Health and Family Welfare*.

Ministers of State: Sheikh Razzakt Ali: *Law and Justice*; Mr. Tarequl Islam: *Social and Women Affairs*; Mr. Khandaker Musharaff Hussain: *Energy and Mineral Resources*; Mr. Rafiqul Islam: *Labour and Manpower*; Mr. M. Shamsul Islam: *Posts and Telegraphs*; Mr. Abdul Mannan Bhuiyan: *Jute*; Mr. Zamiruddin Sircer: *Land*; Mr. Nazmul Huda: *Food*; Maj. Gen. (Retd.) A. Mannan: *Textiles*; Mr. Abdullah Al Noman: *Environment, Forests, Fisheries and Live stock*; Mr. Mirza Abbas: *Youth Affairs and Sports*; Mr. Abdul Mannan: *Civil Aviation and Tourism*; Mr. Kabir Hussain: *Local Government, Rural Development and Cooperatives*; Mr. Mujibur Rahman: *Finance*; Mr. Yunus Khan: *Education*; Mr. Mohd. Nurul Huda: *Information*; Mr. Mohd. Ansar Ali: *Irrigation, Flood Control and Water Resources*; Mr. Osman Ghani Khan: *Establishment*; Mr. Lutfar Rahman: *Relief* and Prof. A. Mannan: *Religious Affairs*.

CHINA

Removal of Ministers: Minister of Communication, Mr. Qian Yongchang and Minister of construction, Mr. Lin Hanxiong, were dismissed by Premier Li Peng on 2 March.

FINLAND

Election Results: The country's ruling coalition lost its absolute majority in the Parliamentary elections held on 17 March. The governing coalition of *National coalition Centre Party, Swedish People's Party and Finnish Christian League* won a majority by gaining 124 seats out of the 209-member Parliament. The party position is as follows: *Social Democratic Party: 48; National Coalition: 40; Centre Party: 65; Left Wing Alliance: 19; Swedish People's Party: 11; Finnish Rural: 7; Finnish Christian League: 8; Green League: 10; and Liberal Party: 1.*

FRANCE

New Minister: On 29 January, Mr. Pierre Joxe was appointed as the Defence Minister following the resignation of Mr. Jean Pierre Chevènement.

GREENLAND

New Prime Minister: Mr. Jonathan Motzfeldt was elected the Prime Minister of Greenland following the March 5 elections.

GAUTEMALA

New President: Mr. Jorge Serrano was elected as President of Guatemala on 7 January.

GERMANY

New Ministry: The German Chancellor Mr. Helmut Kohl announced his new cabinet on 16 January. Following is the list of Ministers and their portfolios:

Cabinet Ministers:- Mr. Rudolf Seiters: *Head of Chancery*; Mr. Hans-Dietrich Genscher: *Foreign Ministry*; Mr. Wolfgang Schauble: *Interior*; Mr. Klaus Kinkel: *Justice*; Mr. Theo Waigel: *Finance*; Mr. Jurgen Mollemann: *Economy*; Mr. Ignaz Kiechle: *Agriculture*; Mr. Norbert Blum: *Labour*; Mr. Gerhard Stoltenberg: *Defence*; Ms. Gerda Hasselfeldt: *Health*; Ms. Angela Merkel: *Women and Youth*; Ms. Hannelore Ronsch: *Family, the Aged*; Mr. Gunther Krause: *Transport*; Mr. Klaus Topfer: *Environment*; Mr. Christian Schwarz-Schilling: *Posts and Telecommunications*; Ms. Irmgard Adam-Schwaitzer: *Construction*; Mr. Heinz Riesenhuber: *Research*; Mr. Rainer Ortleb: *Education*; Mr. Carl-Dieter Spranger: *Development Aid*.

Chancellor re-elected: Mr. Helmut Kohl was re-elected as Chancellor of Germany on 17 January.

HAITI

Swearing in of New President: Mr. Jean Bertrand Aristide, the nation's first democratically elected President, was sworn into office on 7 February.

IRAQ

New Minister: Mr. Ali Hassan Al-Majid was appointed as Interior Minister on 6 March, following the removal of Mr. Samir Mohammad Abdul Waheed.

Cabinet reshuffle: On 23 March, President Saddam, Hussein reshuffled his Cabinet by promoting Deputy Prime Minister Mr. Saadoun Hammadi as Prime Minister and Minister of Foreign Affairs, Mr. Tariq Aziz, as Deputy Prime Minister.

ITALY

Resignation of Prime Minister: Prime Minister Mr. Giulio Andreotti resigned from office on 29 March.

KUWAIT

Resignation of Prime Minister: Prime Minister and Crown Prince Sheikh Saad al Abdullah al Sabah, submitted the resignation of his Council of Ministers to the King Emir Sheikh Jaber al Ahmed al Sabah on 19 March.

MALI

Army Captures Power: On 26 March, Army captured power ousting President Moussa Traore, dissolved the Parliament and suspended the Constitution. Subsequently, the new military leader, Mr. Amadou Toumani Toure, agreed to establish a joint transitional administration with the representation of the pro-democracy movement till a National Conference was held on 30 June.

MALAYSIA

New Deputy Prime Minister: Prime Minister, Mr. Mahathir Mohammad appointed Deputy President of the Malaysian Indian Congress, Mr. S. Subramaniam, as the Deputy Prime Minister on 20 January.

Cabinet reshuffle: Prime Minister Mr. Mahathir Mohammad reshuffled his cabinet on 10 February, following the resignation of Finance Minister Mr. Padoka Daimzainuddin. Following is the list of new Ministers and their portfolios:

Mr. Abdullah Ahmad Badawai: *Minister of Foreign Affairs* Mr. Anwar Ibrahim: *Finance*; Mr. Abu Hassan Omar: *Domestic Trade and Consumer Affairs*; Mr. Sulaiman Daud: *Education*.

PAKISTAN

Election results: In the elections to the Senate held on 14 March, the Islamic Democratic Alliance bagged 23 seats. Other smaller parties and independents won 14 seats with 5 seats going to the Pakistan Peoples Party (PPP).

Resignation of Minister: The Foreign Minister Mr. Sahabzada Yaqub Khan resigned on 20 March.

POLAND

New Prime Minister: Mr. Jan Krzysztof Bielecki was nominated as Prime Minister by the Polish Parliament on 4 January.

PERU

Resignation of Prime Minister: Prime Minister Carlos Hurtado Miller submitted his resignation to President Alberto Fuzimori on 14 February. Mr. Carlos Torresy of Torres Lara, former Labour Minister, was sworn in as new Prime Minister on 15 February.

PORTUGAL

Re-election of President: Mr. Mario Soares was re-elected as President of Portugal for a five-year term on 14 January.

SOMALIA

New President: On 28 January, Mr. Ali Mahdi Mohammed was appointed as the new President of Somalia following a successful *coup* attempt in which the previous Government under President Mohammed Sayad Barre was overthrown.

Swearing in of Provisional Government: On 3 February, a provisional Government led by Mr. Umar Arteh Ghalib was sworn in by interim President Ali Mahdi Mohammed.

SPAIN

Resignation of Deputy Prime Minister: Deputy Prime Minister Mr. Alfonso Guerra resigned on 12 January following a corruption scandal involving his brother.

SRI LANKA

New Defence Minister: On 6 March, Prime Minister D.B. Wijetunga took over as the new State Minister for Defence succeeding Mr. Ranjan Wijeratne who was killed in a bomb explosion on 2 March.

SOUTH KOREA

New Deputy Prime Minister: Mr. Choi Kak-Kyu of the ruling Democratic Liberal Party was appointed as the Deputy Prime Minister by President Roh Tae-Woo on 18 February in place of Mr. Lee Seung-Tum.

THAILAND

Military Coup: On 23 February, the Army Captured power ousting the Government of Prime Minister Chatichai Choonhavan. On 26 February, the King of Thailand legitimised the military junta by officially appointing the *coup* leader General Santhorn Kongsompong, as head of the National Peace Keeping Council. The military junta formed an interim Government led by Anand Panyarachun on 2 March. On 16 March, the King approved a new National Assembly, half of whom would be military officers, with the main task of drafting a new Constitution.

UNITED KINGDOM

No-confidence motion: On 28 March, an Opposition Labour Party sponsored no-confidence motion against Prime Minister John Major's Government was defeated in the House of Commons by 358 votes to 238.

U.S.S.R.

New Prime Minister: On 14 January, the Soviet Parliament endorsed the appointment of Mr. Valentin Pavlov as the new Prime Minister succeeding Mr. Nikolai Ryzhkov.

New Foreign Minister: Mr. Alexander Bassmernykh was appointed the new Foreign Minister on 15 January.

New Ministers: On 26 February, President Gorbachev nominated 23 members to the Cabinet of which 17 were already there in his previous Government.

Crisis in Soviet Union: On 6 February, the Azerbaijani Parliament voted to change the Republic's official name into the Republic of Azerbaijan from the Azerbaijani Soviet Socialist Republic. Over 90 per cent of Lithuanians voted for the Republic's independence from the Soviet Union on a referendum held on 9 February. On 3 March, Latvia and Estonia voted overwhelmingly in separate referendums for independence from the Soviet Union. President Gorbachev declared the three referendums as illegal and proposed instead, a general referendum for the whole country on the federal structure of the USSR. Over 80 per cent people voted in favour of preserving USSR as a single State in the nationwide referendum held on 18 March. In the Russian Federation of rebel leader Boris Yeltsin, however, a majority voted for the institution of an Executive Presidency.

YUGOSLAVIA

Crisis in Collective Presidency: President Borisav Jovic resigned on 15 March after his request to introduce special measures at the behest of the army was turned down by the majority in the State Presidency. Mr. Stipe Mesic became the new President on 16 March, but Mr. Nenad Bucin, a member of the eight-man collective Presidency, resigned in support of Mr. Borisav Jovic. On 20 March, Serbia, the biggest State of the country, withdrew its representative to the Presidency. On 21 March, Mr. Borisav Jovic withdrew his resignation. The Presidents of the six Republics of Yugoslavia met on 29 March and expressed the view that every Republic should continue to have the right to self-determination.

ZAIRE

New Government: Mr. Mulusuba Lukoji was asked by President Mr. Mobutu Sese Seko to form a new Government following the resignation of Prime Minister Mr. Lundo Bululu on 15 March.

DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST

The Chief Election Commissioner and other Election Commissioners (Conditions of Service) Bill, 1991, which seeks to provide the Chief Election Commissioner an amount of salary, pension and other conditions of service equal to those provided to a Judge of the Supreme Court and the Comptroller and Auditor-General of India and also to provide the Election Commissioners an amount of salary, pension and other conditions of service equal to those provided to a Judge of a High Court, was passed by Lok Sabha and Rajya Sabha on 8 and 11 January 1991, respectively, and received President's assent on 25 January 1991.

The Salary and Allowances of Leaders of Opposition in Parliament (Amendment) Bill, 1991, which seeks to enhance the amount of conveyance allowance admissible to the Leaders of the Opposition in Parliament since they have been given the status of a Cabinet Minister, and provide them the facility of motor car advance as admissible to the Ministers, was passed by Lok Sabha and Rajya Sabha on 10 and 11 January 1991, respectively, and received President's assent on 22 January 1991.

The Constitution (Sixty-Eighth Amendment) Bill, 1991, originally introduced as the Constitution (Seventy-fifth Amendment) Bill, 1991, which seeks to amend clause 4 of article 356 of the Constitution to facilitate the extension of the Presidential Proclamation upto a total period of five years with respect to the State of Punjab, was passed by Lok Sabha and Rajya Sabha on 11 and 12 March 1991, respectively, and received President's assent on 12 March 1991.

We reproduce here the texts of the above Acts.

—Editor

THE CHIEF ELECTION COMMISSIONER AND OTHER ELECTION COMMISSIONERS (CONDITIONS OF SERVICE) ACT, 1991

An Act to determine the conditions of service of the Chief Election Commissioner and other Election Commissioners and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Forty-first Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. *Short Title:* This Act may be called the Chief Election Commissioner and other Election Commissioners (Conditions of Service) Act, 1991.

2. *Definitions:* In this Act, unless the context otherwise require,—

(a) “Chief Election Commissioner” means the Chief Election Commissioner appointed under article 324 of the Constitution;

(b) “Election Commissioner” means any other Election Commissioner appointed under article 324 of the Constitution.

CHAPTER II

SALARY AND OTHER CONDITIONS OF SERVICE OF THE CHIEF ELECTION COMMISSIONER AND ELECTION COMMISSIONERS

3. *Salary:* (1) There shall be paid to the Chief Election Commissioner a salary which is equal to the salary of a Judge of the Supreme Court.

(2) There shall be paid to an Election Commissioner a salary which is equal to the salary of a Judge of a High Court:

Provided that if a person who, immediately before the date of assuming office as the Chief Election Commissioner or, as the case may be, an Election Commissioner, was in receipt of, or, being eligible so to do, had elected to draw, a pension (other than a disability or wound pension) in respect of any previous service under the Government of the Union or under the Government of a State, his salary in respect of service as the Chief Election Commissioner or, as the case may be, an Election Commissioner shall be reduced—

(a) by the amount of that pension; and

(b) if he had, before assuming office, received, in lieu of a portion of the pension due to him in respect of such previous service, the commuted value thereof, by the amount of that portion of the pension.

4. Term of office: The Chief Election Commissioner or an Election Commissioner shall hold office for a term of six years from the date on which he assumes his office:

Provided that where—

(i) the Chief Election Commissioner attains the age of sixty-five years; or

(ii) an Election Commissioner attains the age of sixty-two years, before the expiry of the said term of six years, he shall vacate his office on the date on which he attains the said age:

Provided further that the Chief Election Commissioner or an Election Commissioner may, at any time, by writing under his hand addressed to the President, resign his office.

Explanation—For the purpose of this section, the term of six years in respect of the Chief Election Commissioner or an Election Commissioner holding office immediately before the commencement of this Act, shall be computed from the date on which he had assumed office.

5. Leave: (1) A person who, immediately before the date of assuming office as the Chief Election Commissioner or an Election Commissioner, was in service of Government may be granted during his tenure of office but not thereafter, leave in accordance with the rules for the time being applicable to the Service to which he belonged before such date and he shall be entitled to carry forward the amount of leave standing at his credit on such date, notwithstanding anything contained in section 6.

(2) Any other person who is appointed as the Chief Election Commissioner or an Election Commissioner may be granted leave in accordance with such rules as are for the time being applicable to a member of the Indian Administrative Service.

(3) The power to grant or refuse leave to the Chief Election Commissioner or an Election Commissioner and to revoke or curtail leave granted to him, shall vest in the President.

6. Pension payable to Election Commissioners: (1) A person who, immediately before the date of assuming office as the Chief Election Commissioner or an Election Commissioner was in service of Government, shall be deemed to have retired from service on the date on which he enters upon office as the Chief Election Commissioner or an Election Commissioner but his subsequent service as the Chief Election Commissioner or an Election Commissioner shall be reckoned as continuing approved service counting for pension in Service to which he belonged.

(2) Where the Chief Election Commissioner demits office [whether in any manner specified in sub-section (4) or by resignation], he shall, on such demission be entitled to—

(a) a pension which is equal to the pension payable to a Judge of the Supreme Court in accordance with the provisions of Part III of the Schedule to the Supreme Court Judges (Conditions of Service) Act, 1958, as amended from time to time; and

(b) such pension (including commutation of pension), family pension and gratuity as are admissible to a Judge of the Supreme Court under the said Act and the rules made thereunder, as amended from time to time.

(3) Where an Election Commissioner demits office [whether in any manner specified in sub-section (4) or by resignation], he shall, on such demission be entitled to—

(a) a pension which is equal to the pension payable to a Judge of a High Court in accordance with the provisions of Part III of the First Schedule, to the High Court Judges (Conditions of Service) Act, 1954, as amended from time to time; and

(b) such pension (including commutation of pension), family pension and gratuity as are admissible to a Judge of a High Court under the said Act and the rules made thereunder, as amended from time to time.

(4) Except where the Chief Election Commissioner or an Election Commissioner demits office by resignation, he shall be deemed, for the purpose of this Act, to have demitted his office if, and only if,—

(a) he has completed the term of office specified in section 4, or

(b) he has attained the age of sixty-five years, or as the case may be, sixty-two years, or

(c) his demission of office is medically certified to be necessitated by ill-health.

7. *Right to subscribe to General Provident Fund:* Every person holding office as the Chief Election Commissioner or an Election Commissioner shall be entitled to subscribe to the General Provident Fund (Central Services).

8. *Other conditions of service:* Save as otherwise provided in this Act, the conditions of service relating to travelling allowance, provision of rent-free residence and exemption from payment of income-tax on the value of such rent-free residence, conveyance facilities, sumptuary allowance, medical facilities and such other conditions of service as are, for the time being, applicable to,—

(i) a Judge of the Supreme Court under Chapter IV of the Supreme Court Judges (Conditions of Service) Act, 1958 and

the rules made thereunder, shall, so far as may be, apply to the Chief Election Commissioner;

(ii) a Judge of a High Court under Chapter IV of the High Court Judges (Conditions of Service) Act, 1954 and the rules made thereunder, shall, so far as may be, apply to an Election Commissioner.

THE SALARY AND ALLOWANCES OF LEADERS OF OPPOSITION IN PARLIAMENT (AMENDMENT) ACT, 1991

An Act further to amend the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977.

BE it enacted by Parliament in the Forty-first Year of the Republic of India as follows:—

1. *Short title and commencement:* (1) This Act may be called the Salary and Allowances of Leaders of Opposition in Parliament (Amendment) Act, 1991.

(2) It shall be deemed to have come into force on the 1st day of October, 1990.

2. *Amendment of section 8:* In section 8 of the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977 (hereinafter referred to as the principal Act), in sub-section (2),—

(a) for the words "three hundred rupees", the words "three thousand rupees" shall be substituted;

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

"Provided that where a Leader of the Opposition is provided with conveyance facility with a driver for the purposes of security or otherwise for any period, he shall not be entitled to the conveyance allowance for that period".

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

"8A. *Advance to Leader of Opposition for purchase of motor car:* There may be paid to a Leader of the Opposition, by way of a repayable advance, such sum of money as may be prescribed by rules made in this behalf by the Central Government for the purchase of a motor car in order that he may be able to discharge conveniently and efficiently the duties of his office."

4. *Amendment of section 10:* In section 10 of the principal Act, in sub-section (2), after clause (d), the following clause shall be inserted, namely:—

"(e) the advance payable to a Leader of the Opposition under section 8A."

THE CONSTITUTION (SIXTY-EIGHTH AMENDMENT) ACT, 1991

An Act further to amend the Constitution of India.

BE it enacted by Parliament in the Forty-second Year of the Republic of India as follows:—

1. *Short title:* This Act may be called the Constitution (Sixty-eighth Amendment) Act, 1991.
 2. *Amendment of Article 356:* In Article 356 of the Constitution, in clause (4), in the third proviso, for the words "four years", the words "five years" shall be substituted.
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SESSIONAL REVIEW

SIXTH AND SEVENTH SESSIONS OF NINTH LOK SABHA

SIXTH SESSION

The Winter Session, (Sixth Session) which commenced on 27 December 1990, was adjourned *sine die* on 11 January 1991. The House had a total of ten sittings. The proceedings turned out to be fiery and heated, with one or the other controversy erupting throughout the session. A brief resume of the important discussions held and other business transacted during this period is given below:

A. DISCUSSIONS / STATEMENTS / ANNOUNCEMENTS

Fiscal situation in the country: Making a statement in the House on 27/December 1990, the Minister of Finance, Shri Yashwant Sinha said that the fiscal deficit of the Union Government which measures the difference between revenue and total expenditure was more than 8 per cent of the Gross Domestic Product (GDP) throughout the Seventh Plan period, as compared to 6.1 per cent in 1980-81 and 3.2 per cent in 1974-75. This fiscal deficit had to be met by borrowing. As regards balance of payment, the persistence of the large current account deficits, which were inevitably financed by borrowings from abroad, led to a continuous increase in external debt which, including Non-Resident Indian (NRI) deposits, rose from 17.1 per cent of GDP at the end of 1984-85 to 22.6 per cent of GDP at the end of 1989-90. Consequently, the debt service burden also registered a significant increase from 12.8 per cent of current account receipts and 21.5 per cent of export earnings in 1984-85 to 21.9 per cent of current account receipts and 30.7 percent of export earnings in 1989-90. The impact of the Gulf crisis on the balance of payments situation was also very large. He stated that Government had attached a very high priority to fiscal consolidation and austerity would be the watch-ward of the Government.

The Minister also pointed out that the proposed package of measures would mobilise about Rs. 1200 crores of additional revenue during the current financial year. All steps would be taken to improve revenue collection through better tax compliance and administration and at the same time there should be a strict control on expenditure, he added.

Communal Situation in the Country: On 27 December 1990, an adjournment motion was moved by Prof. Saif-ud-din Soz regarding the

Failure of the Union Government to curb communal forces which were threatening national unity and integrity, as witnessed by eruption of communal riots in different parts of the country.

Intervening in the discussion*, the Prime Minister Shri Chandra Shekhar stated that the virus of communalism was very old and the Government were making efforts to diagnose the disease. As far as Ramjanambhoomi-Babri Masjid issue was concerned, Government was trying to resolve this through mutual negotiations.

After Prof. Saif-ud-din Soz replied to the debate, the motion was negatived.

Recognition of Leader of the Opposition in Lok Sabha: The Speaker informed the House on 27 December 1990 of his decision to recognise Shri L.K. Advani, Leader of the Bharatiya Janata Party in the House, as the Leader of the Opposition in Lok Sabha with effect from 24 December 1990, in terms of Section 2 of the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977.

Proclamation issued by the President in relation to Goa: On 2 January 1991, moving a Statutory Resolution seeking the approval of the proclamation issued by the President on 14 December 1990 regarding the State of Goa, the Minister of State in the Ministry of Home Affairs and Information and Broadcasting, Shri Subodh Kant Sahay, said that in his report of 11 December 1990, addressed to the President of India, the Governor of Goa had mentioned that due to the withdrawal of support by the Maharashtra Gomantak Party to the Chief Minister, Dr. Louis Proto Barbosa, the political situation in the State of Goa had become unstable. Keeping in view the political deadlock in the State the Governor recommended that the State Assembly be dissolved and President's Rule be imposed till fresh elections are held. Accordingly, a Proclamation was issued under Article 356 of the Constitution. However, it was felt that instead of dissolving the Assembly, it should be kept under suspended animation.

Replying to the discussion**, Shri Subodh Kant Sahay assured the House that Government would try its best to see that the process of forming a Government in Goa was completed as early as possible.

The Resolution was adopted.

Rise in Prices of Essential Commodities in the Country: Initiating a

*Members who took part in the discussion were: Sarvashri I.K. Gajral, Sontosh Mohan Dev, Saifuddin Chowdhury, Ram Krishna Yadav, Mitrasen Yadav, Rameshwar Prasad, Munnar Khan, Indrajit Gupta, Ibrahim Sulaiman Saif, Vamanrao Mahadik, and Prof. Vijay Kumar Malhotra.

**Members who took part in the discussion were: Sarvashri Sontosh Mohan Dev, Sudarsan Raychaudhuri, Piyare Lal Handoo, Gopalrao Mayekar, Uttam Rathod, Nandhu Thapa, Tej Narain Singh, Hamendra Singh Banera, Prem Kumar Dhumal, Prof. N.G. Ranga, and Prof. Ram Ganesh Kapse.

discussion on the above subject on 2 January 1991, Shri Basudeb Acharia said that even during the harvesting season, the prices of all the essential commodities were rising instead of declining and urged the Government to spell out concrete steps taken by them to check this rise in prices of essential commodities. Sarvashri Chitta Basu and Vamanrao Mahadik, members, also participated in the discussion.

Replying to the discussion*, the Minister of Food and Civil Supplies, Shri Rao Birendra Singh stated that the factors which had contributed to the rise in prices were some fiscal measures, raising of administered prices of certain commodities, demand and supply for certain goods and the increased money supply. About de-hoarding operations the Minister informed the House that Government were trying to plug the loopholes to correct the malpractices.

Fifth SAARC Summit at Male: The Prime Minister, Shri Chandra Shekhar visited Maldives to participate in the Fifth SAARC Summit from 21 to 23 November 1990. Making a statement in the Lok Sabha on 7 January 1991, Shri Chandra Shekhar stated that he had bilateral discussions with the then President of Bangladesh, Gen. H.M. Ershad, President M.A. Gayoom of Maldives, Prime Minister Nawaz Sharif of Pakistan and Prime Minister D.B. Wijetunga of Sri Lanka. During his stay in Male, he also met His Majesty the King of Bhutan and Prime Minister K.P. Bhattarai of Nepal. Shri Chandra Shekhar informed the House that India took a number of initiatives at the Summit. One of the major decisions taken at the Summit was to establish three additional regional centres, namely the Centre for Human Resource Development in Pakistan, the SAARC Documentation Centre in India, and the SAARC Tuberculosis Centre in Nepal. Reiterating India's commitment to South Asian Cooperation under SAARC, the Prime Minister added that India would continue to assume responsibility and even make sacrifices where necessary, to make SAARC an effective and full-fledged venture of regional cooperation.

Adjournment Motion on Government's 'failure' to Uphold Constitutional Provisions on Disqualification of MPs: On 9 January 1991, the Speaker Shri Rabi Ray observed that he had informed the House on 8 January about the order passed by the Delhi high Court on the stay application in Civil Writ Petition No. 3871 of 1990 directing that all the petitions presented before him under the 10th Schedule of the Constitution "shall not be proceeded with or pursued by the petitioners" before him. He had discussed the matter with the Leaders of different political parties and

* Members who took part in the discussion were: Sarvashri Ajit Kumar Panja, Janardhan Yadav, Bhogendra Jha, Gulab Chand Kataria, G.M. Banatwalla, Chand Ram, Satya Narain Jatiya, P. Narsa Reddy, A.K. Roy, Het Ram, Rajendra Agnihotri, Nirmal Kanti Chatterjee, Dharam Pal Sharma, Mitrasen Yadav, Surya Narain Yadav, C.K. Kuppuswamy, Kanchi Paneer Selvam, Dr. Thambi Durai, Dr. Debi Prasad Pal, and Sardar Atinder Pal Singh.

groups on that day and it was unanimously agreed that the orders of the High Court be ignored. Accordingly, he had ignored the order of the Delhi High Court.

In a related development, the Speaker gave his consent to the moving of an Adjournment Motion regarding failure of the Government to uphold the provisions of the Constitution in regard to disqualification of MPs, contained in the Tenth Schedule to the Constitution which put the issue outside the jurisdiction of any court. The Question Hour that day was suspended on a motion under Rule 388 moved by Shri L.K. Advani to enable the House to take up the Adjournment Motion. The Adjournment Motion, moved by Shri Advani, was discussed for over four hours with agitated members vehemently criticising the affidavit filed by the Government in Delhi High Court regarding the powers of the Speaker to disqualify a member under the Tenth Schedule to the Constitution. The Motion was withdrawn by leave of the House after Prime Minister Shri Chandra Shekhar, who intervened in the debate, bowed to the wishes of the House and assured that necessary modifications would be made in the said affidavit and that all steps necessary to uphold the supremacy of Parliament would be taken.

Recognition of Janata Dal (S) as a Political Party and Disqualification of Eight Members: On 11 January 1991, the Speaker, Shri Rabi Ray recognised Janata Dal (S) as a political party with 54 members in the House, as a result of the split in the original Janata Dal Party. Further, in exercise of powers under paragraph 6 of the Tenth Schedule, the Speaker disqualified seven members from being members of Lok Sabha in terms of Paragraph 2(1) (b) of the said Schedule. The members so disqualified were: Sarvashri Basavaraj Patil, Hamendra Singh Banera, Vidya Charan Shukla, Sarwar Hussain, Bhagey Gobardhan, Devananda Amat and Dr. Bengali Singh. Another member, Dr. Shakeelur Rehman, was declared disqualified in terms of paragraph 2(1) (a) of the said Schedule. All the aforesaid eight members, five of whom also happened to be in the Council of Ministers, ceased to be members of Lok Sabha with immediate effect and their seats were declared as having fallen vacant.

Activities of LTTE in Tamil Nadu and its link with ULFA: On 10 January 1991, in response to special mention made by several members, the Prime Minister, Shri Chandra Shekhar informed the House that the Chief Minister of Tamil Nadu had been informed of the opinion of the Government of India regarding the situation that was prevailing in that State. According to the Prime Minister, there was not only a nexus between the United Liberation Front of Assam (ULFA) and the Liberation Tigers of Tamil Eelam (LTTE) but there was also close cooperation between these two.

On 11 January 1991, in response to special mention made by several members, the prime Minister clarified his remarks made on 10 January

1991 that it was not only his right, it was his responsibility and duty also to say that Tamil Nadu was not going on the proper line.

Presidential Proclamation in relation to the State of Assam and Supplementary Demands for Grants for 1990-91: Moving a Statutory Resolution on 10 January 1991, seeking the approval of the House for the Presidential Proclamation issued on 27 November, 1990 under Article 356 of the Constitution in relation to the State of Assam, the Minister of State in the Prime Minister's Office, Shri Kamal Morarka, said that the Governor, in his report to the President, stated that the Government of that State could not be carried on in accordance with the provisions of the Constitution of India. The Union Government considered the report of the Governor and the situation in Assam and came to the conclusion that there was no alternative but to issue the Proclamation under Article 356 of the Constitution and keep the State Assembly under suspended animation.

Replying to the discussion* Shri Morarka said that if the AGP Government in Assam was allowed to last its full term, that period would have been very crucial as far as the deterioration in the law and order situation was concerned. The moment the conditions are normal, the Union Government would hold elections, he added. The Resolution was adopted. All the Supplementary Demands for Grants in respect of the State of Assam for 1990-91 were voted in full.

Situation in Punjab: On 11 January 1991, initiating a discussion, the Leader of the Opposition, Shri L.K. Advani said that the Government should clearly spell out the parameters under which they proposed to hold talks with any body in Punjab.

Replying to the discussion** the Prime Minister Shri Chandra Shekhar said that the duty of the Government was to ensure that the fear in the minds of the people must be removed. He reiterated that the killings of innocent people would never be tolerated and the Government wanted to solve the problem of Punjab through consensus and mutual dialogue with an open mind.

Gulf Crisis: On 11 January 1991, the Deputy Speaker, Shri Shivraj V. Patil moved*** Resolution expressing grave concern over the Gulf crisis. The Resolution stated the firm belief of the House that war must be

*Members who took part in the discussion were: Sarvashri Chitta Basu, Jaswant Singh, Sontosh Mohan Dev, Venkatesh Kabde, Lokanath Choudhury, Ram Krishna Yadav, Meijinlung Kamson, Hamendra Singh Banera, N. Tombi Singh, C. Srinivasan, Shikho Sema, A.K. Roy, Peter G. Marbaniang, and Dr. Biplab Dasgupta.

**Members who took part in the discussion were: Sarvashri Bhajan Lal, Kapil Dev Shastri, Dinesh Singh, Bhogendra Jha, I.K. Gujaral, Kamal Choudhry, Chand Ram, Ram Krishna Yadav, Madan Lal Khurana, A.K. Roy, Sardar Kirpal Singh, Professor Malini Bhattacharya and Shrimati Bimal Kaur.

***For the text of the Resolution see the feature Procedural Matters.

averted, called upon all sides to make further determined efforts to prevent war and seek solution through peaceful means by dialogue under the auspices of the United Nations or otherwise, and wished the UN Secretary General every success in his effort to resolve the crisis peacefully.

The Resolution was adopted by the House unanimously.

B. LEGISLATIVE BUSINESS

Chief Election Commissioner and other Election Commissioners (Conditions of Service) Bill: On 7 January 1991, moving that the Bill be taken into consideration, the Minister of Commerce and Law and Justice, Dr. Subramaniam Swamy said that the Committee on Electoral Reforms had made certain recommendations with regard to the terms and conditions of service of the Chief Election Commissioner and other Election Commissioners. After consideration of the recommendations, the Government accordingly decided that the salary, pension and other conditions of service of the Chief Election Commissioner should be equivalent to those of a Judge of the Supreme Court and the Comptroller and Auditor-General of India. The salary, pension and other conditions of service of other Election Commissioners should be equivalent to those of a Judge of a High Court.

On 8 January 1991, the Leader of the Opposition Shri L.K. Advani underlined the need for delimitation of constituencies and suggested for an independent Secretariat for the Elections Commission.

Winding up the discussion^{**}, the Minister of Commerce and Minister of Law and Justice, Dr. Subramaniam Swamy said that appointment of the Chief Election Commissioner should not only be based on the fact as to who knows law but also as to who has a fair understanding of the administrative system of the country. A Constitution (Amendment) Bill was pending in the Rajya Sabha in this regard, he added.

The Bill, as amended, was passed.

*Jammu and Kashmir Criminal Law (Amendment) Bill^{***} and Supplementary Demand for Grants 1990-91:* On 10 January 1991, moving that the Bill be taken into consideration, the Minister of Finance, Shri Yashwant Sinha said that Public order and harmony in the State of

^{*}The Bill was introduced on 31 May 1990 by the then Minister of Steel and Mines and with additional charge of the Ministry of Law and Justice, Shri Dinesh Goswami.

^{**}Members who took part in the discussion were: Sarveshri Chitta Basu, Varmanrao Mahadik, Santosh Kumar Gangwar, M. Ramanna Rai, Ram Saijwan, G.M. Banatwalla, Dharam Pal Sharma, Madan Lal Khurana, Peter G. Marbaniang, Ram Krishna Yadav, Prem Kumar Dhurmal, Shikho Sema, Gulab Chand Kataria, P.C. Thomas, Harish Rawat, and Giridhari Lal Bhargava, Dr. Thambi Durai, Dr. Venkatesh Kabde, Sardar Atinder Pal Singh and Prof. N.G. Ranga.

^{***}The Bill was introduced on 9 January 1991 by the Minister of State in the Ministry of Home Affairs and Minister of State in the Ministry of Information and Broadcasting Shri Subodh Kant Sahay.

Jammu and Kashmir had been put to severe strain by the persistent activities of some of the organisations in the State. The State Government had constituted a Tribunal as required under the Jammu and Kashmir Criminal Law Amendment Act, 1983, to decide and make an order either confirming or cancelling the declaration as made by the State Government within a period of six months from the date on which a reference was received by the Tribunal from the State Government.

Earlier, moving a Statutory Resolution regarding disapproval of the Jammu and Kashmir Criminal Law (Amendment) Ordinance, 1990, Shri Girdhari Lal Bhargava urged that the Government should provide proper facilities and protection to migrants from Jammu and Kashmir and should remove the atmosphere of terror in that State. Prof. Saif-ud-din Soz also participated in the discussion.

Replying to the discussion, the Prime Minister Shri Chandra Shekhar said that if an atmosphere of tension was created between India and Pakistan, it was most unfortunate. Referring to the atrocities in Kashmir, Shri Chandra Shekhar said that the unity and the integrity of the country would not be compromised at any cost, and the Government would not shirk to take any unpleasant decision.

Replying to the Supplementary Demands for Grants of Jammu and Kashmir for the year 1990-91, Minister of Finance Shri Yashwant Sinha assured the House that the Union Government were committed to the development of Jammu and Kashmir.

The Resolution was withdrawn by leave of the House. The Bill was passed. All the Supplementary Demands for Grants in respect of the State of Jammu and Kashmir for 1990-91 were voted in full.

C. THE QUESTION HOUR

During the Sixth Session, 7,365 notices of Questions (5,319 Starred, 1,990 Unstarred and 56 Short Notice Questions) were received. Out of these, 179 Starred Questions, 2,082 Unstarred Questions and 1 Short Notice Question were admitted. 2 Starred and 17 Unstarred Questions were deleted/transferred from one Ministry to another.

Daily Average of Questions : Each of the lists of Starred Questions contained 20 questions except that of 7 January 1991 which contained 21** questions. The average number of Starred Questions orally answered on the floor of the House during the Session was 2.1. The maximum Starred Questions answered on a day were five on 7 and 9 January, and the minimum were two on 4 January, 1991.

*Members who took part in the discussion were: Sarvashri Dharam Pal Sharma, Prem Kumar Dhupal, Dr. Venkatesh Kabde, and Shrimati Subhashini Ali.

** One question transferred from 2.1.1991.

The average number of questions in the lists of Unstarred Questions were 231 against the prescribed limit of 230 Questions, the minimum being 230 on 27 December 1990 and 10 January 1991 and the maximum being 243 on 7 January 1991.

Half-an-Hour Discussions : In all 5 notices of Half-an-Hour Discussion were received during the Session. But no Half-an-Hour Discussion was held during the Session.

D. OBITUARY REFERENCES

During the Session, the House made obituary references to the passing away of Sarvashri Dhirendranath Basu, C. Muthusami, Maulana Abdur Rehman, Birendra Bahadur Singh, Maulana Mohammad Sayeed Masuodi, V.P. Nayar, Surendra Mohanty, P.R. Thakur, A. Kevichusa and Shrimati Vijaya Lakshmi Pandit (all former members).

SEVENTH SESSION

The Seventh Session of the Ninth Lok Sabha, which turned out to be the last of the Ninth Lok Sabha, commenced on 21 February 1991, and was adjourned *sine die* on 12 March 1991. The House had only 11 sittings during the Session, which was eventful in many ways. A brief resume of the important discussions held and other business transacted during this period is given below:

A. DISCUSSIONS/STATEMENTS/ANNOUNCEMENTS

President's Address : In his address to both the Houses assembled together on 21 February 1991, the President Shri R. Venkataraman said that they were meeting at a time of great stress and challenge. The unity and integrity of the country were under severe threat. Communal and fissiparous elements posed a menace to the nation. The President asserted that the Government was determined to put down terrorism and secessionism with a firm hand. The Government wished to reiterate its firm resolve to find an acceptable solution to the problems in Punjab, Kashmir and Assam within the framework of the constitution of India. Reports of several unlawful activities on the part of the LTTE and the failure of the Tamil Nadu Government to discharge its primary duty of maintaining public order had left the Union Government with no other alternative but to impose President's Rule in the State of Tamil Nadu. The Government had taken a fresh initiative to resolve the Ram Janambhoomi-Babri Masjid issue through discussions with religious leaders and others so that a mutually acceptable solution could be evolved.

Dealing with the economic situation, the President said that the budgetary deficits, the oil crisis, the deteriorating balance of payments and the spiral of inflation had caused untold hardships to the people, more particularly to the vulnerable sections of the society. The Government

* Also see item "Announcement by the Prime Minister of the Resignation of the Council of Ministers", pp. 227.

would set up a National Reconstruction Fund to supplement budgetary resources for development work and reconstruction of damaged public property.

Shri Venkataraman stated that the main thrust of the Ninth Plan would be on removal of mass poverty, expansion of opportunities of productive employment and meeting the basic needs of the people.

While referring to the international situation, the President said that as a member of the UN Security Council, since January 1991, India would continue to strive for the achievement of the objectives and uphold the purposes and principles of the UN Charter. A renewed impetus had been given to the process of regional cooperation at the 5th SAARC Summit in Male held in November 1990.

The Presidential Address was boycotted by the Opposition Parties. While the Parties constituting the National Front and the Left Front boycotted the Address to register their protest against the imposition of President's rule in Tamil Nadu, the BJP stayed away in protest against the Government's decision to present a Vote-on-Account instead of a regular budget.

The President's address was discussed for four days, i.e. on 27 February 1991 and from 4 to 6 March 1991 on a motion moved by Shri Kapil Dev Shastri, which was seconded by Shri Brij Bhushan Tiwari.

On 6 March 1991, speaking about the boycott of the session by the Congress(I) Party on the reported surveillance at the residence of Shri Rajiv Gandhi, the Leader of the Opposition, Shri L. K. Advani, expressed the view that the Congress(I) Party was creating a grave crisis by making an issue of surveillance. Participating in the discussion, Prof. Madhu Dandavate said that his party would not allow the breakdown of the Constitution. Shri Somnath Chatterjee said that the Congress(I) did not have the minimum sense of responsibility for the purpose of passing the financial business. Shri Indrajit Gupta expressed the view that all the healthy and democratic elements in the State, in the Republic, in the Parliament and among the people would have to come together and save the country at this hour of trial. Shri Nani Bhattacharya accused Congress(I) of violating all the norms of parliamentary democratic system and practice. Shri Chitta Basu said that there were certain constitutional and financial crises and members of Parliament had the obligation to see that these problems are sorted out.

Winding up the discussion in which 12 other members* participated, the Prime Minister, Shri Chandra Shekhar maintained that the spirit behind

* Other members who took part in the discussion were: Sarvaswari Kailash Meghwal, Santosh Mohan Dev, Yamuna Prasad Shastri, K. R. Narayanan, Bhogendra Jha, Surya Narayan Yadav, A. N. Singh Deo, G. M. Banatwalla, Yuvraj, K. Manvendra Singh, Nandu Thapa and Ram Krishan Yadav.

constituting a special fund for reconstruction, mentioned in the President's Address, was to utilise the man-power for building a new India. He stated that steps would be taken to bridge the gap between the haves and the have-nots. The Punjab problem should be resolved through negotiations, he added.

About India's foreign policy, Shri Chandra Shekhar reiterated that India believed in the principle of non-alignment and the people of India would always raise their voice against colonialism, exploitation and breach of peace.

Dealing with the crisis following the boycott of the proceedings by Congress(I) Party, Shri Chandra Shekhar announced that he was shortly meeting the President to tender the resignation of the Council of Ministers. The Prime Minister then requested the Speaker to adjourn the proceedings of the House. The Speaker thereupon observed that in view of the decision of the Council of Ministers to resign, the Motion of Thanks on the President's Address had become infructuous.

Refuelling of U.S. planes: On 22 February 1991, after the Question Hour, the Speaker Shri Rabi Ray gave his consent to the moving of an Adjournment Motion given notice of by Shri A.K. Roy and others regarding the failure of the Government to take timely decision about stoppage of refuelling of U.S. planes and proper initiative in regard to the Gulf war compatible with the pronounced foreign policy of the country. As the leave of the House sought by Shri A. K. Roy was not opposed, the Speaker directed that the motion be taken up immediately after disposal of formal items of business. Accordingly, the motion was moved at 12.23 p.m. and during the debate that followed, as many as seventeen members, including the Prime Minister, participated. Shri A.K. Roy replied to the debate. The motion was negatived. Shortly thereafter, the Speaker placed before the House a Resolution endorsing Soviet President Gorbachev's proposals for the end of hostilities in the Gulf and for sustained peace in the region. The Resolution adopted unanimously.

Making a statement on 25 February 1991 on the situation in the Gulf, the Prime Minister, Shri Chandra Shekhar said that in the UN Security Council, the Indian delegation had tried every possible means to seek reconciliation between the differing positions of the parties to the conflict and prepared a framework for bringing the war to an end. He further stated that ground war had started and its consequences were going to be really devastating.

Interim Railway Budget: Presenting the Interim Railway Budget for 1991-92 on 25 February 1991, the Minister of Railways, Shri Janeshwar Mishra said that the conflict in the Gulf was likely to have far-reaching effects on the country's economy and Indian Railways had geared up to face any eventualities and would strive their very best to minimise hardship to the common man. For the fifth year in succession, the

financial results of Indian Railways showed a surplus of Rs. 173.26 crore. However, to complete the financial picture for the plan period, Railways still had to borrow Rs. 198.08 crore from the General Revenues for the purposes of the Development Fund.

Shri Mishra stated that at the time of framing the Budget for 1990-91, the anticipation for revenue earning freight traffic was 325 million tonnes, but due to some adverse external factors, the year's target stood revised at 316 million tonnes. As far as ordinary working expenses were concerned, it was proposed to retain them at the level of Rs. 8,241 crore.

Budget Estimates for 1991-92, provided that the total working expenses would amount to Rs. 12,320 crore, leaving Net Traffic Receipts of Rs. 345 crore. A sum of Rs. 180 crore was estimated by way of Net Miscellaneous Receipts, and thus the Net Revenue would amount to Rs. 525 crore. The dividend payable to General Revenues had been estimated at Rs. 1,037 crore with the result that at the current level of fares and freight rates, there would be a shortfall of Rs. 512 crore and that the uncovered gap would be bridged during the course of the financial year. Further, a loan of Rs. 140 crore from the General Revenues would be needed for execution of works chargeable to the Development Fund.

On 11 March 1991, responding to the points raised by members regarding reinstatement of the dismissed Railway employees, Shri Mishra informed the House that all the dismissed employees would be taken back but the matter after passed by the Cabinet would be submitted to the President for his decision and action would be taken only when it was cleared by the President. All the Demands for Grants on Account in respect of the Budget (Railways) for 1991-92 were voted in full.

Proclamation of President's Rule in Tamil Nadu: On 25 February 1991, moving a Statutory Resolution seeking the approval of the Presidential Proclamation issued on 30 January 1991 in relation to the State of Tamil Nadu, the Minister of State in the Ministry of Home Affairs and Information and Broadcasting, Shri Subodh Kant Sahay said that the atmosphere which was prevailing in the State for quite sometime was encouraging extremist and separatist elements in the State as well as in other parts of the country and the State Government was turning a blind eye to all these activities. Participating in the discussion on 26 February, Shri Somnath Chatterjee demanded repealing of Article 356 of the Constitution. Shri Chitta Basu pointed out that imposition of President's rule in Tamil Nadu was a murder of truth, justice, democracy and federalism. Replying to the discussion on 27 February 1991, Shri Subodh Kant Sahay informed the

* Other members who took part in the discussion were: Sarvashri P. Chidambaram, Jaswant Singh, Vishwanath Pratap Singh, M. Selvarasu, R. Muthaiah, P.R. Kumaramangalam, Brij Bhushan Tiwari, R. Prabhu, Piyus Tiraky, D. Pandian, Samarendra Kundu, Inderjit, R. Jeevarathinam, Guman Mal Lodha, C.K. Kuppaswamy, P.C. Thomas, Dr. Thambi Durai, Dr. Biplab Dasgupta and Prof. Ram Ganesh Kapse.

House that the Prime Minister had told the then Chief Minister of Tamil Nadu, Shri M. Karunanidhi in unambiguous terms that the Union Government would not allow any terrorist activity in Tamil Nadu.

The Resolution was adopted.

Atrocities on Scheduled Castes: On 25 February 1991, moving an Adjournment Motion regarding incidents of atrocities on Scheduled Castes in various parts of the country, with particular reference to the incidents in Uttar Pradesh and Bihar, Shri Santosh Kumar Gangwar said that the exploitation of Scheduled Castes and backward people should come to an end.

In a brief intervention, the Minister of State in the Ministry of Labour and Welfare, Shri Ramji Lal Suman said that preliminary investigations conducted in the case had revealed a suspicious role of the police and action had been taken against the Police authorities.

Intervening in the discussion*, the Prime Minister, Shri Chandra Shekhar assured that a thorough enquiry would be conducted and action would be taken against the culprits. The Uttar Pradesh Government had already started the enquiry in this connection, he added. Shri Santosh Kumar Gangwar replied to the debate. The motion was negatived.

President's Proclamation in respect of Jammu and Kashmir: Moving a statutory Resolution on 27 February 1991, seeking the approval of continuance in force of the Proclamation dated 18 July 1990, in respect of Jammu and Kashmir, issued under article 356 of the Constitution by the President for a further period of six months with effect from 3 March 1991, the Minister of State in the Ministry of Home Affairs and Information and Broadcasting, Shri Subodh Kant Sahay said that the state of security and political situation in Jammu and Kashmir was not conducive for holding elections. Accordingly, the State Governor, in his report to the President, had recommended the extension of President's Rule for a further period of six months.

Replying to the discussion**, Shri Subodh Kant Sahay said that the Government was of the view that an Advisory Committee should be appointed to advise the Governor on the day-to-day matters. The State Government also proposed the constitution of a Committee under the District Action Plan comprising local headman, Talukdar and local teacher

* Members who took part in the discussion were: Sarvashri Jagpal Singh, Vaman Rao Mahadik, Ram Vilas Paswan, Udai Pratap Singh, Harish Rawat, Kailash Meghwal, Gangacharan Rajput, Prem Pradeep, Ram Sajiwan, Ram Krishna Yadav, Dinesh Singh, K.S. Chavda, R.N. Rakesh, Kalka Das, Ratilal Kalidas Varma, Satya Narain Jatia, Shrimati Subhashini Ali and Kumari Umabharti.

** Members who took part in the discussion were: Sarvashri Madan Lal Khurana, Hari Kishore Singh, Dharam Pal Sharma, Yuvraj, Saifuddin Choudhury, Janak Raj Gupta, Bhogendra Jha, Ramesh Chennithala, D.D. Khanoria, N. Tombi Singh, Inderjit, Dr. Thambi Durai, Prof. Saif-ud-din Soz and Kumari Dayawati.

and so that there should not be any communication gap between administration and the people. The Prime Minister, Shri Chandra Shekhar who also spoke, clarified that anybody trying to secede Kashmir from India would be totally disappointed.

The Resolution was adopted.

Budget for 1991-92 (Interim): Presenting the Interim Budget for the year 1991-1992, on 4 March 1991, the Minister of Finance, Shri Yashwant Sinha said that the budget deficit of the Union Government had reached a level of Rs. 13,000 crore on 30 November 1990 as a consequence of revenue short falls and expenditure overruns. The wholesale Price Index registered an increase of 8.5 per cent, while the Consumer Price Index rose by 11.9 per cent during the first eight months of the current financial year. The sharp deterioration in the balance of payments situation led to a rapid depletion of foreign exchange reserves, which dropped to Rs. 3142 crore at the end of November 1990.

Shri Sinha further stated that the interim budget for 1991-92 was being presented for the purpose of a Vote-on-Account to enable Government to meet essential expenditure during the first four months of the next financial year.

Dealing with the Budget Estimates for 1991-92, Shri Sinha said that taking into account the variations in receipts and expenditure, total receipts at the 1990-91 rates of taxation were estimated at Rs. 1,00,190 crore, while total expenditure was estimated at Rs. 1,10,167 crore, so that the budget deficit, without additional resource mobilisation, would be Rs. 9,977 crore. All Ministries, Departments and Public Sector Undertaking of the Union Government were requested not to take up any new schemes and not to enter into any fresh major commitments during this period.

On 11 March 1991, all the Demands for Grants on Account (General) for 1991-92 were voted in full.

Dissolution of Legislative Assembly of Pondicherry: Making a statement on 4 March 1991, the Minister of State in the Ministry of Home Affairs and Information and Broadcasting, Shri Subodh Kant Sahay said that the Chief Minister of Pondicherry, Shri D. Ramachandran had submitted the resignation on behalf of his Cabinet on 27 December 1990, as three out of four Janata Dal members in the Pondicherry Assembly and one independent MLA had withdrawn their support earlier, the Lieutenant Governor had also asked the Chief Minister to prove the majority on the floor of the House on 27 December 1990. The Lieutenant Governor had sent his report to the President recommending the suspension of the Assembly in view of the prevailing political situation in the Union Territory. After considering the report, the President issued an order on 12 January 1991, suspending the Pondicherry Assembly for a period of six months.

Shri Sahay stated that in the circumstances prevalent in Pondicherry,

the Lieutenant Governor had expressed that there seemed to be no alternative but to dissolve the Assembly and to hold fresh elections. Considering the recommendations of the Lieutenant Governor and having satisfied that the situation continued to be such that the administration of the Union territory could not be carried on in accordance with the provisions of the Government of Union territories Act, 1963, the President, in modification of his earlier order dated the 12 January 1991, had issued an order on 4 March 1991, dissolving the legislative Assembly of the Union territory of Pondicherry.

Announcement by the Prime Minister of the Resignation of the Council of Ministers: On 4 March, when the House met after a break of four days on account of *Holi*, soon after the Question Hour, Shri Era Anbarasu and others raised the issue of the reported surveillance at the residence of Shri Rajiv Gandhi, member, and the Congress Party Office. Responding to the matter, the Prime Minister Shri Chandra Sekhar denied any such surveillance by the Union Government, and assured the House that the matter, which had come to knowledge because of the Government efforts itself, was being looked into. On 5 March, when the House assembled at 1100 hours the issue was raised again by Prof. P.J. Kurien and others who demanded immediate adequate action against all those responsible for the surveillance and declared that until such action was taken, they would abstain from the House. Immediately, a large number of members walked out. Shortly thereafter, at 1126 hours, the House had to be adjourned for lack of quorum till 1430 hours. Even when the House reassembled at 1432 hours, not much business could be transacted. Further discussion on the Motion of Thanks could not be carried on for long due to frequent interruptions. The question of lack of quorum was raised again for the second time during the day, and the House had to be finally adjourned at 1512 hours for the day. When the House assembled on 6 March, a large number of members continued to stay away from the proceedings. The Motion of Thanks was taken up soon after laying of papers and presentation of supplementary Demands for Grants (General) 1990-91. At the end of his reply to the debate, the Prime Minister, Shri Chandra Shekhar, announced that due to the boycott of the proceedings by the Congress (I) Party which was supporting the Union Government, he was unable to lead the Government and that he proposed to meet the President and offer the resignation of the Council of Ministers. He therefore, requested the Speaker to adjourn the proceedings of the House. The Speaker then immediately adjourned the House for the day at 1400 hrs. and observed that in view of the resignation announced by the Prime Minister on the floor of the House, putting of Motion of Thanks on the President's Address to the vote of the House had become infructuous*

* For details of President's Address to the Houses assembled together on 21 February 1991, See PP. 221.

and also that no other listed business of the House for the day could be taken up.

Presidential proclamation in respect of Assam: On 11 March 1991, the Minister of State in the Ministry of Home Affairs and Information and Broadcasting, Shri Subodh Kant Sahay moved a Statutory Resolution seeking approval for the continuance in force of the Proclamation dated the 27 November 1990 in respect of Assam, issued by the President under Article 356 of the Constitution, for a further period of six months with effect from 27 May 1991.

The Resolution was adopted.

Presidential Proclamation in respect of Punjab: Moving a Statutory resolution on 12 March 1991, seeking the approval of the House for the continuance in force of the Proclamation, dated 11 May 1987 in respect of Punjab, issued by the President under Article 356 of the Constitution for a further period of six months with effect from 11 May 1991, the Minister of Petroleum and Chemicals and Parliamentary Affairs, Shri Satya Prakash Malaviya said that consequent upon the Constitution (Sixty-Seventh Amendment) Act, 1990, Clause (4) of article 356 of the Constitution provided that the Proclamation issued on 11 May 1987 in relation to the State of Punjab could be extended for a total period of four years without fulfilment of the conditions specified in Clause (5) of the said article. As the current law and order situation in Punjab did not hold out prospects for free and peaceful elections to the State Legislative Assembly, Clause (4) of article 356 of the Constitution had been amended by the Constitution (Sixty-eighth Amendment) Act, 1991. With this enactment, Presidential Proclamation in relation to the State of Punjab could then be extended for a total period of five years.

Shri Malaviya added that the Governor of Punjab, in his report addressed to the President, had recommended the extension of President's rule in the State. Keeping in view the situation prevailing there and taking all the relevant factors into consideration, it was proposed that the President's rule in Punjab may be continued for a further period of six months with effect from 11 May 1991.

Participating in the discussion, Shri Indrajit Gupta said that indefinite prolongation of President's rule was not helping to improve the situation. Kumari Mayawati demanded elections in Punjab. Shri Nani Bhattacharya urged the need to introduce democratic process in Punjab. Shri Chitta Basu said that the Punjab problem should be considered from the national perspective as it was integrated with the nation's unity and integrity.

Replying to the discussion, in which 12 other members* participated, the Prime Minister, Shri Chandra Shekhar maintained that the Punjab problem could be solved only by talks. But if some outside power would try to enter Indian borders and try to disintegrate the country, such attempts would be firmly dealt with. The Government wanted early elections in Punjab, but political leaders of Punjab would have to assure that Parliamentary democratic institutions would not be used for destroying Parliamentary democracy, he added.

The Resolution was adopted.

Removal of Justice V. Ramaswamy of the Supreme Court of India: On 12 March 1991, shortly before adjourning the House *sine die*, the Speaker Shri Rabi Ray announced that he had received a notice of a motion dated 27 February 1991, signed by Prof. Madhu Dandavate and 107 other members of the House, for presenting an address to the President of India, for the removal of Justice V. Ramaswamy of the Supreme Court of India, under Article 124(4) of the Constitution, read with section 3 of the Judges (Inquiry) Act, 1968. The Motion had listed a number of acts of misbehaviour alleged to have been committed by Justice V. Ramaswamy which among other things, included misuse of public funds, and giving unjustified promotions to his subordinates, etc. The Speaker admitted the first ever motion for the presentation of an address to the President for the removal of a Supreme Court Judge and announced in the House the Constitution of a three-member Committee of Inquiry under the Judges (Inquiry) Act, 1968. The Committee consist of the following members : (i) Hon'ble Justice P.B. Sawant, Supreme Court of India; (ii) Hon'ble Justice P.D. Desai, Chief Justice of the High Court at Bombay; and (iii) Hon'ble Justice O. Chinnappa Reddy, former Judge of the Supreme Court of India. He further stated that the motion shall remain pending till the report of the Inquiry Committee is received.

B. LEGISLATIVE BUSINESS

Finance Bill, 1991: The Minister of Finance, Shri Yashwant Sinha introduced the Finance Bill on 4 March 1991 and moved that the Bill which sought to continue the existing rates of Income Tax for the financial year 1991-92 and also to provide for the continuance of the Provisions relating to auxiliary duties of Customs and special duties of Excise at the existing rates in the next financial year, be taken into consideration on 11 March 1991.

The Bill was passed without discussion.

Constitution Seventy-Fifth (Amendment) Bill 1991 The Minister of State

*Other members who took part in the discussion were: Sarveshri I.K. Gujral, Saifuddin Choudhury, Kamal Choudhury, Rajdev Singh, Inderjit, Nathu Ram Mirdha, Dr. Thambi Durai, Sardar Kirpal Singh, Sardar Atinder Pal Singh, Prof. Vijay Kumar Malhotra, Prof. N.G. Ranga, and Shrimati Rajinder Kaur Bulara.

in the Ministry of Home Affairs and Minister of State in the Ministry of Information and Broadcasting, Shri Subodh Kant Sahay introduced the Constitution (Seventy-Fifth) Amendment Bill regarding continuance of President's Rule in the State of Punjab for a further period of one year on 11 March 1991 and moved it for consideration on the same day.

The Bill, as amended, was passed by the requisite majority in accordance with the provision of article 368 of the Constitution.

Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1991: On 12 March 1991, the Minister of Petroleum and Chemicals and Parliamentary Affairs, Shri Satya Prakash Malaviya introduced a Bill, which sought to increase the minimum pension to Rs. 1250 per mensem to ex-members of Parliament, who had served for a period of five years, whether continuous or not.

Dr. Venkatesh Kabde moved an amendment seeking approval for proportionate amount of pension to such ex-members who had served for a minimum period of one year.

Shri Satya Parkash Malaviya informed the House that Government had agreed to the amendment proposed by Dr. Kabde.

Opposing the Bill, Shri A.K. Roy said that instead of doing anything for the people, Members of Parliament had only enhanced their facilities.

The Bill, as amended, was passed.

C. THE QUESTION HOUR

During the Seventh Session, 12,118 notices of Questions (8,807 Starred 3,283 Unstarred and 28 Short Notice Questions) were received. Out of these, 160 Starred Questions and 1,816 Unstarred Questions were admitted. No Short Notice Question was admitted during the Session. 1 Starred and 26 Unstarred Questions were transferred from one Ministry to another.

During the Session, the Question Hour was fixed in respect of 51 sittings but actually Question Hour was held only for 8 sittings before the House adjourned *sine die* on 12 March 1991.

Daily Average of Questions: Each of the lists of Starred Questions contained 20 questions. The average number of Starred Questions orally answered on the floor of the House during the Session was 2.1. The maximum Starred Questions answered on a day were five on 4 March and the minimum number was on each on 5 and 6 March 1991.

The average number of questions in the lists of Unstarred Questions was 227 against the prescribed limit of 230 Questions, the minimum being 202 on 22 February and the maximum being 235 on 4 March 1991.

Half-an-Hour Discussions: In all, 8 notices of Half-an-Hour Discussion

were received during the Session. But no Half-an-Hour Discussion was held during the Session.

D. OBITUARY REFERENCES

During the Session, the House made obituary references to the passing away of Shri E.S.M. Pakeer Mohammed (sitting member), Sarvashri Shankar Lal, M.R. Lakshminarayan, C.R. Basappa, Jagannath Rao, M.S. Sivasamy, Kanhu Ram Deogam, M. Kathamuthu and Tapeshwar Singh (all former members.)

RAJYA SABHA

HUNDRED AND FIFTY-SIXTH SESSION*

The Rajya Sabha met for its Hundred and Fifty-Sixth Session on 27 December 1990 and adjourned *sine die* on 11 January 1991. A brief resume of some of the important discussions held and other business transacted during the Session is given below:

A. DISCUSSIONS

Prevailing communal situation in the country: Calling the attention of the Minister of Home Affairs on 2 January 1991, Shri Gurudas Das Gupta referred to the communal situation in the country and the action taken by the Government in regard thereto.

Replying to the calling attention, the Minister of State in the Ministry of Home Affairs and Minister of State in the Ministry of Information and Broadcasting Shri Subodh Kant Sahay stated that the Government was determined to ensure that a durable climate of communal harmony prevailed throughout the country. He pointed out that though tension still persisted in some parts of the country, the situation was generally peaceful in the worst affected states of Uttar Pradesh, Gujarat and Andhra Pradesh. The Union Government had been in touch with the State Governments and had been providing necessary help and assistance to them. An effective mechanism of monitoring of the communal situation, both at the highest level in the State and in the Ministry of Home Affairs, was being worked out for keeping a very close watch on developing situations, he added.

Replying to the points raised by members on 4 January 1991, the Prime Minister, Shri Chandra Shekhar stated that if religion was linked with politics, there would be no secularism in the country and it would not only harm the minority community but also the majority community. He maintained that it would create a great danger for the unity and integrity of the country.

Referring to the Ramjanambhoomi-Babri Masjid controversy, the Prime Minister stated that he had requested both sides to amicably settle the

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

difficult problem through negotiations. He further stated that he felt sorry for what had happened in Ayodhya but the whole police force should not be condemned for any isolated incident. The Prime Minister explained that the Government was not following any appeasement policy as alleged. Even the Constitution provided special facilities for the minorities. To remove apprehensions being nursed by the minorities in India, the Government had recently raised their percentage in the Central Police forces and had also requested the State Governments to follow suit. The Prime Minister informed the House that a meeting of the National Integration Council would be convened at an early date in consultation with the leaders of other parties.

Fifth SAARC Summit: Making a statement on 7 January 1991 the House on his visit to Maldives to participate in the Fifth SAARC (South Asian Association for Regional Cooperation) Summit from 21 to 23 November, 1990, the Prime Minister, Shri Chandra Shekhar informed members that India took a number of initiatives at the Summit and the meetings preceding it, all of which were accepted and were reflected in the Male Declarations and the Joint Press Release. The Government of India's proposal to create a fund for the identification and development of regional projects, to be financed by national development banks of the member-countries, was also accepted he told the House that India would also host the Second Ministerial Meeting on International Economic Issues to review the outcome of the Uruguay Round of trade negotiations and to coordinate the positions of the member-countries at the forthcoming UN Conference on Environment and Development. It was agreed that the same Ministerial meeting would also prepare a strategy for mobilising regional resources which would encourage and strengthen individual and collective self-reliance in the region, added.

According to the Prime Minister, a major decision taken at the Summit was to establish three additional regional centres, namely, the Centre for Human Resource Development in Pakistan, the SAARC Documentation Centre in India and the SAARC Tuberculosis Centre in Nepal. Informing the House about several other significant achievements at the SAARC Summit, the Prime Minister said that SAARC countries agreed to increase tourism in the region, decided to facilitate greater contacts among newspaper federations, declared the 1990's as the Decade of the Girl Child and launched a SAARC Travel document to enable visa-free travel for some categories of people. Foreign Ministers of SAARC countries signed an important Regional Convention on Narcotic Drugs and Psychotropic substances.

Referring to his bilateral talks with President Gayoom of Maldives and Prime Minister Nawaz Sharif of Pakistan, the Prime Minister stated that these meetings were cordial and that Shri Nawaz Sharif showed a positive approach. India and Pakistan agreed that all differences between them should be resolved peacefully and through dialogue and that the process

of reconvening discussions on various pending issues should be resumed. The Foreign Secretaries of India and Pakistan also met and made progress towards reaching agreement on several confidence-building measures to reduce tension in bilateral relations. They had also determined the time-table for the resumption of discussions on issues such as the demarcation of the land boundary at Sir Greek, the Tulbul Navigation Project and the meetings of the Sub-Commissions. Concluding his statement, Shri Chandra Shekhar reiterated India's commitment to South Asian Cooperation under SAARC. Such cooperation had become all the more necessary in the context of the present trends towards economic integration of the world, he added.

Price situation in the country: On 10 January 1991, initiating a short duration discussion on the price situation in the country, Shri Murlidhar Chandrakant Bhandare said that it was really distressing to note that for the first time in history, after crops had come in, the prices, far from declining, were rising. That was despite the record yield of foodgrains in the country. Even the price of sugar had shot up considerably. Similarly, the price of refined oil, Dalda ghee, mustard oil and other essential commodities had risen sharply, he added.

On 10 January 1991, replying to the points raised by members, the Minister of Food and Civil Supplies, Shri Rao Birendra Singh, referred to several measures taken by the Government to arrest the price rise. He stated that where there was any complaint about hoarding, stern action was taken under the Essential Commodities Act. Efforts were being made to bring down the prices of cement, vanaspati and other essential commodities. Suggestions had been made to the States that strict vigilance should be exercised on ration depot-holders. They should draw their supplies by the 10th of every month. There should also be vigilance committees, appointed out of the ration card-holders at the village level and in *mohallas*.

Replying to the discussion* on the same day, the Deputy Minister in the Ministry of Finance and Deputy Minister in the Ministry of External Affairs, Shri Digvijay Singh said that the economic situation could not be improved within a short time with IMF loan. India would not take the loan on the terms and conditions which would affect the dignity of the country and amount to compromising on basic principles. He stated that the Government was firmly trying to curb its expenditure so that austerity did not remain a slogan only but became a strategy also. The Government

* Other members who took part in the discussion were: Sarvashri Chaturanan Mishra, Sarada Mohanty, S.B. Chavan, N.K.P. Salve, Ashis Sen, Anant Ram Jaiswal, Tindivanam G. Venkatraman, Rameshwar Thakur, David Ledger, Jagesh Desai, Kamal Morarka, Pravat Kumar Samantaray, Hari Singh Chowdhry, Ram Awadhesh Singh and Rao Birendra Singh, Prof. Chandresh P. Thakur, Prof. Surenendra Bhattacharjee, Dr. Yelamanchili Sivaji, Shrimati Sushma Swaraj, Shrimati Kamla Sinha and Kumari Sayeeda Khatun.

was also trying to improve the supply of edible oil on priority basis. So far as the other essential commodities were concerned, Government was making very sincere efforts to make them available to common people and it was giving top priority to that matter, he concluded.

B. LEGISLATIVE BUSINESS

*The Cantonments (Amendment) Bill, 1990**: Moving the motion for consideration of the Bill on 7 January 1991, the Minister of State in the Ministry of Defence, Shri Lalit Vijay Singh said that the Bill sought to amend Section 27 of the Act to bring down the voting age from 21 years to 18 years for election of members of the Cantonment Boards, which was in consonance with the amendment to the Constitution of India.

The motion for consideration of the Bill and the clauses etc., were adopted and the Bill, as amended, was passed on the same day.

*The Public Liability Insurance Bill, 1991***: Moving the motion for consideration of the Bill on 9 January 1991, the Minister of State (Independent Charge) of the Ministry of Environment and Forests, Shrimati Maneka Gandhi, said that the Bill sought to fulfil a long-felt demand for some mechanism to give immediate relief to victims of accidents in hazardous industries or operations. Workers who were victims of such accidents in hazardous industries were protected by the Workmen's Compensation Act, 1923 and by the Employees State Insurance Act of 1948, but the members of the public were not assured of any relief except through long legal procedures. Hence the Government had proposed a scheme whereby every industry or operation which handled hazardous substances would compulsorily take an insurance policy covering their liability to provide immediate relief on a specified scale to any person who suffered an injury or damage to property, and in the event of death to the legal heirs of the deceased persons. The Minister further informed the House an exercise of that nature was being undertaken for the first time in the world.

The motion for consideration of the Bill and the clauses, etc. were adopted and the Bill was passed on the same day.

*The Taxation Laws (Amendment) Bill, 1991****: Moving the motion for consideration of the Bill on 11 January 1991, the Deputy Minister in the Ministry of Finance and Deputy Minister in the Ministry of External Affairs, Shri Digvijay Singh said that as a result of the Gulf crisis, the Government had decided to mobilise additional resources through increase in the surcharge on income-tax payable by domestic companies. The Finance (Second Amendment) Ordinance, 1990 was promulgated by the President on 15 October 1990. Under that ordinance, the surcharge

*The Bill, as passed by Lok Sabha, was laid on the Table on 2 January 1991.

**The Bill, as passed by Lok Sabha, was laid on the Table on 8 January 1991.

***The Bill, as passed by Lok Sabha, was laid on the Table on 10 January 1991.

payable by a domestic company during the financial year 1990-91 on income exceeding Rs. 75,000 was increased from 8 per cent to 15 per cent. The Ordinance provided that the enhanced rate of surcharge would apply while collecting tax at source from a domestic company engaged in the business of trading in alcoholic liquor for human consumption. One of the objectives of the Bill was to replace the provisions of the Finance (Second Amendment) Ordinance, 1990. As part of the strategy to meet the economic crisis, the Bill sought to enhance the rate of surcharge on personal income-tax from the existing rate of 8 per cent to 12 per cent. Additional surcharge would be levied while deducting tax at source from incomes.

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

The Salary and Allowances of Leaders of Opposition in Parliament (Amendment) Bill, 1991: Moving the motion for consideration of the Bill on 11 January 1991, the Minister of Petroleum and Chemicals and Parliamentary Affairs, Shri Satya Prakash Malaviya said that the Bill proposed to enhance the amount of conveyance allowance admissible to the Leaders of Opposition from rupees three hundred per mensem to rupees three thousand per mensem. It was also proposed to provide them with the facility of motor car driver and motor car advance. However, they would not be entitled to conveyance allowance if they were provided with staff car and driver.

The motion for consideration of the Bill and the clauses, etc. were adopted and the Bill was passed on the same day.

The Chief Election Commissioner and other Election Commissioners (Conditions of Service) Bill, 1991: Moving the motion for consideration of the Bill on 11 January 1991, the Minister of Commerce with Additional Charge of the Ministry of Law and Justice, Dr. Subramaniam Swamy said that the Committee on Electoral Reforms, appointed by the previous Government had submitted its report in April 1990. Most of the recommendations made by the Committee were accepted by the then Government and four Bills to give effect to the recommendations of the Committee were introduced in both Houses of Parliament. The Chief Election Commissioner and other Election Commissioners (Conditions of Service) Bill, 1991, was one such Bill which was before the House.

The motion for consideration of the Bill and the clauses, etc. were adopted and the Bill was passed on the same day.

*The Bill, as passed by Lok Sabha, was laid on the Table on 11 January 1991.

**The Bill, as passed by Lok Sabha, was laid on the Table on 9 January 1991.

C. THE QUESTION HOUR

During the Session, 3340 notices of Questions (2,996 Starred and 344 Unstarred) were received. Out of these, 179 Starred Questions and 1586 Unstarred Questions were admitted. Eight Short Notice questions were received but none was admitted. After the lists of Questions were printed, three Starred and 29 Unstarred Questions were transferred from one Ministry to another.

Daily Average of Questions: Each of the lists of Starred Questions contained 19 to 20 Questions. On an average, three Questions were orally answered per sitting on the floor of the House. The maximum number of Questions orally answered were seven on 3 January 1991 and the minimum number of Questions orally answered were two on 28 December 1990.

The minimum number of Questions admitted in lists of Unstarred Questions were 116 on 17 December 1990 and their maximum number was 250 on 8 January 1991. Their average came to 176.3.

Half-an-Hour Discussions: Only one notice of Half-an-Hour Discussion was received but that was not admitted.

Statement correcting answers to Questions: In all, three statements correcting answers to Questions replied in the House were made by the Ministers concerned.

D. OBITUARY REFERENCES

During the Session, references were made to the passing away of Sarvashri Kamalapati Tripathi, Sasanka Sekhar Sanyal, S Ranganathan, G Vardaraj, Jagannath Prasad Agrawal, A.C. Gilbert, Surendra Mohanty, Moulana Abdul Latif, all former members, and Shri Basudeb Mohapatra, sitting member. Members stood in silence for a short while as a mark of respect to the deceased.

RAJYA SABHA

HUNDRED AND FIFTY-SEVENTH SESSION*

The Rajya Sabha met for its Hundred and Fifty-Seventh Session on 21 February 1991 and adjourned *sine die* on 13 March 1991. A brief resume of some of the important discussions held and other business transacted during the Session is given below.

A. DISCUSSIONS

Discussions on Gulf situation: Initiating the discussion on the Gulf situation on 22 February 1991, Shri M.S. Gurupadaswamy said that the Gulf crisis was an extraordinarily important issue which concerned not only India but

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

also the whole world. The member criticised the Government for not taking any positive or effective initiative to help resolve the Gulf crisis and urge the Government to evolve an effective Middle-East policy whereby not only the interests of various countries in the region were taken care of, but the Palestine question was also solved. He also expressed the hope that the proposal of Soviet President Mr. Gorbachev would be accepted and endorsed by all the countries of the world and also by the United Nations.

The member put forth his demands covering a contingency plan of action to be undertaken by the NAM, creation of a separate cell in the External Affairs Ministry for West Asia and formulation of a cogent, rational and progressive policy for West Asia. While concluding, he said that India condemned the aggression of Saddam Hussain on Kuwait as well as the aggression on the Palestinian territory.

Replying to the debate* on 25 February 1991, Prime Minister, Shri Chandra Shekhar said that in spite of all handicaps, India had been pursuing every possible way to establish peace in the Gulf region. Government of India was being represented in Teheran by its Minister, Shri Digvijay Singh. But any honourable member, who could contribute something, would always be welcome.

As regards the controversy surrounding the refuelling facility extended to US planes in India, Shri Chandra Shekhar stated that the decision to allow refuelling of American planes that of the Government of India and as the Prime Minister, he took the full responsibility for that decision. He stated that refuelling was a normal practice all over the world. It was for the first time that the Government of India got a categorical assurance from the US Government to the effect that the American planes would not carry any lethal weapons or any war material, and would be used for humanitarian purposes only. The Prime Minister added that if, however, the country so felt, Government of India could ask the US not to refuel their planes in India.

The Prime Minister asserted that before the war broke out, he wrote letters to US President Bush, Soviet President Gorbachev and also to the President of Yugoslavia, who was the Chairman of the NAM. But everybody was helpless. And that helplessness was shared by India also because some people were very stubborn. Still, when the war was going on, the Government was taking all possible initiatives in order to see that there was cessation of war, he added.

*Other members who took part in the discussion were: Sarvashri P. Shiv Shanker, Sukomal Sen, Atal Bihari Vajpayee, Mohinder Singh Latfer, Kapil Verma, Chaturanan Mishra, G.G. Swell, V. Gopalsamy, Shabbir Ahmed Salaria, Sardar Jagjit Singh Aurora, M.M. Jacob, M.A. Baby, Bhuvnesh Chaturvedi, Dinesh Goswami, Mohammed Afzal alias Meem Afzal, S.S. Ahluwalia, P. Upendra and Ram Awadhesh Singh, Prof. Chandresh P. Thakur, Prof. Sourendra Bhattacharjee, Dr. G. Vijaya Mohan Reddy, Dr. Abrar Ahmed and Shrimati Margaret Alva.

Clarifying India's stand further, the Prime Minister said that India had good relations with the Arab countries. But that did not mean that it should support the subjugation of Kuwait. While concluding, he asserted that India had never deviated and would never deviate from the principles of non-alignment, and that it would always stand for the integrity and dignity of the smaller nations. That was the crux of India's foreign policy, he added.

Reference to alleged surveillance at the House of Congress (I) President. Shri Rajiv Gandhi: On 4 March 1991, Shri P. Shiv Shanker informed the House that a constant surveillance was being maintained at the House of the Congress (I) President Shri Rajiv Gandhi at 10, Janpath in New Delhi. That type of surveillance, he said, was contrary to all norms of democratic functioning.

On 5 March 1991, Prime Minister Shri Chandra Shekhar stated that two persons were found in the vicinity of the residence of Shri Rajiv Gandhi. Those two persons were picked up by the Delhi Police. They showed their identity cards which indicated that they were Intelligence personnel for the Haryana Police. He further stated that the Delhi Police was investigating the matter and that other Intelligence agencies of the Police were also looking into it. He categorically asserted that the Union Government had no hand or had no knowledge in regard to that surveillance. A serious view had been taken by the Union Government in the matter. He said that if the member so liked, a Committee of both the Houses could be formed to go into the matter because Government inquiries take their own time. At the end of his statement, the Prime Minister assured members that the Government would support any steps taken by the House to check such surveillance and phone-tapping.

Resignation of the Government: Informing the House about the resignation of the Government on 6 March 1991, the Minister of Finance and the Leader of the House, Shri Yashwant Sinha said that in keeping with the high traditions of democracy, the Prime Minister had announced in Lok Sabha that he was calling on the Rashtrapati to tender the resignation of his Government. In the light of that, the Lok Sabha had been adjourned till the next day. He requested that the sitting of the Rajya Sabha might also be adjourned until the President had taken a view on that matter.

B. LEGISLATIVE BUSINESS

*The Appropriation (Vote-on-Account) Bill, 1991**: On 11 March 1991, the Deputy Minister in the Ministry of Finance and Deputy Minister in the Ministry of External Affairs, Shri Digvijay Singh moved:

That the Bill to provide for the withdrawal of certain sums from and

*The Bill, as passed by Lok Sabha, was laid on the Table of the House on 11 March 1991.

out of the Consolidated Fund of India for the services of the financial year 1991-92, as passed by the Lok Sabha, be taken into consideration.

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

The Constitution (Seventy-Fifth Amendment) Bill, 1991^{*}: On 12 March 1991, the Minister of State in the Ministry of Home Affairs, Shri Subodh Kant Sahay moved:

That the Bill further to amend the Constitution of India, as passed by the Lok Sabha, be taken into consideration.^{**}

The motion for consideration of the Bill, and the clauses, etc. were adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting and the Bill was passed on the same day.

The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1991^{***}: On 13 March 1991, the Minister of Parliamentary Affairs, Shri Satya Prakash Malaviya moved:

That the Bill further to amend the Salary, Allowances and Pension of members of Parliament Act, 1954 as passed by Lok Sabha, be taken into consideration.

The motion for consideration of the Bill and clauses, etc. were adopted and the Bill was passed on the same day.

C. QUESTION HOUR

During the Session, 5,086 notices of Questions (4,570 Starred and 516 Unstarred) were received. Out of these, 199 Starred Questions and 1,278 Unstarred Questions were admitted. One Short Notice Question was received but it was not admitted. After the lists of Questions were printed, One Starred Question and 23 Unstarred Questions were transferred from one Ministry to another.

Daily Average of Questions: Each of the lists of Starred Questions contained 19 to 20 question. On an average, four questions were orally answered per sitting on the floor of the House. The maximum number of questions orally answered were six on 4 March 1991 and the minimum number of questions orally answered were three on 26 February 1991.

^{*}The Bill, as passed by Lok Sabha, was laid on the Table of the House on 11 March 1991. This Bill was later renumbered as the Constitution (Sixty-Eighth Amendment) Bill, 1991.

^{**}The Bill sought to amend clause 4 of Article 356 of the Constitution to facilitate the extension of the Presidential Proclamation of Emergency in Punjab up to a total period of five years.

^{***}The Bill, as passed by Lok Sabha, was laid on the Table of the House on 13 March 1991. This Bill was introduced as the Salary, Allowances and Pension of Members of Parliament (Second Amendment) Bill, 1991.

The minimum number of Questions admitted in Unstarred Questions lists was 74 on 28 February 1991 and their maximum number was 192 on 8 March 1991. Their average came to 128.

Half-an-Hour Discussions: Only one Notice of Half-an-Hour Discussion was received and admitted but it was not discussed.

Statement correcting answers to Questions: Only one statement correcting answer to Questions replied in the House was made by the Minister concerned.

D. OBITUARY REFERENCES

During the Session, references were made to the passing away of Sarvashri A. Abdul Razak, Syed Shahedullah, Prithwi Nath, P.N. Kathju, U.N. Mahidaj, Dr. Raghbir Singh and Shrimati Purabi Mukhopadhyay, all former members. Members stood in silence for a short while as a mark of respect to the deceased.

STATE LEGISLATURES

GUJARAT LEGISLATIVE ASSEMBLY*

The Tenth (Budget) Session of the Eighth Gujarat Legislative Assembly commenced on 11 February 1991 and ended on 27 March 1991.

Governor's Address: The Governor of Gujarat, Dr. Sarup Singh, addressed the House on the opening day on 11 February.

Election of Speaker: Consequent upon the resignation of Shri Shashikant Lakhani from the office of Speaker with effect from 12 November 1990, Deputy Speaker Shri Manubhai Parmar assumed office of the Speaker till the election of a new incumbent.

On 11 February, Shri Himmatlal Mulani of Janata Dal was elected unopposed as the Speaker.

Financial Business: Finance Minister Shri Chhabildas Metha presented the Budget for the year 1991-92 on 20 February. There was general discussion on the Budget for 3 days. Out of 98 Demands for Grants, 51 were discussed in the House and the remaining were guillotined on 25 March. The Appropriation Bill, 1991 was introduced, considered and passed by the House on 27 March.

The statement of Supplementary expenditure for the year 1990-91 was presented on 13 February and discussed for 2 days. Out of 88 Demands for Grants, 24 were discussed in the House and the remaining were guillotined on 22 February. The Supplementary Appropriation, 1991 was passed by the House on 26 February.

* Material contributed by the Gujarat Legislative Assembly Secretariat.

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY*

The Seventh Himachal Pradesh Vidhan Sabha commenced its Fourth Session on 14 February 1991 and was adjourned *sine die* on 20 March 1991. The House was prorogued on the same day.

Governor's Address: The Governor of Himachal Pradesh addressed the House under article 176 of the Constitution on the opening day on 14 February.

Financial Business: On 22 February Chief Minister Shri Shanta Kumar, who also holds the Finance portfolio, presented the final batch of Supplementary Budget for the financial year 1990-91 and the general discussion thereon was held on 25 and 26 February. The necessary Appropriation Bill was introduced, considered and passed by the House on 27 February. The Excess Demands over-Grants for the financial year 1987-88 were presented on 27 February and the necessary Appropriation Bill was considered and passed on 4 March. On 6 March 1991, the Chief Minister presented the Budget Estimates for the financial year 1991-92, which was discussed and passed by the House on 19 March.

Obituary References: On 18 February 1991 and 8 March 1991, the House paid homage to two former members of the Assembly late Shri Dhinoor Ram and Mehar Singh Thakur respectively.

MADHYA PRADESH LEGISLATIVE ASSEMBLY**

The Ninth Madhya Pradesh Vidhan Sabha commenced its Fourth Session on 11 March 1991 and was adjourned *sine die* on 27 March 1991. There were 13 sittings in all.

Governor's Address: The Governor of Madhya Pradesh, Kunwar Mehmood Ali Khan, addressed the House on the opening day. The Motion of Thanks on the Governor's address was moved by Shri Chandra Shekhar Sahu which came up for discussion on 18 March and was adopted by the House on 22 March.

Financial Business: On 18 March, the second supplementary Bill for the year 1990-91 was introduced and was passed by the House. The Vote on Account for four months of the year 1991-92 was presented on 19 March and was adopted by the House on 21 March, along with its Appropriation Bills.

Motion of No-confidence: A motion of No-confidence in the council of Ministers, given notice of by Shri Shyama Charan Shukla, leader of opposition on 25 March, was discussed on 26 and 27 March. The motion was later rejected by a voice vote.

Obituary References: On 12 March, rich tributes were paid to Sarvashri

*Material contributed by the Himachal Pradesh Legislative Assembly Secretariat.

**Material contributed by the Madhya Pradesh Legislative Assembly Secretariat.

Bhaiyalal Sirolia, Mahadev Joshi, Kadorelal Chaudhary, Vallabdas, Mahajan, Sharif Master, all former MLAs, and Dr. Raghuvèer Singh, former Member of Parliament. On 15 March, tribute was also paid to Pandit Ayodhya Prasad Sharma, a former member of the Assembly.

ORISSA LEGISLATIVE ASSEMBLY*

The Orissa Legislative Assembly commenced its Fourth Session on 19 February 1991 and adjourned *sine die* on 30 March.

Financial Business: The second Supplementary Demands for 1990-91 and Annual Budget for 1991-92 were presented by the Minister of Finance in the House. The second Supplementary Demand for 1990-91 was put to guillotine and voted. The supplementary Demand for 1990-91 for the Revenue Department was voted after being discussed for two days. The House also passed two Appropriation Bills, one on Second Supplementary Budget for the year 1991-92 and the other on Annual Budget for the same year.

SIKKIM LEGISLATIVE ASSEMBLY**

The Fourth legislative Assembly of Sikkim commenced its Budget Session on 4 March 1991 and was adjourned *sine die* on 8 March 1991.

Governor's Address: The Governor of Sikkim, Shri R.H. Tahiliani, addressed the House on the opening day. The Motion of Thanks to the Governor's address was moved by the Leader of the House and Chief Minister, Shri N.B. Bhandari. The Motion was discussed and unanimously adopted by the House.

Financial Business: The statement of Supplementary Demands for Grants for the year 1990-91 was presented by the Chief Minister who also holds the Finance portfolio on 4 March. The demands were discussed and unanimously passed by the House on 5 March. The relevant Appropriation Bill was also passed by the House on 5 March.

TRIPURA LEGISLATIVE ASSEMBLY***

The Ninth Session of Sixth Tripura Legislative Assembly commenced on 28 January 1991 and was adjourned *sine die* on 15 February 1991.

Governor's Address: The Governor of Tripura inaugurated the Session with an address to the House on 28 January. The Motion of Thanks to the Governor's address was moved on the same day by the Government Chief Whip. Discussion on the Motion of Thanks commenced on the next day and concluded on 31 January.

Financial Business: On 4 February, the Chief Minister placed the Annual Budget for the year 1991-92 and Supplementary Budget for the year

*Material contributed by the Orissa Legislative Assembly Secretariat.

**Material contributed by the Sikkim Legislative Assembly Secretariat.

***Material contributed by the Tripura Legislative Assembly Secretariat.

1990-91 before the House. The general discussion on the Demands for Supplementary Grants continued for three days and were duly passed. The Appropriation Bill relating to the Supplementary Grants was passed on 13 February. General discussion on the main Budget for 1991-92 took place for two days and demand-wise discussion for three days. All Demands for Grants were duly passed by the House. The Appropriation Bill relating to the Main Budget was also passed on 15 February.

Motion of No-Confidence: A Motion of No-Confidence in the Council of Ministers, given notice of by Shri Nripen Chakravarty, Leader of Opposition, on 31 January was discussed in the House on 8 February and was rejected by a voice vote.

Obituary References: On 28 January, the House made obituary references to the passing away of Sarvashri Prafulla Chandra Sen, former Chief Minister of West Bengal, Kamalapati Tripathi, former Union Minister and former Chief Minister of Uttar Pradesh, Maulana Abdul Latif, former Minister of Tripura, Sabyasachi Mukherjee, Chief Justice of the Supreme Court and Shyamal Saha, former member of the Tripura Assembly.

UTTAR PRADESH LEGISLATIVE ASSEMBLY*

The Budget Session of the Uttar Pradesh Legislative Assembly was held in two phases. The first phase commenced on 21 January 1991 and was adjourned *sine die* on January 25 1991. The second phase of the Session commenced on 20 February 1991 and concluded on 12 March 1991 after passing the annual Budget.

Governor's Address: The Governor of Uttar Pradesh addressed the members of the two Houses assembled together on the opening day.

Financial Business: On 21 February the first Supplementary Grants for the year 1990-91 were presented in the House and on the next day, the supplementary Grants and the Appropriation Bill relating thereto were passed by the House.

On 22 February, the Chief Minister Shri Mulayam Singh Yadav, who also holds the Finance portfolio, presented the Annual Budget for 1991-92. Thereafter, Vote-on-Account for the first five months of the Financial year 1991-92 was adopted and the relevant Appropriation Bill was passed. General discussion on the Budgetary grants took place on 12 March 1991 and the necessary Appropriation Bill was passed on the same day itself after voting on relevant demands and the House was adjourned *sine-die* thereafter.

*Material contributed by the Uttar Pradesh Legislative Assembly Secretariat.

Obituary References: On 24 January, the House made obituary references to the passing away of 12 former members of the Assembly, including Mrs. Vijaylakshmi Pandit. Members also paid tributes to the memory of Dr. Ram Kumar Verma and Shri Srinarain Chaturved; two noted Hindi literateures. On 20 February, the House paid homage to three sitting members, viz. Shri Bhopal Singh, Sri Babu Singh and Shri Dashrath Singh and four former members of the Assembly.

BOOK REVIEW

R.S. Ramachandran (Ed.) **WATCHING OVER A WATCH DOG.** (A Critique of the Working of C.A.G.) (New Delhi: Ashish Publishing House), 1991. (Pages 188) Price: Rs. 150/-.

This is a very timely publication. When the memories of the controversy over Comptroller and Auditor General's (CAG) role in disclosing violation of financial norms and accounting irregularities pertaining to Bofors and counter trade are still in the air, it is hoped this book will generate discussion amongst the discerning public. The discerning public will no doubt stand by the C.A.G. and uphold his constitutional right to bring to book financial lapses on the part of Administration.

The former C & A.G., Shri T. N. Chaturvedi, is forthright in explaining in Chapter I, the misgivings about the fear of victimisation of officials associated with audit reports critical of the administrative machinery. Shri. Chaturvedi says: '... one does have some professional hazard every where, I do not think that the morale of my people is down on this count. So why harbour misgivings?' No doubt audit officers discharge their duty without any fear or favour, but their one year's labour can go waste, if the parliamentary Committee on Public Accounts (PAC) does not pursue audit reports and summon the head of the department concerned to explain the financial or accounting lapses brought out by Audit in its reports. Shri. Santosh Mohan Dev, former Chairman PAC, in his 'Foreword' says: 'When the information is made available by the CAG, it may not be very easy for the departments to get away with the points and prevent the Committee from reaching the truth'. Similarly, Sir Edward Bridges (Member of the British House of commons) had once said: 'The Comptroller and Auditor-General puts up a lot of game for the Committee (PAC) to have a shot at'.

When in 1962, certain conflicting views were expressed in the Lok Sabha over the scope and extent of administrative audit conducted by the C.A.G., the PAC with a view to clearing those doubts examined the entire matter with reference to the constitutional and legal provisions and practices obtaining in U.K. and the United States of America and opined: '... it is the duty of Audit to see that administrative action is not only in conformity of financial rules and procedure but it is also proper and does not result in any extravagance, loss or infructuous expenditure'. CAG is no doubt a creation of the Constitution and his duties and functions are laid down in the parliamentary enactments, but the PAC has played a substantial role in extending his functions from an ordinary auditor to a performance and achievement auditor. His assistance, in turn to the

Committee too has been remarkable. To quote Shri. Santosh Mohan Dev again: 'The efficient functioning of the Public Accounts Committee depends largely on the assistance given to it by the Comptroller and Auditor General'. In the sixties, when Shri R. R. Morarka was the Chairman of the PAC, though he belonged to the ruling party as at that time the convention of having PAC Chairman from the Opposition had not been adopted by the Parliament, the bureaucrats were terribly afraid to appear before the PAC. One senior officer in a private conversation admitted that they (bureaucrats) had many 'sleepless nights' before coming to the Committee meetings. It was also rumoured at that time that some senior Secretaries of government had complained to the Prime Minister against Shri Morarka's way of questioning and his leaning heavily on the CAG and his office. The CAG is the trusted 'friend and philosopher' of the Committee; he sits by the side of the PAC Chairman and is seen briefing him frequently at Committee meetings. The audit report (Defence Services, 1965-66) contained an innocent para about air dropping of supplies in NEFA, but it became a hot issue of discussion in Parliament when the PAC report (55th-Third Lok Sabha) was presented. Against all rules and parliamentary conventions, the Speaker had to allow discussion on that report on the persistent demand of the members of Lok Sabha. It is not intended to decry the role of CAG, rather to emphasise that with his assistance the Committee can really reach the depth of any irregularity, financial or administrative. No one can forget the crucial role played by the CAG in the early years after independence, in helping to lay sound and essential financial and fiscal principles and in evolving machinery to oversee government's financial management and expending activities.

The Editor, Shri Ramachandran, in Chapter 4 'Audit, Public and the Press', complains about the 'provocative captions in newspapers', which, according to him, put the CAG officials in an 'embarrassing situation for no faults of theirs'. Shri Ramachandran perhaps forgets that the Audit has no power other than reporting to the Parliament. It cannot insist on departments accepting or complying with its views; the Audit has neither teeth to bite nor lungs to shout. The Press no doubt 'sensationalises' the contents of audit reports, but it also informs the public and members of parliament. Otherwise, the audit reports will 'remain on the shelf and gather dust'.

In Chapter 7 'Audit of Public Enterprises', Shri B.P. Mathur rightly points out: 'It is, however, noticed that there are attempts by the executive to evade parliamentary control'. Shri Mathur is perhaps not aware of the difficulties and long persuasions, even to make the Committee on Public Undertakings (COPU) agree to seek CAG's assistance while examining public enterprises on the basis of audit paras. COPU was constituted in 1964 and from 1967 onwards the CAG was associated with it for helping in examining the public undertakings for the irregularities mentioned in the audit report (Commercial). While moving a motion for constituting the

Committee on Public Undertakings in 1963 in the Lok Sabha, a suggestion was made that the Committee might have an officer of the status of CAG to assist it. Turning down the suggestion the then Minister of Industry, Shri. Kanungo said: 'An economist can be brilliant. But the Secretariat of Parliament knows the mind of Parliament much better than any body else. After all, this Committee is meant to serve the House'. It was also feared that to bring public enterprises under the purview of CAG would amount to a 'Grand Inquisition' into the nationalised industries. Shri Mathur concludes the Chapter counselling: 'While there is need to enforce accountability for use of public funds, the institution of CAG could do some introspection and streamline a few areas of its working. The staff which is deputed to do primary audit is at a relatively junior level and not fully equipped to meet challenges of 'Value for Money Audit' which high technology industries demand'. Shri. Mathur further adds: 'In USA, the General Accounting Office recruits engineers, computer specialists and economists to give more professional touch to its reports'. The Comptroller-General of the United States, Mr. Elmer B. Staats, while addressing young auditors advised: 'I believe that management or operational auditing to be successful must start modestly and expand slowly. There must be a gradual development built on experience gained—the auditor must walk before attempting to run.... In examining into management or operational problems, the financial auditor is no longer on his home ground. He is in the territory of the manager who knows that territory much better than he does. Therefore, it behoves the auditor who is expanding his efforts beyond financial and accounting matters to develop his competence gradually but surely'.

In the Conclusion titled 'Burying Bofors', Shri. Ramachandran laments that 'it is all the more regrettable that the Chandra Shekhar Government should seek to dismiss the Bofors pay-off lightly'. Bofors had a political birth, it had engulfed the national scene before the presentation of Audit report. Since Audit has brought out financial impropriety and disregard of efficiency norms, it is hoped, a reconstituted PAC will examine in-depth this issue and the conflicting views expressed in the last debate in the Parliament on the role, powers and functions of CAG and his office. The PAC will surely not allow the constitutional 'watch dog' over public finance to be weakened by any person or party however high he or it may be.

There seems to be an unusual hurry or pressure to see the book in print in as much as there are, at places, repetitions which are quite obvious.

RECENT LITERATURE OF PARLIAMENTARY INTEREST

I. BOOKS

Aggarwala, K.B. and Raizada, R. K. ed.: *Comparative Constitutionalism*. Jaipur University Book House, 1990.

Arkes, Hadley: *Beyond the Constitution*. Princeton, Princeton University Press, 1990.

Dryzek, John: *Discursive Democracy: Politics, Policy and Political Science*. Cambridge, Cambridge University Press, 1990.

(Examines how political process can be made more vital and meaningful and shows how such an invigorated process will serve as effective agent for solving social problems.)

Ferejohn, John A. and Kuklinski, James H. ed.: *Information and Democratic Processes*. Urbana, University of Illinois Press, 1990.

Glennon, Michael J: *Constitutional Diplomacy*. Princeton, Princeton University Press, 1990.

(Probes the important foreign policy responsibility given to U.S. Congress by the Constitution and the duty given to the courts for resolving disputes between Congress and the President concerning the power to make foreign policy. Also reviews the scope of the prime tools of diplomacy and examines the concept of national security.)

INDIA. Lok Sabha Secretariat: *The Constitution and the Constituent Assembly*. New Delhi, 1990.

(Contains important speeches by eminent personalities like Dr. Rajendra Prasad, Jawaharlal Nehru, Sardar Patel, Dr. Radhakrishnan and Dr. B.R. Ambedkar and others, delivered in the Constituent Assembly on various occasions.)

INDIA. Lok Sabha Secretariat: *Political Events Annual: 1989*, New Delhi, 1990.

(An annotated chronology of national and international political events of the year 1989.)

INDIA. Lok Sabha Secretariat: *Lohia and Parliament*. New Delhi, 1991.

(Profiles the great leader and theoretician. Also contains articles by Dr. Lohia's contemporaries and close associates and excerpts from his select speeches in Parliament. Includes tributes paid to him in

both Houses of Parliament on his demise as also excerpts from speeches by several dignitaries at Dr. Lohia's birth anniversary celebrations held under the auspices of the Indian Parliamentary Group in 1990.)

INDIA. Lok Sabha Secretariat: *Parliament of India: the Eighth Lok Sabha 1985-89: A Study*. New Delhi, Northern Book Centre, 1991.

Kashyap, Subhash C.: *Office of the Speaker and Speakers of the Lok Sabha*. Delhi, Shipra Publications, 1991.

(Discusses the origin and evolution of the Office of the Speaker, its role and functions, relationship with political parties, election procedure, etc.)

Mehta, Haroobhai and Patel, Hasmukh ed: *Dynamics of Reservation Policy: Mandal Commission and After*, 2nd ed. New Delhi, Patriot Publishers, 1991.

(Evaluates the work and recommendations of all major central and state Commissions instituted for the uplift of backward classes and analyses the report of the Mandal Commission.)

Mehta, S.M.: *Commentary on Indian Constitutional Law: with Constitution of India, 1949 and Constitution Amendment Acts(1951-1990)*, 2nd ed. New Delhi, Deep and Deep Publications, 1990.

Norris, Pippa: *British bye-elections: the Volatile Electorate*. Oxford, Clarendon Press, 1990.

(Deals with changes in campaigns, contrasting the stable bye-elections of the Post-War decade with the more volatile one characteristic of today in Great Britain.)

Osborne, David: *Laboratories of Democracy*. Boston, Harvard Business School Press, 1990.

(Discusses the new approaches hammered out by the Governors of different States of the United States to the economic and social problems created by the transition to a post-industrial economy.)

Parker, John W.: *Kremlin in Transition*. Boston, Unwin Hyman, 1991.

Rao, Chandrasekhar and Prasad, V.S. ed.: *Indian Constitution and Polity*. New Delhi, Sterling Publishers, 1991.

(Gives an in-sight into the origins, ideology and the struggle involved in the transformation of the constitutional framework to the demands of the polity.)

Sengupta, Pradip Kumar: *India: Constitutional Dynamics in a Changing Polity*. Allahabad, Chugh Publications, 1991.

(Explores the nature and character of constitutional dynamics as manifested through amendments in India and its interactions with the Indian political process during the first three decades.)

Shaha, Rishikesh: *Politics in Nepal, 1980-1990: Referendum, Stalemate*

and *Triumph of Peoples Power* 2nd rev. ed. New Delhi, Manohar Publications, 1990.

Simpson, Jeffrey: *Spoils of Power the Politics of Patronage*. Ontario, Collins Publishers, 1988.

Singh Hoshiar and Singh D.P. ed.: *Indian Administration: Current Issues and Problems*. Jaipur, Aalekh Publishers, 1990.

White, Stephen, Pravda, Alex and Gitelman Zvi ed.: *Developments in Soviet Politics*. Houndmills, Macmillan, 1990.

II. ARTICLES

Arreaza, Aurelio: "Decentralised Democracies". *Freedom First*, No. 408, January-March 1991, pp. 41-42.

(Highlights the functioning of democratic form of Governments in underdeveloped countries)

Burney, Syed Muzaffar Husain: Indian Constitution and National Integration. *The Journal of Parliamentary Information*, Vol. XXXVII, No. 1, pp. 12-15.

Debroy, Bibek: "Changing Face of East Europe". *Foreign Trade Review*, Vol. 25, No. 7, April-June 1990, pp. 80-111.

(Examines the changes taking place in the economic sphere in East European Countries in the light of the changed Political scenerio there.)

Ghosh, Shyamoli: "Bangladesh Again at Cross roads". *Mainstream*. Vol. 29, No. 9, 22 December 1990, pp. 13-14.

(Deals with the political developments in Bangladesh)

Harshe, Rajen: "Changing World and India: Some Reflections on Democracy and Development". *Janata*, Vol. 46, Nos. 1-3, Annual 1991, pp. 12-15.

(Emphasises the need for the reformation of India's democratic process to keep pace with the changing world.)

Hong Shi: "China's Political Developments after Tiananmen: Tranquility by Default". *Asian Survey*, Vol. 30, No. 12, December 1990, pp. 1206-17.

Maier, Jurgen: "Green Parties in Europe". *International Affairs*, No. 11, November 1990, pp. 24-31.

(Comments on the emergence of environmentalists as political leaders in Europe.)

Mohammad, Moazzam Ali: "Constitutional Development in the Soviet Union: The Gorbachev Years". *Strategic Analysis*, Vol. 13, No. 10, 19 January pp. 1173-1205.

Ramalingam, R. and Kurup, K. N.: "Plan Transfers to States: Revised

Gadgil Formula: An Analysis". *Economic and Political Weekly*, Vol. 26, Nos. 9 and 10, 2-9 March 1991, pp. 501-506.

(Examines the trends in Plan transfers to States under the original Gadgil formula together with a focus on the rationale behind the revised Gadgil formula and its likely impact on the plan outlays of the States).

Rao, Dr. V.K.R.V.: "Indian Constitution and Development Planning". *The Journal of Parliamentary Information*, Vol. XXXVII. No. 1 pp. 16-21.

Rustow, Dankwart A.: "Democracy: A Global Revolution". *Foreign Affairs*, Vol. 69, No. 4, Fall 1990, pp. 75-91.

(Analyses the democratic process throughout the world since World War II)

Sen, S.R.: "Electoral System": Urgency of Basic Reforms". *Economic and Political Weekly*, Vol 26, No. 6, 9 February, 1991, pp. 282-83.

Sen, S.R.: "Reforming Our System of Government". *Economic and Political Weekly*, Vol. 26, No. 9 and 10, 2-9 March 1991, pp. 485-88.

(Proposes to reform India's present system of Government through amendments in Articles 74, 75 and 164 of the Constitution.)

Tianjian, Shi: "Democratic Movement in China in 1989: Dynamics and Failure". *Asian Survey*, Vol. 30, No. 12, December 1990, pp. 1186-1205.

(Analyses the reasons for the failure of students' movements for democracy in China).

APPENDIX I

STATEMENT SHOWING THE WORK TRANSACTED DURING THE SIXTH SESSION OF THE NINTH LOK SABHA

1. PERIOD OF THE SESSION	27 December 1990 to 11 January 1991
2. NUMBER OF SITTINGS HELD	10
3. TOTAL NUMBER OF SITTING HOURS	68 hours & 21 minutes
4. NUMBER OF DIVISIONS HELD	1
5. GOVERNMENT BILLS	
(i) Pending at the commencement of the Session	25
(ii) Introduced	9
(iii) Laid on the Table as passed by Rajya Sabha,	1
(iv) Returned by Rajya Sabha with any amendment and laid on the Table	1
(v) Referred to Select Committee	Nil
(vi) Referred to Joint Committee	Nil
(vii) Reported by Select Committee	Nil
(viii) Reported by Joint Committee	Nil
(ix) Discussed	11
(x) Passed	11
(xi) Withdrawn	Nil
(xii) Negatived	Nil
(xiii) Part-discussed	1
(xiv) Discussion postponed	Nil
(xv) Returned by Rajya Sabha without any recommendation	4
(xvi) Motion for concurrence to refer the Bill to Joint Committee adopted	2
(xvii) Pending at the end of the Session	24**
6. PRIVATE MEMBERS' BILLS	
(i) Pending at the commencement of the Session	126
(ii) Introduced	13
(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	1
(x) Negatived	Nil
(xi) Circulated for eliciting opinion	Nil
(xii) Part-discussed	1
(xiii) Discussion postponed	Nil
(xiv) Motion for circulation of Bill negatived	Nil
(xv) Referred to Select Committee	Nil

* The Constitution (seventy-second) Amendment Bill, 1990.

** Including part discussed.

(xvi) Removed from the Register of Pending Bills	Nil
(xvii) Pending at the end of the Session	138
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 193 (Matters of Urgent Public Importance)	193
(i) Notices received	247
(ii) Admitted	12
(iii) Discussion held	3
(iv) Part discussed	1
8. NUMBER OF STATEMENTS MADE UNDER RULE 197 (Calling-attention to matters of urgent Public Importance)	
Statements made by Minister	3
9. MOTION OF NO CONFIDENCE IN COUNCIL OF MINISTERS	
(i) Notices received	Nil
(ii) Admitted and discussed	Nil
(iii) Barred	Nil
10. HALF-AN-HOUR DISCUSSIONS HELD	Nil
11. STATUTORY RESOLUTIONS	
(i) Notices received	15
(ii) Admitted	13
(iii) Moved	5
(iv) Adopted	2
(v) Negatived	Nil
(vi) Withdrawn	3
12. GOVERNMENT RESOLUTIONS	
(i) Notices received	1
(ii) Admitted	1
(iii) Moved	1
(iv) Adopted	1
13. PRIVATE MEMBERS' RESOLUTIONS	
(i) Received	3
(ii) Admitted	3
(iii) Discussed	2
(iv) Adopted	Nil
(v) Negatived	Nil
(vi) Withdrawn	1
(vii) Part-discussed	1
(viii) Discussions postponed	Nil
14. GOVERNMENT MOTIONS	
(i) Notices received	2
(ii) Admitted	2
(iii) Discussed	Nil
(iv) Adopted	Nil
(v) Part-discussed	Nil
15. PRIVATE MEMBERS' MOTIONS	
(i) Notices received	194
(ii) Admitted	102
(iii) Moved	Nil
(iv) Discussed	Nil

(v) Adopted	Nil
(vi) Negatived	Nil
(vii) Withdrawn	Nil
(viii) Part-discussed	Nil
16. MOTION RE: MODIFICATION OF STATUTORY FILE	
(i) Received	Nil
(ii) Admitted	Nil
(iii) Moved	Nil
(iv) Discussed	Nil
(v) Adopted	Nil
(vi) Negatived	Nil
(vii) Withdrawn	Nil
(viii) Part-discussed	Nil
17. NUMBER OF PARLIAMENTARY COMMITTEES CONSTITUTED IF ANY DURING THE SESSION	Nil
18. TOTAL NUMBER OF VISITORS, PASSES ISSUED DURING THE SESSIONS	15,647
19. TOTAL NUMBER OF VISITORS, PASSES ISSUED ON SINGLE DAY, AND DATE ON WHICH ISSUED	2145 on (28.12.90)
20. NUMBER OF ADJOURNMENT MOTIONS:	
(i) Brought before the House	31
(ii) Admitted and discussed	2
(iii) Barred in view of adjournment motion admitted on the subject	29
(iv) Consent withheld by Speaker outside the House	26
(v) Consent given by Speaker but leave not granted by the House	Nil
21. TOTAL NUMBER OF QUESTIONS ADMITTED:	
(i) STARRED	181
(ii) UNSTARRED (INCLUDING STARRED QUESTIONS CONVERTED AS UNSTARRED QUESTIONS)	2099
(iii) SHORT NOTICE QUESTIONS	

APPENDIX IA

STATEMENT SHOWING THE WORK TRANSACTED DURING THE SEVENTH SESSION OF THE NINTH LOK SABHA

1. PERIOD OF THE SESSION	21 February, 1991 to 12 March, 1991
2. NUMBER OF SITTINGS HELD	11
3. TOTAL NUMBER OF SITTING HOURS	50 hours and 12 minutes
4. NUMBER OF DIVISIONS HELD	8
5. GOVERNMENT BILLS	
(i) Pending at the commencement of the Session	24
(ii) Introduced	19
(iii) Laid on the Table as passed by Rajya Sabha	1
(iv) Returned by Rajya Sabha with any amendment and Laid on the Table	Nil
(v) Referred to Select Committee	Nil
(vi) Referred to Joint Committee.	Nil
(vii) Reported by Select Committee	Nil
(viii) Reported by Joint Committee	Nil
(ix) Discussed	20
(x) Passed	19
(xi) Withdrawn	1
(xii) Negatived	Nil
(xiii) Part-discussed	Nil
(xiv) Discussion postponed	Nil
(xv) Returned by Rajya Sabha without any recommendation	17
(xvi) Motion for concurrence to refer the Bill to Joint Committee adopted	Nil
(xvii) Pending at the end of the Session	24
6. PRIVATE MEMBERS' BILLS	
(i) Pending at the commencement of the Session	138
(ii) Introduced	9
(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	1
(x) Negatived	1
(xi) Circulation for eliciting opinion	Nil
(xii) Part-discussed	Nil
(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	145

7. NUMBER OF DISCUSSIONS HELD UNDER RULE 193 (Matters of Urgent Public Importance)	
(i) Notices received	277
(ii) Admitted	5
(iii) Discussion held	Nil
(iv) Part discussion	Nil
8. NUMBER OF STATEMENTS MADE UNDER RULE 197 (Calling attention to matters of Urgent Public Importance)	
Statements made by Minister	Nil
9. MOTION OF NO CONFIDENCE IN COUNCIL OF MINISTERS	
(i) Notices received	Nil
(ii) Admitted and discussed	Nil
(iii) Barred	Nil
10. HALF-AN-HOUR DISCUSSIONS HELD	
	Nil
11. STATUTORY RESOLUTIONS	
(i) Notices received	6
(ii) Admitted	6
(iii) Moved	6
(iv) Adopted	6
(v) Negatived	—
(vi) Withdrawn	—
12. GOVERNMENT RESOLUTIONS	
(i) Notices received	2*
(ii) Admitted	2
(iii) Moved	2
(iv) Adopted	2
13. PRIVATE MEMBERS' RESOLUTIONS	
(i) Received	6
(ii) Admitted	6
(iii) Discussed	Nil
(iv) Adopted	Nil
(v) Negatived	Nil
(vi) Withdrawn	Nil
(vii) Part-discussed	1 (from 6 Session)
(viii) Discussions postponed	Nil
14. GOVERNMENT MOTIONS	
(i) Notices received	1
(ii) Admitted	1
(iii) Discussed	Nil
(iv) Adopted	Nil
(v) Part-discussed	Nil
15. PRIVATE MEMBERS' MOTIONS	
(i) Notices received	272
(ii) Admitted	112

* including one resolution placed before the House by the Chair.

(iii) Moved	Nil		
(iv) Discussed	Nil		
(v) Adopted	Nil		
(vi) Negatived	Nil		
(vii) Withdrawn	Nil		
(viii) Part-discussed	Nil		
16. MOTION REGARDING MODIFICATION OF STATUTORY RULE			
(i) Received	Nil		
(ii) Admitted	Nil		
(iii) Moved	Nil		
(iv) Discussed	Nil		
(v) Adopted	Nil		
(vi) Negatived	Nil		
(vii) Withdrawn	Nil		
(viii) Part-discussed	Nil		
7. NUMBER OF PARLIAMENTARY COMMITTEES CONSTITUTED IF ANY DURING THE SESSION	Nil.		
18. TOTAL NUMBER OF VISITORS' PASSES ISSUED DURING THE SESSION	7958		
19. TOTAL NUMBER OF VISITORS' PASSES ISSUED ON SINGLE DAY, AND DATE ON WHICH ISSUED	1092 on 22.2.91		
20. NUMBER OF ADJOURNMENT MOTIONS:			
(i) Brought before the House	50		
(ii) Admitted and discussed	2		
(iii) Barred in view of adjournment motion admitted on the subject	48		
(iv) Consent withheld by Speaker outside the House	55		
(v) Consent given by Speaker but leave not granted by the House	Nil		
21. TOTAL NUMBER OF QUESTIONS ADMITTED			
(i) Starred	160		
(ii) Unstarred (including Starred Questions converted as Unstarred Questions)	1816		
(iii) Short-Notice Questions	Nil		
22. WORKING OF PARLIAMENTARY COMMITTEES			
Sl. No.	Name of the Committee	No. of Sittings held during 1 January to 31 March 1991	No. of Reports presented to the House during the Session.
1	2	3	4
(i)	Business Advisory Committee	4	3
(ii)	Committee on Absence of Members	—	—
(iii)	Committee on Public Undertakings	14	3
(iv)	Committee on Papers laid on the Table	—	—
(v)	Committee on Petitions	1	1
(vi)	Committee on Private Members Bills and Resolutions	3	3
(vii)	Committee on the Welfare of Scheduled Caste and Scheduled Tribes	8	4

1	2	3	4
(vii)	Committee of Privileges	7	2
(ix)	Committee on Government Assurances	—	—
(x)	Committee on Subordinate Legislation	1	2
(xi)	Estimates Committee	—	—
(xii)	General Purposes Committee	—	—
(xiii)	House Committee	—	—
	(a) Accommodation Sub-Committee	—	—
	(b) Sub-Committee on Amenities	—	—
	(c) Sub-Committee on Furnishing	—	—
(xiv)	Public Accounts Committee	14	5
(xv)	Railway Convention Committee	3	2
(xvi)	Rules Committee	—	—
JOINT / SELECT COMMITTEES			
(i)	Joint Committee on Offices of Profit	2	—
(ii)	Joint Committee on Salaries and Allowances of Members of Parliament	1	—
(iii)	Joint Committee on Railways Bill, 1986		—
SUBJECT COMMITTEES			
(i)	Subject Committee on Environment and Forests	2	—
(ii)	Subject Committee on Agriculture	—	—
(iii)	Subject Committee on Science and Technology	3	—
23.	NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE		Nil
24.	PETITIONS PRESENTED	5 (4 in Sixth Session and 1 in Seventh Session)	
25.	NUMBER OF NEW MEMBERS SWORN IN WITH DATE		Nil

APPENDIX II

STATEMENT SHOWING THE WORK TRANSACTED DURING THE HUNDRED AND FIFTY SEVENTH SESSION OF RAJYA SABHA

1. PERIOD OF THE SESSION	21 February 1991 to 13th March 1991.
2. NUMBER OF SITTINGS HELD	12
3. TOTAL NUMBER OF SITTING HOURS	40 hours and 45 minutes.
4. NUMBER OF DIVISIONS HELD	5
5. GOVERNMENT BILLS	
(i) Pending at the Commencement of the Session	21
(ii) Introduced	1
(iii) Laid on the Table as passed by Lok Sabha	19
(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	19
(x) Passed	19
(xi) Withdrawn	1
(xii) Negatived	Nil
(xiii) Part-discussed	Nil
(xiv) Returned by Rajya Sabha without any recommendation	17
(xv) Discussion postponed	Nil
(xvi) Pending at the end of the Session	20
6. PRIVATE MEMBERS BILLS	
(i) Pending at the commencement of the Session	47
(ii) Introduced	4
(iii) Laid on the Table as passed by Lok Sabha	Nil
(iv) Returned by Lok Sabha with any amendment and laid on the Table	Nil
(v) Reported by Joint Committee	Nil
(vi) Discussed	1
(vii) Withdrawn	Nil
(viii) Passed	Nil
(ix) Negatived	Nil
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	1
(xii) Discussion postponed	Nil
(xiii) Motion for circulation of Bill negatived	Nil
(xiv) Referred to Select Committee	Nil
(xv) Lapsed due to retirement/Death of Member-in-charge of the Bill	Nil
(xvi) Pending at the end of the Session	51
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176 (Matters of urgent public importance).	
(i) Notices received	113

(ii) Admitted	4
(iii) Discussions held	Nil
8. NUMBER OF STATEMENTS MADE UNDER RULE 180 (Calling-Attention to matters of urgent Public Importance)	
Statements made by Ministers	Nil
9. HALF-AN-HOUR DISCUSSIONS HELD	Nil
10. STATUTORY RESOLUTIONS	
(i) Notices received	8
(ii) Admitted	6
(iii) Moved	6
(iv) Adopted	6
(v) Negatived	Nil
(vi) Withdrawn	Nil
11. GOVERNMENT RESOLUTIONS	
(i) Notices received	1
(ii) Admitted	1
(iii) Moved	1
(iv) Adopted	1
12. PRIVATE MEMBERS RESOLUTIONS	
(i) Received	7
(ii) Admitted	3 ^a
(iii) Discussed	Nil
(iv) Withdrawn	Nil
(v) Negatived	Nil
(vi) Adopted	Nil
(vii) Part-discussed	Nil
(viii) Discussion postponed	Nil
13. GOVERNMENT MOTIONS	
(i) Notices received	1
(ii) Admitted	1
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Part-discussed	Nil
14. PRIVATE MEMBERS' MOTIONS	
(i) Received	132
(ii) Admitted	170
(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

^a Discussion could not be taken up.

This included notices of Short Duration Discussion, which were admitted as No-Day-Yet-Named Motions (Private Members' Motions).

(iv) Adopted	Nil
(v) Negatived	Nil
(vi) Withdrawn	Nil
(vii) Part-discussed	Nil
16. NUMBER OF PARLIAMENTARY COMMITTEES CREATED, IF ANY DURING THE SESSION	Nil
17. TOTAL NUMBER OF VISITORS' PASSES ISSUED	1270
18. TOTAL NUMBER OF PERSONS VISITED	1651
19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED	169 (on 22 February 1991)
20. MAXIMUM NUMBER OF PERSONS VISITED ON ANY SINGLE DAY AND DATE ON WHICH VISITED	284 (on 11 March 1991)
21. TOTAL NUMBER OF QUESTIONS ADMITTED	
(i) Starred	199
(ii) Unstarred	1278
(iii) Short-Notice Questions	Nil
22. DISCUSSION ON THE WORKING OF THE MINISTRIES	Nil
23. WORKING OF PARLIAMENTARY COMMITTEES	

Name of Committee	No. of sittings held during the period 1 January to 31 March 1991	No. of Reports presented during the 157 Session
(i) Business Advisory Committee	2	Nil
(ii) Committee on Subordinate Legislation	6	Nil
(iii) Committee on Petitions	8	Nil
(iv) Committee of Privileges	1	Nil
(v) Committee on Rules	Nil	Nil
(vi) Committee on Government Assurances	8.	Nil
(vii) Committee on Papers Laid on the Table	5	Nil
(viii) Joint Committee on the Acquired Immuno Deficiency Syndrome (AIDS) Prevention Bill, 1989.	2	Nil
(ix) Joint Committee of the Houses on the Representation of the People (Amendment) Bill, 1990.	2	Nil
24. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE		— 2
25. PETITIONS PRESENTED		— Nil
26. NAME OF NEW MEMBERS SWORN IN WITH DATES		— Nil

27. OBITUARY REFERENCES

S.No.	Name	Sitting Member/ Ex-Member
1.	Shri A. Abdul Razak	Ex-Member
2.	Shri Syed Shahedullah	-do-
3.	Shri Prithwi Nath	-do-
4.	Dr. Raghbir Singh	-do-
5.	Shri P.N. Kathju	-do-
6.	Shri U.N. Mahida	-do-
7.	Shrimati Purabi Mukhopadhyay	-do-

APPENDIX III
STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF STATES AND UNION TERRITORIES
DURING THE PERIOD 1 JANUARY TO 31 MARCH 1991

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
1	2	3	4	5	6	7	8
STATES							
Andhra Pradesh L.A.	13.3.91 to 28.3.91	12	11(8)	—	635(114) ^(a)	49(208) ^(b)	69(5)
Assam L.A.®	18.3.91 to 20.3.91	3	2(2)	2(2)	99(84)	27(20)	—
Bihar L.A.	10.2.91 to 21.3.91	7	2(2)	—	618(116) ^(c)	(248)	(19)
Bihar L.C.**	—	—	—	—	—	—	—
Gujarat L.A.	11.2.91 to 27.3.91	31	17(14)	12	4944(2153)	—	68(11)
Goa L.A.	13.2.91 to 27.3.91	15	6(6)	4	322(182)	(110) ^(d)	—
Haryana L.A.	27.2.91 to 15.3.91	11	15(15)	—	392(226)	67(43)	1(1)
Himachal Pradesh L.A.	15.2.91 to 20.3.91	22	15(15)	—	1987(1101) ^(e)	148(295) ^(b)	1(1)
Jammu & Kashmir L.A.®	—	—	—	—	—	—	—
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—
Karnataka L.A.	1.3.91 to 27.3.91	19	18(17)	—	1814(280)	(1361)	2
Karnataka L.C.	1.3.91 to 27.3.91	19	(18)	(16)	846(293)	553(472)	6(1)
Kerala L.A.	4.3.91 to 4.4.91	20	5(6)	—	7786(828) ^(f)	(5405)	2(2)
Madhya Pradesh L.A.	11.3.91 to 27.3.91	13	6(6)	4	6582(303) ^(g)	(477)	4(1)
Maharashtra L.A.	6.3.91 to 22.3.91	13	11(11)	4	12,279(787)	211	82(8)
Maharashtra L.C.	6.3.91 to 22.3.91	13	—	4	3483(459)	—	25
Manipur L.A.	8.3.91 to 15.3.91	5	5(5)	—	70(58)	5(5)	5(3)
Meghalaya L.A.	18.3.91 to 24.91	11	7(7)	—	105(105)	61(61)	—

Mizoram L.A.	18.1.91 to 31.1.91 and 12.3.91 to 2.4.91 19.3.91 to 25.3.91	20	20(20)	—	295(288)	8(8)	—
Nagaland L.A.	—	5	2(2)	—	12(12)	2(2)	—
Orissa L.A.**	—	—	—	—	—	—	—
Punjab L.A.@@	—	—	—	—	—	—	—
Rajasthan L.A.	22.2.91 to 27.3.91	17	19(10)	2	2617(479)	2232(987)	—
Sikkim L.A.	4.3.91 to 8.3.91	5	4(4)	—	38(38)	—	2(2)
Tamil Nadu L.A.	18.1.91 to 25.1.91	6	19(17)	—	507(50)	(41)	8(8)
Tripura L.A.	28.1.91 to 15.2.91	15	8(8)	—	567(355)	63(147) ^(f)	1
Uttar Pradesh L.A.	21.1.91 to 12.3.91	13	10(18)	—	1380(348) ^(g)	428(1182) ^(h)	1156(156)
Uttar Pradesh L.C.	21.1.91 to 25.1.91	12	19(17)	—	3180(3138) ^(e)	118(154) ^(m)	444(102)
West Bengal L.A.	and 21.2.91 to 13.3.91 21.2.91 to 31.3.91	15	5(5)	—	1876(511)	506(103)	—
UNION TERRITORIES							
Delhi Metropolitan Council †	—	—	—	—	—	—	—
Pondicherry L.A.‡	—	—	—	—	—	—	—

*The Statement received from State Legislature contained nil report.

**Information not received from the State Legislature.

NOTES

(f) Figures in cols. 4 and 5 indicate the number, respectively, of Government and Private Members' Bills introduced with the number of Bills passed in brackets.

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

†President's Rule was imposed in the State from 27.11.1990 and the Assembly was kept under suspended animation since that day.

‡During Governor's Rule, the Assembly was dissolved on 19.2.1990 and the State was brought under President's Rule from 19.7.1990.

@@President's Rule was imposed in the State on 11.5.1987 and the Assembly was dissolved on that day.
 £Metropolitan Council of Delhi was dissolved on 13.1.1990.

\$ Pondicherry Legislative Assembly was dissolved on 4.3.1991.

- (a) The figure 114 includes Notices of Short Notice Questions admitted as Starred.
- (b) The figure 208 includes Notices of Short Notice Questions and Starred Questions admitted as Unstarred.
- (c) The figure 618 includes the total number of Notices received.
- (d) The figure 110 includes Notices of Starred Questions admitted as Unstarred.
- (e) The figure 1101 includes 2 notices postponed from the preceding Session.
- (f) The figure 295 includes Notices of 208 Starred Questions admitted as Unstarred and 4 Notices of Unstarred Questions from the preceding Session.
- (g) The figure 7786 includes the total number of Notices of Starred and Unstarred Questions received.
- (h) The figure 6582 includes the total number of Notices of Starred and Unstarred Questions received.
- (i) The figure 147 includes Notices of 84 Starred Questions admitted as Unstarred.
- (j) The figure 346 includes Notices of 233 Short Notice Questions admitted as Starred.
- (k) The figure 1182 includes Notices of 620 Starred Questions and 352 Notices of Short Notice Questions admitted as Unstarred.
- (l) The figure 3138 includes Notices of 298 Short Notice Questions admitted as Starred.
- (m) The figure 154 includes Notices of 35 Starred and 5 Short Notice Questions admitted as Unstarred.

APPENDIX-III (Contd.)

COMMITTEES AT WORK/NUMBER OF SITTINGS HELD AND NUMBER OF REPORTS PRESENTED

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Business Advisory Committee	2	5	1	—	—	5	6	5	5	—	—	4	5	—	—	—
Committee on Govt. Assurances	1(1)	1	—	—	—	—	—	—	2(1)	—	—	—	5(1)	—	—	—
Committee on Petitions	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Committee on Private Members' Bills and Resolutions	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Committee on Privileges	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Committee on Public Undertakings	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Committee on Subordinate Legislation	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Committee on Welfare of SC and ST	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Estimates Committee	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
General Purposes Committee	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
House/Accommodation Committee	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Library Committee	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Public Accounts Committee	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Rules Committee	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Joint/Select Committee	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Other Committees	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

STATES

Andhra Pradesh L.A.
 Arunachal Pradesh L.A.
 Assam L.A.⊙
 Bihar L.A.
 Bihar L.C.
 Gujarat L.A.
 Goa L.A.
 Haryana L.A.
 Himachal Pradesh L.A.
 Jammu & Kashmir L.A.⊙⊙

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Jammu & Kashmir L.C.																
Karnataka L.A.	3	5(2)	5	2(2)	2	11(2)	2(1)	24	4		5(1)		17		4	21(1)(f)
Karnataka L.C.	3	5	4	3(3)	8(1)	11(2)	2(1)	24	4		5(1)		17	2		
Kerala L.A.	4(3)	8(1)	13	9(5)	3(1)	12(9)	5	12(5)	12(4)		5	8	8(18)			9(17)(g)
Madhya Pradesh L.A.	4(3)	3(1)	5	2(2)		1(5)	4(1)	5	2				5(4)			9(3)(h)
Maharashtra L.A.	2(1)			3(3)	1	14(1)	9(1)	2	20(3)		2	1	14(2)	1	2	38(2)(f)
Maharashtra L.C.	2	14	5		1	14(1)	9(1)	2(3)	20(3)		2	1	14(2)	1	2	38(2)(f)
Manipal L.A.	1(1)	2	1				2		5				13		2	5(k)
Meghalaya L.A.	2	6			3	3	7(1)	4	6		1	2	9	4		
Mizoram L.A.		2(1)	2(2)						4		1	4	5(5)			
Nagaland L.A.	1	1(1)							1(4)				1(1)			
Orissa L.A.																
Punjab L.A. ⁶																
Rajasthan L.A.																
Rajasthan L.C.	3(3)	27	15(3)		20	17(3)	15	32	20(1)		6	17	11(22)	1		14(4)
Sikkim L.A.	1(1)	1(1)							2(1)		(1)		1(2)			
Tamil Nadu L.A.	1	(1)	3(7)			(5)	2		1				2(11)	1		4(m)
Tripura L.A.	1(1)		1			2(1)		3	1				2(1)			
Uttar Pradesh L.A.	8(7)	8(5)				1(6)	4(2)	3(1)	4				4	1		4(1)(n)
Uttar Pradesh L.C.	8(8)	12	13													51(2)(o)
West Bengal L.A.	7(7)	9(1)	3(2)		(1)	5	3(1)	5(1)	7		3		5(3)		6(1)	35(8)(p)
UNION TERRITORIES																
Delhi Metropolitan Council																
Pondicherry L.A.														3		

@President's Rule imposed in the State from 27.11.1960 and the Assembly was kept under suspended animation since that day.

@Assembly was dissolved on 19.2.1960

§Assembly was dissolved on 11.5.1967

£Assembly was dissolved on 13.1.1960

- OTES: Figures in the brackets indicate the number of reports presented to the House.
- (a) Amenities Committee—1 sitting; and Committee on Welfare of Backward Classes—8 sittings.
 - (b) Question and Calling Attention Committee—41 sittings and 1 report; Zila Panchayat and Zila Parishad Committee—65 sittings; and Nivedan Committee—87 sittings.
 - (c) Committee on Welfare of Socially and Educationally Backward Classes—4 sittings and 4 reports; Members' Allowances Rules Committee—1 sitting; Committee on Panchayati Raj—3 sittings and 2 reports; Committee on Absence of Members—1 sitting and 1 report; Committee on MLA's Hostel—1 sitting and 1 report; and Committee on the Papers laid on the Table of the House—2 sittings and 1 report.
 - (d) Press Gallery Committee—1 sitting.
 - (e) Committee on Papers Laid on the Table of the House—2 sittings and 1 report; Committee on Implementation of Official Language—1 sitting and 1 report; Committee on Forests, Environment and Allied Matters—2 sittings and 1 report; Committee on Agriculture, Horticulture and Allied Matters—3 sittings and 4 reports; and Committee on Tourism and other Allied Matters—4 sittings and 1 report.
 - (f) Backward Classes Committee—15 sittings; and Committee on Papers Laid on the Table—6 sittings and 1 report.
 - (g) Subject Committee (I)—1 sitting and 1 report; Subject Committee (II)—1 report; Subject Committee (III)—1 sitting and 2 reports; Subject Committee (IV)—1 report; Subject Committee (V)—2 sittings and 2 reports; Subject Committee (VI)—2 reports; Subject Committee (VII)—1 report; Subject Committee (VIII)—4 sittings and 4 reports; Subject Committee (IX)—1 report; and Subject Committee (X)—1 sitting and 2 reports.
 - (h) Committee to examine the Papers Laid on the Table—2 sittings; Questions and References Committee—2 sittings and 1 report; and Women and Childrens Welfare Committee—5 sittings and 2 reports.
 - (i) Catering Committee—9 sittings; Employment Guarantee Scheme Committee—14 sittings; and Panchayati Raj Committee—15 sittings and 2 reports.
 - (j) Catering Committee—9 sittings; Employment Guarantee Scheme Committee—14 sittings and Panchayati Raj Committee—15 sittings and 2 reports.

- (k) Hill Areas Committee—1 sitting; and Committee on the Examination of Forests—4 sittings.
- (l) Sub-Rules Committee—14 sittings.
- (m) Committee on Papers Laid on the Table of the House—2 sittings.
- (n) Questions and Reference Committee—2 sittings; and Committee on New Sound Control System of the Uttar Pradesh Legislative Assembly—2 sittings and 1 report.
- (o) Committee on Financial and Administrative Delays—11 sittings; Questions and Reference Committee—11 sittings; Committee on Subordinate Legislation—Compilation of Rulings—5 sittings and 1 report; Committee on Parliamentary Studies—1 sitting; Parliamentary and Social Goodwill Committee—12 sittings; and Rules Revision Committee—11 sittings and 1 report.
- (p) Subject Committee on Health and Family Welfare—5 sittings and 1 report; Subject Committee on Environment—3 sittings; Subject Committee on Panchayat—3 sittings and 1 report; Subject Committee on Education—2 sittings and 1 report; Subject Committee on Transport—6 sittings and 1 report; Subject Committee on Irrigation and Waterways—6 sittings and 2 reports; Subject Committee on Welfare—5 sittings and 1 report; and Ad-hoc Committee on the Questions of Subject Committees—5 sittings and 1 report.

APPENDIX IV

LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENTED TO BY THE PRESIDENT DURING THE PERIOD 1 JANUARY TO 31 MARCH 1991

S. No.	Title of the Bill	Date of assent by the President
1	2	3
1.	The Cantonments (Amendment) Bill, 1991	15.1.1991
2.	The Taxation Laws (Amendment) Bill, 1991	15.1.1991
3.	The Appropriation Bill, 1991	15.1.1991
4.	The Assam Appropriation Bill, 1991	15.1.1991
5.	The Jammu and Kashmir Appropriation Bill, 1991	15.1.1991
6.	The Public Liability Insurance Bill, 1991	22.1.1991
7.	The Salary and Allowances of Leaders of Opposition in Parliament (Amendment) Bill, 1991	22.1.1991
8.	The Reserve Bank of India (Amendment) Bill, 1991	25.1.1991
9.	The Reserve Bank of India (Second Amendment) Bill, 1991	25.1.1991
10.	The Jammu and Kashmir Criminal Law (Amendment) (Amending) Bill, 1991	25.1.1991
11.	The Chief Election Commissioner and other Election Commissioners (Conditions of Service) Bill, 1991	25.1.1991
12.	The Constitution (Sixty-eighth Amendment) Bill, 1991	12.3.1991
13.	The Appropriation (Railways) Vote on Account Bill, 1991	14.3.1991
14.	The Appropriation (Railways) Bill, 1991	14.3.1991
15.	The Appropriation (Railways) No. 2 Bill, 1991	14.3.1991
16.	The Appropriation (Vote on Account) Bill, 1991	14.3.1991
17.	The Appropriation (No. 2) Bill, 1991	14.3.1991
18.	The Appropriation (No. 3) Bill, 1991	14.3.1991
19.	The Finance Bill, 1991	14.3.1991
20.	The Punjab Appropriation (Vote on Account) Bill, 1991	14.3.1991
21.	The Punjab Appropriation Bill, 1991	14.3.1991
22.	The Assam Appropriation (Vote on Account) Bill, 1991	14.3.1991
23.	The Assam Appropriation (No. 2) Bill, 1991	14.3.1991
24.	The Jammu and Kashmir Appropriation (Vote on Account) Bill, 1991	14.3.1991
25.	The Jammu and Kashmir Appropriation (No. 2) Bill, 1991	14.3.1991
26.	The Tamil Nadu Appropriation (Vote on Account) Bill, 1991	14.3.1991
27.	The Tamil Nadu Appropriation Bill, 1991	14.3.1991
28.	The Pondicherry Appropriation (Vote on Account) Bill, 1991	14.3.1991
29.	The Pondicherry Appropriation Bill, 1991	14.3.1991

APPENDIX V

LIST OF BILLS PASSED BY THE LEGISLATURES OF STATES AND UNION TERRITORIES DURING THE PERIOD 1 JANUARY TO 31 MARCH 1991

STATES

ANDHRA PRADESH LEGISLATIVE ASSEMBLY

1. The Andhra Pradesh Co-operative Societies (Amendment) Bill, 1991.
2. The Andhra Pradesh Payment of Salaries and Pensions and Removal of Disqualifications (Amendment) Bill, 1991.
3. The Andhra Pradesh University Acts (Amendment) Bill, 1991.
4. The Andhra Pradesh Educational Service Untrained Teachers (Regulation of Services and Fixation of Pay) Bill, 1991.
5. The Andhra Pradesh Municipal Laws (Amendment) Bill, 1991.
6. The Andhra Pradesh Abolition of the Posts of Village Assistants Bill, 1991.
7. The Andhra Pradesh Appropriation (Vote-on-Account) Bill, 1991.
8. The Andhra Pradesh Appropriation Bill, 1991.

ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY

1. The Arunachal Pradesh Appropriation Bill, 1991.
2. The Arunachal Pradesh Appropriation (No. 2) Bill, 1991.

BIHAR LEGISLATIVE ASSEMBLY

1. The Bihar Appropriation, (Vote on Account Bill 1991).
2. The Bihar Appropriation Bill, 1991.

GOA LEGISLATIVE ASSEMBLY

1. The Goa Agricultural Tenancy (Amendment) Bill, 1991.
2. The Goa Land Use (Regulation) Bill, 1991.
3. The Goa Prevention of Malpractices at University, Board and other specified Examination Bill, 1991.
4. The Goa Supplementary Appropriation Bill, 1991.
5. The Goa Appropriation (Vote-on-Account) Bill, 1991.
6. The Goa Medical Council Bill, 1991.

GUJARAT LEGISLATIVE ASSEMBLY

1. The Bombay Motor Vehicles (Taxation of Passengers) (Gujarat Amendment) Bill, 1991.
2. The Gujarat Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances (Amendment) Bill, 1991.
3. The Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Amendment) Bill, 1991.
4. The Bhavnagar University (Amendment) Bill, 1991.
5. The Bombay Stamp (Gujarat Amendment) Bill, 1991.
6. The Gujarat Prohibition of Transfer of Immovable Property and Provision for Protection of Tenants from Eviction from Premises in Disturbed Areas Bill, 1991.
7. The Indian Partnership (Gujarat Amendment) Bill, 1991.
- *8. The Gujarat Advocates Welfare Fund Bill, 1991.
9. The Gujarat (Supplementary) Appropriation Bill, 1991.

* Awaiting Assent.

10. The Bombay Electricity Duty (Gujarat Amendment) Bill, 1991.
11. The Gujarat Tax on Luxuries (Hotel and Lodging Houses) (Amendment) Bill, 1991.
12. The Gujarat Sales Tax (Amendment) Bill, 1991.
13. The Bombay Motor Vehicles Tax (Gujarat Amendment) Bill, 1991.
14. The Gujarat Appropriation Bill, 1991.

HARYANA LEGISLATIVE ASSEMBLY

1. The Haryana and Punjab Agricultural Universities (Haryana Amendment) Bill, 1991.
2. The Haryana Rural Development (Amendment) Bill, 1991.
3. The Haryana Relief of Agricultural Indebtedness (Amendment) Bill, 1991.
4. The Faridabad Complex (Regulation and Development) Amendment Bill, 1991.
5. The Punjab Town Improvement (Haryana Amendment) Bill 1991.
6. The Haryana Municipal (Amendment) Bill, 1991.
7. The Haryana Public Works (Extension of Limitation), Bill, 1991.
8. The Haryana Motor Transport Vehicles (Tool) Bill, 1991.
9. The Haryana Appropriation (No. 1) Bill, 1991.
10. The Punjab Village Common Lands (Regulation) Haryana Amendment Bill, 1991.
11. The Haryana General Sales Tax (Amendment) Bill, 1991.
12. The Haryana Shri Mata Mansa Devi Shrine Bill, 1991.
13. The Haryana Appropriation (No. 2) Bill, 1991.
14. The Haryana Legislative Assembly (Allowances and Pension of Members) Amendment Bill, 1991.
15. The Punjab Security of Land Tenures (Haryana Amendment) Bill, 1991.

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY

1. The Himachal Pradesh Municipal (Amendment) Bill, 1991.
2. The Himachal Pradesh Appropriation Bill, 1991.
3. The Himachal Pradesh Appropriation (No. 2) Bill, 1991.
4. The Himachal Pradesh Entertainments Duty (Amendment) Bill, 1991.
5. The Himachal Pradesh Legislative Assembly (Allowances and Pension) of Members (Amendment) Bill, 1991.
6. The Himachal Pradesh Urban Immovable Property Tax (Repealing) Bill, 1991.
7. The Himachal Pradesh Passengers and Goods Taxation (Amendment) Bill, 1991.
8. The Himachal Pradesh General Sales Tax (Amendment) Bill, 1991.
9. The Himachal Pradesh University (Amendment) Bill, 1991.
10. The Himachal Pradesh Appropriation (No. 3) Bill, 1991.
11. The Indian Forest (Himachal Pradesh Second Amendment) Bill, 1991.
12. The Indian Stamp (Himachal Pradesh Amendment) Bill, 1991.
13. The Himachal Pradesh Panchayat Raj (Amendment) Bill, 1991.
14. The Himachal Pradesh Tax on Luxuries (In Hotels and Lodging Houses) (Amendment) Bill, 1991.
15. The Himachal Pradesh Taxation (on certain Goods carried by Road) Bill, 1991.

KARNATAKA LEGISLATIVE ASSEMBLY

1. The Karnataka Legislature (Prevention of Disqualification) (Amendment) Bill, 1991.
2. The Karnataka Local Authorities (Amendment) Bill, 1991.
3. The Karnataka Zilla Parishads, Taluk Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats (Amendment) Bill, 1991.
4. The Karnataka Town & Country Planning (Amendment) Bill, 1991.
5. The Bangalore Development Authority (Amendment) Bill, 1991.
6. The Karnataka Tax on Professions, Traders, Callings and Employments (Amendment) Bill, 1991.
7. The Karnataka Land Restriction of Transfer Bill, 1991.

Awaiting Assent.

8. The Karnataka Agricultural Income Tax (Amendment) Bill, 1991.
9. The Karnataka Sales Tax (Amendment) Bill, 1991.
10. The Karnataka Motor Vehicles Taxation (Amendment) Bill, 1991.
11. The Karnataka Appropriation (Vote-on-Account) Bill, 1991.
12. The Karnataka Appropriation Bill, 1991.
13. The Karnataka Entry of Goods into Local Areas for Consumption, Use or Sale therein (Amendment) Bill, 1991.
14. The Karnataka Stamp (Amendment) Bill, 1991.
15. The Karnataka Land Revenue (Amendment) Bill, 1991.
16. The Kannada University Bill, 1991.
17. The Karnataka Agricultural Produce (Marketing Regulations and Certain other Laws (Amendment) Bill, 1991.

KARNATAKA LEGISLATIVE COUNCIL

1. The Karnataka Local Authorities (Amendment) Bill, 1991.
2. The Karnataka Legislature (Prevention of Disqualification) (Amendment) Bill, 1991.
3. The Karnataka Appropriation (Vote-on-Account) Bill, 1991.
4. The Karnataka Appropriation Bill, 1991.
5. The Karnataka Tax on Entry of Goods into Local Areas for consumption, Use or Sale therein (Amendment) Bill, 1991.
6. The Karnataka Agricultural Income Tax (Amendment) Bill, 1991.
7. The Karnataka Tax on Profession, Trades, Callings and Employments (Amendment) Bill, 1991.
8. The Karnataka Sales Tax (Amendment) Bill, 1991.
9. The Karnataka Motor Vehicles Taxation (Amendment) Bill, 1991.
10. The Karnataka Stamp (Amendment) Bill, 1991.
11. The Bangalore Development Authority (Amendment) Bill, 1991.
12. The Karnataka Town and Country Planning (Amendment) Bill, 1991.
13. The Karnataka Land (Restriction on Transfer) Bill, 1991.
14. The Karnataka Agricultural Produce Marketing (Regulation) and Certain other Laws (Amendment) Bill, 1991.
15. The Karnataka Land Revenue (Amendment) Bill, 1991.
16. The Karnataka University Bill, 1991.

KERALA LEGISLATIVE ASSEMBLY

1. The Kerala Appropriation (No. 7) Bill, 1991.
2. The Kerala Appropriation (Vote-on-Account) Bill, 1991.
3. The Kerala Agricultural Income Tax Bill, 1990.
4. The Kerala Registration of Tourist Trade Bill, 1989.
5. The Kerala Stamp (Amendment) Bill, 1991.
6. The Kerala Women's Commission Bill, 1990.

MADHYA PRADESH LEGISLATIVE ASSEMBLY

1. The Madhya Pradesh Viniyog Vidheyak (No. 4 of 1991) 1991.
2. Madhya Pradesh Gangejall Nidhinyas (Sanhodhan) Vidheyak (No. 5) 1991.
3. Madhya Pradesh Manoranjan Sulk tatha Vigyapan Kar (Sanhodhan Aour Vidhimanyakaran) Sanhodhan Vidheyak (No.6) 1991.
4. Chitra Kut Gramoday Vishwavidhyalay Vidheyak (No. 7) 1991.

* Awaiting Assent.

5. Madhya Pradesh Viniyog (Lekhanudan) Vidheyak (No. 8) 1991.
6. Madhya Pradesh Vriti Vyapar Ajivika Aour Sevayogan Kar (Nirsan) Vidheyak, (No.9) 1991.

MAHARASHTRA LEGISLATIVE ASSEMBLY

1. The Maharashtra Village Panchayats (Temporary Postponement of certain Elections (Amendment) Bill, 1991.
2. The Maharashtra Sale of Trees by Occupants belonging to Scheduled Tribes (Regulation) (Amendment) Bill, 1991.
3. The Municipal Corporations (Amendment) Bill, 1991.
4. The City of Nagpur Corporation (Re-enactment of Octroi Rules with retrospective effect and Validating Provisions) Bill, 1991.
5. The Bombay Sales Tax (Amendment and Validation) Bill, 1991.
6. The Maharashtra State Tax on Profession, Trades, Callings and Employments (Amendment and Validation) Bill, 1991.
7. The Maharashtra Zilla Parishads and Panchayat Samitis and Dissolution of Osmanabad and Parbhani Zilla Parishads and Temporary Postponement of Election (Amendment) Bill, 1991.
8. The Bombay Rents, Hotel and Lodging House Rates Control (Extension of Duration) Bill, 1991.
9. The Maharashtra (Supplementary) Appropriation Bill, 1991.
10. The Maharashtra Tax Laws (Amendment) Bill, 1991.
11. The Maharashtra Appropriation Bill, 1991.

MANIPUR LEGISLATIVE ASSEMBLY

1. The Manipur Liquor Prohibition Bill, 1991.
2. The Manipur Municipalities (Sixth Amendment and Validation) Bill, 1991.
3. The Manipur Appropriation (No. 1) Bill, 1991.
4. The Manipur Appropriation (No. 2) Bill, 1991.
5. The Manipur Professions Trades, Callings and Employments taxation (Fifth Amendment) Bill, 1990.

MEGHALAYA LEGISLATIVE ASSEMBLY

1. The Meghalaya Appropriation (Vote-on-Account) Bill, 1991
2. The Meghalaya Appropriation (No. 1) Bill, 1991.
3. The Indian Partnership (Amendment) Bill, 1991.
4. The Meghalaya Amusements & Betting Tax (Amendment) Bill, 1991.
5. The Meghalaya (Sales of Petroleum & Petroleum Products including Motor Spirit & Lubricants) Taxation (Amendment) Bill, 1991.
6. The Meghalaya Professions, Trades, Calling and Employments Taxation (Amendment) Bill, 1991.
7. The Meghalaya Forest Authority Bill, 1991.

MIZORAM LEGISLATIVE ASSEMBLY

1. The Mizoram Salaries, Allowances and Pension of the Members of the Legislative Assembly (Amendment) Bill, 1991.
2. The Mizoram Water Tariff Bill, 1991.
3. The Lushai Hills District (Village Councils) Bill, 1991.
4. The Salaries and Allowances of the Leader of Opposition Bill, 1991.
5. The Salaries and Allowances of the Government Chief Whip Bill, 1991.
6. The Mizoram Animal (Control and Taxation) (Amendment) Bill, 1991.
7. The Mizoram Co-operative Societies Bill, 1991.

Awaiting Assent.

8. The Mizoram Salaries and Allowances of Ministers (Amendment) Bill, 1991.
9. The Mizoram Salaries and Allowances of Speaker and the Deputy Speaker (Amendment) Bill, 1991
10. The Mizoram Salaries and Allowances of Leader of the Opposition (Amendment) Bill, 1991.
11. The Mizoram Salaries, Allowances and Pension of the Members of Legislative Assembly (Amendment) Bill, 1991.
12. The Mizoram Appropriation Bill, 1991.
13. The Mizoram Appropriation (No. 3) Bill, 1991.
14. The Mizoram Appropriation (No.4) Bill, 1991.
15. The Mizoram Appropriation (No. 5) Bill, 1991.
16. The Mizoram Appropriation (No. 6) Bill, 1991.
17. The Mizoram Appropriation (No. 7) Bill, 1991.
18. The Mizoram Appropriation (No. 2) Bill, 1991.
19. The Mizoram Trading (Regulation) Bill, 1991.
20. The Mizoram (Sales of Petroleum and Petroleum Products including Motor Spirit and Lubricants) Taxation (Amendment) Bill, 1991.

ORISSA LEGISLATIVE ASSEMBLY

1. The Orissa Grama Panchayata (Postponement of Election) Amendment Bill, 1991.
2. The Orissa Panchayat Samities (Postponement of Election) Amendment Bill, 1991.
3. The Arbitration (Orissa Amendment) Bill, 1991.
4. The Orissa Gram Panchayats (Amendment) Bill, 1991.
5. The Orissa Panchayat Samiti (Amendment) Bill, 1991.
6. The Orissa Zilla Parishad Bill, 1991.
7. The Orissa Advocate-Welfare Fund (Amendment) Bill, 1991.
8. The Registration (Orissa Amendment) Bill, 1991.
9. The Orissa Civil Courts (Amendment) Bill, 1991.
10. The Orissa Code of Civil Procedures (Orissa Amendment) Bill, 1991.
11. The Bihar and Orissa Places of Pilgrimage (Orissa Amendment) Bill, 1991.
12. The Orissa Notified Area Councils (Extension of Term of Office and Validation) Bill, 1991.
13. The Orissa Municipal Councils (Postponement of Election) Bill, 1991.
14. The Orissa Water Supply and Sewerage Board Bill, 1991.
15. The Orissa Education (Amendment) Bill, 1991.
16. The Orissa Saw Mills and Saw Pits (Control) Bill, 1990.
17. The Orissa Co-operative Societies (Amendment) Bill, 1991.

RAJASTHAN LEGISLATIVE ASSEMBLY

1. The Rajasthan Land Revenue (Amendment) Bill, 1991.
2. The Rajasthan Land & Building Tax (Amendment) Bill, 1991.
3. The Rajasthan Appropriation (No. 1) Bill, 1991.
4. The Rajasthan Appropriation (No.2) Bill, 1991.
5. The Rajasthan Co-operative Societies (Amendment) Bill, 1991.
6. The Rajasthan Excise (Amendment) Bill, 1991.
7. The Rajasthan Municipalities (Amendment) Bill, 1991.
8. The Rajasthan Sales Tax (Amendment) Bill, 1991.
9. The Rajasthan Legislative Assembly (Officers and Members Emoluments and Pension) (Amendment) Bill, 1991.
10. The Rajasthan Ministers Salaries (Amendment) Bill, 1991.

* Awaiting Assent.

SIKKIM LEGISLATIVE ASSEMBLY

1. The Sikkim Panchayat (Amendment) Bill, 1991.
2. The Sikkim Appropriation Bill, No. 2 of 1991.
3. The Sikkim Appropriation Bill, No. 3 of 1991.
4. The Sikkim Appropriation Bill, No. 4 of 1991.

TAMIL NADU LEGISLATIVE ASSEMBLY

1. The Tamil Nadu General Sales Tax (Amendment) Bill, 1991.
2. The Tamil Nadu Entertainments Tax (Amendment) Bill, 1991.
3. The Pachalyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Amendment Bill, 1991.
4. The Tamil Nadu Cultivating Tenants Arrears of Rent (Relief) Amendment Bill, 1991.
5. The Tamil Nadu District Municipalities (Second Amendment and Special Provisions) Amendment Bill, 1991.
6. The Tamil Nadu Municipal Corporation Laws (Amendment) Bill, 1991.
7. The Tamil Nadu Municipal Councils (Appointment of Special Officers) Bill, 1991.
8. The Tamil Nadu Panchayats and Panchayat Union Councils (Appointment of Special Officers) Bill, 1991.
9. The Tamil Nadu Panchayats (Amendment) Bill, 1991.
10. The Tamil Nadu Agricultural Produce Markets Laws (Amendment) Bill, 1991.
11. The Tamil Nadu Agricultural University (Amendment) Bill, 1991.
12. The Dr. M.G.R. Medical University, Tamil Nadu (Amendment) Bill, 1991.
13. The Tamil Nadu General Sales Tax (Second Amendment) Bill, 1991.
14. The Tamil Nadu Entertainments Tax (Second Amendment) Bill, 1991.
15. The Tamil Nadu Motor Vehicles Taxation (Amendment) Bill, 1991.
16. The Tamil Nadu Motor Vehicles (Special Provisions) Repeal Bill, 1991.
17. The Tamil Nadu Appropriation Bill, 1991.

TRIPURA LEGISLATIVE ASSEMBLY

1. The Tripura Forest (Regulation as to Removal of Timber) Bill, 1991.
2. The Tripura Forest (Prevention of Specific Corrupt Practices) Bill, 1991.
3. The Indian Stamp (Tripura Fourth Amendment) Bill, 1991.
4. The Tripura Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Bill, 1991.
5. The Tripura Appropriation (No. 2) Bill, 1991.
6. The Tripura Appropriation Bill, 1991.
7. The Salary, Allowances and Pensions of Members of the Legislative Assembly (Tripura) (Ninth Amendment) Bill, 1991.
8. The Salaries and Allowances of Ministers (Tripura) (Eighth Amendment) Bill, 1991.

UTTAR PRADESH LEGISLATIVE ASSEMBLY

1. The Uttar Pradesh Bricks (Regulation of Supply) Bill, 1990.
2. The Prevention of Corruption (Uttar Pradesh Amendment) Bill, 1991.
3. The Land Acquisition (U.P. Amendment and Validation) Bill, 1991.
4. The Uttar Pradesh Industrial Dispute (Amendment) Bill, 1991.
5. The Uttar Pradesh State Legislature (Members' Emoluments and Pension) (Amendment) Bill, 1991.
6. The Uttar Pradesh Entertainments and Betting Tax (Amendment) Bill, 1991.
7. The Uttar Pradesh Local Self-Government Laws (Amendment) Bill, 1991.
8. The Uttar Pradesh Civil Laws (Amendment) Bill, 1991.
9. The Uttar Pradesh Krishi Utpadan Mandi (Amendment) Bill, 1991.
10. The Uttar Pradesh Appropriation (Supplementary 1990-91) Bill, 1991.
11. The Uttar Pradesh Appropriation (Vote-on-Account) Bill, 1991.
12. The Uttar Pradesh Krishi Utpadan Mandi Samitis (Amendment) Bill, 1991.
13. The Uttar Pradesh Homoeopathic Medicine (Amendment) Bill, 1991.

14. The Uttar Pradesh Societies (Amendment) Bill, 1991.
15. The Uttar Pradesh Zila Parishads (Alpakalik Vyawastha) (Sanshodhan) Vidheyak, 1991.
16. The Code of Criminal Procedure (Uttar Pradesh Amendment) Bill, 1991.
17. The Uttar Pradesh Secondary Education Services Commission and Selection Board (Amendment) and Validation Bill, 1991.
18. The Uttar Pradesh Appropriation Bill, 1991.

UTTAR PRADESH LEGISLATIVE COUNCIL

1. The Uttar Pradesh Civil Laws (Amendment) Bill, 1991.
2. The Land Acquisition (Uttar Pradesh Amendment and Validation) Bill, 1991.
3. The Uttar Pradesh Industrial Disputes (Amendment) Bill, 1991.
4. The Uttar Pradesh Krishi Utpadan Mandi Samitis (Alpakalik Vyawastha) (Amendment) Bill, 1991.
5. The Prevention of Corruption (Uttar Pradesh Amendment) Bill, 1991.
6. The Uttar Pradesh Legislature (Members' Emoluments and Pension) (Amendment) Bill, 1991.
7. The Uttar Pradesh Krishi Utpadan Mandi (Amendment) Bill, 1991.
8. The Uttar Pradesh Urban Local Self-Government Laws (Amendment) Bill, 1991.
9. The Uttar Pradesh Entertainments and Betting Tax (Amendment) Bill, 1991.
10. The Uttar Pradesh Appropriation (Supplementary 1990-91) Bill, 1991.
11. The Uttar Pradesh Appropriation (Vote-on-Account) Bill 1991.
12. The Uttar Pradesh Secondary Education Services Commission and Selection Boards (Amendment and Validation) Bill, 1991.
13. The Uttar Pradesh Appropriation Bill, 1991.
14. The Code of Criminal Procedure (Uttar Pradesh Amendment) Bill, 1991.
15. The Uttar Pradesh Zila Parishad (Alpakalik Vyawastha) (Amendment) Bill, 1991.
16. The Uttar Pradesh Co-operative Societies (Amendment) Bill, 1991.
17. The Uttar Pradesh Homoeopathic Medicine (Amendment) Bill, 1991.

WEST BENGAL LEGISLATIVE ASSEMBLY

1. The North Bengal University (Amendment) Bill, 1991.
2. The West Bengal Additional Tax and One Time Tax on Motor Vehicles (Amendment) Bill, 1991.
3. The Vidyasagar University (Amendment) Bill, 1991.
4. The West Bengal Appropriation (Vote-on-Account) Bill, 1991.
5. The West Bengal Appropriation Bill, 1991.
6. The West Bengal Land Reforms Tribunal Bill, 1991.

APPENDIX VI
ORDINANCES ISSUED BY THE UNION AND STATE GOVERNMENTS DURING THE PERIOD
1 JANUARY TO 31 MARCH 1991

Sl. No.	Subject	Date of Promulgation	Date on which laid before the House	Date of Cessation	Remarks
1	2	3	4	5	6
UNION GOVERNMENT					
1.	The Delhi Municipal Laws (Amendment) Ordinance, 1991 (No. 1 of 1991)	30.3.1991	Will be laid on the Table of Lok Sabha on the opening day of the first session of 10th Lok Sabha	Will cease to operate at the expiration of six weeks from the reassembly of Parliament.	—
STATE GOVERNMENTS					
ANDHRA PRADESH					
1.	The Andhra Pradesh Entertainments Tax (Amendment) Ordinance, 1991	31.12.1990	14.3.1991	—	Replaced by Legislation.
2.	The Hyderabad Municipal Corporation (Amendment) Ordinance, 1991	16.1.1991	-do-	—	-do-
3.	The Andhra Pradesh University Acts (Amendment) Ordinance, 1991	17.2.1991	-do-	—	-do-
4.	The Andhra Pradesh Educational Service Untrained Teachers (Regulation of Services and Fixation of Pay) Ordinance, 1991	4-3-1991	-do-	—	-do-

1	2	3	4	5	6
5.	The Andhra Pradesh Co-operatives Societies (Amendment) Ordinance, 1991	4.3.1991	14.3.1991	Will cease to operate at the expiration of six weeks from the reassembly of Parliament.	Replacement by legislation.
6.	The Hyderabad Municipal Corporation (Second Amendment) Ordinance, 1991	30.3.1991	-do-	-	-
			Bawn		
1.	The Bihar Intermediate Education Council Third Ordinance, 1990	-	10.2.1991	-	-
2.	The Nalanda Open University Third Ordinance, 1990	-	-do-	-	-
3.	The Bihar Private Sanskrit College (Management and Control) Third Ordinance, 1990	-	-do-	-	-
4.	The Patna University (Amendment) Fourth Ordinance, 1990	-	-do-	-	-
5.	The Private Secondary School (Management and Control) (Amendment) Third Ordinance, 1991	-	-do-	-	-
6.	The Bihar Private Engineering College (Adoption) Third Ordinance, 1990	-	-do-	-	-
7.	The Bihar Private Educational Institution (Adoption) (Repeal and Amendment) Ordinance, 1990	-	-do-	-	-
8.	The Bihar Contingency Fund (Second Amendment) Ordinance, 1990	-	-do-	-	-

9.	The Patna Corporation (Amendment and Validation) Ordinance, 1990	—	—	—
10.	The Bihar Municipal Corporation (Amendment) Ordinance, 1990	—	10.2.1991	—
11.	The Bihar Legislature (Members' Salaries, Allowances and Pension) (Amendment) Ordinance, 1990	—	—	—
12.	The Patna Corporation (Amendment) Ordinance, 1990	—	—	—
13.	The Patna Corporation (Amendment and Validation) Ordinance, 1991	—	20.3.1991	—
14.	The Bihar Private Engineering College (Adoption) Ordinance, 1991	—	—	—
15.	The Bihar Legislatures (Members' Salaries Allowances and Pension) (Amendment) Ordinance, 1991	—	—	—
16.	The Patna Corporation (Amendment) Ordinance, 1991	—	—	—
17.	The Bihar Municipal Corporation (Amendment) Ordinance, 1991	—	—	—
18.	The Bihar Intermediate Education Council Ordinance, 1991	—	—	—
19.	The Bihar Private Educational Institution (Adoption) (Repeal and Amendment) Ordinance, 1991	—	—	—
20.	The Patna University (Amendment) Ordinance, 1991	—	—	—

1	2	3	4	5	6
21.	The Bihar Private Secondary School (Management and Adoption Control) (Amendment) Ordinance, 1991	30.3.1991	20.3.1991	—	—
22.	The Bihar Private Sanskrit College (Management and Adoption Control) Ordinance, 1991	—	-do-	—	—
23.	The Nalanda Open University Ordinance, 1991	—	-do-	—	—
		GUJARAT			
1.	Gujarat Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances (Amendment) Ordinance, 1991	24.12.1990	13.2.1991	26.3.1991	Replaced by legislation
2.	The Bombay Motor Vehicles Taxation of Passengers) (Gujarat Amendment) Ordinance, 1990	-do-	-do-	-do-	-do-
		HARYANA			
1.	The Haryana Relief of Agricultural Indebtedness (Amendment) Ordinance, 1990	12.10.1990	4.3.1991	—	Replaced by legislation.
2.	The Haryana General Sales Tax (Second Amendment) Ordinance, 1990	-do-	-do-	—	-do-
3.	The Punjab Town Improvement (Haryana Amendment) Ordinance, 1990	12.12.1990	-do-	—	-do-
4.	The Haryana Municipal (Second Amendment) Ordinance, 1990	20.12.1990	-do-	—	-do-
5.	The Haryana Motor Transport Vehicles (Toll) Ordinance, 1990	21.12.1990	-do-	—	-do-

				Replaced by Legislation
HIMACHAL PRADESH				
1.	The Himachal Pradesh Municipal (Amendment) Ordinance, 1990	4.12.1990	15.2.1991	—
KARNATAKA				
1.	The Bangalore Development Authority (Amendment) Ordinance, 1991	16.1.1991	1.3.1991	Replaced by Legislation.
2.	The Kamataka Zilla Parishad, Taluk Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats (Amendment) Ordinance, 1991	1.2.1991	-do-	—
KERALA				
1.	Kerala Stamp (Amendment) Ordinance, 1991.	11.1.1991	7.3.1991	Replaced by Legislation
2.	The Kerala District Administration (Amendment) Ordinance, 1991	31.1.1991	-do-	—
3.	The Local Government Laws (Amendment) Ordinance, 1991	15.2.1991	-do-	—
MADHYA PRADESH				
1.	The Chitra Kut Gramoday Vishwavidyalay Adhyadesh, 1991	11.2.1991	—	—
2.	The Madhya Pradesh Gangaajai Fund Trust (Amendment) Ordinance, 1991	26.1.1991	—	—

1	2	3	4	5	6
		MAHARASHTRA			
1.	The Maharashtra Village Panchayats (Temporary Postponement of Certain Elections) (Amendment) Ordinance, 1991	31.1.1991	6.3.1991	30.3.1991	Replaced by Legislation.
2.	The Maharashtra Sale of Trees by Occupants belonging to Scheduled Tribes (Regulation) (Amendment) Ordinance, 1991	14.2.1991	-do-	17.4.1991	-do-
3.	The Municipal Corporations (Amendment) Ordinance, 1991	16.2.1991	-do-	17.3.1991	-do-
4.	The City of Nagpur Corporation (Re-enactment of Octroi Rules with retrospective effect and Validating provisions) Ordinance, 1991	-do-	-do-	17.4.1991	-do-
5.	The Bombay Sales Tax (Amendment and Validation) Ordinance, 1991	19.2.1991	-do-	27.3.1991	-do-
6.	The Maharashtra State Tax on Professions, Trades, Callings and Employments (Amendment and Validation) Ordinance, 1991	22.2.1991	-do-	-do-	-do-
7.	The Maharashtra Zila Parishada and Panchayat Samitis and the Dissolution of Osmanabad and Parbhani Zila Parishads and Temporary Postponement of Elections (Amendment) Ordinance, 1991	28.2.1991	-do-	-do-	-do-
8.	The Bombay Rents, Hotel and Lodging House Rates Control (Extension of Duration) Ordinance, 1991	2.3.1991	-do-	17.4.1991	-do-

	RAJASTHAN							
1.	Rajasthan Nagarpalika (Dwitiya Sanshodhan) Adhyadesh, 1990	28.12.1990	22.2.1991	—	—	—	—	Replaced by Ordinance.
2.	Rajasthan Sahkari Society (Dwitiya Sanshodhan) Adhyadesh, 1990	19.12.1990	22.2.1991	—	—	—	—	—
3.	Rajasthan Sahkari Society (Sanshodhan) Adhyadesh, 1991	8.1.1991	-do-	—	—	—	—	—
4.	Rajasthan Bhu-Rajsev (Sanshodhan) Adhyadesh, 1990	13.12.1990	-do-	—	—	—	—	—
	UTTAR PRADESH							
1.	The Uttar Pradesh State Legislature (Member's Emoluments and Pension) (Amendment) Ordinance, 1991	7.1.1991	21.1.1991	14.2.1991	—	—	—	Replaced by Ordinance.
2.	The Uttar Pradesh Government Litigation (Engagement of Counsel) Ordinance, 1991	10.1.1991	-do-	15.2.1991	—	—	—	-do-
3.	The Uttar Pradesh Settlement of Country Liquor License (Tender-cum-Auction) Rules (Amendment) Ordinance, 1991	-do-	-do-	-do-	—	—	—	-do-
4.	The Uttar Pradesh Indian Medicine (Amendment) Ordinance, 1991	15.2.1991	21.2.1991	2.4.1991	—	—	—	-do-
5.	The Uttar Pradesh Homoeopathic Medicine (Amendment) Ordinance, 1991	-do-	-do-	18.3.1991	—	—	—	Replaced by Legislation.
6.	The Uttar Pradesh Entertainments and Betting Tax (Amendment) Ordinance, 1991	-do-	-do-	-do-	—	—	—	-do-

1	2	3	4	5	6
7.	The Uttar Pradesh Public Services (Reservation for Backward Classes) (Amendment) Ordinance, 1991	15.2.1991	21.2.1991	2.4.1991	Replaced by Ordinance.
8.	The Uttar Pradesh Krishi Utpadan Mandi Samiti (Alpkaik Vywasitha) (Sanshodhan) Adhyadesh, 1991	-do-	-do-	19.3.1991	Replaced by Legislation
9.	The Uttar Pradesh State Legislature (Members' Emoluments and Pension) (Amendment) (Second) Ordinance, 1991	-do-	-do-	14.3.1991	-do-
10.	The Uttar Pradesh State Universities (Amendment) Ordinance, 1991	-do-	-do-	2.4.1991	-do-
11.	The Uttar Pradesh Local Self-Government Laws (Amendment) Ordinance, 1991	-do-	-do-	17.3.1991	Replaced by Ordinance
12.	The Uttar Pradesh Zila Parishads (Alpkaik Vywasitha) (Sanshodhan) Adhyadesh, 1991	-do-	-do-	18.3.1991	Replaced by Legislation
13.	The Uttar Pradesh Krishi Utpadan Mandi (Sanshodhan) Adhyadesh, 1991	16.2.1991	21.2.1991	17.3.1991	Replaced by Legislation
14.	The Uttar Pradesh Co-operative Societies (Amendment) Ordinance, 1991	-do-	-do-	18.3.1991	-do-
15.	The Uttar Pradesh Government Liigation (Engagement of Counsel) (Second) Ordinance, 1991	do	-do-	2.4.1991	Replaced by Ordinance
16.	The Uttar Pradesh Settlement of Country Liquor License (Tender-Cum-Auction) Rules (Amendment) (Second) Ordinance, 1991	-do-	-do-	-do-	-do-

17.	The Uttar Pradesh Civil Laws (Amendment) Ordinance, 1991	16.2.1991	21.2.1991	28.3.1991	Replaced by Legislation
18.	The Code of Criminal Procedure (U.P. Amendment) Ordinance, 1991	-do-	-do-	26.3.1991	-do-
19.	The Uttar Pradesh Sales Tax (Amendment) and Validation) Ordinance, 1991	19.2.1991	-do-	2.4.1991	Replaced by Ordinance
20.	The Uttar Pradesh Land Laws (Amendment) Ordinance, 1991	-do-	-do-	-do-	-do-
WEST BENGAL					
1.	The West Bengal Taxation Laws (Second Amendment) Ordinance, 1990	17.12.1990	28.3.1991	4.3.1991	—
2.	The Bengal Amusement Tax (Amendment) Ordinance, 1991	2.1.1991	-do-	-do-	—
3.	The Bengal Finance (Sales Tax) (Amendment) Ordinance, 1991	6.2.1991	-do-	-do-	—

24. Uttar Pradesh	85	15	8	32	18	1	2	3(1)	2	81	4
25. West Bengal	42	4	—	—	—	27	3	8(K)	—	42	—
UNION TERRITORIES											
26. Andaman & Nicobar	1	1	—	—	—	—	—	—	—	1	—
27. Chandigarh	1	—	—	—	1	—	—	—	—	1	—
28. Dadra & Nagar Haveli	1	—	—	—	—	—	—	—	1	1	—
29. Daman & Diu	1	—	—	—	—	—	—	—	1	1	—
30. Delhi	7	2	4	1	—	—	—	—	—	7	—
31. Lakshadweep	1	1	—	—	—	—	—	—	—	1	—
32. Pondicherry	1	1	—	—	—	—	—	—	—	1	—
33. Nominated**	2	—	—	2	—	—	—	—	—	2	—
Total	545	194	86	76	54	33	12	47	10	513**	32

*Excluding Speaker.

**Nominated by the President under Article 331 on 4 May 1990.

- (a) Telugu Desam—2; and All India Majlis-e-Ittehad-ul-Muslimeen—1.
 (b) Jharkhand Mukti Morcha—3; Indian People's Front—1; and Marxist Coordination—1.
 (c) Maharashtrawadi Gomantak Party—1.
 (d) National Conference—3.
 (e) Muslim League—2; Indian Congress (Socialist—Sarat Chandra Sinha)—1; and Kerala Congress(M)—1.
 (f) Shiv Sena—3.
 (g) Shiromani Akali Dal (Simranjit Singh Mann)—4; and Bahujan Samaj Party—1.
 (h) Sikkim Sangram Parishad—1.
 (i) All India Anna Dravida Munnetra Kazhagam—11.
 (j) Bahujan Samaj Party—2; and Akhil Bharatiya Hindu Maha Sabha—1.
 (k) Revolutionary Socialist Party—4; All India Forward Bloc—3; and Gorkha National Liberation Front—1.

A (I). PARTY POSITION IN LOK SABHA (As on 3 July, 1991)

Sl. No.	Name of States/ Union Territories	3	4	5	6	7	8	9	10	11	12
		Seats Cong (I)	BJP	Janata Dal	CPI(M)	CPI	Other Parties	Ind.	Total	Vacancies	
1	2	3	4	5	6	7	8	9	10	11	12
STATES											
1.	Andhra Pradesh	42	24	1	—	1	1	14(a)	—	41	1
2.	Arunachal Pradesh	2	2	—	—	—	—	—	—	2	—
3.	Assam	14	8	2	—	1	—	2(b)	1	14	—
4.	Bihar	54	—	5	28	1	7	6(c)	—	47	7
5.	Goa	2	2	—	—	—	—	—	—	2	—
6.	Gujarat	26	4	20	—	—	—	1(d)	—	25	1
7.	Haryana	10	9	—	—	—	—	1(e)	—	10	—
8.	Himachal Pradesh	4	2	2	—	—	—	—	—	4	—
9.	Karnataka	28	21	4	—	—	—	1(f)	—	26	2
10.	Kerala	20	13	—	—	3	—	4(g)	—	20	—
11.	Madhya Pradesh	40	27	11	—	—	—	1(h)	—	39	1
12.	Maharashtra	48	37	5	—	1	—	4(i)	—	47	1
13.	Manipur	2	1	—	—	—	—	1(i)	—	2	—
14.	Meghalaya	2	2	—	—	—	—	—	—	2	—
15.	Mizoram	1	1	—	—	—	—	—	—	1	—
16.	Nagaland	1	—	—	—	—	—	1(k)	—	1	—
17.	Orissa	21	12	—	6	1	1	—	—	20	1
18.	Rajasthan	25	13	12	—	—	—	—	—	25	—
19.	Sikkim	1	—	—	—	—	—	1(l)	—	1	—
20.	Tamil Nadu	39	28	—	—	—	—	11(m)	—	39	—
21.	Tripura	2	2	—	—	—	—	—	—	2	—
22.	Uttar Pradesh	85	4	50	22	—	1	4(n)	—	81	4
23.	West Bengal	42	—	—	—	27	3	7(o)	—	42	—

UNION TERRITORIES												
24.	Andaman & Nicobar Island	1	1	—	—	—	—	—	—	—	—	1
25.	Chandigarh	1	1	—	—	—	—	—	—	—	—	1
26.	Dadra and Nagar Haveli	1	1	—	—	—	—	—	—	—	—	1
27.	Daman & Diu	1	—	1	—	—	—	—	—	—	—	1
28.	Delhi	7	2	4	—	—	—	—	—	—	—	6
29.	Lakshadweep	1	1	—	—	—	—	—	—	—	—	1
30.	Pondicherry	1	1	—	—	—	—	—	—	—	—	1
Total		524	224	117	56	35	13	59	1	505*	1	19

*Excluding Speaker

- (a) Telugu Desam — 13; All India Majlis-e-Itehad-ul-Muslimeen—1.
- (b) Autonomous State Demand Committee—1; and Asom Gana Parishad—1.
- (c) Jharkhand Mukti Morcha—6.
- (d) Janata Dal (Gujarat) —1.
- (e) Haryana Vikas Party —1.
- (f) Janata Party —1.
- (g) Indian Congress (Socialist)—Sarat Chandra Sinha —1; Muslim League —2; and Kerala Congress (M) —1.
- (h) Bahujan Samaj Party—1.
- (i) Shiv Sena —4.
- (j) Manipur People's Party—
- (k) Nagaland People's Council —1.
- (l) Sikkim Sangram Parishad —1.
- (m) All India Anna Dravida Munnetra Kazhagam —11.
- (n) Janata Party —4.
- (o) All India Forward Bloc—3; and Revolutionary Socialist Party —4.

B. PARTY POSITION IN RAJYA SABHA (As on April 1, 1991)

Sl. No.	States/Union Territories	Seats	Cong. (I)	Janata Dal	CPI(M)	BJP	Janata Dal (S)	Others	Unattatched	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11	12
STATES											
1.	Andhra Pradesh	18	6	1	1	—	—	10(a)	—	18	—
2.	Arunachal Pradesh	1	1	—	—	—	—	—	—	1	—
3.	Assam	7	1	—	—	—	—	6(b)	—	7	—
4.	Bihar	22	13	3	—	2	2	2(c)	—	22	—
5.	Goa	1	1	—	—	—	—	—	—	1	—
6.	Gujarat	11	7	2	—	2	—	—	—	11	—
7.	Haryana	5	1	—	—	1	3	—	—	5	—
8.	Himachal Pradesh	3	2	—	—	1	—	—	—	3	—
9.	Jammu and Kashmir	4	1	—	—	—	—	2(d)	—	3	1
10.	Karnataka	12	7	5	—	—	—	—	—	12	—
11.	Kerala	9	2	1	3	—	1	2(e)	—	9	—
12.	Madhya Pradesh	16	10	—	—	6	—	—	—	16	—
13.	Maharashtra	19	14	1	—	2	1	1(f)	—	19	—
14.	Manipur	1	—	1	—	—	—	1(g)	—	1	—
15.	Meghalaya	1	—	—	—	—	—	—	—	1	—
16.	Mizoram	1	1	—	—	—	—	—	—	1	—
17.	Nagaland	1	1	—	—	—	—	—	—	1	—
18.	Orissa	10	5	4	—	—	1	—	—	10	—
19.	Punjab	7	1	—	—	—	—	1(h)	—	2	5
20.	Rajasthan	10	6	1	—	1	1	—	1	10	—
21.	Sikkim	1	—	—	—	—	—	1(i)	—	1	—
22.	Tamil Nadu	18	3	—	1	—	—	14(j)	—	18	—
23.	Tripura	1	—	—	1	—	—	—	—	1	—
24.	Uttar Pradesh	34	17	6	—	2	6	2(k)	1	34	—

25.	West Bengal	16	—	—	11	—	1	4(1)	—	16	—
	UNION TERRITORIES										
26.	Delhi	3	—	—	—	—	—	—	—	—	3
27.	Pondicherry	1	1	—	—	—	—	—	—	1	—
	Nominated	12	4	—	—	—	—	—	8	12	—
	Total	245	105	25	17	17	16	46	10	236	9

(a) Telugu Desam—10.

(b) Asom Gana Parishad—5; and Indian Congress (S)—1.

(c) C.P.I.—1; and Lok Dal—1.

(d) National Conference—2.

(e) Muslim League—1; and CPI—1.

(f) Shiv Sena—1.

(g) Hill State People's Democratic Party—1.

(h) Akali Dal—1.

(i) Sikkim Sangram Parishad—1.

(j) AIADMK—4; and D.M.K.—10.

(k) Janata Party—1; and C.P.I.—1.

(l) Revolutionary Socialist Party—2; CPI—1; and Forward Bloc—1.

C. PARTY POSITION IN STATE LEGISLATURE

State/Union Territory	Seats		Cong. (l)	Janata Dal		Lok Dal	BJP	CPI(M)	CPI	Other Parties	Ind.	Total	Vacancies
	2	3		4	5								
1	2	3	4	5	6	7	8	9	10	11	12		
STATES													
Andhra Pradesh L.A. (As on 1.4.1991)	295	179	1	—	5	6	8	89(a)	5	293	2		
Arunchal Pradesh L.A. (As on 1.4.1991)	60	44	4	—	—	—	—	1(b)	11	60	—		
Assam L.A.@ Bihar L.A.	—	—	—	—	—	—	—	—	—	—	—		
(As on 31.3.1991) Bihar L.C.**	325	71	117	—	39	6	22	39(c)	30	324	1		
Goa L.A. (As on 1.4.1991)	40	13	—	—	—	—	—	24(d)	2	39	1		
Gujarat L.A. (As on 1.4.1991)	182	32	70	—	65	—	—	2(e)	10	179	3		
Haryana L.A. (As on 1.4.1991)	90	5	13	—	15	1	1	41(f)	6	82*	7		
Himachal Pradesh L.A. (As on 1.4.1991)	68	9	3	—	46	—	—	8(g)	1	68	—		
Jammu & Kashmir L.A.@ Jammu & Kashmir L.C.	—	—	—	—	—	—	—	—	—	—	—		
(As on 1.7.1990) Karnataka L.A. (As on 1.4.1991)	36	12	—	—	—	—	—	18(h)	—	30	6		
Karnataka L.C. (As on 1.4.1991)	225	177	23	—	4	—	—	7(i)	12	223*	1		
(As on 1.4.1991) Kerala L.A. (As on 1.4.1991)	75	21	31	—	6	—	—	6(j)	9	73*	1		
(As on 1.4.1991)	141	32	8	—	—	38	16	35(k)	10	139*	1		

Madhya Pradesh L.A. (As on 31.3.1991)	321	55	17	—	220	3	—	15(l)	10	320*	—
Maharashtra L.A. (As on 1.4.1991)	289	141	24	—	42	3	2	64(m)	13	289	—
Maharashtra L.C. (As on 1.4.1991)	78	46	1	—	7	1	—	11(n)	11	77	1
Manipur L.A. (As on 1.4.1991)	60	12	11	—	—	—	3	27(o)	—	53	7
Meghalaya L.A. (As on 1.4.1991)	60	—	—	—	—	—	—	58(p)	—	58*	1
Mizoram L.A. (As on 1.4.1991)	38	21	1	—	—	—	—	14(q)	—	36	—
Nagaland L.A. (As on 1.4.1991)	45	19	—	—	—	—	—	26(r)	—	45	—
Orissa L.A.**	—	—	—	—	—	—	—	—	—	—	—
Punjab L.A.\$	—	—	—	—	—	—	—	—	—	—	—
Rajasthan L.A. (As on 1.4.1991)	200	50	29	—	85	1	—	26(s)	9	200	—
Sikkim L.A. (As on 1.4.1991)	32	—	—	—	—	—	—	—	—	32	—
Tamil Nadu L.A. (As on 30.1.1991)	235	26	6	—	—	15	3	179(u)	2	231*	3
Tripura L.A. (As on 1.4.1991)	60	25	—	—	—	25	—	10(v)	—	60	—
Uttar Pradesh L.A. (As on 1.4.1991)	426	94	88	—	54	2	6	136(w)	40	420	6
Uttar Pradesh L.C. (As on 1.4.1991)	108	37	12	1	6	—	—	39(x)	12	107	1
West Bengal L.A. (As on 30.3.1991)	295	38	—	—	—	184	10	58(y)	—	290	5
UNION TERRITORIES Delhi Metropolitan Council	—	—	—	—	—	—	—	—	—	—	—

- (l) Sikkim Sangram Parishad—32.
- (u) Dravida Munnetra Kazhagam—142; All India Anna Dravida Munnetra Kazhagam—25; All India Anna Dravida Munnetra Kazhagam (Janaki M.G. Ramchandran Group)—1; Indian Union Muslim League (I)—4; AIADMK(II)—3; Tamil Nadu Forward Bloc—1; Indian Farmers and Toilers Party—1; United Communist Party of India—1; and Nominated—1.
- (v) Tripura Upejati Juba Samiti—8 and Revolutionary Socialist Party—2.
- (w) Janata Dal(S)—119; Soshit Samaj Dal—1; All India Hindu Mahasabha—1; Bahujan Samaj Party—13; Unattached—1; and Nominated—1.
- (x) Janata Dal(S)—31; and Shikshak Dal (Non-Political)—8.
- (y) All India Forward Bloc—27; Revolutionary Socialist Party—18; West Bengal Socialist Party—3; Forward Bloc (Marxist)—2; Democratic Socialist Party—2; Revolutionary Communist Party of India—1; Socialist Unity Centre of India—2; Muslim League—1; Unattached—1; and Nominated—1.
- (z) Dravida Munnetra Kazhagam—12; Janata Dal(S)—3; and All India Anna Dravida Munnetra Kazhagam—3.

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