

**THE JOURNAL OF
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EDITORIAL NOTE

What distinguishes India from certain other developing countries which achieved Independence from foreign rule and archaic systems of governance is that we have practised true democracy despite our phenomenal pluralism. The year-long Golden Jubilee Celebrations of India's Independence, which began on 15 August 1997 in the Central Hall of Parliament House, drew to a close on 15 August 1998. Homage was paid to the martyrs, great leaders and foot-soldiers of our freedom struggle, especially the common people of this land.

The Closing Function of the Golden Jubilee Celebrations was held on 15 August 1998 in the Central Hall of Parliament House. The function commenced with the playing of the National Anthem. Subsequently, excerpts from the speeches of Mahatma Gandhi, Pandit Jawaharlal Nehru and Netaji Subhas Chandra Bose were played. Later the patriotic song *Saare Jahan Se Achha* was sung by Anuradha Podwal. After that, the Department of Science and Technology of the Government of India presented an 'audio-visual display of India's achievements during the last 50 years'. Then, *Vande Mataram*, the National Song, was sung by Pandit Jasraj. The President of India, Shri K.R. Narayanan later addressed the nation. The Hindi version of the Address by the President was subsequently read out by the Vice-President, Shri Krishan Kant. The function ended with the playing of the National Anthem. The entire programme was telecast and broadcast live throughout the nation. We include in this issue of the *Journal* the text of the Address delivered by Shri Narayanan.

On the eve of the Independence Day—on 14 August 1998—the President unveiled the statue of Sardar Vallabhbhai Patel, one of the greatest sons of Mother India, in the precincts of Parliament House. At the function held in the Central Hall subsequently, the distinguished gathering was addressed by the

President; the Vice-President and Chairman, Rajya Sabha, Shri Krishan Kant; the Prime Minister of India, Shri Atal Bihari Vajpayee; the Speaker, Lok Sabha, Shri G.M.C. Balayogi; and the Chief Minister of Gujarat, Shri Keshubhai Patel. The texts of the Addresses by these dignitaries are also included in this issue of the *Journal*.

On 28 August 1998, the President unveiled the statue of Shri Birsa Munda, the renowned tribal leader and great patriot, in Parliament House Complex. Later, in the Central Hall of Parliament House, the distinguished gathering was addressed by the President; the Vice-President of India and Chairman, Rajya Sabha; the Prime Minister; the Speaker, Lok Sabha; and the Chairman of the Birsa Munda Statue Committee, Kumari Frida Topno. We carry in this issue of the *Journal* the texts of these Addresses.

The Sixty-second All India Conference of the Presiding Officers of Legislative Bodies in India was held in New Delhi from 22 to 24 September 1998. The Conference laid special emphasis on two main subjects, viz., 'Need to Review the Tenth Schedule of the Constitution' and 'Need for Procedural Reforms and Better Management of Time of the House'. The Speaker, Lok Sabha and the Chairman of the Conference, Shri G.M.C. Balayogi delivered the Inaugural Address. The Conference was attended by almost all the Presiding Officers of the Legislative Bodies in India. The Inaugural Address by the Speaker, Lok Sabha, is reproduced in this issue of the *Journal*.

Following the Presiding Officers' Conference, a Symposium on "Electoral Reforms" was organised in New Delhi on 24 September 1998. The Speaker, Lok Sabha presided over the function and delivered the Opening Address. The Presiding Officers of the Legislative Bodies in India and members of Parliament participated in the Symposium. We also reproduce in this issue the text of the Opening Address delivered by the Speaker, Lok Sabha at the Symposium.

Another important event in recent months has been the election of the Deputy Speaker of the Lok Sabha. On 17

December 1998, Shri P.M. Sayeed, nine times consecutively elected to the Lok Sabha, from the Lakshadweep constituency, and, who held a number of important offices, was elected un-animously to the office of Deputy Speaker of the Twelfth Lok Sabha. On his election, he was warmly felicitated by the Prime Minister, the Lok Sabha Speaker, the Leader of the Opposition and the Leaders of Parties and Groups and several other members. Replying to the felicitations, the newly-elected Deputy Speaker, Shri Sayeed stressed that he would sincerely endeavour to bring the discharge of his functions and responsibilities as Presiding Officer in conformity with the spirit of his unanimous election. On behalf of the *Journal of Parliamentary Information* and its world-wide readership, we extend our hearty felicitations to Shri Sayeed on his election as the Deputy Speaker. We include in this issue of the *Journal* a Short Note on the election of the Deputy Speaker.

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

This being the last issue of the *Journal* in the year 1998, a comprehensive Index to Vol. XLIV also finds place here.

We felicitate Dr. (Smt.) Najma Heptulla on her re-election as the Deputy Chairperson of the Rajya Sabha; Shri Samarthlal Meena and Smt. Tara Bhandari on their election as the Speaker and the Deputy Speaker, respectively, of the Rajasthan Legislative Assembly; Shri Abdul Ahad Vakil, on his election as the Speaker of the Jammu and Kashmir Legislative Assembly; and Shri Joshua Sumi, on his election as the Deputy Speaker of the Nagaland Legislative Assembly.

We have been constantly endeavouring to make the *Journal* more useful and informative. We would greatly welcome suggestions for its further improvement. We also welcome practice and

problem-oriented non-partisan articles in the realm of parliamentary procedures and institutions from members of Parliament and State Legislatures, scholars and others interested in the practice of parliamentary democracy.

—S. Gopalan
Editor

**ADDRESS BY THE PRESIDENT OF INDIA,
SHRI K.R. NARAYANAN AT THE CLOSING FUNCTION
OF THE 50TH ANNIVERSARY CELEBRATIONS
OF INDIA'S INDEPENDENCE**

The Closing Function of the 50th Anniversary Celebrations of India's Independence was held on 15 August 1998 in the Central Hall of Parliament House. The function commenced with the playing of the National Anthem. Subsequently, excerpts from the speeches of Mahatma Gandhi, Pandit Jawaharlal Nehru and Netaji Subhas Chandra Bose were relayed. Later, *Saare Jahan Se Achha* was sung by Anuradha Podwal. After that, the Department of Science and Technology, Government of India presented an 'Audio-Visual display of India's achievements during the last 50 years'. Then, the National Song *Vande Mataram* was sung by Pandit Jasraj. The President of India, Shri K.R. Narayanan later addressed the nation. The Hindi version of the President's Address was subsequently read out by the Vice-President, Shri Krishan Kant. The function ended with the playing of the National Anthem. The entire programme was telecast and broadcast live throughout the nation.

We reproduce below the text of the Address by the President of India.

—Editor

My Fellow Citizens, Freedom Fighters, Honourable Members of Parliament, Brothers and Sisters and Friends:

A year ago, on 15 August, I had the privilege of addressing you at the inauguration of the Golden Jubilee celebrations of our Independence. I have now the pleasure of speaking to you again at the conclusion of these celebrations. I would, at the outset, like to extend my greetings to my fellow citizens, the men and women, and the youth and the children of India.

The Golden Jubilee celebrations are drawing to a close, but the spirit of 15 August, and the ideals and the aspirations symbolized by it, remain to be pursued with dedication and with renewed vigour—"the ending of poverty and ignorance and disease and inequality of opportunity", as Pandit Jawaharlal Nehru urged at that mid-night hour.

Thanks to the values bequeathed to us by our age-old culture and civilization, and revived and revitalized in the prolonged and peaceful struggle for freedom led by the Father of the Nation, Mahatma Gandhi,

we have pursued these ideals and objectives during the last 50 years within the framework of social and communal harmony and broad tolerance in spite of insuperable obstacles. In January 1947, at his prayer meeting, after ending his historic fast, Gandhiji said "In this great country of ours there is room for all" and that "We must never, under any circumstances, treat any one as an enemy. We have all to live in harmony". It is in accordance with this ancient motto of the Indian civilization, restated by Gandhiji at the time of his soul's agony, that independent India under Pandit Nehru had built up the secular foundations of our polity. On these foundations rest our social and economic development, our democracy, our unity and coherence as a nation, and our position in the comity of nations. On this solemn occasion, let us pay our homage to all those who had contributed to and sacrificed for this ideal, especially the common people of this land whose massive commonsense has withstood, by and large, all extremist ideological blandishments and emotional incitements, and helped us to keep to the golden middle path.

Indian democracy is the most precious product of this spirit of tolerance and this approach of secularism. During the last fifty years, we have nourished the plant of democracy, with tender care and touching faith, and it has today fully flowered. Though this has elicited reluctant recognition from the democracies of the developed world, it must be noted that strategic considerations, even when they are misconceived, may be thicker than the spirit of democracy. What is important for us is that we preserve, protect, expand, and deepen democracy so that it covers meaningfully every section, every layer of our vast and complex society.

Already the Panchayati Raj experiment is extending democracy to the grass roots of our society. With decentralization and devolution of powers to the panchayats, Indian democracy could involve the masses intimately in the building of a new and resurgent India. It could release new social and economic forces that could put substance and dynamism into our large developmental programmes. This is an occasion when we could take stock of our achievements in Panchayati Raj and find ways and means to inject greater democratic and developmental dynamism into its functioning.

Though the women of India have a glorious record not only in looking after their families but in participating in public activities and in fighting for the freedom of the nation, they are today marginalized in our society and in politics. How can the nation progress when nearly 50 per cent of the population is oppressed, ill-treated and discriminated against?

Instances of gender discrimination and atrocities against women ought to make our menfolk hang their heads in shame before the civilized world. Gandhi, Nehru, Subhas Chandra Bose, Sarojini Naidu, indeed all our great leaders had stood up for the rights of our women. In this Golden Jubilee year of our Independence, let us not deny them their legitimate social, economic and political rights. Let us gracefully concede to them one-third reservation in Parliament and the Legislatures before they wrest it from our hands by their votes of wrath in the General Elections.

In our society of multiple deprivations and discriminations, the Scheduled Castes, the Scheduled Tribes and large sections of the Backward Classes are the most deprived, oppressed, and marginalized. Indeed, the acid test of any social reform or economic progress in India is whether it has made a positive difference to the lot of the members of these classes. Since Independence, largely due to the impulse of the Gandhian reform movement and the more militant movement launched by Babasaheb Ambedkar, every Government has pursued policies for the uplift of these people. But progressive legislations enacted by the Governments are being negated at the level of implementation by forces in society that could only be described as counter-revolutionary. If we do not curb the reckless play of these reactionary forces who not only obstruct the implementation of reforms, but commits atrocities on the weaker sections with impunity, there is great danger of things going wrong with our democracy. The momentum of our progressive legislation must be sustained. The backlog of vacancies reserved for the Schedule Castes and Scheduled Tribes, especially in the higher rungs of government service, must be filled in.

Another section of our society, tender and beautiful, whom we all love, but neglect, ill-treat, and even barbarously abuse, are our children. The social conscience of our people has to be aroused to ensure a fair deal for the children, and the State has to take a leading role in primary and secondary education so that children, especially of the weaker sections, are given education and thus prevented from working in hazardous occupations and becoming bonded child labour. This is not only a humanitarian task, but one that directly affects the health, education and the general social development of the nation.

One part of India to which special and focused attention needs to be given, is the North-East. Despite being rich in natural resources, that part of the country has remained under-developed. Compounding this disability, is the factor of insurgent activities among a section of its people. This calls for the most urgent attention and action, so that the

North-East feels a secure participate in our national progress and part and parcel of our mainstream.

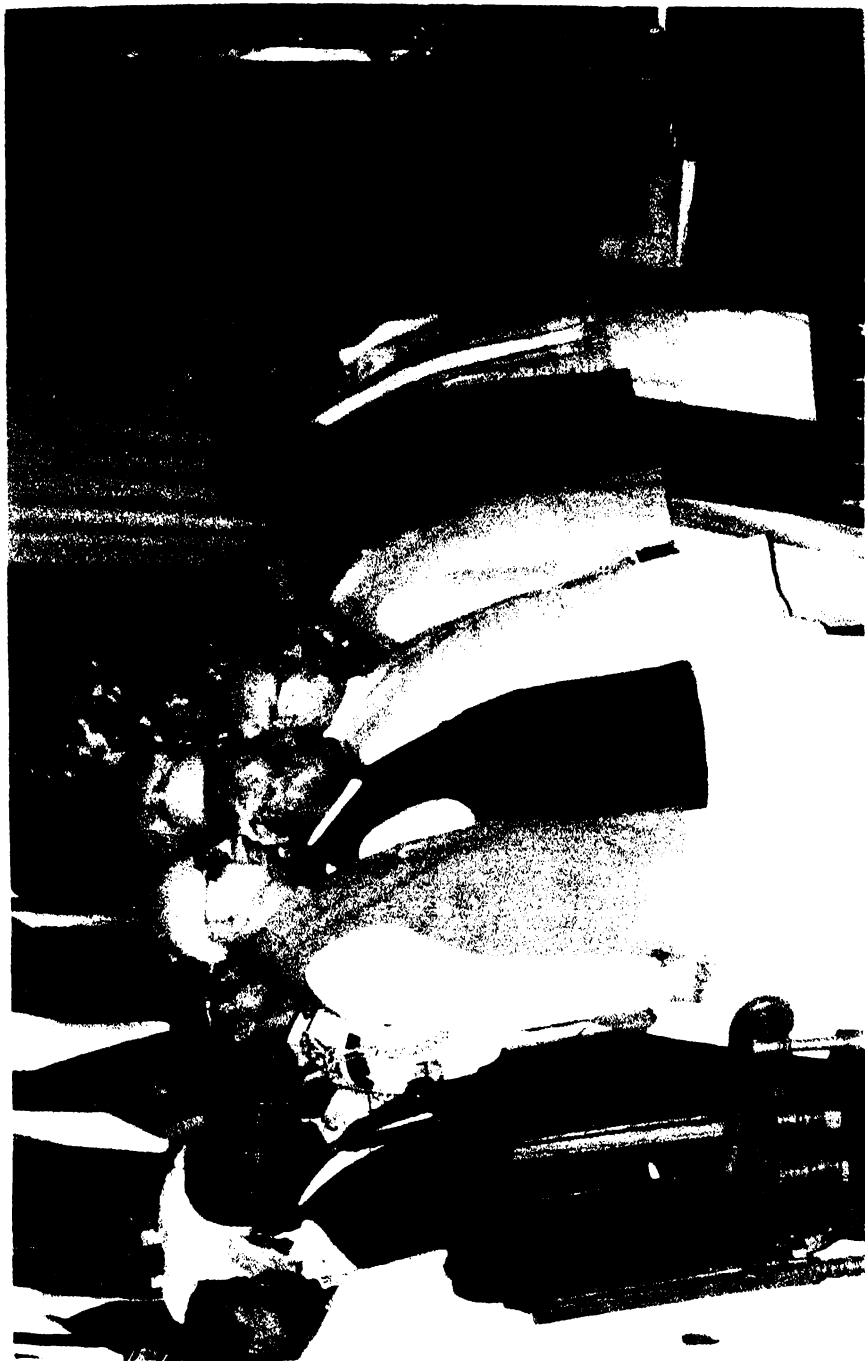
In the maintenance of democracy, the example set by the legislators and the holders of public office is supremely important. Public office was regarded as a sacred space. Today it is regarded by an increasing number of wielders of it, as an opportunity to strike gold, and enjoy the loaves and fishes of power. It is a matter of the deepest regret that a great cynicism prevails in the public mind about politics and the administration. Floor crossings and cross-votings in power games are no longer rare transgressions of democratic norms. I cannot but recall the example, here, of Acharaya Narendra Deva who, when he decided to leave the Congress, persuaded his colleagues in the U.P. Assembly to resign from their seats in the House.

Speaking here in this Hall on the midnight of 14-15 August 1947, it is interesting that Sarvepalli Radhakrishnan referred to evils that have crept into administration and said: "Unless we destroy corruption in high places, root out every trace of nepotism, love of power, profiteering and blackmarketing which have spoiled the good name of this great country in recent times, we will not be able to raise the standards of efficiency in administration as well as in the production and distribution of the necessary goods of life." Unfortunately, those words are true today, if not truer.

I cannot but voice a pervasive sense of public concern over the frequent departure from order and decorum in parliamentary behaviour. Scenes of frayed tempers, often degenerating into violent acts in the well of House, bring no credit to our democracy. Our people take democracy seriously. Let us not betray their faith in it—our most precious legacy.

In the field of industrialisation and economic and scientific-technological development, India has made substantial, even spectacular progress. Our Green Revolution and White Revolution have given us self-sufficiency in foodgrains and milk production. But we have still to bring about a nutrition revolution capable of giving our people, especially the young people and expectant mothers, a nutritional diet. The lacuna has to be filled. And literacy, education, and health standards of our country have to be raised not only for securing a higher place in the World Human Development Index but in providing the basic conditions and the motive force to any significant economic progress.

India today is a significant industrial and economic power of the world. And all estimates are that early in the 21st century, she would



Dignitaries at the Closing Function of the Golden Jubilee Celebrations of Independence held in the Central Hall of Parliament House on 15 August 1998. Standing (L to R) in the picture, are the Union Minister of Home Affairs, Shri L. K. Advani; the Prime Minister, Shri Atal Bihari Vajpayee; the Vice-President of India and Chairman, Rajya Sabha, Shri Krishan Kant; the President of India, Shri K. R. Narayanan; the Speaker of Lok Sabha, Shri G. M. C. Balayogi; and the Union Minister of Human Resource Development, Dr. Murli Manohar Joshi



The President of India, Shri K.R. Narayanan, addressing the Nation



The Vice-President of India and Chairman, Rajya Sabha, Shri Krishan Kant, reading out the Hindi version of the Address by the President of India



The Speaker of Lok Sabha, Shri G.M.C. Bhalayogi at the Closing Function in the Central Hall of Parliament House

become one of the major world economic powers. Thanks to the liberalisation of and the opening up of the economy to the world that we have launched since 1992 and which we have been prosecuting with vigour as well as a measure of reasonable caution, India with its 300 million strong middle class seething with entrepreneurial spirit, and one of the largest markets in the world, has become a very attractive place for foreign investment.

On this occasion, I should like to greet Indian citizens and people of Indian origin scattered all over the world and invite them to invest in India with national pride and confidence that their investments would be safe, productive and lucrative in the land of their origin.

In science and technology, thanks to the vision of Jawaharlal Nehru and our scientists from Homi Bhabha and Vikram Sarabhai onwards, we have made great leaps forward. Today Indian science has been crowned with important successes. These are for the welfare and safety of our people and of our nation. We are intensely interested in peace without arms, as we have always been, and we have declared our willingness to join any international arrangements and agreements that are non-discriminatory to rid the world of nuclear and other weapons of mass destruction.

We have conducted nuclear tests recently not with the intention of using it against anyone. In fact, I believe that atomic bombs are useful only when they are not used. They can only be deterrent in the hands of a nation. Despite the prognosis of some of a nuclear conflict between India and Pakistan, I think, now that both the countries have these weapons, it would derive home to both, the inescapable need to settle the difference between them peacefully and through negotiations. In the Shimla Agreement of 1972, India and Pakistan had solemnly declared to put an end to the conflict and confrontation between them and to resolve all differences through bilateral and peaceful means. Nuclear weapons have now made it compulsory for us to do so.

Pandit Jawaharlal Nehru, in his famous broadcast of 7 September 1946, had sent out the greetings of the newly emerging independent India to the world. He sent his greetings and good wishes to the United Kingdom, to the United States of America, to the then Soviet Union, to the nations and peoples of Asia, to our neighbours and to China which he called "that mighty country with a mighty past". Today, on this occasion, I should like to renew those greetings and expressions of friendship to our neighbours in South Asia and Asia. Pandit Nehru had pledged then to work for a One World, a World in which there was free co-

operation of free peoples, and where no class or group exploits another. Today, on behalf of the people of India, let us renew the pledge.

May I conclude by offering to the martyrs of our freedom struggle and to the great leaders and foot-soldiers of our freedom struggle, my homage. I also offer my greetings to our valiant defence and para-military forces. It is their vigil that safeguards our unity and sovereignty.

Let us, on this landmark occasion, re-dedicate ourselves to India's greatness.

Jai Hind.

ADDRESSES AT THE UNVEILING OF THE STATUE OF SARDAR VALLABHBHAI PATEL

On 14 August 1998, a statue of Sardar Vallabhbhai Patel was unveiled in the precincts of Parliament House by the President of India, Shri K.R. Narayanan. The statue has been sculpted by the well-known artist, Shri Ram Sutar and donated by the Government of Gujarat. The ceremony was followed by a meeting in the Central Hall of Parliament House which was attended by a distinguished gathering. The function was addressed by the President, Shri K.R. Narayanan; the Vice-President and Chairman, Rajya Sabha, Shri Krishan Kant; the Prime Minister, Shri Atal Bihari Vajpayee; the Speaker, Lok Sabha, Shri G.M.C. Balayogi; and the Chief Minister of Gujarat, Shri Keshubhai Patel.

We reproduce below the texts of the Addresses delivered by the dignitaries on the occasion.

—Editor

ADDRESS* BY THE CHIEF MINISTER OF GUJARAT, SHRI KESHUBHAI PATEL

Respected Rashtrapatiji, Respected Up-Rashtrapatiji, Honourable Speaker of Lok Sabha; Honourable Deputy Chairman, Rajya Sabha; Honourable Prime Minister; Honourable Members of Parliament and Distinguished Guests:

The unveiling of the statue of esteemed Sardar Vallabhbhai Patel, the architect of national unity, in the precincts of the Parliament House on the occasion of the 50th anniversary of our Independence is not a mere formality. Today, we are going to fulfil the aspirations of crores of Indian citizens. It took us 50 years to accomplish this task. Though belated, it gives us a great sense of satisfaction and pleasure that we are doing our duty.

Sardar Patel hailed from Gujarat but rising above the provincial confines, he rose to become a leader of national reckoning who performed a historic role during the difficult times faced by the country. Sardar Vallabhbhai Patel was endowed with unparalleled administrative vision and acumen, patriotism and indomitable courage. Words just fail

* Originally delivered in Hindi

to explain and laud this great personality. The ideal of selfless and sincere service of the nation nurtured by towering stalwarts like him will ever be a source of inspiration for us in doing our duty to the nation.

The sculptor, Shri Ram Sutar, has sculpted some imposing statues of those leaders who have made a significant contribution to the freedom struggle. I will always remember this remarkable occasion which has given me an opportunity to pay my homage to the revered Sardar Patel. I pray that the Almighty may bestow upon us the innate strength to turn on the path shown by Sardar Patel.

The whole nation remembers Sardar Patel as and when problems and difficulties befall on us because the great work done by him is unparalleled. The installation of the statue of Sardar Patel in close proximity to the statue of Gandhiji is a historical event. These statues will always inspire us to build the modern India of Gandhi's and Sardar's vision and dream.

I thank you once again and congratulate you on the Independence anniversary.

Namaskar.

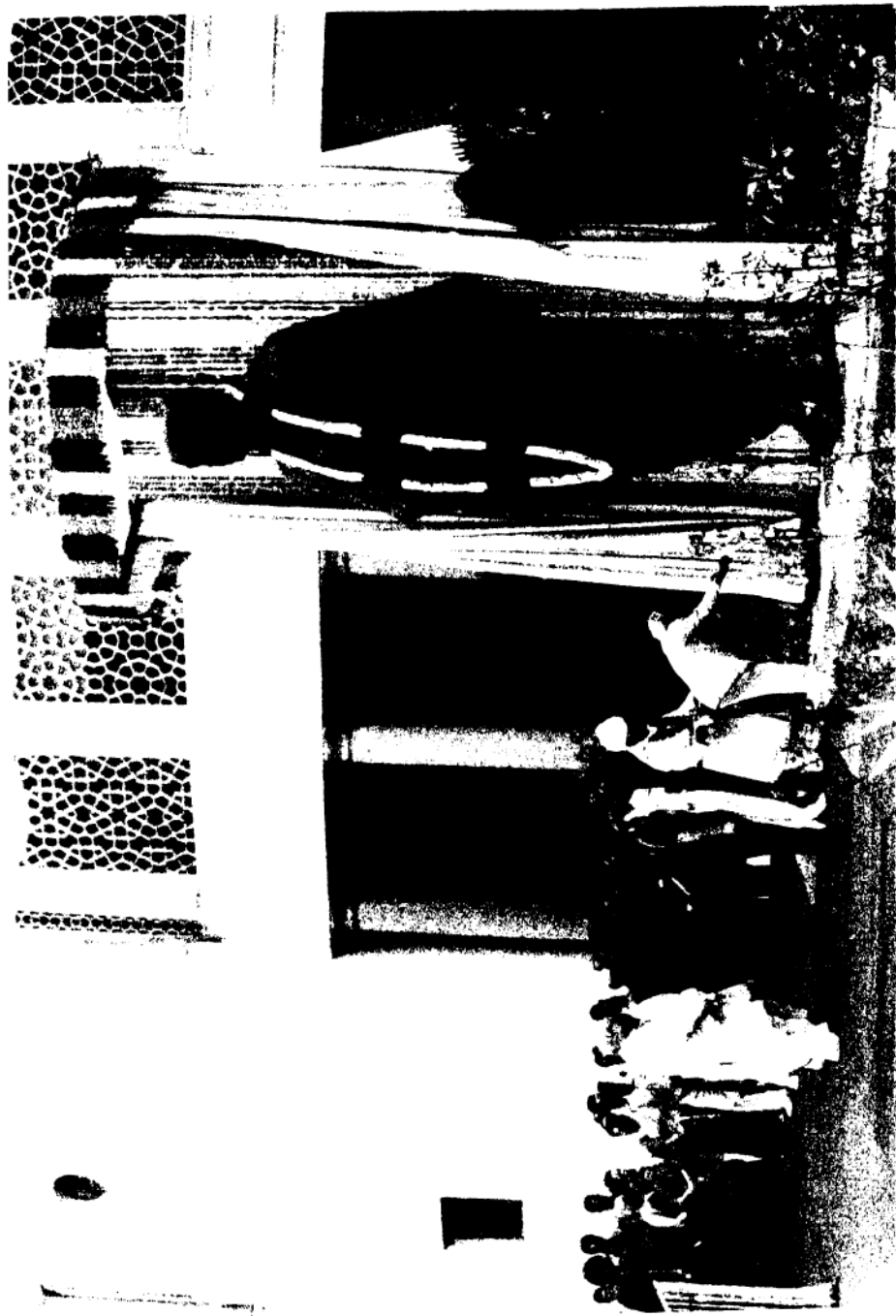
**ADDRESS BY THE SPEAKER, LOK SABHA,
SHRI G.M.C. BALAYOGI**

Respected Rashtrapatiji, Respected Up-Rashtrapatiji, Respected Pradhan Mantriji, Honourable Governor, Honourable Chief Minister of Gujarat, Honourable Members of the Council of Ministers, Honourable Members of Parliament, Distinguished Friends and Ladies and Gentlemen:

It is indeed a great pleasure to welcome you here today on the occasion of the unveiling of the statue of Sardar Vallabhbhai Patel, one of the greatest sons of Mother India. May I take this opportunity to thank the Respected Rashtrapatiji for having graced this occasion and unveiled the statue of Sardar Patel. I would also like to express our thanks to the Respected Up-Rashtrapatiji, Respected Pradhan Mantriji and other distinguished guests for being with us today.

Shri Ram Sutar has created this marvellous piece of art. I thank him and the Government of Gujarat which has donated this imposing statue of Sardar Patel.

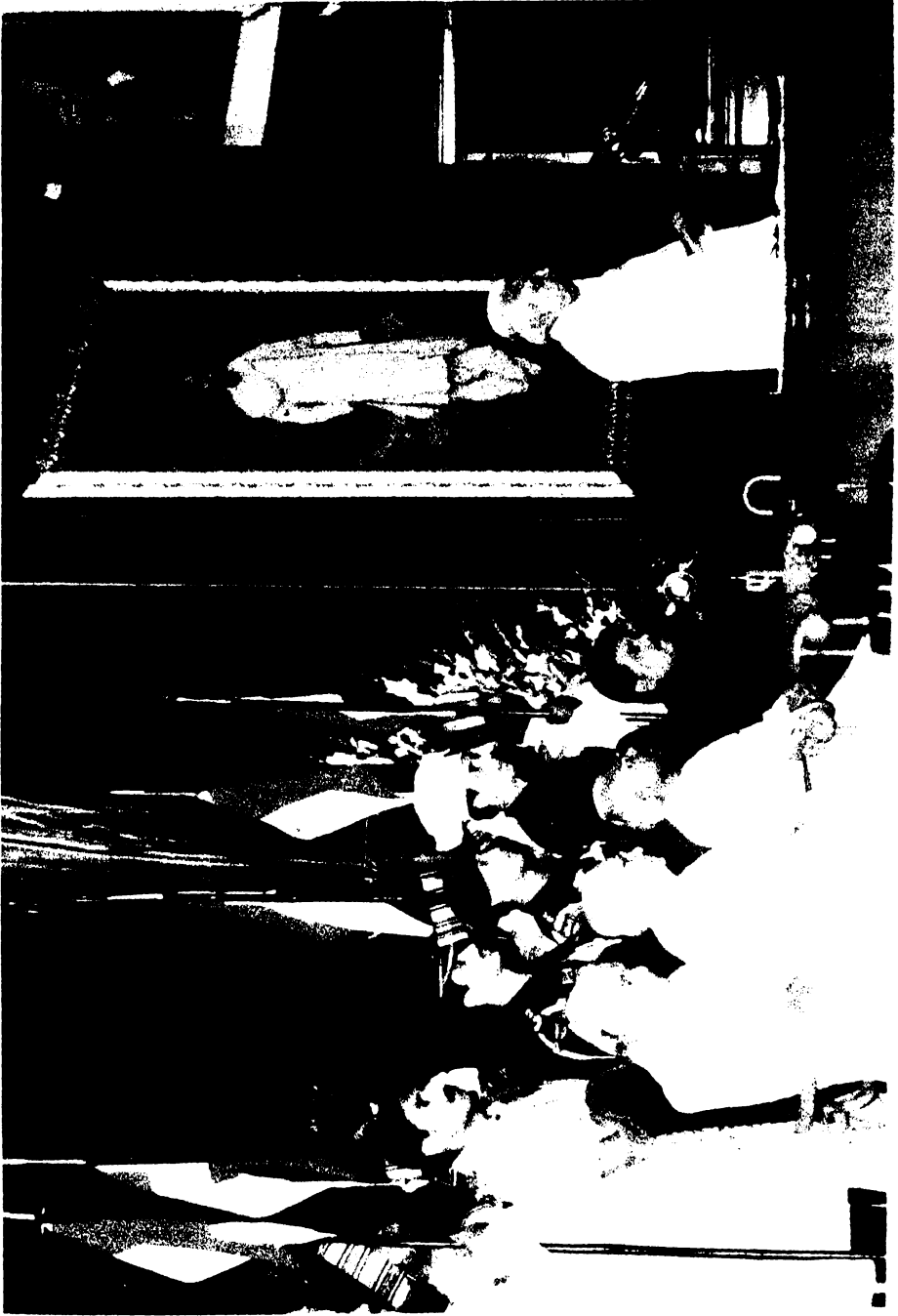
It is indeed befitting that the statue of such a great son of India has been installed in the Parliament House. By installing this statue of Sardar Patel, we are honouring the memory of a great freedom fighter and a towering figure in modern Indian history who always worked for



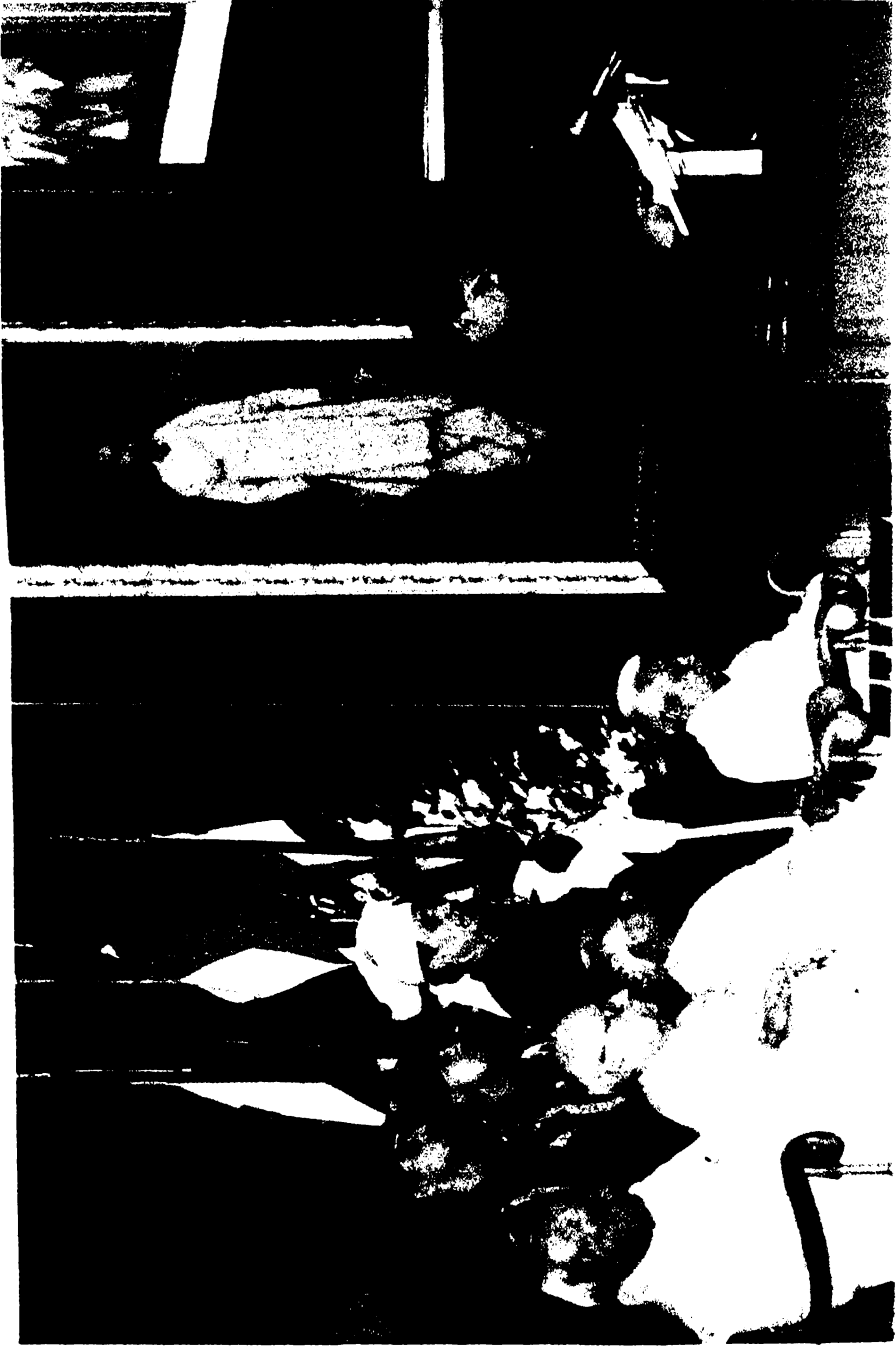
The President of India, Shri K.R. Narayanan paying floral tributes at the Statue of Sardar Vallabhbhai Patel in the Parliament House Complex



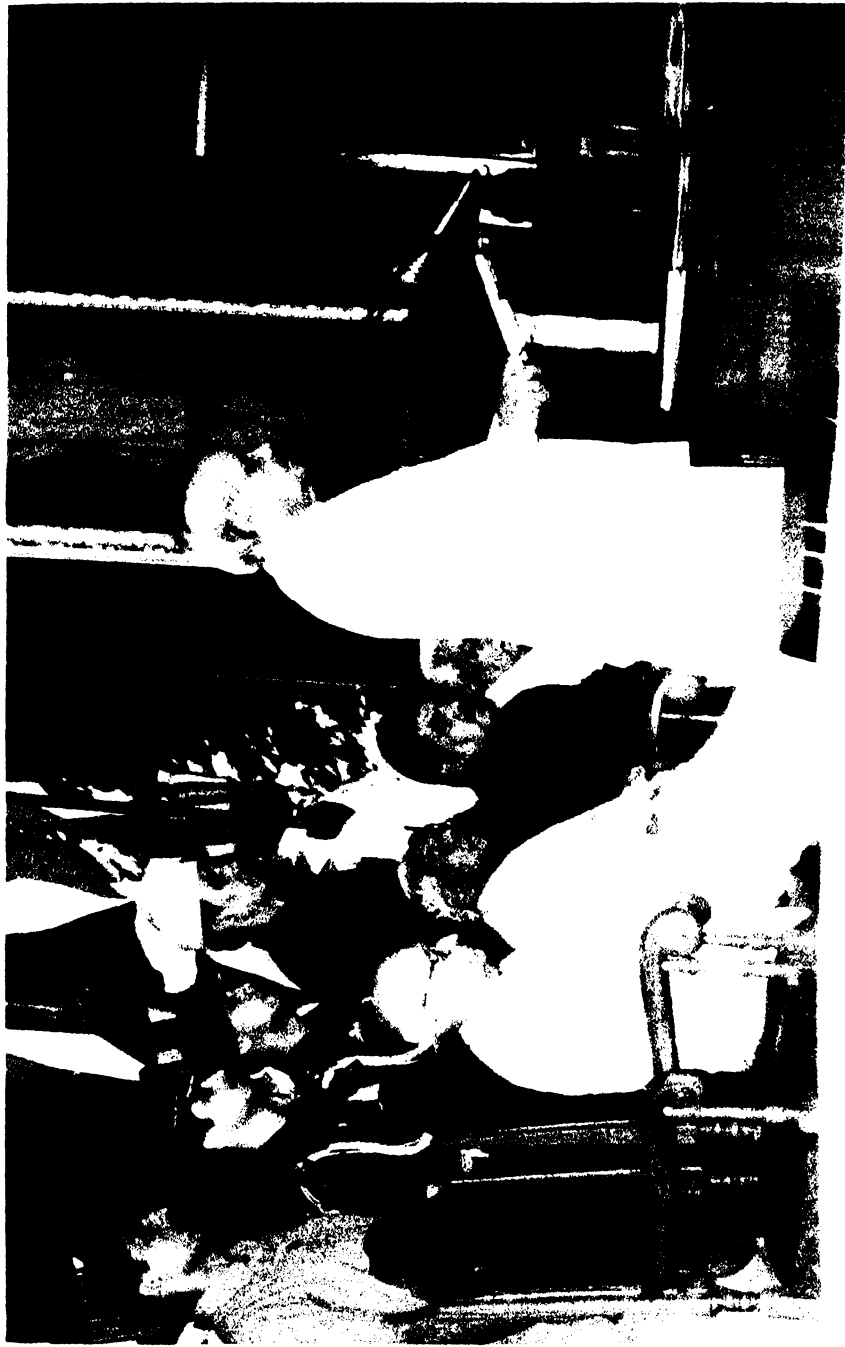
The Speaker, Lok Sabha, Shri G.M.C. Balayogi,
paying floral tributes at the Statue of Sardar Patel



The Chief Minister of Gujarat, Shri. Keshubhai Patel delivering his Address



The Speaker, Lok Sabha, Shri G M C Balayogi addressing the gathering



Address by the Prime Minister, Shri Atal Bihari Vajpayee



The Vice-President of India and Chairman, Shri Krishan Kant addressing the gathering



Address by the President of India, Shri K.R. Narayanan



Dignitaries at the unveiling of the Statue of Sardar Patel

the socio-economic betterment of our people and gave his total service for the unity of our country.

Sardar Patel's role in our freedom struggle was of great importance. He gave to our freedom struggle a practical and organisational leadership. The Kheda Satyagraha which he organised in the year 1918 under the guidance of Mahatma Gandhi brought out his sincere love for the farmers and workers of the country. Time and again, Sardar Patel displayed his outstanding organisational skill and the strength of his character. He was actively involved in the protests against the Rowlatt Act, and in the Non-Cooperation Movement. He was arrested several times for championing the cause of freedom from foreign rule. The Borsad Satyagraha and the Bardoli Satyagraha were striking examples of his close relationship with the masses. To Sardar Patel and the people, those were struggles for just causes and also a struggle of morality against oppression. The success of these peaceful and non-violent campaigns made him a natural leader respected and loved by one and all.

When Congress entered office at the Centre in 1946, Sardar Patel became the Home Minister of the country, a position he occupied after Independence too. He was also Independent India's first Deputy Prime Minister. It was left to him to consolidate the hard won freedom and ensure the unity and integrity of the nation.

Sardar Patel, with his complete understanding of men and matters, spared no effort to ensure that the merger of princely States took place as quickly and peacefully as possible. He dealt with the difficult question of princely States in a masterly manner and almost within a year, he redrew the map of India with such States joining the Indian Union. His greatness lay in the skill and smoothness with which he completed the task of merger. It was this remarkable achievement which made Pandit Jawaharlal Nehru appreciate him as "the builder and consolidator of New India."

Sardar Patel's political skill, capacity to judge people correctly, patriotism, practical wisdom, courage, determination and administrative efficiency made him a great statesman. A man of strong determination, iron will and clear vision, Sardar Patel left an everlasting impression of his remarkable personality on our country and its generations. The key to the Sardar's success in public life was his capacity to decide and fix clear cut objectives, to take the right decision at the right time and to find the right person to assist him in achieving the objectives.

The ideas and ideals held dear by Sardar Patel are as relevant and important in shaping the country's future today as they were in the past.

Sardar Patel can be rightly called as one of the greatest builders of modern India. His life, ideals and contributions will continue to inspire and guide us and the generations to come to build a strong and prosperous India and to preserve and protect the hard-earned freedom and the unity of the country. It is only by strengthening the national fabric that we can repay our debt to Sardar Patel and all those who made great sacrifices for the national cause.

I am confident that the statue of Sardar Vallabhbhai Patel in the Parliament House complex will be a source of inspiration and encouragement to all of us. A strong and united India will be the fittest memorial for Sardar Patel. On this occasion, let us resolve to always work together and succeed in building the India of Sardar Patel's dreams.

Thank you very much.

**ADDRESS* BY THE PRIME MINISTER OF INDIA,
SHRI ATAL BIHARI VAJPAYEE**

Respected Rashtrapatiji, Respected Up-Rashtrapatiji, Honourable Speaker, Lok Sabha, Honourable Members of Parliament, Ladies and Gentlemen:

The premises of the Parliament House was lacking in something at least some people thought like that. Today, that void has been filled. It is amazing how can a person think in terms of neglecting the Sardar. The Sardar can never be ignored in this country and he will always be remembered with respect. He was an extra-ordinary personality. He was not only a good soldier but also an able commander. He was a follower as well as a leader. He was a son of the soil. The Bardoli Satyagraha made him the Sardar. He was fully acquainted with the problems of the farmers and always strived to solve them.

The Sardar was a multifaceted personality. Each aspect of his personality was more and more attractive and inspiring. It is not possible to explore every aspect of his personality here but one thing for which he will always be remembered is his contribution to India's unity and integrity. He was a great architect of India's unity. While glancing through the history of those days, one's heart is filled with apprehensions as to what would have been the fate of India if Sardar was not there. The British intended to dismember this country into many more parts than a mere two before leaving India. They declared independence for the princely States. Some rulers even started dreaming of their

* Originally delivered in Hindi

Independent States. Some were thinking in terms of remaining out of the Indian Union. Some States were thinking of organising themselves to exert pressure on Delhi. But they forgot that they were confronted with the Sardar. The Sardar, by invoking patriotism, exerting his influence and wherever necessary, consolidate and unite India by integrating about 500 States. The name and fame of the Sardar will find new horizons with the passage of time. Our future generations will be inspired by his sacrifices, his discipline, his patience and courage.

The installation and unveiling of the statue of Sardar Patel in the precincts of the Parliament House on the eve of Independence day is an important event in itself. I pay my humble homage to the memory of Sardar Patel.

**ADDRESS BY THE VICE-PRESIDENT AND CHAIRMAN,
RAJYA SABHA, SHRI KRISHAN KANT**

Honourable President of India, Shri K.R. Narayanan, Honourable Speaker of Lok Sabha, Shri Balayogi, Honourable Prime Minister, Shri Vajpayee, Chief Minister of Gujarat, Shri Keshubhai Patel, Leaders of Political Parties, Distinguished Guests, Ladies and Gentlemen:

The unveiling of the statue of a man who was one of the strongest pillars of the Indian freedom struggle, today, in the Parliament, is a humble but appropriate tribute to Sardar Vallabhbhai Patel. He was not only one of the towering figures in the struggle of the Indian people for freedom from the British rule, he was also the iron man of India's post-Independence political history.

By donating this statue of the Man of Granite to Parliament, Shri Keshubhai Patel, Chief Minister of Gujarat, has done honour to Gujarat, the State of Sardar's birth and to the great son of Mother India.

Almost five decades before the idea of a European Union became a reality, Vallabhbhai Patel, the visionary statesman, with grit and determination, with tremendous political skill and deep persuasion, succeeded in creating the Indian Union, one nation state out of the integration of 556 princely states, born out of the heritage of a common history and a shared civilisation. And if there is one single individual who can be credited with ensuring that the British did not leave behind a legacy of hundreds of princely states and a deeply fractured sub-continent, it is Sardar Vallabhbhai Patel.

Yet, the real relevance of Sardar Patel, especially in the modern day context, lies perhaps in an understanding of what made him a politician, a statesman and a nation builder, all at the same time.

Sardar Vallabhbhai Patel's life was an inspiring saga of harmoniously synthesising seeming contradictions—exercise of power and yet remaining detached from it, display of strength and yet retaining humility, fierce idealism and yet a practising pragmatic.

The Sardar, more than any other politician, understood the working and potential of political and state power and yet retained the ability to remain truly detached from it. Wielding and exercise of political power, yet not allowing them to become instruments for enhancing personal ambitions, are the hallmarks of a man who is mentally strong and spiritually elevated. Sardar Patel was one such man. When Gandhiji asked Sardar in good humour, while they were together in Yeravada Jail, "What post would you like to hold after Independence?", the Sardar replied, "I will become a *Sadhu*". These were not the mocking words of a *Sadhu*. They were the inner expressions of a man who was genuinely detached from the trappings of power. Even after Independence, Sardar continued to express his desire of being released from the Ministry, but his wish was not granted by Gandhiji and Pandit Nehru.

Sardar Patel was fiercely independent in his intellectual beliefs and political thought but invariably surrendered on the diktats of the Mahatma. In 1929 and 1945, when his name was proposed for the Presidentship of the Congress, and in spite of tremendous support from the State Congress Units, the Sardar, on Gandhiji's advice, withdrew and instead proposed the name of Jawaharlal Nehru. In 1950, as speculation gained ground on the reported differences between Patel and Nehru, the Sardar publicly praised Nehru, appropriately on Gandhi Jayanti. So deep was his respect for Nehru that he said, "to oppose Nehru was a sin against God"

Sardar Patel was the Chairman of the Advisory Committee of Minorities of the Constituent Assembly. The report was an excellent document which was eventually adopted by the Constituent Assembly. He was sensitive to the emotional and physical needs of the Muslims in an India which had just then suffered the trauma of a partition inflicted on the basis of religious mistrust. But he was equally conscious that an unending separation of Indians on the basis of religion and caste would result in our getting increasingly caught in the web of the trap that the British laid for us. Therefore, Sardar Patel was opposed to Hinduism being the state religion of India. He remained committed to the secular ideal and said repeatedly that India belonged to the minorities as much as it belonged to the majority.

Commitment to constructive work, for Sardar Patel, was as inseparable a part of public life as politics was, perhaps even more. His

address as the Gujarat Pradesh Congress Committee (GPCC) President in 1921 to the Congress Session of Ahmedabad was brief. It concentrated only on Hindu-Muslim unity and constructive work. As President of the Karachi Session of the Congress in 1931, his speech was the briefest. He spoke only of social and agrarian issues and supported the settlement of Gandhiji with the Viceroy.

Constructive work, in fact, was an inseparable part of his public life. At the time when a massive plague broke out in Ahmedabad, Sardar Patel was the Chairman of the Sanitary and Public Works Committee. While many of his colleagues silently disappeared from the city, he himself chose to stay back to oversee the relief work personally. At another time when epidemic spread in Godhara, Sardar himself contracted bubonic plague while nursing a Court Nazir.

Gandhiji once said that during the no tax campaign in the Khaira District of Gujarat, he was actually testing the abilities, the character and the leadership of Sardar Patel and he turned out to be, in the words of the Mahatma himself, "pure gold".

He earned the title of Sardar after he successfully led the peasant agitation against the increase in land revenue in Bardoli in 1928. They, the people, crowned him as the Sardar of Bardoli. So significant was the Bardoli agitation that the then Congress President Motilal Nehru called it a "splendid victory, a peasant's victory over bureaucracy". Subhas Chandra Bose described it as a "glorious victory". Sarojini Naidu characterised him as the "treasure of the lowly". Mahatma Gandhi commented that "the force of violence was crushed in the presence of non-violent action".

An interesting event took place in 1935. The then Governor of Bombay, Sir Roger Lumley invited Sardar to take over as the Premier of Bombay Presidency. The Governor had only one condition—that the lands confiscated from the farmers would not be returned to them. The Sardar's rejection of the office was equally characteristic "I am not going to be Premier. The lands would be restored to the peasants."

Sardar Patel himself started his public life inspired by the Mahatma, and right till the very end, his faith in Gandhiji remained unshaken. Mahatma Gandhi had possibly the most profound and lasting impact of the life of Vallabhbhai Patel. One of his first acts as he came under the influence of Gandhiji was to burn the stylish western clothes that he wore. His dress ultimately became so simple that at the Calcutta session of the Congress, he was denied admission by the volunteers on not being recognised.

Sardar Patel's ability to suffer pain was indeed immense. His ability to sacrifice his personal comforts continued to inspire the thousands of freedom fighters who came in contact with him. In jail, in 1930, he went on a hunger strike. His demand was simple. "Give me C class diet which an ordinary prisoner gets instead of the A class that was provided."

Vinoba Bhave said about Sardar Patel: "Amidst royal pomp and palatial glitter he lived a detached life of King Janaka." He had only one pair of *chappals* which invariably we see in the contemporary photographs of the period and he had only a wooden pair which he used to wear in his house.

It may be of interest to recall that the word High Command came into vogue in the Congress when, as the Chairman of the Central Parliamentary Board in 1937, he was called the High Command.

On the death of Sardar Patel, Pandit Jawaharlal Nehru observed:

"Many calamities have fallen on us, bringing distress to our people. But the greatest of these calamities and sorrows has been the passing away from amongst us a giant among men. Sardar Vallabhbhai was a clear and valued comrade in the brave days of our struggle for freedom, a rock full of wisdom and determination, a rock of patient strength to whom instinctively all of us went for guidance... Vallabhbhai Patel was the strongest pillar of the Cabinet."

I am sure the statue of the Sardar will continue to inspire strength and confidence in Parliament's endeavour to create a glorious future for India.

Thank you.

**ADDRESS BY THE PRESIDENT OF INDIA,
SHRI K.R. NARAYANAN**

Honourable Vice-President, Honourable Prime Minister, Honourable Chief Minister of Gujarat, Honourable Ministers, Honourable Members of Parliament and Friends:

I consider it an honour to have unveiled the statue of Sardar Vallabhbhai Patel in the precincts of the Parliament in this 50th year of our Independence. One of the principal heroes of India's struggle for freedom, Sardar Patel was a man of burning patriotism, invincible courage, indomitable will, boundless energy and a great leader and organiser of men. Like Pandit Nehru, he came under the spell of the magic of Gandhiji's personality and the logic of his politics for the independence

of India, and became the General in many a non-violent campaign launched by Mahatma Gandhi.

In the oversimplified images of Pandit Nehru and Sardar Patel, the former is often described as a visionary and a dreamer, and the latter as a pragmatist and a doer, But Nehru was visionary with a sense of the immediate and the practical, and the Sardar was a pragmatist with a vision of the future. They complemented each other in the freedom struggle as well as in the building of India after Independence. Their close cooperation, in spite of some important differences in outlook, was crucial for the destiny of India and an example to be emulated even in the more complex circumstances of the nation today.

If Nehru laid the foundations of modern India, building up its economic, industrial and scientific infrastructure and trying to forge the emotional unity of India, Sardar Patel transformed India into a Union out of the patchwork quilt of Provinces and Princely States. He could be called the Bismarck of India; who unified the nation not by "blood and iron", but merely by his iron will and astute statecraft. It is now well-known that Winston Churchill thought of breaking up India into a Hindustan, a Pakistan and, as he told Lord Wavell, a 'Princes-stan'. But as Mahatma Gandhi wrote to the Sardar prophetically in 1939, "The problem of the states is so difficult that you alone can solve it"; he frustrated the Churchillian strategy of Balkanizing India. It is worth recalling in full what the Sardar told the Princes of India on assuming charge of the newly-created States Department, and I quote:

We are at a momentous stage in the history of India. By common endeavour, we can raise the country to a new greatness, while lack of unity will expose us to fresh calamities. I hope the Indian States will bear in mind that the alternative to co-operation in the general interest in anarchy and chaos, which will overwhelm great and small in a common ruin if we are unable to act together in the minimum of common tasks. Let not the future generations curse us for having had the opportunity but failed to turn it to our mutual advantage. Instead, let it be our proud privilege to leave a legacy of a mutually beneficial relationship which would raise this sacred land to its proper place amongst the nations of the world and turn it into an abode of peace and prosperity.

A little later, Patel had warned the newly independent nation: "Our hard-earned freedom could disappear by the states' door".

The story of the integration of the States into the Union of India is a fitting dramatic epilogue to the struggle for our Independence. The

arguments and methods adopted by the Sardar were manifold and effective. When the Dewan of Travancore, Sir C.P. Ramaswamy Iyer held out the argument that no one could negotiate a merger of the State with India as Travancore was ruled "in the name and on behalf of the tutelary deity, Sri Padmanabha", the Sardar snapped back with a twinkle in his eye, "Is that so? Then please tell me how could Travancore's rulers allow Lord Padmanabha to become subservient to the British Crown?"

President Rajendra Prasad, paying a tribute to Sardar Patel, wrote in 1952: "That there is an India to think and talk about is very largely due to Sardar Patel's statesmanship and firm administration". Indeed, as the first Home Minister of India, he gave leadership to the civil service system that was to administer India ever since. Once he told the Members of the Constituent Assembly/Provisional Parliament who were impatient with the civil service that without their loyalty and dedication he saw chaos all around and said: "Do not quarrel with the instruments with which you want to work. It is a bad workman who quarrels with the instrument. Nobody wants to put in work when he is criticised and ridiculed in public". He gave leadership and moulded the bureaucracy to his purpose.

Sardar Patel was not just an iron man, but a man with a social vision and sensitive to the social problems of India and the social aspirations of the people. In the thick of the freedom struggle he never lost sight of social change and the cause of the downtrodden. On one occasion early in his political career, he declared, "social change is more valuable and difficult than fighting the Government".

During the Bardoli Satyagraha that brought Patel to the centre-stage of the nationalist movement, he adopted the Gandhian technique for practical action. He understood the importance of mobilising women to the national cause. He ensured women's involvement in the Bardoli Satyagraha movement. He used to discuss with women representatives and seek their consent before launching the agitation. K.M. Munshi observed that women had associated in large numbers with the struggle of the peasant of Bardoli, and the *Times of India* during that period reported about the admiration and respect of the women of Bardoli for Vallabhbai Patel's struggle in Bardoli.

Sardar Patel was committed to the fight against untouchability launched by Mahatma Gandhi. At the Kathiawad Political Conference of 1922 that demanded the abolition of untouchability, there occurred an incident which revealed the attitude of the Sardar on this question. A volunteer at the Conference led the untouchables to a separate enclosure which was meant for them. Seeing this, Sardar Patel joined them

in the separate enclosure and when his turn came to address the Conference he delivered his speech standing in the enclosure which became centre-stage of the event. Patel's gesture had electrified the audience at the Kathiawad Political Conference.

Throughout his selfless and glorious political career, Sardar Patel fought against the subjection of our country to imperialism and of our people to evil customs and practices. By erecting a statue of his, we would not have completed our duty to one of the great liberators of India. What is more important, and what he would have expected us to do, is to be Indians first and foremost and not dwindle into provincials as we tend to do.

Friends, I have great pleasure in joining you all to pay homage to the memory of Sardar Vallabhbhai Patel, a great leader who had worn out his life in the service of the people of India.

Jai Hind.

ADDRESSES AT THE UNVEILING OF THE STATUE OF SHRI BIRSA MUNDA

On 28 August 1998, a statue of Shri Birsa Munda was unveiled in the precincts of Parliament House by the President of India, Shri K.R. Narayanan. The statue has been sculpted by the well-known artist Shri B.C. Mohanty and donated by the Steel Authority of India. The ceremony was followed by a meeting in the Central Hall of Parliament House which was attended by a distinguished gathering. The function was addressed by the President of India, Shri K.R. Narayanan; the Vice-President of India and Chairman Rajya Sabha, Shri Krishan Kant; the Prime Minister of India, Shri Atal Bihari Vajpayee; the Speaker of the Lok Sabha, Shri G.M.C. Balayogi; and the Chairperson of the Birsa Munda Statue Committee, Kumari Frida Topno.

We reproduce below the texts of the Addresses delivered by the dignitaries on the occasion.

—Editor

ADDRESS BY THE CHAIRPERSON, BIRSA MUNDA STATUE COMMITTEE, KUMARI FRIDA TOPNO

Honourable President of India, Respected Shri K.R. Narayanan, Honourable Vice-President, Shri Krishan Kant, Honourable Prime Minister, Shri Atal Bihari Vajpayee, Honourable Speaker, Lok Sabha, Shri G.M.C. Balayogi, Honourable Madam Sonia Gandhi, Chairman SAIL, Donor Shri Arvind Pande, Distinguished Guests, Members of the Council of Ministers, Members of Parliament, Ladies and Gentlemen:

We express our profound gratitude to Shri K.R. Narayanan, Honourable President of India for unveiling the statue of Birsa Munda. We also express our gratitude to Shri Krishan Kant, Honourable Vice-President, Shri Atal Bihari Vajpayee, Honourable Prime Minister and Shri G.M.C. Balayogi, Honourable Speaker, Lok Sabha for joining us to pay tribute to the legendary tribal son of India. We are overwhelmed by the presence of the galaxy of dignitaries.

The Birsa Munda Statue Committee, Rourkela, constituted in 1982, installed a bronze statue of Birsa Munda at Rourkela on 15 November 1984. On its initiative, a postal stamp on Birsa Munda was released on 15 November 1988 and his portrait was unveiled in the Central Hall of Parliament House on 16 October 1989.

The Committee instituted the Birsa Munda Award in 1994. The Award

comprises one lakh rupees, a citation and a bronze statue of Birsa Munda. The Award has been taken up by the Ministry of Human Resource Development—(HRD). The Award is presented to a person of eminence dedicated to the cause of tribals, the downtrodden and the destitutes. The first Award was presented to late Shri Rajiv Gandhi in 1995, the second to Rani Guidenliu in 1996 and the third to Late Mother Teresa in 1998. We appeal to the HRD Ministry to raise the amount to five lakh rupees to make it an International Award.

On 16 June 1997, we visited Room No. 5 in the Central Jail, Ranchi where Birsa Munda breathed his last on 9 June 1900. The room is still used to lodge criminals. We appeal to the Government to convert it into a memorial in honour of Birsa Munda. Our Committee has decided to instal a bronze statue of Birsa Munda on 9 June 2000 when we shall observe the centenary celebration of his martyrdom.

Birsa Munda's body was consigned to the flames at Jamnia Dhoda Nala, close to the Saheed Birsa Munda Kendriya Karagar, Ranchi. The land is under the possession of the owner of the Ranchi distillery. We appeal to the Government to take possession of the land and construct a befitting memorial. We also appeal to the Government to change the name of Ranchi Airport to Birsa Munda Airport.

The Birsa Munda Statue Committee has been trying to set up a Birsa Munda Tribal Cultural Research Centre at the popularly known Birsa Maidan at Rourkela. We appeal to the Government to advise SAIL and the Government to Orissa to hand over the Birsa Maidan to the Committee for this noble cause. We request the Honourable Prime Minister to lay the foundation stone on 15 November 1998 on the occasion of the 123rd birthday of Birsa Munda.

Birsa Munda is called "Dharti Abba" and worshipped by us as "Birsa Bhagwan". He represents our cultural identity. The installation of his statue in the premises of Parliament House will continue to remind us of his heroic struggle against the British Raj and his clarion call, "Maharani Raj tundu jana, Abua Raj jana, etc.". We thank SAIL for donating the statue for installation.

May I take this opportunity to request our Honourable Speaker, Lok Sabha to take necessary steps so that our nation continues to pay tribute to this great son of India in Parliament House every year on 15 November on the occasion of his birthday.

Before I end, we express our gratefulness to all the staff of Parliament and CPWD for making all the arrangements.

It is a very happy day for us. Our 'Dharti Abba'—Birsa Munda's bronze statute has been installed in the premises of Parliament House. Many tribal brothers and sisters have congratulated us. We express our gratitude to the Honourable President of India, Shri K.R. Narayanan for unveiling the statue of Birsa Munda. The Vice-President of India, Shri Krishan Kant, the Prime Minister, Shri Atal Bihari Vajpayee and the Speaker, Lok Sabha, Shri G.M.C. Balayogi have honoured the occasion with their presence. We are overwhelmed by the presence of the galaxies of dignitaries who all are present in the Central Hall of the Parliament House. We all, tribal brothers and sisters, thank them. We are extending our cooperation to the Birsa Munda Statue Committee, Rourkela in all their endeavours.*

Jai Hind.

**ADDRESS BY THE SPEAKER, LOK SABHA,
SHRI G.M.C. BALAYOGI**

Respected Rashtrapati Ji, Respected Up-Rashtrapati Ji, Respected Pradhan Mantri Ji, Honourable Members of the Council of Ministers, Honourable Speaker of Parliament of Zimbabwe, Honourable Frida Topno, Chairperson, Birsa Munda Statue Committee, Honourable Members of Parliament, Distinguished Friends, and Ladies and Gentlemen:

It gives me great pleasure to welcome you here today on the occasion of the unveiling of the statue of Birsa Munda, a great patriot and a renowned tribal leader.

May I take this opportunity to thank heartily the Respected Rashtrapati Ji for having graced this occasion and unveiled the statue of Birsa Munda.

I would also like to express our thanks to Respected Up-Rashtrapati Ji, Pradhan Mantri Ji and other distinguished guests for being with us today.

Shri B.C. Mohanty who has sculpted this marvellous piece of art and the Steel Authority of India which has donated the statue of Birsa Munda also deserve our thanks.

It may not perhaps be out of place to mention here that a portrait of Birsa Munda was unveiled in the Central Hall in October 1989. The portrait now adorns the Parliamentary Museum and Archives.

* Delivered in Oriya

Birsa Munda occupies an important position as a champion of the long-suffering tribals and a martyr in the long succession of heroes of Chhotanagpur. His heroism, sacrifice and sensitivity form the theme of many inspiring folk lores. His short but eventful life of 25 years is an example of a valiant struggle of his people against socio-economic injustice and political conquering.

During the course of his gallant struggle against the British rule, Birsa Munda suffered rigorous imprisonment which led to his untimely death in the prison itself. The movement he launched was aimed at reviving the existing society and reconstructing it on the high principles that were destroyed by the alien rule. The underlying object of the Birsa movement was internal purification. Along with it was associated the desire to remove the colonial Government and put an end to an oppressive agrarian system and other feudal practices.

The anti-British credo of Munda's movement led to the mobilisation of both tribals and non-tribals which can be linked to our freedom struggle and the national awakening. As in other socio-religious movements of the 19th century, Birsa Munda laid emphasis on religious reforms, social uplift and cultural regeneration. As a matter of fact, several subsequent socio-religious movements in the region bore a close resemblance to his movements.

Birsa Munda played a notable role in joining the Munda people for their political emancipation and infused in them the spirit of nationalism. He gave them a leadership and code of life. He organized volunteers to fight the British Government to end the Kingdom of the Queen. During the revolt of 1899-1900 against the British Raj, Birsa emerged as the supreme leader of the Mundas and the tribal movement in the region.

Birsa and his followers, with a high mission of service to the suffering humanity, rejuvenated the dying members of people's enthusiasm. When Chhotanagpur was hit by an epidemic, it was Birsa, the saviour of his people, who served the deprived and the distressed with tireless zeal. "Dharti Abba" (Father of the Earth), as he was called affectionately, was so committed to the welfare of his people, that the distressed believed in his healing touch for relief.

Today, as we remember Birsa Munda, we have to think of the problems facing the tribals. It is a reality that the tribals form some of the most disadvantages sections of the Indian society. We cannot build a progressive and just society unless we succeed in our endeavours to improve the quality of their life and give them a better tomorrow.

It is befitting that the statue of a great revolutionary and a vocal champion of tribals' rights should be installed in Parliament House. By installing the statue of Birsa Munda, we are honouring the memory of a great social reformer, a constructive genius and above all, an enthusiastic nationalist.

This is also a tribute to all great tribal leaders belonging to different States in our country. In this context, the name of a great tribal leader from Andhra Pradesh, Shri Alluri Sitarama Raju, come to my mind. It was for the freedom of our country and the elimination of exploitation of our tribals that this great son of India lived and laid down his life. Apart from the congress stream of freedom movement in different parts of India, there were a few other stream of freedom movement. Alluri's was one such stream with its emphasis on armed struggle for freedom.

I am confident that the statue of Birsa Munda in the Parliament House Complex will be a source of inspiration and encouragement to all of us. A strong, united, progressive and compassionate India is the most enduring memorial for Birsa Munda. Let us rededicate ourselves to the noble ideals cherished and brought up by Birsa Munda.

Thank you.

**ADDRESS* BY THE PRIME MINISTER OF INDIA,
SHRI ATAL BIHARI VAJPAYEE**

Respected Rashtrapati Ji, Respected Up-Rashtrapati Ji, Honourable Speaker, Lok Sabha and Ladies and Gentlemen:

It is a historic day today. This is not merely because a statue of a great social reformer has been installed in the precincts of the Parliament of India or because Shri Birsa Munda was a great freedom fighter and a martyr in the long succession of heroes whose debt we can hardly repay. It is also a historic day because this supreme representative institution of today is expressing solidarity with the crores of tribal brethren living in every in every nook and corner of the country. It is a portrayal of our close affinity, cordiality, brotherhood and equality with the tribals. Everybody is aware of the role of Shri Birsa Munda as a social reformer. He was associated with the Church. Later, he acquainted himself with the various forms of Vaishnav religion. He witnessed the deteriorating condition of the country and the atrocities and injustice perpetrated on the Mundas and blew the trumpet of social reform. He

* Originally delivered in Hindi

inspired people for introspection and internal purification and motivated them to go in quest of truth. He helped to clean the society of its vices and set up a new cult. He was like a 'Tulsi' plant grown in the premises of a household, ever ready to help others.

A glance through the pages of history at the end of the 19th century will reveal that there was a remarkable resemblance in the socio-political landscape of Chhotanagpur and its surrounding areas and other parts of the country. The process started with social renaissance followed by an effort to awaken the sense of self-respect, a resolve to fight evil practices and customs, a wave of awakening which transformed into a movement against the alien rule. The men at the helm of power were revelling in festivities. The region was under the shadow of a famine. There was an epidemic. Munda, the martyr, organised the people in thousands and led their demonstration. It was a unique event at that time which depicted his organisational skill. It also depicted the suffering and distress of the society and the ruthlessness of the administration. Shri Munda was arrested and awarded two years' imprisonment. He was later released but after coming out of the prison confinement he was a different Birsa Munda. He gave a clarion call for a revolution. He organised a revolutionary movement for eradicating alien rule and emancipating his land and religion from the oppression of the foreign yoke. Thousands of people followed him.

Birsa Munda got only 25 years to work for his people but during these 25 years the devotee turned into a deity. People began to worship him. Somebody may reject him as a deity of blind faith but nobody can stop the ocean of public sentiment from manifesting itself. Apart from giving relief to the people, he also organised them and launched a struggle for 'Swaraj'. He exhorted the people to 'do or die' for attaining independence. People took to bows and arrows and blew the conch-shell of battle against the British rule. He set up an independent state in his region. This was intolerable for the British and it paved the way for a fresh conflict leading to a carnage. People were killed and wounded in large numbers. Shri Munda could not be arrested at that time but later he was picked up by the British in the dead of night and put behind the bars. The circumstances which led to his death are still shrouded in mystery. But, in our eyes, he remains a martyr, an exemplary son of Mother India who fought for her independence. By installing his statue in the precincts of the Parliament, today, we reiterate our respect for all our tribal brethren and pay a humble homage to the memory of Munda Ji.

**ADDRESS* BY THE VICE-PRESIDENT OF INDIA AND
CHAIRMAN, RAJYA SABHA, SHRI KRISHAN KANT**

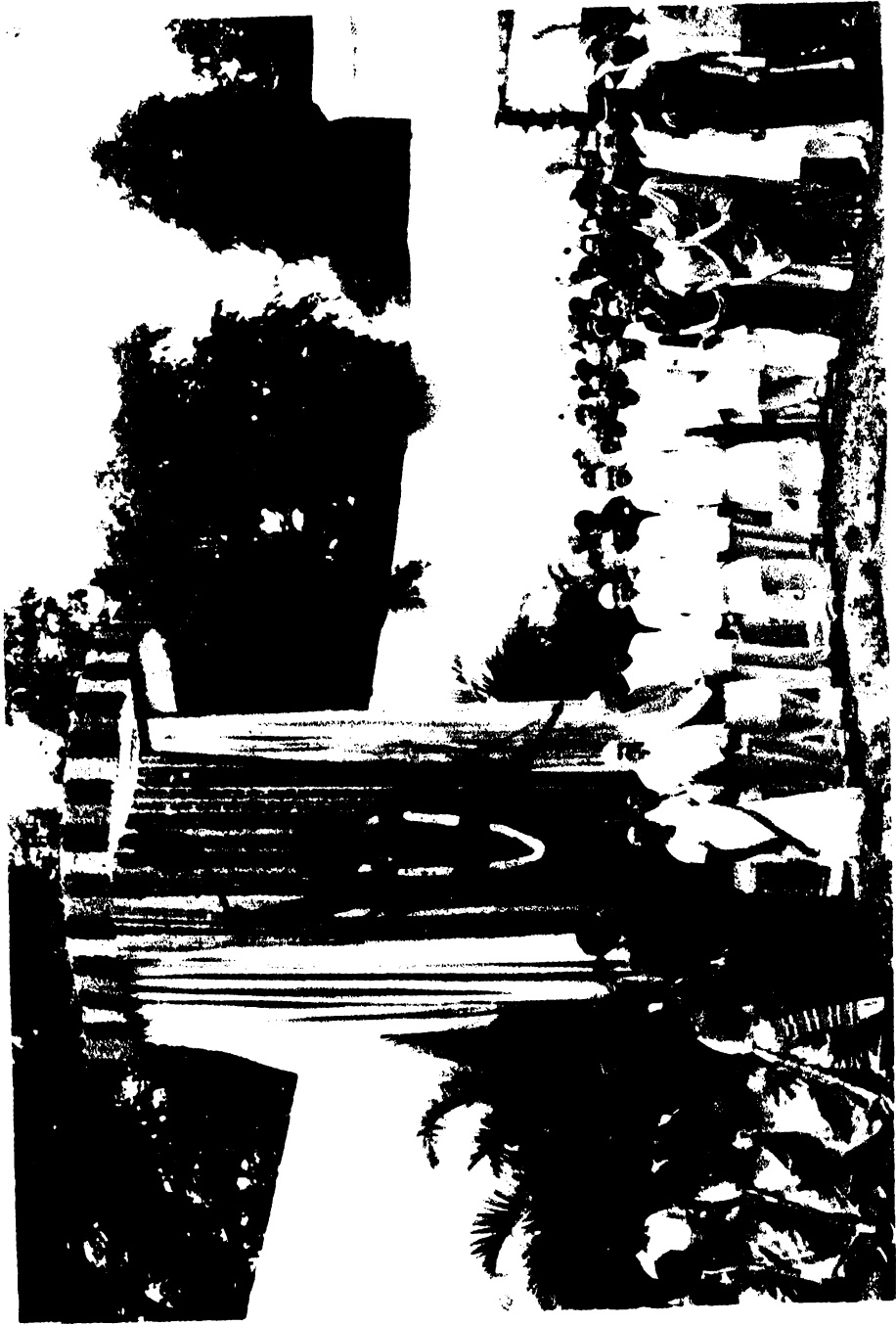
Honourable President, Honourable Prime Minister, Shri Vajpayee Ji, Honourable Speaker, Lok Sabha, Shri Balayogi, Honourable Member of Parliament, Frida Topno and other Members of Parliament and Distinguished guests.

The Honourable President has, today, unveiled the statue of the country's first tribal hero of our independence struggle, Shri Birsa Munda. The installation of the statue of Shri Birsa Munda in the precincts of Parliament makes good peculiar deficiency. Parliament is the fountain-head of Indian democracy from which flows the Rule of Law. Our democracy is based on our struggle for independence and this statue of Shri Birsa Munda further strengthens the foundation of that struggle. The tribal populace considered Shri Birsa Munda as their deity. Julius Tigga gave the title of 'Mahatma Birsa' to the biography of Shri Munda. His life was inspired by spiritualism. He was influenced by a blend of the values held dear by Vaishnavism, Christianity and the tribal Gods and Goddesses. He considered himself as an emancipator of the Munda community in the long succession of Shri Ram, Shri Krishna and Jesus Christ because all of them had waged a war against the evil practices prevalent in their contemporary era. Shri Birsa Munda also launched a movement against the social evils and malpractices.

After having been released from jail around 1897, he dedicated his services to the ailing and perishing victims of famine and small pox epidemic. He shunned rest. He did not care a bit about the possibility of himself falling ill. He and his dedicated volunteers made every possible effort to reach out to the affected families in the remote areas of the Munda province. During his short life of 25 years, he inspired the Munda community to wage a war against the British rule and the feudal landlords.

The Birsa movement occupies a pivotal place in the chain of awakening movements launched after the mutiny of 1857. The British had segregated Baluchistan and some tribal areas from the general provisions of Indian administration, the reason being that these areas were basically burning with the fire of independence more than any other area of the country. The age old customs, traditions and cultural values were still prevalent there. Therefore, whereas on the one hand the Wahabi movement and the Arya Samaj were making efforts in the direction of

* Originally delivered in Hindi



Dignitaries after the unveiling of the Statue of Shri Birsa Munda in the Parliament House Complex



The Speaker, Lok Sabha Shri G.M.C. Balayogi paying tributes at the Statue of Shri Birsa Munda



The Chairperson of the Birsa Munda Statue Committee, Kumari Frida Topno addressing the distinguished gathering in the Central Hall of Parliament House



The Speaker, Lok Sabha, Shri G.M.C. Balayogi, addressing the distinguished gathering



The Prime Minister, Shri Atal Bihari Vajpayee addressing the distinguished gathering



The Vice-President of India and Chairman, Rajya Sabha Shri. Krishan Kant addressing the distinguished gathering



The President of India, Shri K.R. Narayanan addressing the distinguished gathering



Dignitaries with a bronze Statue of Shri Birsa Munda in the Central Hall, Parliament House



inculcating a sense of nationalism in their own way amongst the Indian people, the Birsa movement, on the other hand, ignited that public sentiment by dint of its struggle, daredevil campaigns and sacrifices. In 1895, the Government suppressed the movement and awarded two years' rigorous imprisonment to Birsa Munda and his followers. It was possible this movement that formed the book to the chain of imprisonments during the independence struggle. Prior to this, the Government of India, in accordance with an order of the British Parliament, had decided that any law made for the whole of India would not be applicable to Baluchistan and Santhal Parganas unless a special permission had been obtained from the Viceroy to that effect. Due to the staunch opposition, areas like Kolahan in Singhbhum and Damin in Santhal Parganas were reserved and an outsider was required to seek special permission from the Government if he intended to visit these areas.

In 1936, the Enquiry Committee constituted by the Congress under the chairmanship of Dr. Rajendra Prasad had to obtain special permission from the Government in order to visit Damin and Kolahan areas. In such a historical background, one can well visualise the hardships and stumbling blocs which Birsa Munda had to overcome in his struggle against the British.

In 1940, the Ramgarh Congress constructed a Birsa Munda gate and dedicated it to the hero of national awareness, thus paying a homage in their own way. Their slogan was, as was narrated just now—"Abua Raj Etejana, Maha Rani Raj Tundu jana." This slogan reflects their resolve to overthrow the rule of Queen Victoria and to instal their own administration. Another slogan raised by them was—"Goro Chhotanagpur Chhodo." This was synonymous with Gandhi's 'Quit India' slogan of 1942.

On the occasion of unveiling of his statue, today, we are not only paying homage to an extraordinary statesman but also to a guide and a pioneer. The sacrifices made by Birsa Munda during his struggle are beyond any assessment today. Despite lack of education and other basic facilities and the absence of communication with the world outside, he continued his struggle against all adverse circumstances. The impact of the struggle launched by him and his people reverberates through his statue here.

I bow my head in paying homage to such a hero of our freedom struggle, Shri Birsa Munda.

**ADDRESS BY THE PRESIDENT OF INDIA,
SHRI K.R. NARAYANAN**

Honourable Vice-President, Honourable Prime Minister, Honourable Speaker, Honourable Frida Topno, Honourable Ministers, Members of Parliament and Friends:

I am happy to associate myself with the unveiling of the statue of Shri Birsa Munda, a legendary figure in the history of our struggle for freedom. He is well-known as an early advocate and exponent of tribal rights and as an indomitable fighter against foreign rule and oppression. One of the lesser known aspects of our fight against British rule is that tribal uprising constituted an important part of the defiance of the colonial regime. Birsa Munda is an outstanding representative of one such movement in the last 19th century in the Chhotanagpur region, who initiated a unique phase of our freedom struggle which decisively influenced its course and subsequently made us deeply conscious of tribal issues vis-a-vis nation-building.

Birsa Munda rose from the lowest rank of peasants to mobilise people against the appropriation of tribal land and disintegration of their way of life, economy, and culture by the colonial system. He fought against the predatory tendencies in the name of modernisation and the oppressive Zamindari system, invoking the spirit of a tribal order characterised by simplicity, absence of tyranny, and living in harmony with nature.

He used the myths and symbols of his society and culture and became a rallying point for people to rise against foreign rule, oppression and injustice. His movement was also infused with the spirit of religious reform, social justice and cultural regeneration. He fought against the British rule, suffered imprisonment and subsequently became a martyr. Through his struggle, he became a cult figure, a part of the folklore and was even deified by the people as 'Dharti Abba' or 'Birsa Bhagwan'. The Bihar Regiment of the Indian Army invokes his name in one of their battle cries.

Birsa Munda's struggle was suppressed by the British authorities. But it did not go in vain. His fight for the rights of the people for forest resources, land and preservation of their 'distinct identity' was subsequently recognised when the then British Government, through a series of measures, guaranteed tribals' rights to reclaim their land and empowered officials to forcefully evict the occupation of tribal land by others. The Chhotanagpur Tenancy Act of 1908 which partially protected the rights of tribals is considered as an important outcome of Birsa Munda's fight.

The arduous fight of Birsa Munda against British rule and its ramifications found articulation in the larger context of our struggle for independence when Surendranath Bannerjee took up the issue in the Legislative Council and many other leading newspapers of the period editorially supported its cause. The impact of this movement was significant enough that even the British Government that suppressed it, recognised its gravity. This was reflected in the secret report of the then Lt. Governor who wrote, "the disturbance may have quieted down but Simla requires to be constantly reminded that it is sitting on a powder magazine."

The popularity, intensity and relevance of the movement launched by Birsa Munda was so widespread that all the mainstream political groups supported it and eulogised its contributions to arouse the common people to stand against the mighty British empire. Acknowledging his crucial role in awakening the masses of Chhotanagpur against the British rule, the Indian National Congress and the Forward Block observed Birsa Day in 1940 with great enthusiasm. Paying tribute to Birsa Munda, the Indian National Congress named the main gate of its Ramgarh Session in 1940 as Birsa Gate and published stories of his eventful life which was circulated among the delegates.

The awakening triggered by Birsa Munda found its manifestation in the formation of the Kisan Sabha by many tribal groups, which later joined this struggle for freedom. Many followers of Birsa Munda who took pride in calling themselves 'Birsaites' joined the nationalist movement for independence and were greatly influenced by Mahatma Gandhi. Historians have asserted that the campaigns of Indian National Congress in Chhotanagpur would not have been successful without Birsa Munda's agitation.

As we survey the remarkable life and deeds of Birsa Munda, we are struck by the spontaneity of people's action. One important feature was that Birsa Munda's movement attracted a large number of women who suffered imprisonment, faced police bullets and embraced death. The then British Government was perplexed by the willing and large-scale participation of women in the agitation launched by Birsa.

Birsa Munda stood out as an early protagonist of tribal rights, a pioneer in mobilising women for the cause of freedom and as an irrepressible fighter for justice and human dignity. His movement launched in late 19th century has significance for our own times. Today, our tribals, in all parts of our country, are fighting for their inalienable rights to land, forest resources and cultural identity. In all such fights, we find an echo of Birsa Munda's strivings. Today, our tribal brothers and sisters

are heroically standing against the forces of so-called modernisation which run antithetical to their life-style, and understanding of nature and culture. They resist the alarming deterioration of environment as they are the protectors and preservers of "Jal, Jungle and Jantu" and draw our attention to the need for re-examining our concepts of development and progress. They underline the need for truly sustainable development projects.

Since the days of our struggle for Independence, we have taken steps to guarantee the rights of our tribal brothers and sisters. Our Constitution, the fundamental law of the land, stipulates the provisions for their uplift. The unveiling of the statue of Birsa Munda is national recognition of the role of tribals in the freedom struggle and of the importance of preserving their identity and their traditional culture while improving their living conditions and integrating them emotionally into the mainstream of national life.

Jai Hind.

**INAUGURAL ADDRESS BY THE SPEAKER, LOK
SABHA, SHRI G.M.C. BALAYOGI AT THE 62ND
CONFERENCE OF PRESIDING OFFICERS OF
LEGISLATIVE BODIES IN INDIA**

The 62nd Conference of Presiding Officers of Legislative Bodies in India was held in New Delhi from 22 to 24 September 1998. The Speaker, Lok Sabha and the Chairman of the Conference, Shri G.M.C. Balayogi delivered the Inaugural Address on 22 September 1998.

We reproduce below the text of the Address.

—Editor

Honourable Presiding Officers from various States, Fellow Parliamentarians, Distinguished Guests, Ladies and Gentlemen:

I welcome you all to this 62nd All India Conference of the Presiding Officers of Legislative Bodies.

Since the last Conference, we have gone through yet another General Election. And, the Twelfth Lok Sabha is in position. This time we have the presence of 41 political parties in the House. Yet another coalition has come to power at the Centre. Coalitions do involve management of contradictions—harmonization of competing interests of alliance partners. By now, we have had some significant experience with coalitions at the Centre as well as in the States. Political education comes from experience and this is also a continuous process. The need of the times is to reconcile the interests of stability needed for socio-economic development of our people with the political dynamics inherent in governance through coalition. In the process of this reconciliation, Presiding Officers of Legislative Bodies have to play a crucial role.

In this background, the first item on the agenda of the Conference, that is, "Need to review the Tenth Schedule to the Constitution" assumes special significance.

The Tenth Schedule, as all of you would know, is commonly known as the "Anti-Defection Law". This law was established by the Constitution 52nd Amendment Act, 1985. The Government which enacted this law was a majoritarian Government and it did take into consideration,

for the purpose of law, the political experience till then, of over three decades. The principal objective of the law was one of outlawing defections, that is, the tendency on the part of the legislators to switch loyalties from one party to another, resulting in frequent floor-crossing. After practising the Anti-Defection Law for thirteen years, strong reservations are being expressed by political leaders and jurists about it. This would mainly seem to be for the reason that the law has not achieved its objective. It is a fact of life that defections have not been "outlawed". Rather, defections have taken place legally. Legal or illegal, defections have impacted on the stability of Governments and have gone with a number of undesirable practices.

Indeed, there are several ambiguities and lacunae about the Anti-Defection Law. So, interpretation of the law becomes difficult and has not also been uniform. Controversies have arisen in the matter of manner of verifying splits in original political parties; time from which splits become effective; conclusiveness of splits; engineered splits; voluntary withdrawal of membership; consequences of expulsion of members from political parties, etc. Presiding Officers also get involved in controversies because of different interpretation given by them in the application of the various provisions of the Anti-Defection Law. In this context, there is even a suggestion that matters relating to splits and mergers of parties are best left to the Election Commission. In any case, the Supreme Court have ruled that decisions on the application of the Anti-Defection Law are subject to judicial review.

Now there are media reports that the Law Commission has submitted a working paper to Government and also circulated it among M.P.s and certain organisations, recommending, *inter alia*, that a member elected on a party ticket shall remain with that Party until dissolution of the House. This recommendation would virtually mean, if accepted and implemented, that the Anti-Defection Law will have to be scrapped. I am sure that there would be a nation-wide debate on this matter. I hope that in this Conference, the Presiding Officers would go into all the aspects of the Anti-Defection Law and arrive at findings based on their up-to-date experience. These findings could constitute significant inputs for final decisions to be taken by the Government and the Parliament.

The second important subject that is going to be discussed in this Conference is the form of procedures and management of time of the House. As the Presiding Officers would know, under articles 118 and 208 of the Constitution, each House of the Parliament and of State Legislatures may establish their own Rules of Procedure and Conduct

of Business. The Rules of Procedure of the Parliament, due to obvious historical reasons, have been impacted by the Rules of the British Parliament. When our country became free, our Parliament started with a body of Rules which was largely an adaptation from those of the Central Legislative Assembly of pre-Independence times. No doubt, the Rules have also been constantly evolving in the context of new experiences. By and large, the Rules of the State Legislatures are also modelled on the Rules of the Parliament. The Practice and Procedure of Parliament of the Lok Sabha Secretariat (popularly referred to as Kaul and Shakhder) is, indeed, a reference document for all Legislative Bodies of India. This publication is being updated from time to time reflecting the latest developments in the Lok Sabha, including the Rulings of the Speakers on issues arising from time to time. The Directions of the Speaker of Lok Sabha issued in pursuance of Rule 398 of the Rules of Procedure are also very crucial on matters of detailed procedures. The Constitutional provisions, Rules of Procedure and the Directions of the Speaker constitute the discipline within the framework of which the Lok Sabha functions. The already existing broad uniformity in the Rules of Procedure of the State Legislative Bodies *vis-a-vis* those of the Lok Sabha could be reviewed and updated every year by a two-way process of consultation. The Legislative Wings of the Parliament and of the State Legislative Bodies should work in synergy.

In framing the Rules, the broad objectives that should be borne in mind are:

- That the accountability of the Executive to the Legislature is maximised;
- That, in any case, the Executive is not interfered with in its day-to-day functions;
- That matters which are under adjudication and judicial and constitutional functionaries are not brought under scrutiny, except as provided under the Constitution and laws established by the Parliament;
- That the privileges of the parliamentarians and the dignity and authority of the Houses are duly safeguarded;
- That, in the conduct of the business of the House, a thoughtful system of Committees facilitates consensus building and collective decision-making—of course, under the conclusive and final authority of the Presiding Officer;
- That the access to the media is liberally facilitated, so that there is transparency in respect of what goes on in the Legislative

Bodies except to the extent to limitations that may be dictated by considerations of secrecy; and

Operation of the Rules is cost-effective.

As far as I see, with my experience in the Parliament and in Andhra Pradesh, the problem is not really in the regime of Rules of Procedure. Rather, it is in their compliance, particularly, in the area of time management which is the central and most crucial factor for the efficient functioning of the Legislative Bodies.

Keeping in view the limitations of time in every Session and every sitting of the Legislative Bodies, fairly tight Rules of Procedure have been established for operating various parliamentary devices—Question Hour, Half-an-Hour Discussions, Adjournment Motions, Substantive Motions, Short Duration Discussions, Calling Attention Motions, No-Confidence Motions, Private Members Resolutions, Petitions from the public, etc. Allocation of time is usually decided by the Business Advisory Committee.

However, in practice, time allocated by the Business Advisory Committee is not **always** conformed to. Discussions during the Question Hour turn out to be long drawn out. Only a few Starred Questions are replied to. Time consumed on Short Duration Discussions often does not have any relation to the maximum time limit fixed. More importantly, in the name of emergent matters of public importance, even listed items of business get postponed from day to day. These trends have a cascading effect getting reflected in late night sittings. Even consideration of Demands for Grants get guillotined. Party Leaders, Chief Whips and Legislators should cooperate and subject themselves to strict time discipline. Members of the Legislative Bodies, particularly new comers and juniors, entertain serious grievances in regard to opportunities given to them in time allotment for meaningful participation in serious proceedings. Parties have a tendency to allocate the lion's share of the time given to them to seniors or old timers. This trend is not conducive to maintenance of disciplines in the Houses as well as in the respective political parties themselves. On equitable distribution of time amongst members also, it is for the parties in the House to play the appropriate role.

Members of Legislative Bodies should also be given necessary orientation training in studying the subjects of debate and presenting their thoughts in an organised and time-effective manner with due concern for the time needs of their colleagues.

This is not the first time that the agenda items of today's Conference are being considered by the Presiding Officers. But, these are



The Speaker, Lok Sabha and Chairman of the Conference presiding over the Conference



The Speaker, Lok Sabha and Chairman of the Conference, Shri G.M.C. Balayogi delivering the Inaugural Address

subjects which need to be discussed repetitively to share experiences and for the legislators to be effective. It is like same physical exercises being done again and again for the human body to be kept trim and active.

With these words, I have great pleasure in inaugurating this 62nd Conference of the Presiding Officers of Legislative Bodies.

**ADDRESS BY THE SPEAKER LOK SABHA,
SHRI G.M.C. BALAYOGI, AT THE SYMPOSIUM
ON "ELECTORAL REFORMS"**

A Symposium on "Electoral Reforms" was held in New Delhi on 24 September 1998, after the 62nd Conference of Presiding Officers of Legislative Bodies in India. We reproduce below edited version of the text of the Address delivered by the Speaker, Lok Sabha, Shri G.M.C. Balayogi at the Symposium.

—Editor

Honourable Presiding Officers, Fellow Parliamentarians, Ladies and Gentlemen :

Having completed fifty years of our experience in democracy, it is only appropriate that we deliberate on Electoral Reforms based on our shared experiences.

The primary issue in Electoral Reform concerns the system of representation. Indeed, the system of representation is crucial to democracy. How democratic is a popular Chamber is dependent on how representative of the people it is. In our country, the system of representation is the majoritarian system—what is known as the First-Past-the-Post System. The winning candidate is the one who gains more votes than any other candidate, but not necessarily a majority of votes. But this system causes serious distortions between popular votes and seats in the elected bodies. Parties having larger share of seats do not necessarily have to their credit larger percentage of total popular votes. The Congress Party, over 12 General Elections, has held seats in the Lok Sabha ranging from 25.3 per cent to 77 per cent while the votes gained by it ranged from 25.7 per cent to 47.8 per cent. During 1977, the BJP and allies held 54 per cent of the seats but had gained only 41.3 per cent of the votes. In the present Lok Sabha, the BJP holds 33 per cent of seats with 25.5 per cent of the votes. In fact, in the case of smaller parties like the CPI and CPI(M), which have held smaller number of seats, the percentages of their seat share and vote share have been quite very close.

This kind of vote-seat distortion which is a serious inadequacy in the majoritarian system of representation can be avoided if we opt for

the proportional representation system, that is the List System under which people vote for parties which, in turn, receive seats in proportion to their vote share. Many European countries—Sweden, Norway, Denmark, Belgium, Italy, Switzerland, the Netherlands, etc.—follow this System. There is also another variant of this System—a combination of majoritarian and List Systems. Examples are Russia and Germany.

Are we in a position in our country to opt for these comparatively more representative system? Or, should we confine ourselves to our present majoritarian system, considering that it is the simplest system which can be easily understood by the vast masses of our voters who are illiterate? The majoritarian system is voters-centric while the proportional system is party-centric. Is it desirable, in our present circumstances, to give precedence and predominance to parties over voters? It is gathered that out of 211 countries in the world having representative system, 68 countries follow the majoritarian system and 66 proportional system.

All the parties are agreed in principal to provide reservation for women in Legislative Bodies. They are yet to come to an agreement on modalities of providing representation to them. In our society, which is highly male-dominated with strong societal practices of discrimination against women, it is desirable that we find an early solution to the problem of women's representation to enhance the representative character of our Legislative Bodies.

According to the basic framework of articles 81 and 82 of the Constitution, allotment of seats in the Lok Sabha to each State and delimitation of constituencies should be in proportion to population and should be readjusted with reference to decennial census figure. As a result of the Constitution (Forty-second Amendment) Act, 1976, the allotment of seats in 'Lok Sabha to States, done on the basis of the 1971 population figures, shall remain frozen till the first census takes place after the year 2000. Our population in 1971 was 548 million: The population, as of today, is estimated to be 960 million. Between 1971 and today, population has increased by 412 million, that is, by 75 per cent. Not adjusting the Lok Sabha seats and constituencies with reference to this massive growth of population, does have very serious implications for the representative character of our democracy as well as the balance of its foundation. We should realise, in this context, that the average electorate size ranges between slightly over two lakhs in Sikkim and over one million in Rajasthan. (I am not mentioning about Union territories, the electorate sizes of which are much lesser.)

Population has also been growing rather unevenly in different parts of the country. If the existing system of allocation of the Lok Sabha seats to States delimitation of constituencies based on population is to continue without modifications, will we not be rewarding States with low performance in population control and punishing those with good performances? Does this not have serious implications for equitable political participation by the people in different parts of the country and, therefore, for our federal polity and the very unity and integrity of our country?

Conduct of free and fair elections is as important as a system of representation. In order to ensure free and fair elections, the Constitution provides, under article 324, for the constitution of an Independent Election Commission. Considering the enormous powers and high profile that the Commission has come to assume, particularly of late, it is desirable that the President appoints the Commission based merely on the proposals of the Government but in consultation with the Chief Justice of India and the Leader of the Opposition.

The Election Commission of India has established in 1996 an up-to-date Model Code of Conduct for the guidance of political parties and candidates. This is in terms of guidelines for parties, candidates and party in power as regards general conduct, meetings, processions, polling, general superintendence through observers etc. The desirability and practicability of giving legal sanction for this code deserves to be examined.

From very early days since we started operating our electoral system, suggestions have been made that fresh elections should be conducted by non-party Governments. The late Shri Rajagopalachari used to recommend that the party in power should step down before fresh elections so that it does not have any unfair advantage over other parties. Will this be practicable? If there is to be short-term neutral Government to supervise the conduct of elections, the question arises as to how it should be formed. What is a non-party Government? Will it be a Government by civil servants? From whom will they take orders? Will it be a Government with special dispensation under the President or the Vice-President? If so, what should be that dispensation? What would be the constitutional amendments required?

Financing of elections is also an important aspect of electoral reforms. It is universally recognised that it would be unrealistic to expect democratic elections to be separated totally from the question of money. Financial contributions are, indeed, a legitimate form of political participation. What should, however, be ensured is that individuals or organisations with money power should not be permitted to exercise disproportionate

arm controlling influence on the election of candidates. The financing systems should be transparent. Detailed ground rules should be established for disclosure of sources of funding.

Recently, there has been some enhancement of the ceiling of election expenses that candidates could incur. Our constituencies are geographically vast. Many of them have low transport and communication facilities. The electorates in individual constituencies are sometimes even bigger than the population of some developed countries. Financing of elections, therefore, would still need to be rationalised so as to facilitate meaningful interface between candidates and voters. There are suggestions that there should be State funding of elections. In some of the developed countries where this practice exists, funding is linked to performance of parties in previous elections. Such an arrangement may not be easy of implementation in our multi-party system. There could be obvious complaints from smaller parties. We should go into equitable systems of State funding, consistent with our society and political culture.

In order to economise on election expenses, one suggestion often made and even practised in certain circumstances, is that Parliamentary and State Assembly Elections be held simultaneously. Experience on ground has been that illiterate voters get confused and this results in voting for unintended candidates as well as invalid votings by them. Problems like this would have to be borne in mind while setting our organisational details.

The last four General Elections have thrown up hung Houses, that is, the Ninth to the Twelfth Lok Sabhas. Minority and Coalition Governments are increasingly becoming frequent. Governments based on coalition arrangements are also proving unstable. Mid-term elections are becoming frequent, causing burdens on account of recurrent election expenses. In this context, one of the suggestions that could be considered is to provide for a fixed term for the legislative bodies. In this context, the question of amending articles 83(2) and 172(1) of the Constitution could be examined.

Criminalisation of politics and its impact on electoral processes and outcome have been matters of public debate in our country for some time now. The Vohra Committee has reported on it. The Golden Jubilee Special Session of the Parliament has, *inter alia*, exhorted: "...All political parties shall undertake all such steps as will attain the objective of ridding our polity of criminalisation or its influence". In the context of the General Elections, 1998, the Election Commission repeatedly publicised in the media its intention to prevent access to electoral contests for persons with criminal background.

How does one define "persons with criminal background"? Is the scope of the definition only to include persons who have been convicted of criminal offences? If that be not so, is the scope of the definition such that it includes persons with general public reputation for criminality though they might not have been convicted? How can such persons be debarred from electoral contests, as a person is construed to be innocent until proved otherwise in a court of law? Judicial processes being long drawn out in our country, how do we wait for judgment of Courts and still hope to speedily rid electoral contests of access by those who stand accused of crimes? Should any distinction be made between various kinds of offences for which convictions may have been given by Courts? Offences, indeed, are of various grades of gravity. Should persons convicted of certain offences which may not have been grave be exempt from denial of access to electoral contests? We have to go into all these aspects.

Firm legal provisions to prevent entry of persons with criminal background into electoral contests should be established and implemented. In this context, Section 8 of the Representation of the People Act may have to be significantly amended to exclude criminals from legislative bodies. At present, a person convicted for any offence for a period of not less than two years is disqualified. The provision in regard to disqualification of sitting members who are convicted is that it will not take effect till three months have lapsed from the date of convictions and until appeal against conviction, if any, is disposed of by the competent Court. Repeatedly, the Election Commission has been proposing to insist on appropriate affidavits from electoral contestants in regard to their background being free of criminality. It is desirable that in this regard there are overt legal provisions rather than weak or contestable procedural arrangements.

For sometime, there was lack of clarity regarding whether lawmakers' should be construed as "Public Servants" within the meaning of the Prevention of Corruption Act, 1988 (PCA). The judgement in the JMM case has been conclusive about this, and the lack of clarity in this regard has been eliminated, legislators having been brought within the ambit of Section 2(c) of the PCA. The judgement has further clarified that sanctions for prosecution under Section 19 of the PCA could be obtained from the Chairman of the Rajya Sabha or the Speaker of the Lok Sabha where members of Parliament are involved—that is, pending amendment of the Act. Urgent steps in this regard are required.

One surest method of preventing persons with public reputation for criminal background access to electoral contests is for the political

parties themselves to deny them tickets for contests. Experience shows that parties, because of political compulsions, more specifically on the ground of such persons being assessed as "winning candidates", end up giving them tickets. Even presuming that such persons may be denied tickets, there is nothing which can stop them, as on date, from contesting elections as independent candidates. If such candidates get elected, they also try to sanctify their election and get respectability for themselves by arguing that the people's verdict in their favour should be construed as absolution of any criminal disposition or character. In post—election scenarios of hung Legislatures, such independent candidates assume considerable importance as well as on account of political arithmetic involved in the formation of Governments.

Articles 102 and 191 of the Constitution relating to the disqualification of members of the legislative bodies have been amended and amplified to include disqualifications under the Anti-Defection Law. We have had a full-fledged discussion on the weaknesses of the Anti-Defection Laws itself in the Presiding Officers' Conference 22 September 1998 and the Conference has called for a comprehensive review of the Law. There has even been a strong demand that this Law itself should be scrapped on account of its abuse, not to speak of disqualifications of members thereunder.

Of late, there have been serious complaints regarding the use of money power within the narrow confines of elections to the Rajya Sabha. Until 1913, members of the Senate in the United States were elected by the State Legislatures. Complaints of the nature now we are faced with became rampant. And, by the Seventeenth Amendment, the United States switched over to direct election of members of the Senate as well. Can we learn lessons from the American experience? Can we have direct elections for the Rajya Sabha as well?

I am aware that my address has been somewhat longer than I would have liked it to be. I anticipated your indulgence in order to put the various issues of electoral reforms in perspective.

Thank you for your kind attention. With these words, I have great pleasure in inaugurating this Symposium.

THE ELECTION OF THE DEPUTY SPEAKER OF THE TWELFTH LOK SABHA

-LARRDIS-

Under the provisions of art. 93 of the Constitution, the Lok Sabha chooses one of its members to be Deputy Speaker thereof, in accordance with the procedure prescribed in Rule 8 of the Rules of Procedure and Conduct of Business in the Lok Sabha. The Deputy Speaker is elected by a simple majority of members present and voting in the House.

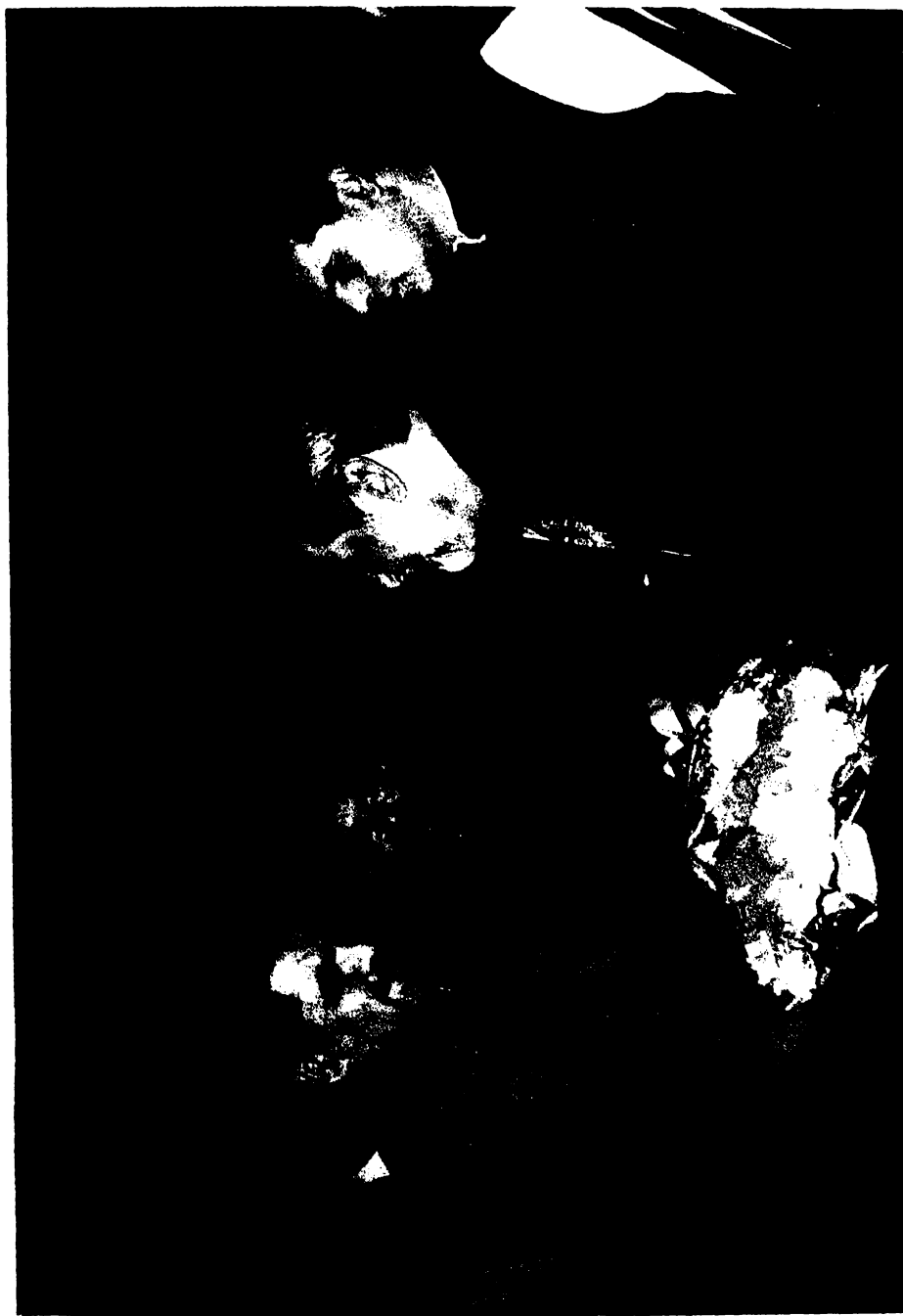
The Speaker, Lok Sabha, Shri G.M.C. Balayogi, fixed 17 December 1998 as the date for holding of the election to the office of the Deputy Speaker of the Twelfth Lok Sabha. The members were accordingly informed of the procedure and programme thereof through the Lok Sabha Bulletin Part-II on 14 December 1998, and subsequently on 15 December 1998. Members were required to give notices of motions for the election of Deputy Speaker in the prescribed form before noon on 16 December 1998. Twenty two notices of motions were received by the prescribed time, all of them proposing the name of Shri P.M. Sayeed. The item on 'Election of Deputy Speaker' was then included in the List of Business of 17 December 1998.

On 17 December 1998, when the item was taken up, the Speaker, Lok Sabha, Shri G.M.C. Balayogi, who was in the Chair, called upon the Prime Minister, Shri Atal Bihari Vajpayee to move the motion standing in his name. Accordingly the Prime Minister, Shri Atal Bihari Vajpayee moved the motion, "That Shri P.M. Sayeed, a member of this House, be chosen as the Deputy Speaker of this House". The Leader of the Opposition, Shri Sharad Pawar, seconded the motion. The other identical motions Sl. No. 2 to 22 were moved in favour of Shri P.M. Sayeed to be chosen as the Deputy Speaker of the Lok Sabha.

The motion moved by Shri Atal Bihari Vajpayee and seconded by Shri Sharad Pawar was put to the vote of the House and was unanimously adopted. The Speaker, Shri Balayogi, then declared that Shri P.M. Sayeed was chosen as the Deputy Speaker of the Twelfth Lok Sabha. The Honourable Deputy Speaker was later conducted to his seat



The Deputy Speaker of the Lok Sabha, Shri P.M. Sayeed



The Speaker, Lok Sabha, Shri G.M.C. Balayogi presenting a banquet to Shri P.M. Sayeed on being elected as the Deputy Speaker of the Twelfth Lok Sabha

by the Prime Minister, the Leader of the Opposition, and the Minister of Parliamentary Affairs and Tourism, Shri Madan Lal Khurana.

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

The Prime Minister, Shri Atal Bihari Vajpayee extending his heartiest congratulations and felicitations to Shri P.M. Sayeed on his election to the office of Deputy Speaker said that Shri Sayeed is cheerful, reticent and soft-spoken. He knows very well as to when to be strict and when polite. He has carried to the mainland the beauty of the island, Lakshadweep, where he resides. He has been elected to the Lok Sabha for nine times consecutively and has adorned a number of responsible offices. The Prime Minister wished him success.

Felicitating Shri Sayeed, the Leader of the Opposition in the Lok Sabha, Shri Sharad Pawar said that Shri Sayeed became a member of Parliament at the age of 26 and had been relentlessly delivering goods since then. He has been representing Lakshadweep since 1967. He felt sure that Shri Sayeed would be successful in this office. He has served several Committees and the Central Government and represented India in the United Nations twice. The House would be benefited by his guidance and Shri Sayeed would succeed in executing the responsibility entrusted on him.

Shri Indrajit Gupta observed that what has been said here about Shri P.M. Sayeed only proves that he is eminently suitable for the office of the Deputy Speaker of the House. He has never shown anger or impatience. He is a person who can always be relied upon to show the utmost impartiality. Shri Gupta, on behalf of his party, extend warmest felicitations to him and assured him utmost cooperation in helping him to discharge his duties.

Former Prime Minister of India, Shri Chandra Shekhar said that he has known Shri Sayeed for long. He was born and brought up in the tribal area of Lakshadweep. He befriended people by his nature and culture. He has been elected unanimously by the House because of his qualities. He always did justice to the offices, which he held.

Felicitating the newly-elected Deputy Speaker, former Prime Minister of India, Shri I.K. Gujral said that he always found in Shri Sayeed a man of great intellect and also a man of great values. He expressed confidence that Shri Sayeed would continue to uphold those values for which we always stood for.

Shri K. Yerrannaidu congratulated and felicitated Shri P.M. Sayeed for being elected unanimously as the Deputy Speaker of the Lok Sabha. He felt sure that Shri Sayeed would give more chances to the new members and also each and every member would be allowed to speak in the House.

Conveying his congratulations, Shri R. Muthiah said that by the election of this experienced and eminent politician, the House had upheld the highest tradition and convention of giving the post of Deputy Speaker to the main Opposition.

Offering his felicitations, Shri Murasoli, Maran said that the Speaker of the Lok Sabha belongs to the Scheduled Caste and the Deputy Speaker of the Lok Sabha belongs to the Scheduled Tribe, Mr. Sayeed has not only a stentorian voice, but also what is called, the 'Lok Sabha tact', he added.

The Minister of Steel and Mines, Shri Naveen Patnaik congratulated Shri Sayeed on being elected unanimously as the Deputy Speaker of the House. He felt sure that with his vast and rich experience of over three decades, he would conduct the House effectively.

Congratulating Shri Sayeed for having been elected to the position of Deputy Speaker, Shri Madhukar Sirpotdar wished that he succeeds in all spheres of activities.

Congratulating warmly the newly-elected Deputy Speaker, Shri Sanat Kumar Mandal hoped that he would give time to the smaller parties to air their views on various burning issues.

Extending his sincere congratulations, Shri R.S. Gavai assured Shri Sayeed every cooperation in his tenure.

Prof. Saifuddin Soz congratulated Shri Sayeed on his being unanimously elected as the Deputy Speaker of the House.

Shri Amar Roy Pradhan expressed happiness over the fact that a member, from Lakshadweep, who is a good parliamentarian, has become the Deputy Speaker of this House.

Shri Surender Singh expressed great happiness on the unanimous election of Shri Sayeed as the Deputy Speaker.

Expressing his happiness and feeling proud of Shri Sayeed on his election as the Deputy Speaker, Dr. Subramanian Swamy said that the whole world would get a message that there has been a social transformation. The two powerful Presiding Officers of the Parliament are not only highly educated, but also represent the deprived communities of the country.

Shri Kishan Singh Sangwan felicitated Shri Sayeed on his being elected to the office of Deputy Speaker.

Shri S.S. Owaisi expressed his happiness that a representative of a minority community has been elected as Deputy Speaker and hoped that during his tenure he would uphold certain values for which we are struggling.

Shri Th. Chaoba Singh expressed his happiness on the election of Shri Sayeed as the Deputy Speaker of the Lok Sabha.

Congratulating Shri Sayeed, Speaker of the Lok Sabha, Shri G.M.C. Balayogi said:

Honourable Members, it gives me great pleasure to congratulate Shri P.M. Sayeed on his election as the Deputy Speaker of the Lok Sabha. His unanimous election is a testimony of the collective wisdom of the House and a triumph of our democratic tradition of achieving consensus through dialogue.

Shri P.M. Sayeed is an embodiment of the virtues that make an effective parliamentarian. Conscientious, sharp, knowledgeable and affable, Shri Sayeed has abiding faith in the efficacy of the parliamentary institutions and respect for opposing viewpoints. He has been representing Lakshadweep in the Parliament for over 30 years. To be precise, this is his ninth term as a Member of the Lok Sabha. This speaks of his popularity in his constituency.

Shri Sayeed has judiciously blended his roles as a representative of the constituency and as a member of the national Parliament. His contributions as a member of the House and as member of various House Committees and Joint Committees, have been highly appreciated. His in-depth knowledge of rules and conventions and understanding of our parliamentary traditions have helped him to run the House smoothly as a member of the Panel of Chairmen.

His two tenures as a Central Minister during 1979-80 and 1993-96, have also enabled him to have first-hand experience of the working of our Executive.

I compliment the Honourable Members for electing a person of such long experience, high stature and integrity as the Deputy Speaker.

I wish Shri P.M. Sayeed all the best in his new role as the Deputy Speaker of the House.

Replying to the felicitations, the newly-elected Deputy Speaker, Shri P.M. Sayeed said:

Honourable Mr. Speaker Sir, Honourable Leader of the House, Shri Atalji, Honourable Leader of the Opposition, Sharadji, Honourable ex-Prime Minister, Gurudev Chandra Shekharji, former Prime Minister, Honourable Gujralji, Honourable senior Leaders and my Esteemed Colleagues:

I am indeed overwhelmed with a sense of gratitude to this august House, and I thank the Honourable Members for their profuse compliments to me on my election as the Deputy Speaker of the House. I do not see in my election victory or defeat for any party or group in political terms. I only see the victory of the hallowed conventions of this House.

People who come to see P.M. Sayeed Member of Parliament elected nine times over, often visualise him as an old person of snow-white hair and flowing beard. They get jolted by surprise on seeing only a person past the middle age, thus, their imagination not squaring up with reality. What can I do? My island people caught me young. They returned me to this House for the first time when I was just 26 years of age. Now, at 57 years, age has not necessarily withered me nor has custom staled me to my people. They have remained steadily with me and unfailingly returned me to this House since 1967, with an average voter turnout of 85 per cent, the highest in the country.

Indeed, the relationship between my islanders and me is one of abiding romance. My election is a tribute to my people. I thank with immense gratitude my people who are ultimately responsible for where I am today.

I represent Lakshadweep, the smallest constituency in our country of nearly one billion. The size of my electorate is only about 40,000 as against the country's total electorate of nearly 500 million and average electorate size per constituency of around one million. My election, in this background, has a significant message that the forces of national integration which are neutral to the magnitude of geographical regions, have triumphed.

It was the late Prime Minister Shri Rajiv Gandhi who held the concerns of the island people driven to geographical isolation dear to his heart. To take them on board the mainstream of our political, social and economic life, he created the Island Development Authority. On this occasion of my election as the Deputy Speaker, let me pay homage to his soul and spirit.

Lakshadweep is not the only island region of our country. We have the Andaman and Nicobar Islands also. In the discharge of my duties, I shall be a man of all islands.

I am aware that in my election, I have had the support of the growing women power of our country. I salute our women power.

In these days of fractious political life and consequent hung Houses, more than ever before, unanimity in election to the Offices of the Presiding Officers is getting to be increasingly desirable. I would assure the House that the unanimity of my election would always condition my reflexes in the conduct of the House. I shall sincerely endeavour to bring the discharge of my functions and responsibilities as Presiding Officer in conformity with the spirit of this unanimity. I hope that the Members would also demonstrate the same spirit of unanimity in cooperating with me on a day-to-day basis in facilitating the peaceful and efficient transaction of the business of the House.

In the large House that ours is, Honourable Members are, more often, not able to catch the eye of the Presiding Officer. Indeed, the eye of the Presiding Officer has been described as the most elusive organ that nature has ever created. But I would request the Members to appreciate that the elusiveness of my eyes would necessarily have to be inversely proportionate to their throats. In the appreciation of this factor as well, I seek the cooperation of the Members, without which I cannot succeed in my Office.

The media, the Fourth Estate, is an essential part of our democracy. A role for the media in Parliament has even been envisaged in our Constitution. Our media has always vigilantly invited our attention to the traditions of this House. In the context of today's election to the Office of the Deputy Speaker as well, the media had reminded us of our conventions and had contributed, I believe, to creating an environment of unanimity about which I made reference earlier. It deserves compliments for its role.

Finally, Mr. Speaker, Shri Balayogi, for me growing as a Parliamentarian in this House over three decades, even as our parliamentary culture, traditions and conventions evolved, has been a fabulous experience. May I assure you, Sir that I shall bring this experience to bear on my role as your lieutenant worthy of your trust and confidence.

Thank you, Sir.

SHRI P.M. SAYEED—A LIFE-SKETCH

Shri Padannatha Muhammed Sayeed, son of Late Shri A.B. Atta Koya Thangal was born on 10 May 1941 at Androth Island in the Union territory of Lakshadweep. He obtained Bachelors in Commerce from the

Government Arts College, Mangalore and LL.B. from the Sidhartha College of Law, Bombay.

Shri P.M. Sayeed has the unique distinction of having been elected nine times in a row to the Lok Sabha. An advocate by profession, Shri Sayeed was first elected to the Lok Sabha (Fourth) representing Lakshadweep constituency in 1967. His association with Lakshadweep began right from the time it was declared a parliamentary constituency and he became eligible to contest as a member of Parliament. In the year 1971 he was the lone member who was returned unopposed to the Lok Sabha. He was re-elected to the Lok Sabha in the years 1977, 1980, 1984, 1989, 1991, 1996 and 1998 from Lakshadweep.

Shri Sayeed became a member of the Union Council of Ministers as the Minister of State for Steel, Mines and Coal during the year 1979-80. Later, he was Minister of State in the Ministry of Home Affairs from January 1993 to September 1995 and also in the Ministry of Information and Broadcasting from September 1995 to May 1996.

During his long and distinguished parliamentary career, Shri Sayeed has been a member of several important Parliamentary Committees and has made valuable contributions. He was a member of the Committee on Public Undertakings (1967 to 1971); Committee on Petitions (1971-72); Committee on Government Assurances (1974-76 and again from 1977-79); Rules Committee, (1990-96), General Purposes Committee (1991-92), Estimates Committee (1984-88) and (1990-91); Committee on Transport and Tourism (1996-97), Select Committee on Salaries and Allowances of Members of Parliament (1971-74), and Joint Committee of Offices of Profit (1985-86).

He also served on several other Committees including the Joint Committee on the Contract Labour (Regulation and Abolition) Bill, 1967; Joint Committee on the Companies (Amendment) Bill, 1972, Joint Committee on the Constitution (Thirty-second Amendment) Bill, 1973, re-amendment in the Ninth Schedule of the Constitution; Joint Committee on Shipping Agents (Licensing), Bill (1984-86) Joint Committee on the Constitution (Seventy-second Amendment) Bill 1991 on Panchayats, Joint Parliamentary Committee to Enquire into Irregularities in Securities and Banking Transactions (1992-94), Committee on Official Language (1991-95) and the Consultative Committee constituted under the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976. He has also been associated with the Advisory Council for the Union territory of Lakshadweep, Advisory Committee (Lakshadweep) attached to the Ministry of Home Affairs, Central Haj Committee (1968-70), Central Haj Advisory Board (1970-71), National Welfare Board of Seafarers (1974-

77) and the Island Development Authority (1984-88); and Court, Jamia Millia Islamia since 1990. He was also a member of the Parliamentary Consultative Committees attached to the Ministry of Communications and the Ministry of Surface Transport.

He was appointed member, Panel of Chairmen during the year 1991-92 and 1996-97 and 1998-99.

During the present Lok Sabha, Shri Sayeed is the Chairman of the Committees on Provision of Computers to members of Parliament, Private Members' Bills and Resolutions, and the Library Committee. He has also been appointed as member of the Committee on Home Affairs, General Purposes Committee and Committee on Transport and Tourism.

From time to time, Shri Sayeed has held various important positions in the party. He has been a member of the Standing Committees of Congress Party in Parliament. He was appointed as General-Secretary of the All India Youth Congress during the year 1969-70, was treasurer of the Parliamentary Forum for Scheduled Castes and Scheduled Tribes (1973-74), has been a member of Lakshadweep Territorial Congress Committee from 1980 onwards, has been a member of A.I.C.C.(I) from 1986 onwards; was elected Secretary of the Congress Parliamentary Party (Indira) during 1991-93; and was appointed the Deputy Chief Whip of the Congress Parliamentary Party from 1996 onwards. He was also Chairman, Advisory Board, Non-aligned Congress of Youth. He has also represented the AICC in the Silver Jubilee Celebrations of the Arab Baath Socialist Party held in Baghdad and was a member of India-China Friendship Society Delegation to China.

As a political and social worker, Shri Sayeed always raised the voice of the depressed classes of the society in the House. He has championed the cause of the welfare of the labour and the poor. He has brought peace and communal harmony, equality and happiness in the scattered islands of Lakshadweep. The progress in the fields of education, communication, health, housing, shipping and fisheries in Lakshadweep owe much to Shri Sayeed.

Shri Sayeed has also been associated with various cultural activities of Lakshadweep. He has been instrumental in conducting several inter-State cultural programmes. He has also organised 'Lakshadweep festivals' in various places and promoted folk arts, Parichakkali, Kolkali, Lava dances, etc.

Shri Sayeed has widely travelled in India and abroad. He has visited Algeria, Australia, Austria, Bahrain, Canada, China, Denmark, Egypt, France, Germany, Hong Kong, Iraq, Italy, Kenya, Kuwait, Lebanon,

Maldives, the Netherlands, Pakistan, Saudi Arabia, Sri Lanka, Sweden, Switzerland, Syria, Thailand, Togo, U.A.E., U.K., U.S.A. and the erst-while U.S.S.R.

He has represented the country as a member in several important Indian Delegations abroad. He was a member of the Delegation that represented India at the Twenty-fourth Session of the United Nations General Assembly in 1969 and again in 1982. He was also the Leader of a Goodwill Delegation to the then G.D.R. in 1970. He was a member of the Delegation to the Fifty-ninth Inter-Parliamentary Union Conference held in Paris in 1971, and Lome (Togo), 1985; member, Indian Delegation to the Non-Aligned Youth Conference held in Algiers; member, Indian Parliamentary Delegation to the SAARC Speakers and Parliamentarians Conference in Islamabad; Member, International Solidarity Conference of World Peace Council, Basel, Switzerland, 1979; and member, Government of India Haj Delegation, 1988 and its Leader in 1993.

Shri Sayeed is a lover of Chess, Soccer and Badminton. His hobbies are reading, listening to music, computer network, and public service.

Shri Sayeed is married to Smt. A.B. Rahmath Sayeed and has one son and seven daughters.

PARLIAMENTARY EVENTS AND ACTIVITIES

CONFERENCES AND SYMPOSIA

100th Inter-Parliamentary Conference: The 100th Inter-Parliamentary Conference was held in Moscow (Russian Federation) from 6 to 12 September 1998. The Indian Delegation to the Conference was led by the Speaker, Lok Sabha, Shri G.M.C. Balayogi. The other members of the Delegation were: the Deputy Chairman, Rajya Sabha, Dr. (Smt.) Najma Heptulla; Sarvashri, P.M. Sayeed, Anil Basu, Arif Mohammad Khan, Jagmohan, Rumandla Ramachandraiah, Dr. Subramanian Swamy, Dr. Venugopalachary, Dr. Biplab Dasgupta, and Dr. V. Saroja, all members of Parliament; the Secretary-General, Lok Sabha, Shri S. Gopalan; and the Secretary-General, Rajya Sabha, Shri R.C. Tripathi. The Conference mainly discussed and adopted Declarations/Resolutions on the following subjects:

- (i) Strong action by National Parliaments in the year of the 50th Anniversary of the Universal Declaration of Human Rights (UDHR) to ensure the Promotion and Protection of all Human Rights in the Twenty-first Century;
- (ii) Water: the means required to preserve, manage and make the best use of this Essential Resource for Sustainable Development;
- (iii) Action to combat the Consumption and Illicit Trafficking of Drugs— and Organised Crime; and
- (iv) International Humanitarian Law,—International Criminal Court and Anti-personnel Mines.

Besides, the Conference held the General Debate on the political, economic and social situation in the world in which 129 speakers took part.

During the Conference, India was associated with the Drafting Committee for the subject—“Strong action by National Parliaments in the year of the 50th Anniversary of the Universal Declaration of Human Rights to ensure the Promotion and Protection of all Human Rights in the Twenty-first Century.” Dr. Subramanian Swamy, MP was the rapporteur of the Drafting Committee.

62nd Conference of Presiding Officers of Legislative Bodies in India: The 62nd Conference of Presiding Officers of Legislative Bodies in India was held in New Delhi from 22 to 24 September 1998. The Speaker, Lok Sabha and Chairman of the Conference, Shri G.M.C. Balayogi* presided over the Conference. The Conference, hosted by Parliament of India was attended by almost all the Presiding Officers of the Legislative Bodies in India. The Deputy Chairman, Rajya Sabha, Dr.(Smt.) Najma Heptulla also attended the Conference.

The Conference discussed the following points on the Agenda:

- (i) Need to review the Tenth Schedule of the Constitution; and
- (ii) Need for procedural reforms and better management of the time of the House.

Symposium on "Electoral Reforms": The Conference of Presiding Officers was followed by a Symposium on "Electoral Reforms" on 24 September 1998. The Speaker, Lok Sabha, Shri G.M.C. Balayogi presided over the symposium and delivered the Opening Address**. The Presiding Officers of the Legislative Bodies in India and members of the Parliament participated in the Symposium.

Conference of Secretaries: The Conference of the Presiding Officers was preceded by the forty-second Conference of the Secretaries of Legislative Bodies in India. The Conference, held at New Delhi on 21 September 1998, was presided over by the Secretary-General, Lok Sabha, Shri S. Gopalan. The Secretary-General, Rajya Sabha, Shri R.C. Tripathi and the Additional Secretaries of the Lok Sabha Secretariat, Dr. A.K. Pandey and Shri G.C. Malhotra also attended the Conference. The Secretaries of almost all the State/Union territory Legislatures attended the Conference.

EXHIBITIONS

Exhibitions organised by the Parliamentary Museum and Archives (PMA): On 9 July 1998, an Exhibition on "Democratic and Parliamentary Heritage of India", organised by the PMA, was inaugurated by the Speaker, Lok Sabha, Shri G.M.C. Balayogi in the Parliament House Annexe. The Exhibition coincided with the Orientation Programme for new members of Lok Sabha organised by the Bureau of Parliamentary Studies and Training (BPST) from 9 to 10 July 1998. The Exhibition

*For the text of the Address by the Speaker, see pp. 403

**For the text of the Address by the Speaker, see pp. 408

depicted the history and growth of Parliamentary system in India with the help of write-ups, quotations, photographs and diagrams. The main areas covered in the exhibition were growth of modern democratic institutions in India, transfer of power, adoption of Indian Constitution, offices of the President, Vice-President, Prime Minister and Presiding Officers and activities of Parliament. Another important feature of the Exhibition was the display of information management systems namely the Microfilming, Audio-Visual and Computer Systems now in use in the Lok Sabha Secretariat.

Many members of Parliament and other dignitaries visited the Exhibition.

On 22nd September 1998, another Exhibition on "Democracy at Work in India", organised by the PMA, was inaugurated by the Speaker, Lok Sabha, Shri G.M.C. Balayogi in the Parliament House Annexe. The Exhibition coincided with the Presiding Officers' Conference held from 22 to 24 September 1998 in the Parliament House Annexe. A large number of members of Parliament and State Legislatures attended the inaugural function. The Exhibition depicted the evolution and growth of democracy and the working of modern democracy in India, federal structure of India, and the history of State Legislatures and their Presiding Officers with the help of photographs, diagrams, press-headlines, quotations and write-ups. The main features of the Exhibition were the photographs and write-ups on the offices of the Presiding Officers, earlier Presiding Officers Conferences and the celebration of Fifty Years of India's Independence in the Parliament House. Another important feature was the display of the latest information technology *i.e.*, Microfilming and Audio-Visual Systems, being used for rendering services to the members of Parliament.

Many members of Parliament and delegates from State Legislatures including the Presiding Officers and the Secretaries of State Legislatures and other dignitaries, visited the Exhibition and commended the work.

BIRTH ANNIVERSARIES OF NATIONAL LEADERS

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

The birth anniversaries of the following leaders were celebrated during the period 1 July to 30 September 1998.

Dr. Syama Prasad Mookerjee: On the occasion of the birth anniversary of Dr. Syama Prasad Mookerjee, a function was held on 6 July 1998. The Prime Minister, Shri Atal Bihari Vajpayee; the Speaker, Lok Sabha, Shri G.M.C. Balayogi; the Home Minister, Shri L.K. Advani; the Minister of Parliamentary Affairs and Tourism, Shri Madan Lal Khurana; members of Parliament; and former members of Parliament and others paid floral tributes to Dr. Syama Prasad Mookerjee.

Lokmanya Bal Gangadhar Tilak: On the occasion of the birth anniversary of Lokmanya Bal Gangadhar Tilak, a function was held on 23 July 1998. The Prime Minister, Shri Atal Bihari Vajpayee; the Speaker, Lok Sabha, Shri G.M.C. Balayogi; the Leader of the Opposition in the Lok Sabha, Shri Sharad Pawar; members of Parliament; and former members of Parliament and others paid floral tributes to Lokmanya Tilak.

Shri Rajiv Gandhi: On the occasion of the birth anniversary of Shri Rajiv Gandhi, a function was held on 20 August 1998. The Speaker, Lok Sabha, Shri G.M.C. Balayogi; the Deputy Chairman, Rajya Sabha, Dr. (Smt.) Najma Heptulla; the Leader of the Opposition in the Rajya Sabha, Dr. Manmohan Singh; members of Parliament; former members of Parliament; Smt. Sonia Gandhi and others paid floral tributes to Shri Rajiv Gandhi.

Dadabhai Naoroji: On the occasion of the birth anniversary of Dadabhai Naoroji, a function was held on 4 September 1998. The Home Minister, Shri L.K. Advani; the Minister of Textiles, Shri Kashi Ram Rana; members of Parliament; and former members of Parliament and others paid floral tributes to Dadabhai Naoroji.

EXCHANGE OF PARLIAMENTARY DELEGATIONS

PARLIAMENTARY DELEGATION VISITING INDIA

France: On our invitation, a Parliamentary Delegation from France led by the President (Speaker) of the National Assembly of France, Mr. Laurent Fabius visited India from 15 to 18 September 1998. The Delegation called on the Vice President of India and Chairman, Rajya Sabha, Shri Krishan Kant; the Speaker, Lok Sabha, Shri G.M.C. Balayogi; and the Minister of Parliamentary Affairs and Tourism, Shri Madan Lal Khurana on 15 September 1998. The Delegation had a meeting with the Standing Committee on External Affairs the same day. The Speaker, Lok Sabha

hosted a banquet in their honour the same evening. The Delegation called on the Prime Minister, Shri Atal Bihari Vajpayee and the Leader of the Opposition in the Rajya Sabha, Dr. Manmohan Singh on 16 September 1998.

Besides Delhi, the Delegation visited Bangalore and Mumbai.

BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period 1 July to 30 September 1998, the Bureau of Parliamentary Studies and Training (BPST) organised the following Courses/ Programmes;

Orientation Programmes: An Orientation Programme for new members of the Twelfth Lok Sabha was organised from 9 to 22 July 1998 on each working-day in the Main Committee Room, Parliament House Annexe. It was attended by about 170 members of the Lok Sabha, the average attendance of members being over 60 per session. The Programme was inaugurated by the Speaker, Lok Sabha, Shri G.M.C. Balayogi. For the first time, two new topics *i.e.* "Panchayati Raj and Nagar Palika Institutions" and "New Economic Policy" were included in the Programme on the suggestion of the Lal Bahadur Shastri National Academy of Administration, Mussorie.

Another Orientation Programme for members of the Ninth Himachal Pradesh Legislative Assembly was jointly organised by the BPST and the Himachal Pradesh Legislative Assembly from 16 to 18 September 1998 in Shimla. The Programme was inaugurated by the Speaker, Lok Sabha, Shri G.M.C. Balayogi. Forty members of the Legislative Assembly attend the Programme.

Fourteenth Parliamentary Internship Programme for Foreign Parliamentary Officials: The Fourteenth Parliamentary Internship Programme for Foreign parliamentary officials was organised from 23 September to 10 November 1998. The Inaugural address of the Speaker, Lok Sabha, Shri G.M.C. Balayogi was read out in his absence by Shri G.C. Malhotra, Additional Secretary, Lok Sabha Secretariat, on 28 September 1998. Twenty-three participants from fourteen Afro-Asians countries, *viz.* one each from Bangladesh, Botswana, Laos, Philippines and South Africa and two each from Bhutan, Kenya, Sri Lanka, Tanzania, Turkmenistan and Zambia and three each from Ghana and Nigeria attended the Programme. The aim of the programme was to provide the foreign parliamentary officials an opportunity to exchange their experiences in their Legislatures and to acquaint themselves with the environment, culture, traditions and the working of parliamentary institutions in India.

Study Visit by the Speaker, Parliament of Zimbabwe: The BPST organised a Study Visit for the Speaker of the Parliament of Zimbabwe, Mr. Cyril E. Mdebele along with the Principal Clerk, Mr. L. Ndlovu and the Secretary to the Speaker, Miss Shelter Kasirori, from 24 to 31 August 1998. The Study Visit aimed at learning about the working of the Committee System and its support services, Parliament Library and Information Service, Office of the Speaker and Indian agriculture and agro-based industries.

Computer Training Programme for officers of the Lok Sabha Secretariat and Doctors of the Parliament Medical Center: A Computer Training Programme to work with new software, i.e. 'Windows 95' and 'Lotus 96' for officers of LARRDI Service, Conference Branch and Doctors from the Medical Center, Parliament House Annexe was organised by the BPST from 1 to 16 September 1998.

Appreciation Courses: Appreciation Courses in the parliamentary processes and procedures were organised for the following: (i) Senior Audit/Accounts Officers from the Office of Comptroller and Auditor-General of India; and Indian postal Service Probationers (20 to 24 July 1998); (ii) Probationers of Indian Forest Service (27 to 31 July 1998); and (iii) Probationers of the Indian Railways Institute of Signal Engineering and Telecommunication Service; Indian Information Service; Indian Defence Estate Service and Indian Ordnance Factories Service (3 to 7 August 1998); (iv) Probationers of Indian Forest Service (31 August to 2 September 1998); (v) Probationers of Indian Police Service (31 August to 2 September 1998); and (vi) Probationers of Indian Ordnance Factories Service; Indian Railways Electrical Engineers Service and Indian Customs and Central Excise Service (14 to 18 September 1998).

Training Programmes for the officers of the Lok Sabha and the State Legislature Secretariats: The following Training Programmes were organised: (i) Management Development Programme for Middle Level Officers of the Lok Sabha and the State Legislature Secretariats, from 7 to 11 September 1998; (ii) Training Course for Officers of the Lok Sabha and the State Legislature Secretariats providing Reference and Information Service, from 14 to 18 September 1998; and (iii) Training Course for Assistants/Officers dealing with Questions and Legislative and Budgetary Processes from 21 to 25 September 1998.

Nominations for Conferences abroad: Two officers of the Lok Sabha Secretariat, Shri John Joseph, Joint Secretary and Dr. R.K. Chaddha, Joint Director, attended the 64th Annual Conference of the International Federation of Library Associations (IFLA) in Amsterdam, from 12 to 21 August 1998.

Management in Government Programme for Middle Level Officers: Two officers of the Lok Sabha Secretariat, Shri R.L. Shali and Shri B.S. Dahia, Assistant Directors, attended a Training Programme at the Anna Institute of Management, Madras from 17 to 28 August 1998.

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

PRIVILEGE ISSUES

LOK SABHA

Shouting of slogans and throwing of pamphlets from the distinguished Visitors' Gallery: on 15 July 1998, the Chair (Shri V. Sathiamoorthy) informed the House as follows:

"As the House is aware, at about 14.45 hours today, a visitor calling herself Lovely Anand, wife of Shri Anand Mohan, shouted slogans and threw some pamphlets from the Distinguished Visitors' Gallery. The Security Officers took her into custody immediately and interrogated her. The visitor has made a statement but has not expressed regrets for her action.

I bring it to the notice of the House for such action as the House may deem fit."

The Minister of Parliamentary Affairs, Shri Madan Lal Khurana moved the following motion which was adopted by the House:

"This House resolves that the person calling herself Lovely Anand, wife of Shri Anand Mohan who shouted slogans and also threw some pamphlets from the Distinguished Visitors' Gallery, at about 14.45 hours today, and whom the Security Officers took into custody immediately, has committed a grave offence and is guilty of the contempt of the House.

This House further resolves that considering the fact that she is a former member of Parliament, she be let off on the rising of the House today,"

Shouting of slogans and throwing of leaflets from the Visitors' Gallery: On 17 July 1998, the Chair (Shri P.M. Sayeed) informed the House as follows:

"As the House is aware, at about 12.55 hours today, two visitors calling themselves Devender Negi, son of Shri Sher Singh Negi and Brij Mohan Upreti, son of Shri Bal Kishan Upreti attempted to shout slogans and threw some leaflets from the Visitors' Gallery. The Security Officers took them into custody immediately and interrogated them. The visitors have not expressed regrets for their action.

I bring it to the notice of the House for such action as the House may deem fit."

The Minister of Parliamentary Affairs, Shri Madan Lal Khurana moved the following motion which was adopted by the House:

"This House resolves that the persons calling themselves Devender Negi aged 33 years, son of Shri Sher Singh Negi and Brij Mohan Upreti aged 34 years, son of Shri Bal Kishan Upreti who attempted to shout slogans and also threw some leaflets from the Visitors' Gallery, at about 12.55 hours today, and whom the Security Officers took into custody immediately, have committed a grave offence and are guilty of the contempt of the House.

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

PROCEDURAL MATTERS

LOK SABHA

Instance when Parliamentary papers were given to Parliamentary Parties on request: On the constitution of the Twelfth Lok Sabha, it was decided that Parliamentary papers may be supplied both in Hindi and English to offices of Parliamentary Parties/Groups in the Lok Sabha, having a combined strength of ten members and above in both the Houses of Parliament or at least five members in the Lok Sabha.

In pursuance of the above decision, papers were supplied to offices of Parties/Groups in the Lok Sabha.

However, on a specific request from the TMC(M) party, which has an office in the Parliament House, it was decided to supply parliamentary papers to them even though they had only three members in both the Houses of Parliament.

Instance when Obituary Reference was not made on the demise of a former Governor of a State: The former Governor of Orissa and a former member of Rajya Sabha, Shri Bishambhar Nath Pande passed away on 1 June 1998 in New Delhi. It was decided in consultation with the Minister of Parliamentary Affairs and the Leader of the Opposition in the Lok Sabha that there being no precedent, obituary reference need not be made in the Lok Sabha in respect of Shri Pande.

Instance when member's action not permitted to go on record: On 5 June 1998, at about 12.45 hrs, a member, Smt. Meira Kumar, while raising a matter regarding the electricity and water problem in Delhi, placed a bottle of contaminated water on the Table of the House. The speaker, Shri G.M.C. Balayogi took serious objection to that and observed that that was not permitted and would not go on record.

Instance when members were permitted to lay their written speeches: On 8 June 1998, during General Discussion on the Budget (Railways), 1998-99, due to a long list of participants in the debate and also because of paucity of time, the Chairman, Shri Basudeb Acharia allowed members to lay their written speeches on the Table of the House.

Accordingly, five members laid their written speeches on the Table of the House on 8 June 1998.

On 11 June 1998, during the General Discussion on the Budget (General) 1998-99, due to the long list of participants in the debate and also because of paucity of time, the Chairman, Dr. Raghuvansh Prasad Singh allowed members to lay their written speeches on the Table of the House.

Accordingly, fifteen members laid their written speeches on the Table of the House on 11 and 12 June 1998.

Instances when members were permitted to seek clarifications from Ministers: On 9 June 1998, after the papers, etc. were laid on the Table of the House, Kumari Mamata Banerjee raised the issue of atrocities on women, especially in West Bengal. Amidst interruptions, Shri Sudip Bandyopadhyay and some other members came to the pit of the House. Around 12.14 hrs., Kumari Mamata Banerjee, Shri Mohammad Ali Ashraf Fatmi and some other members also came to the pit of the House. Due to continued interruptions, the Speaker, Shri G.M.C. Balayogi adjourned the House till 1400 hrs.

When the House re-assembled, Kumari Mamata Banerjee demanded a statement from the Home Minister, Shri L.K. Advani on the subject. Shri Mukul Wasnik also wanted a statement on the alleged lathi-charge on the Youth Congress-I workers in Delhi. Shri Buta Singh, on a point of order, submitted that the National Commission for the Scheduled Castes and Scheduled Tribes as well as the National Commission for Women should be asked to send facts on the subject to House. The Home Minister, Shri L.K. Advani clarified the position.

On 10 June 1998, after the papers, etc. were laid on the Table of the House, Shri Mohammad Ali Ashraf Fatmi raised the issue of quashing by the Calcutta High Court of the findings of the departmental enquiry against the CBI officers for requisitioning army in July 1998 to execute an arrest warrant against the former Chief Minister of Bihar, Shri Lalu Parsad Yadav and wanted to know whether the Union Government would prefer an appeal to the Supreme Court against the order of Calcutta High Court. Some other members also made submissions on the issue. Amidst interruptions, Sarvashri Mohammad Ali Ashraf Fatmi, Prabhunath Singh and some other members came to the well of the House. Due to continued interruptions, the Speaker, Shri G.M.C. Balayogi, adjourned the House till 14.00 hrs.

When the House re-assembled, the Minister of Parliamentary Affairs, Shri Madan Lal Khurana told the House that the Government would inform the House the next day regarding preferring an appeal after consulting the Law Ministry. Shri Indrajit Gupta made submissions on

the subject. The Minister of Parliamentary Affairs, Shri Madan Lal Khurana reiterated that the Government was considering the legal aspects of the issue and the House would be informed of the position the next day. However, interruptions continued and the House was adjourned till 1500 hrs.

When the House re-assembled, the Speaker, Shri G.M.C. Balayogi informed that he had discussed the issue with the Leaders of various Parties/Groups. Thereafter, Shri Indrajit Gupta made submissions and the Minister of Parliamentary affairs, Shri Madan Lal Khurana clarified the position.

On 12 June 1998, after the Question Hour, a member, Shri Shailendra Kumar and some other members raised the issue of the order of the Allahabad High Court regarding deletion of certain castes from the list of the Other Backward Classes (OBCs). Amidst interruptions, Shri Shailendra Kumar and some other members came to the well of the House. Since interruptions continued, the Speaker, Shri G.M.C. Balayogi adjourned the House till 14.00 hrs.

When the House re-assembled, the Minister of Parliamentary Affairs, Shri Madan Lal Khurana clarified the position and some other members also spoke on the issue. The Home Minister, Shri L.K. Advani, while clarifying the position, stated that the Allahabad High Court had only issued show-cause notices to the Union Government and the Uttar Pradesh Government and the matter was still pending before the Court. He assured that the Government would take all necessary steps to safeguard the interest of the OBCs.

Instance when Ministers were requested to be present in the House to reply to clarificatory questions: On 29 July 1998, a Calling Attention Notice on a matter involving the Ministries of Industry, Labour and Communications was admitted against the name of the Minister of Industry who made the Statement. However, the Minister of Labour and Communications, were requested to remain present in the House to reply to clarificatory questions and the Ministers replied to the matters concerning their Ministries.

Instance when the House sat till the next day: On 11 June 1998, the House sat from 11 A.M to 2.46 A.M. on 12 June 1998 in connection with the discussion on the Budget (General), 1998-99.

Instance when an issue raised during Zero Hour by a member in the House containing matter which did not form part of the approved text of his intended personal explanation, was allowed to go on record and treated as his personal explanation: On 30 June 1998, Shri Anand

Mohan wrote to the Speaker, Shri G.M.C. Balayogi requesting permission to make a personal explanation to controvert or clarify certain damaging reports published in the Press against him.

The member was requested to furnish a copy of the statement of his personal explanation as required under Direction 115C. The text of the statement was furnished by him on 4 August 1998. Before the edited version could be given to him, the member raised the matter during the Zero Hour on 6 August 1998 and referred to certain newspapers and magazines which had published the matter, which was not part of the approved version of his text. Since the entire matter raised by Shri Anand Mohan had formed part of the proceedings, the same was treated as his personal explanation.

Instance when the House sat on a closed holiday: 4 July 1998 (Saturday) was a closed holiday. On 3 July 1998, during the meeting of the Speaker, Shri G.M.C. Balayogi with the Leaders of Parties/Groups, it was decided that in order to provide sufficient time for the completion of essential Government business, the House might sit on Saturday, 4 July 1998. Accordingly, the House sat on that day.

Instance when due to fixation of a sitting of the House on Saturday, notices received after 1000 hrs. on Friday and upto 10.30 hrs. on Saturday were held valid for the following week and treated to have been received at the same point of time and were balloted to determine inter se priority of members: On 3 July 1998 (Friday), during the meeting of the Speaker, Shri G.M.C. Balayogi with the Leaders of Parties/Groups, it was decided that the Lok Sabha would also sit on 4 July 1998 (Saturday). Since some members, as usual, had tabled notices on 3 July 1998 for the following week, it was decided that those notices tabled between 1000 hrs. on 3 July 1998 and upto 1030 hrs. on 4 July 1998 would be held valid for the week commencing 6 July 1998 and would be treated to have been received at the same point of time. Accordingly, those notices were balloted to determine *inter se* priority of members.

The Chair cannot direct the Government to react: On 7 July 1998, after the Question Hour, a member, Shri Paban Singh Ghatowar raised the matter regarding the death of a large number of people in Upper Assam due to gastro-enteritis. Thereafter, another member, Shri Bhubaneswar Kalita wanted the response of the Government on the issue immediately. Thereupon, the Chairman, Shri P.M. Sayeed, observed:

...the Chair cannot direct the Government to react. When you raise a very important matter, on their own they can stand and react... the Chair is not supreme. The Chair cannot direct. That is the rule...

The word 'Harijan' may not be used: On 9 July 1998, after the Question Hour, when members were making submissions on the reported remark of the Minister of Urban Affairs and Employment, Shri Ram Jethmalani on the need to review reservations to the Scheduled Castes/Scheduled Tribes and the Other Backward Classes, a member, Shri Arif Mohammad Khan, pointed out that some members had used the word 'Harijan' which was sanctimonious and patronising and, therefore, this word should not be used. The speaker, Shri G.M.C. Balayogi thereupon, observed:

I would like to make a small clarification to the hon. members. The word 'Harijan' may not be used. Instead, they may be referred to as Scheduled Castes/Scheduled Tribes.

Every observation or action or demeanour of any Cabinet Minister has implications over the collective responsibility of the Council of Ministers: On 9 July 1998, after the Question Hour, the Leader of the Opposition, Shri Sharad Pawar raised the issue regarding the reported remark of the Minister of Urban Affairs and Employment, Shri Ram Jethmalani on the need to review reservations to the Scheduled Castes/Scheduled Tribes and the Other Backward Classes. Some other members also made submissions on the issue. Thereupon, the Speaker, Shri G.M.C. Balayogi observed:

"...every observation or action or demeanour of any Cabinet Minister has implications over the collective responsibility of the Council of Ministers. So, I request the hon. Prime Minister to give a brief clarification regarding the Government's position on the issue raised by the Leader of the Opposition and others..."

Thereafter, both the Minister of Urban Affairs and Employment, Shri Ram Jethmalani and the Prime Minister, Shri Atal Bihari Vajpayee clarified the stand of the Government on the issue.

Instance when a member was removed from the House on the order of the Speaker: On 14 July 1998, a member, Shri Anand Mohan was asked by the Speaker, Shri G.M.C. Balayogi to withdraw from the House for continuously interrupting the proceedings of the House. When the member insisted on not going out, the Speaker ordered the Marshals to remove him from the Chamber. Accordingly, he was removed from the House.

Members should conduct themselves in the House in a manner befitting their status: On 14 July 1998, at 12.02 hrs., when the House re-assembled, the Speaker, Shri G.M.C. Balayogi observed:

"As the members are aware, yesterday, that is, 13 July 1998,

the House was witness to highly unparliamentary and disorderly scenes in the evening which compelled me to adjourn the House for the day. As the hon. members would recall, when the House met after a series of adjournments, several hon. members rushed to the well of the House menacingly and crowded around my Chair and started raising slogans. A member, Shri Surendra Prasad Yadav (Jahanabad) went to the extent of snatching papers from my desk. To facilitate transaction of the listed business, I called Shri M. Thambi Durai, the Minister of Law, Justice and Company Affairs to introduce the Constitution (Eighty-fourth Amendment) Bill, 1998 which was listed at item No. 10 in yesterday's List of Business for introduction. As the Minister was seeking the leave of the House, the same member, Shri Surendra Prasad Yadav (Jahanabad), aided by another member Prof. Ajit Kumar Mehta, forcibly snatched papers from the Minister and prevented him from introducing the Bill. Thereafter, there was complete pandemonium in the House. Under these circumstances, I was left with no other option but to adjourn the House for the day and leave the Chamber in anguish.

I am constrained to observe that such unruly scenes, particularly the disorderly conduct of the members, amounts to bringing the House into contempt and is highly reprehensible. If the elected representatives of the people behave and conduct themselves in such a fashion, the very credibility of this democratic institution will stand eroded.

I deprecate the conduct of Shri Surendra Prasad Yadav (Jahanabad) and Prof. Ajit Kumar Mehta in the strongest possible terms. I also urge the Leaders of all the Parliamentary Parties in Lok Sabha to ensure that their members conduct themselves in the House in the manner befitting their status."

Resolution regarding contempt of House by a former member: On 15 July 1998, before the House adjourned for the day, the Chairman, Shri V. Sathiamoorthy informed the House that a visitor calling herself Lovely Anand, wife of Shri Anand Mohan, shouted slogans and threw some pamphlets from the Distinguished Visitors' Gallery. The Security Officers took her into custody and interrogated her. The visitor made a statement but did not express regret for her action.

Thereafter, the following resolution moved by the Ministry of Parliamentary Affairs was adopted:

"That this House resolves that the person calling herself Lovely Anand, wife of Shri Anand Mohan, who shouted slogans and also threw some pamphlets from the Distinguished Visitors' Gallery, at about 14.45 hours today and whom the Security Officers took

into custody immediately, has committed a grave offence and is guilty of the contempt of the House.

That this House further resolves that considering the fact that she is a former member of Parliament, she be let off with a stern warning on the rising of the House today."

Resolution regarding contempt of House by some persons present in the Visitors' Gallery: On 17 July 1998, before the House adjourned for the day, the Chairman, Shri P.M. Sayeed informed the House that at about 12.55 hours on that day, two visitors calling themselves Devender Negi, son of Shri Sher Singh Negi and Brij Mohan Upreti, son of Shri Bal Kishan Upreti attempted to shout slogans and threw some leaflets from the Visitors' Gallery. The security officers took them into custody immediately and interrogated them. The visitors had not expressed regrets for their action.

Thereafter, the following resolution moved by the Minister of Parliamentary Affairs, Shri Madan Lal Khurana was adopted:

This House resolves that the persons calling themselves Devender Negi aged 33 years, son of Shri Sher Singh Negi and Brij Mohan Upreti aged 34 years, son of Shri Bal Kishan Upreti who attempted to shout slogans and also threw some leaflets from the Visitors' Gallery at about 12.55 hrs. today and whom the security officers took into custody immediately, have committed a grave offence and are guilty of the contempt of the House.

That this House further resolves that they may be let off with a stern warning on the rising of the House today.

Instance when the House did not adjourn as per the original schedule: As per the schedule, the House was to adjourn on 29 July 1998 to meet again on 13 August 1998. On 28 July 1998, the Speaker, Shri G.M.C. Balayogi announced in the House that at the meeting of the Leaders of the Parties/Groups in the Lok Sabha, it had been decided that the House might sit on 30 and 31 July 1998 and 3, 4 and 5 August 1998 for the completion of the essential Government and other business, and there would be no Question Hour on those days and also no Private Members' Business on 31 July 1998. The House agreed to that. Accordingly, the House sat on the above mentioned dates.

Derogatory remarks expunged: On 31 July 1998, while members were raising matters of urgent public importance, a member, Shri Virendra Singh, made some remarks against another member, Shri Lalu Prasad, to which the latter took objection. Shri Lalu Prasad and some other members as well as Shri Virendra Singh came to the well of the House

and shouted slogans. After sometime, they went back to their seats. Thereupon, the Speaker, Shri G.M.C. Balayogi observed that all unparliamentary words would be expunged from the records.

Leaders, Chief Whips and Whips of Parties and Groups to keep their members in check and educate them about parliamentary etiquette: On 31 July 1998, while condemning the unparliamentary behaviour of some members after the Question Hour on that day, the speaker, Shri G.M.C. Balayogi observed:

"...I feel that while each one of us in his individual capacity is responsible to abide by the rules and to uphold and enhance the dignity of the House, a slightly more onerous duty is cast on the Leaders, Chief Whips and Whips of Parties and Groups to keep their members in check. While some new members may not be aware of the parliamentary etiquette and decorum, their Leaders, whether they be in the Opposition or in the Treasury Benches, should educate them properly so that they inculcate the parliamentary values of decency and good behaviour. But when Leaders themselves indulge in unparliamentary behaviour, including use of abusive language, I am at a loss to find words strong enough to condemn such behaviour.

Members may recall that during the Special Session of the Lok Sabha to commemorate the Golden Jubilee of India's Independence, the House had unanimously adopted a Resolution, resolving *inter alia* to preserve and enhance the prestige of Parliament by maintaining the inviolability of the Question Hour, refraining from transgressing into official areas of the House and from shouting slogans, etc. in the House. Unfortunately, this Resolution is not being followed... The result is that the House, and the entire nation for that matter, is witness to unruly scenes in the House almost every day. Rushing to the well of the House on slightest provocation, staging a *dharna* in the well of the House, shouting slogans, having a running argument with the Chair and not heeding to directions from the Chair are acts of grave indiscipline which I strongly deprecate.

I would request all sections of this House, kindly, to ponder over the deteriorating standards of functioning in this House and search their souls to find a solution to this problem so that all of us may strive together to enhance the prestige of this House, without the Chair being driven to take drastic measures".

Instance when Speaker permitted member to lay copy of the Report on the Table of the House on the day the member had quoted from it and it was indicated in Bulletin Part-I: On 4 August 1998, Shri Buta Singh raised the matter regarding laying of the Report of the Enquiry

into the conduct of the CBI Officers in Patna who had requisitioned services of the Army on 30 July 1997 for the execution of non-bailable warrant on the former Chief Minister, Shri Lalu Parsad Yadav. On 5 August 1998, Shri Singh again raised the matter and handed over a photocopy of the above document, duly authenticated, for being laid on the Table. The photocopy of the document was forwarded to the Ministry of Personnel, Public Grievances and Pensions for comments, particularly about the authenticity of the same. The Ministry confirmed the authenticity of the document. He handed over another set of the document containing 35 pages, i.e. report containing 25 pages authenticity of which had already been confirmed by the Ministry and two Annexures 'A' and 'B' consisting of 10 pages more. The Speaker, Shri G.M.C. Balayogi permitted him to lay the document on the Table and it was indicated in Bulletin Part-I dated 6 August 1998.

The photocopy of the Report, containing 35 pages, was also sent to the Ministry of Personnel, Public Grievances and Pensions for comments, particularly about the authenticity of the same.

On receipt of the confirmation about the authenticity of the document from the Ministry, the authenticated copy of the document, consisting of 35 pages, was sent to Library for permanent record.

Instance where a nominated member joined a political party: Dr. (Mrs.) Beatrix D'Souza was nominated under article 331 of the Constitution, by the President of India, Shri K.R. Narayanan on 24 March 1998 to the Twelfth Lok Sabha. She took oath, signed the Roll of Members and took her seat in the House on 25 March 1998.

Dr. D'Souza, vide her letter dated 31 March 1998 addressed to the Speaker, Lok Sabha, Shri G.M.C. Balayogi, stated that under the provisions of the Tenth Schedule to the Constitution, she had opted for membership of the Samata Party in the Lok Sabha.

Shri George Fernandes, member and the Leader of the Samata Party in the Lok Sabha from whom comments were called for, confirmed her admission as a member in their party.

As regards Nominated members, explanation to para 2(1) of the Tenth Schedule provided as follows:

A Nominated member of a House shall,

- (i) where he is a member of any political party on the date of his nomination as such member, be deemed to belong to such political party;
- (ii) in any other case, be deemed to belong to the political party

of which he becomes, or, as the case may be, first becomes, a member before the expiry of six months from the date on which he takes his seat after complying with the requirements of article 99 or, as the case may be, article 188.

A nominated member who joins a political party after the stipulated six months' period would incur disqualification in terms of the provisions of para 2(3) of the Tenth Schedule.

Dr. D'Souza joined the Samata Party within six months of her taking seat in the Lok Sabha as a nominated member. The member was hence within her rights to do so without incurring disqualification under the Tenth Schedule. She was, therefore, treated as a member of the Samata Party in the Lok Sabha with effect from 9 June 1998 and was verbally informed about the same.

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 JULY TO 30 SEPTEMBER 1998)

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

—Editor

INDIA

DEVELOPMENTS AT THE UNION

Election of Deputy Chairperson of Rajya Sabha: On 9 July 1998, Dr. (Smt.) Najma Heptulla was unanimously elected as the Deputy Chairperson of the Rajya Sabha.

AROUND THE STATES

ASSAM

Expansion of Cabinet: On 19 August 1998, the Chief Minister, Shri Prafulla Kumar Mahanta expanded the State Cabinet. The new Ministers are: *Cabinet Ministers:* Sarvashri Nurul Hussain, Hitendra Goswami and Binode Goala. *Ministers of State:* Sarvashri Moidul Islam Bora, Prabin Hazarika, Aminul Islam and Jagdish Bhoyan.

The following five Ministers of State were elevated to the Cabinet rank:

Sarvashri Abdul Jabbar; Utpal Datta; Akon Rabha; Bubul Das; and Ramendra Narayan Kalita.

BIHAR

Expansion of Cabinet: On 17 September 1998, the Chief Minister, Smt. Rabri Devi expanded the State Cabinet by inducting nine Ministers. The Ministers and their portfolios are as under:

Cabinet Ministers: Shri Ghulam Sarwar: *Agriculture*; Shri Ramai Ram: *Energy and Power*; Shri Hind Kesri Yadav: *Fisheries & Panchayati Raj*;

Shri Purnamasi Ram: *Food Supply and Commerce*; Shri Chandrika Pal: *Science & Technology*; and Shri Ashok Kumar Singh: *Tourism*.

Ministers of State: Shri Brijnanda Yadav: *Industry*; Shri Mufti Mohammed Qasim: *Rural Health Administration*; and Shri Devnath Prasad: *Law*.

GOA

Political developments: On 27 July 1998, the ruling Congress Government faced a crisis when 10 MLAs led by the Deputy Chief Minister, Shri Wilfred D' Souza, revolted against the Party and formed a separate political party, the Goa Rajiv Congress. Shri Wilfred D' Souza also staked claim to form an alternative Government with the support of the MLAs belonging to the Maharashtrawadi Gomantak Party (MGP) and the BJP.

On 29 July 1998, the Governor, Lt. Gen. (Retd.) J.F.R. Jacob dismissed the Pratapsinh Rane Government and appointed Shri Wilfred D' Souza as the new Chief Minister.

On 30 July 1998, the Chief Minister, Shri Wilfred D' Souza inducted eleven Cabinet Ministers into his Ministry.

On 9 August 1998, the Chief Minister, Shri Wilfred D' Souza expanded the State Cabinet by inducting Shri Shivdas Verekar and Shri Sadanand Malik, both belonging to the Maharashtrawadi Gomantak Party (MGP), as Cabinet Ministers.

On 14 August 1998, the Speaker of the Goa Legislative Assembly, Shri Tomazinho Cardozo disqualified the Chief Minister, Shri Wilfred D' Souza and nine other MLAs of Goa Rajiv Congress (GRC) from the membership of the State Legislative Assembly. The Speaker gave this order in response to petitions filed before him on 27 July 1998 by the former Chief Minister, Shri Pratapsinh Rane and the former Revenue Minister, Shri Wilfred Mesquita, seeking disqualification under the anti-defection law.

On 18 August 1998, a Division Bench of the Panaji Bench of the Bombay High Court dismissed the petition of the former Chief Minister, Shri Pratapsinh Rane challenging the dismissal of his Government on 29 July 1998 and stayed the disqualification order of the Speaker of the Legislative Assembly against the Goa Rajiv Congress leader Shri Wilfred D' Souza and nine other MLA's.

On 19 August 1998, the Governor, Lt. Gen. (Retd.), J.F.R. Jacob gave a three-weeks extension to the Chief Minister to prove the majority on the floor of the Legislative Assembly after Shri Wilfred D' Souza called on him following the High Court judgement.

Vote of Confidence: On 8 September 1998, the Chief Minister, Shri Wilfred D' Souza won a Vote of Confidence in the State Legislative Assembly.

HARYANA

Minister dropped: On 13 September 1998, the Chief Minister, Shri Bansi Lal dropped the Minister of Public Works Department, Shri Dharamvir Yadav from the State Cabinet.

JAMMU AND KASHMIR

Election of Speaker: On 17 August 1998, Shri Abdul Ahad Vakil of the National Conference was unanimously elected as the Speaker of the State Legislative Assembly.

MADHYA PRADESH

Vote of Confidence: On 7 August 1998, the Chief Minister, Shri Digvijay Singh won a Vote of Confidence in the State Legislative Assembly.

MAHARASHTRA

Minister dropped: On 21 July 1998, the Minister for Energy, Shri Suresh Navale was dropped by the Chief Minister, Shri Manohar Joshi from the State Cabinet on grounds of violation of party discipline.

NAGALAND

Death of Minister: On 2 August 1998, the Industry Minister, Shri T.I. Jamir, passed away.

Election of Deputy Speaker: On 23 July 1998, Shri Joshua Sumi of the Congress(I) was unanimously elected as the Deputy Speaker of the State Legislative Assembly.

ORISSA

Expansion of Cabinet: On 24 August 1998, the Chief Minister, Shri J.B. Patnaik expanded the State Cabinet by inducting one Minister of State Shri Mohan Nag who was given the portfolio of *Food and Civil Supplies*.

PUNJAB

Death of Minister: On 29 August 1998, the Urban Development Minister, Shri Sarup Singh passed away.

RAJASTHAN

Expansion of Cabinet: On 2 July 1998, the Chief Minister expanded the State Cabinet by inducting one Cabinet Minister and 13 Ministers of State and upgrading two Deputy Ministers to the rank of Minister of state. They are:

Cabinet Minister: Shri Ghanshyam Tiwari.

Ministers of State: Sarvashri Kali Charan Saraf, Rajpal Singh Shekhawat, Ram Pratap Kasania, Sundar Lal, Bhanwar Singh Bagawas, Kanhiya Lal Meena, Rajendra Gehlot, Amra Ram (Barmer), Dali Chand, Mahaveer Prasad Bhagora, Chunni Lal Dhakar, Shivdaan Singh, Babul Lal Verma and Smt. Ujjala Arora.

On 8 July 1998, the Chief Minister, Shri Bhairon Singh Shekhawat expanded the State Cabinet by inducting Shri V.P. Singh as a Cabinet Minister and Shri Chunni Lal Dharkar as a Minister of State.

Election of Speaker/Deputy Speaker: On 23 July 1998, Shri Samarhlal Meena of the BJP was elected unopposed as the Speaker of the State Legislative Assembly. Smt. Tara Bhandari of the BJP was elected unopposed as the Deputy Speaker on 28 July 1998.

Resignation of Minister: On 28 August 1998, the Revenue Minister, Shri Gagan Ram Choudhary resigned from the Office.

UTTAR PRADESH

Resignation of MLA: On 23 July 1998, Shri Lakhiram Joshi, an MLA belonging to the BJP, resigned from the State Assembly.

Death of Minister: On 11 September 1998, the Food and Civil Supplies Minister, Shri Aijaz Rizvi, passed away.

WEST BENGAL

Death of Minister: On 13 July 1998, the Minister for Self-Employment Generation (Urban), Employment Exchange and ESI, Smt. Chhaya Bera, passed away.

DEVELOPMENTS ABROAD**ALBANIA**

New Prime Minister: On 29 September 1998, the Prime Minister, Mr. Fatos Nano resigned from the Office. Subsequently, Mr. Pandeli Majko was appointed the new Prime Minister.

COLOMBIA

New President: On 8 August 1998, Mr. Andres Pastrana was sworn in as the new President of Colombia.

JAPAN

Resignation of Prime Minister: On 13 July 1998, the Prime Minister, Mr. Ryutaro Hashimoto resigned from the Office taking moral responsibility for the defeat of his Liberal Democratic Party (LDP) in the Upper House elections.

MALTA

New Prime Minister: On 7 September 1998, Mr. Edward Fenech Adami was sworn in as the new Prime Minister.

MONGOLIA

Political developments: On 24 July 1998, Mongolia's Parliament, the Great Hural passed a resolution by 42-33 votes dismissing the Prime Minister, Mr. Tsakhya Elbegdorj's Government over his decision in May to merge the State and private banking sectors.

NEPAL

Expansion of Cabinet: On 26 August 1998, the four-month-old Council of Ministers of Shri Girija Prasad Koirala was expanded with the induction of 13 MPs from the Nepal Communist Party (Marxist and Leninist) into it.

NEW ZEALAND

Vote of Confidence: On 8 September 1998, the Prime Minister, Ms. Jenny Shipley won a Vote of Confidence in Parliament.

NIGERIA

Political developments: On 8 July 1998, the President, Mr. Abubaker dissolved the ruling Executive Council of the military regime, a day after the death of the detained Opposition leader, Mr. Moshood Abiola.

PAKISTAN

New Foreign Minister: On 6 August 1998, Mr. Sartaj Aziz was appointed as the new foreign Minister of Pakistan.

RUSSIA

Political developments: On 23 August 1998, the President Mr. Boris

Yeltsin dismissed the Russian Prime Minister, Mr. Sergei Kiriyenko and re-appointed former Prime Minister Mr. Victor Chernomyrdin as the caretaker Prime Minister of Russian.

On 7 September 1998, the Duma (Lower House of Parliament) rejected President Yeltsin's nominee and acting Prime Minister Mr. Victor Chernomyrdin's candidacy for the Prime Ministership for the second time.

On 10 September 1998, following the second rejection of the candidacy of Mr. Chernomyrdin for the Prime Ministership, President Yeltsin nominated acting Foreign Minister, Mr. Yergeny Primakov for the post and the Duma approved Mr. Primakov as Prime Minister on 11 September 1998.

On 16 September 1998, the President, Mr. Boris Yeltsin appointed Mr. Vladimir Ryzhkov, Mr. Alexander Shokhin and Mr. Vladimir Bulgak as Deputy Prime Ministers.

DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST

The High Court and Supreme Court Judges (Conditions of Service) Amendment Bill, 1998 sought to replace the High Court and Supreme Court Judges (Conditions of Service) Amendment Ordinance, 1998 which was promulgated by the President on 24 April 1998 increasing the salaries of the Judges. The salaries of the Judges of the Supreme Court and the Judges of High Court were last revised with effect from 1 April 1986 under the Constitution (Fifty-fourth Amendment) Act, 1986. The existing salaries were: the Chief Justice of India, Rs. 10,000 p.m.; Judges of the Supreme Court, Rs. 9,000 p.m.; the Chief Justice of High Court, Rs. 9,000 p.m.; and Judges of High Courts, Rs. 8,000 p.m. The Fifth Central Pay Commission recommended the revision in the salaries and other allowances of the Central Government employees, including the members of All India Services. The Government accepted the majority of the recommendations and the notification dated 30 September 1997 amending the existing pay rules of the Central Government employees namely, the Central Civil Service (Revised Pay) Rules, 1997 was issued. The revised pay rules were deemed to have come into force on 1 January 1996. Having considered all aspects of the matter, a necessity was felt to increase the salaries of the Judges with effect from 1 January 1996. The revised salaries are: the Chief Justice of India, Rs. 33,000 p.m.; Judges of the Supreme Court, Rs. 30,000 p.m.; the Chief Justice of a High Court, Rs. 30,000 p.m.; and Judges of High Courts, Rs. 26,000 p.m. The Bill was passed by the Lok Sabha and the Rajya Sabha on 4 July and 6 July 1998, respectively, and received the President's assent on 7 July, 1998.

The President's Emoluments and Pension Act, 1951 provides that the President shall be paid emoluments to the tune of Rs. 20,000 p.m. and a retiring President a pension of Rs. 1,20,000 per annum. The emoluments and pension of the President were last enhanced in 1990. Consequent upon the revision of the salary and allowances of various constitutional functionaries, it was considered necessary to enhance the emoluments of the President and the pension to the retiring Presidents. It was thus proposed that the emoluments of the President be enhanced to Rs. 50,000 p.m. and pension to the retiring Presidents to Rs. 3 lakh per annum. As the Vice-President's Pension Act, 1997 was enacted to provide for payment of pension and other pensionary benefits to such persons who have held the office of the Vice-President of India, it was considered that the pension and the other facilities admissible under the proposed Bill may not be extended to such persons who have held the office of the Vice-President of India, subsequently become entitled to pension under the President's Emoluments and Pension Act, 1951. The President's Emoluments and Pension (Amendment) Bill, 1998 was passed by the Lok Sabha and the Rajya Sabha on 4 August 1998. It received the President's assent on 20 August 1998.

The Salaries and Allowances of Officers of Parliament (Amendment) Bill 1998, to amend the Salaries and Allowances of Officers of Parliament Act, 1953 proposed that the total emoluments of the Chairman of the Council of States be raised to Rs. 40,000 per month with effect from 1 January 1996 which is considered to be a reasonable level between the emoluments likely to be payable to the President of India and those likely to be payable to the Governor of a State. The Bill was passed by the Lok Sabha and the Rajya Sabha on 4 August 1998 and received the President's assent on 20 August 1998.

The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1998 sought further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954. The Bill sought to achieve the following objects: to raise the salary of members of Parliament from Rs. 1,500 p.m.; to Rs. 4,000 p.m.; to raise the daily allowance from Rs. 200 to Rs. 400; to increase the number of single air journeys from twenty-eight to thirty-two in a year with a provision that unutilized air journey of the year would be carried over the following year; to increase the road mileage from Rs. 5/- to Rs. 6/- per kilometre; to allow road mileage to a member of Parliament if he travels by road between the place connected by rail; to increase the minimum pension from Rs. 1,400 to Rs. 2,500 p.m.; and to increase the additional pension from Rs. 250 to Rs. 500 for each year exceeding five years of service as such member; and to increase the pension to the spouse or dependent of a member of Parliament from Rs. 500 to Rs. 1,000 p.m. in case such member dies in harness. It was also proposed to increase the amount of car advance to a member of Parliament from Rs. 50,000 to Rs. One lakh and allow the spouse of a member to travel free in all rail journeys in air-conditioned first class or executive class in all trains from usual place of residence to Delhi and back against the present to and fro air-conditioned two-tier rail travel facilities once during each Session. The Bill was passed by the Lok Sabha and the Rajya Sabha on 4 August 1998. It received the President's assent on 20 August 1998.

The Governors (Emoluments, Allowances and Privileges) Amendment Bill, 1998 sought to amend the Governors (Emoluments, Allowances and Privileges) Act, 1982 to enhance the emoluments of the Governors from Rs. 11,000 p.m. to Rs. 36,000 p.m. with effect from 1 January 1996. The Bill was passed by the Lok Sabha and the Rajya Sabha on 4 August 1998 and received the President's assent on 20 August 1998.

We reproduce here the texts of the above Acts.

—Editor

THE HIGH COURT AND SUPREME COURT JUDGES (CONDITIONS OF SERVICE) AMENDMENT ACT, 1998

An Act further to amend the High Court Judges (Conditions of Service) Act, 1954 and the Supreme Court Judges (Conditions of Service) Act, 1958

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

1. *Short title and commencement:* (1) This Act may be called the High Court and Supreme Court Judges (Conditions of Service) Amendment Act, 1998.

(2) It shall be deemed to have come into force on the 1st day of January, 1996.

CHAPTER II AMENDMENT OF THE HIGH COURT JUDGES (CONDITIONS OF SERVICE) ACT, 1954

2. *Amendment of long title:* In the long title of the High Court Judges (Conditions of Service) Act, 1954 (hereinafter referred to as the High Court Judges Act), for the words "certain conditions of service", the words "salaries and certain conditions of service" shall be substituted:

3. *Amendment of section:* In section 1 of the High Court Judges Act, for the brackets and words "(Conditions of Service)", the brackets and words "(Salaries and Conditions of Service)" shall be substituted.

4. *Amendment of Chapter III:* In Chapter III of the High Court Judges Act,—

(a) for the heading "PENSIONS", the heading "SALARIES AND PENSIONS" shall be substituted; and

(b) after the heading as so substituted and before section 14, the following section shall be inserted, namely:—

"13A. *Salaries of the Judges:* (1) There shall be paid to the Chief Justice of a High Court, by way of salary, thirty thousand rupees per mensem.

(2) There shall be paid to a Judge of a High Court, by way of salary, twenty-six thousand rupees per mensem."

CHAPTER III AMENDMENT OF THE SUPREME COURT JUDGES (CONDITIONS OF SERVICE) ACT, 1958

5. *Amendment of long title:* In the long title to the Supreme Court Judges (Conditions of Service) Act, 1958 (hereinafter referred to as the Supreme Court Judges Act), for the words "certain conditions of service", the words "salaries and certain conditions of service" shall be substituted.

6. Amendment of section 1: In section 1 of the Supreme Court Judges Act, for the brackets and words "(Conditions of Service)", the brackets and words "(Salaries and Conditions of Service)" shall be substituted.

7. Amendment of Chapter III: In Chapter III of the Supreme Court Judges Act,—

(a) for the heading "PENSIONS", the heading "SALARIES AND PENSIONS" shall be substituted; and

(b) after the heading as so substituted and before section 13, the following section shall be inserted, namely:—

"12A. (1) There shall be paid to the Chief Justice of India, by way of salary, thirty-three thousand rupees per mensem.

(2) There shall be paid to a Judge of the Supreme Court, by way of salary, thirty thousand rupees per mensem."

CHAPTER IV TRANSITIONAL PROVISION

8. Arrears: The difference of salary payable to a Judge of a High Court under the High Court Judges Act or a Judge of the Supreme Court under the Supreme Court Judges Act, as amended by this Act, and salary payable to such Judge but for this Act, shall be paid in two instalments, the first instalment being five thousand rupees *plus* fifty per cent. of the balance of such difference to be paid as early as may be practicable, and the second instalment to be paid within such period as may be decided by the Central Government.

9. Repeal and saving: (1) The High Court and Supreme Court Judges (Conditions of Service) Amendment Ordinance, 1998 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the High Court Judges Act and the Supreme Court Judges Act, as amended by the said Ordinance shall be deemed to have been done or taken under the High Court Judges Act and the Supreme Court Judges Act, as amended by this Act.

THE PRESIDENT'S EMOLUMENTS AND PENSION (AMENDMENT) ACT, 1998

An Act further to amend to President's Emoluments and Pension Act, 1951.

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

1. Short title: This Act may be called the President's Emoluments and Pension (Amendment) Act, 1998.

2. Amendment of section 1A: In section 1A of the President's Emoluments and Pension Act, 1951 (hereinafter referred to as the principal Act), for the words "twenty thousand rupees", the words "fifty thousand rupees" shall be substituted and shall be deemed to have been substituted with effect from the 1st day of January, 1996.

3. Amendment of section 2: In section 2 of the principal Act, in sub-section (1),—

(i) for the words "one lakh twenty thousand rupees", the words "three lakh rupees" shall be substituted and shall be deemed to have been substituted with effect from the 1st day of January, 1996.

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

"Provided that if any person before assuming the office of President, has held the office of the Vice-President, such person shall not be entitled to any pension and other benefits under the provision of the Vice-President's Pension Act, 1997."

THE SALARIES AND ALLOWANCES OF OFFICERS OF PARLIAMENT (AMENDMENT) ACT, 1998

An Act further to amend the Salaries and Allowances of Officers of Parliament Act, 1953.

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

1. Short title and commencement. (1) This Act may be called the Salaries and Allowances of officers of Parliament (Amendment) Act, 1998.

(2) It shall be deemed to have come into force on the 1st day of January, 1996.

2. Amendment of section 3. In the Salaries and Allowances of officers of Parliament Act, 1953 (hereinafter referred to as the Principal Act), for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) There shall be paid to the Chairman of the Council of States a salary of forty thousand rupees per mensem".

3. Amendment of section 5. In section 5 of the principal Act, the words "the Chairman of Council of States and" shall be omitted.

**THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF
PARLIAMENT (AMENDMENT) ACT, 1998**

*An Act further to amend the Salary, Allowances and Pension of
Members of Parliament Act, 1954.*

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

1. *Short title.* This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1998.

2. *Amendment of section 3.* In section 3 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (hereinafter referred to as the principal Act), for the words "one thousand and five hundred rupees" and "two hundred rupees", the words "four thousand rupees" and "four hundred rupees" shall respectively be substituted.

3. *Amendment of section 4.* In section 4 of the principal Act,—

(i) in sub-section (1), in clause (c), in sub-clause (ii), for the words "five rupees", the words "six rupees" shall be substituted;

(ii) the proviso to sub-section (2) shall be omitted.

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

(i) in the proviso, for the word "twenty-eight", the word "thirty-two" shall be substituted;

(ii) after the proviso as so amended, the following proviso shall be inserted, namely:—

"Provided further that where the number of journeys performed by any member by air is less than thirty-two, then, such number of journeys not performed by him shall be carried over to the following year."

5. *Amendment of section 6B.* In section 6B of the principal Act, for clause (iii), the following clause shall be substituted, namely:—

"(iii) to free travel by any railway in India in first class air-conditioned or executive class in all train by the spouse, if any, of the member from the usual place of residence of the member of Delhi and back and if such journey or any part thereof is performed by air from any place other than the usual place of residence of the member to Delhi and back, to an amount equal to the fare by air for such journey or part thereof:"

6. *Amendment of section 8A.* In section 8A of the principal Act,—

(i) in sub-section (f),—

(a) for the words "one thousand four hundred rupees", the words "two thousand and five hundred rupees" shall be substituted;

(b) in the first proviso, for the words "two hundred and fifty rupees", the words "five hundred rupees" shall be substituted;

(ii) for sub-section (IA), the following sub-section shall be substituted, namely:—

"(IA) With effect from the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1998, there shall be paid a pension of rupees one thousand per mensem, to the spouse, if any, or dependent of any member who dies during his term of office as such member, for a period of five years from the date of his death."

7. *Amendment of section 8B.* In section 8B of the principal Act, for the words "fifty thousand rupees", the words "one lakh rupees" shall be substituted.

THE GOVERNORS (EMOLUMENTS, ALLOWANCES AND PRIVILEGES) AMENDMENT ACT, 1998

An Act further to amend the Governors (Emoluments, Allowances and Privileges) Act, 1982

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

1. *Short title:* This Act may be called the Governors (Emoluments, Allowances and Privileges) Amendment Act, 1998.

2. *Amendment of Act 43 of 1982:* In section 3 of the Governors (Emoluments, Allowances and Privileges) Act, 1982, for the words "rupees eleven thousand per mensem", the words "rupees thirty-six thousand per mensem" shall be substituted and shall be deemed to have been substituted with effect from the 1st day of January, 1996.

SESSIONAL REVIEW

TWELFTH LOK SABHA

SECOND SESSION

The Second Session of the Twelfth Lok Sabha, which commenced on 27 May 1998, was adjourned *sine die* on 6 August 1998. The House was then prorogued by the President of India on 10 August 1998.

A resume of some of the important discussions held and other business transacted during the period 3 July 1998 to 6 August 1998* is given below.

A. DISCUSSIONS/STATEMENTS

Statement by the Prime Minister on the SAARC Summit: Making a Statement in the House on 3 August 1998, the Prime Minister, Shri Atal Bihari Vajpayee informed that the tenth SAARC Summit, held in Colombo from 28 to 31 July 1998, reaffirmed the common desire of the SAARC member states to strengthen cooperation in the region. There was general agreement that to meet the challenges and to avail of the opportunities presented by the substantially transformed global economic situation, it was essential to enhance bilateral as well as SAARC regional, economic, social and technical cooperation. It was agreed that SAARC must move purposefully towards setting up a Free Trade Area. A group of experts would be set up to negotiate a comprehensive legal framework for this purpose incorporating schedules for liberalized trade and facilitation measures, taking into account the least developed countries' concerns. Parallel steps would be taken to conclude the third round of the trade negotiations under the South Asian Preferential Trading Arrangement, and to commence the next round.

The Prime Minister said that India had reiterated her commitment to, and readiness for bold initiatives to speed up trade liberalisation. He announced the Government's decision to lift all Quantitative Restrictions

* The Sessional Review covering the earlier period, i.e., from 27 May 1998 to 12 June 1998 of the Second Session was carried in the September 1998 (Vol. XLIV, No. 3) issue of the *Journal of Parliamentary Information*.

preferentially, on imports from SAARC countries, with effect from 1 August 1998. Our readiness to enter into bilateral free trade arrangements with interested SAARC countries was also made known. Sri Lanka had taken up this offer. It was recognised that the benefits of trade liberalisation would be more extensive and balanced through promoting trade-related joint ventures, investment and trade-in-services such as tourism. India's decision to substantially increase the ceiling for investment for India under the fast track in SAARC countries from US \$8 to US \$15 million had also been welcomed. This would encourage a greater flow of Indian investment and stimulate trade.

Important initiatives had been taken in the social sector like a Social Charter for SAARC, and an agreement to finalise a convention to combat illegal trafficking in women and children. The latter would be signed at the next SAARC Summit. A regional convention on child welfare would also be developed.

The Prime Minister informed that he reiterated India's commitment to peace and stability; misconceptions about the recent nuclear tests were set at rest after interacting with other leaders. Indian initiatives regarding confidence building and disarmament had been appreciated. There was agreement on the need to commence purposeful negotiations towards a comprehensive and non-discriminatory global nuclear disarmament regime and a nuclear weapons-free world.

During the meeting with the Pakistani Prime Minister, it was made clear that India and Pakistan should work together to develop trust and confidence, and avail of the many opportunities for mutually beneficial cooperation in the economic, social and other fields so that we could improve the lives of our peoples. India has consistently underlined its commitment to a direct and composite dialogue with Pakistan. Such a comprehensive and sustained process would contribute to building trust and confidence, promote mutually beneficial cooperation and help address bilateral issues. The dialogue must address the totality of the relationship and not be pursued in narrow, segmented fashion which would defeat its very purpose which is to build a wide ranging and enduring relationship. A direct bilateral interaction which sought to generate confidence and foster cooperation in functional areas, and enhance people to people contacts would also help create a positive climate in which difficult issues under discussion could be purposefully addressed. It is recognised by the international community that all outstanding issues between India and Pakistan, including Jammu and Kashmir, should be settled bilaterally in a peaceful manner. He also emphasised that

instigation and support of terrorism was incompatible with a common desire for friendly and peaceful relations and that these activities must cease immediately.

The Prime Minister informed members that India had also participated in the ASEAN Post-Ministerial Conference which is an important part of ASEAN's interaction with its dialogue partners, as well as the ASEAN Regional Forum (ARF) Meetings, held on 24-29 July 1998. During the meeting India had reaffirmed the policy of strengthening cooperation with the ASEAN member countries and the Asia Pacific Region as a whole. Apart from bilateral contacts, active communication in the framework of the dialogue partnership and ARF had been established. Participation in these meetings was particularly important, as it provided an opportunity to once again clarify our policy on nuclear disarmament in the context of the recent tests, as well as to demonstrate the continued engagement in the economic and political stability of the region and share perceptions on regional and international developments. A better overall understanding on the part of ASEAN countries of the rationale of the policy as well as of the need for purposeful moves by the Nuclear Weapons States towards comprehensive and universal disarmament on a non-discriminatory basis, was found. It was assured to the ASEAN countries that the status of the Nuclear Weapons Free Zone in South East Asia, would be fully respected. These interaction with the ASEAN reflected an understanding that cooperation and dialogue partnership with India had made good progress, and that we needed to jointly consolidate this through implementation of projects and measures under discussion, in trade and investment, infrastructure and human resource development, tourism, culture and people to people contacts. Bilateral and multilateral interaction in the ASEAN and ARF meetings had helped the post-Pokhran-II diplomatic efforts, the Prime Minister added.

The Budget (Railways) 1998-99: On 7 July 1998, initiating the discussion, Shri P.C. Chacko, said that the entire development of railways in Kerala had been totally blocked and the State had been neglected. He suggested that the long-pending needs of Kerala might be considered favourably. The member also brought to the notice of the House the case of the accidents at the unmanned level crossing. The Railways did not think seriously, how modern technology could be made use of to avoid these accidents. Some new ideas would have to be received. New modern technology should be utilised to avoid accidents. The safety aspect was not being taken seriously by the Railways. He felt that both safety and modernisation are very important aspects. Regarding the increase in the railway fare, Shri Chacko said it was a major

lacuna in the Railway Budget. There should be sufficient developmental activity if more charge was levied on the people. The proportionate advantage after the increase was not sufficient, he added.

Participating in the discussion,* Prof. Saifuddin Soz urged the Government to construct the railway line covering Kashmir, Udhampur, Srinagar, Kazigund and Baramullah on a war footing. Following the example of the Konkan Railway Corporation, the Government should declare this as the "Kashmir Express Railway Corporation" and should give a time frame to complete the work.

Shri Lalu Prasad said that unless the Government looked into past mistakes, no positive results would be achieved and requested the Railway Minister to disclose the budget allocation for development of railways in Bihar.

Shri Vaiko hoped that the Railway Minister would take note of the long-term demand for gauge conversion from Virudhunagar to Quilon and requested that sufficient allocation may be made, for the project.

Replying to the discussion, the Minister of Railways, Shri Nitish Kumar said that the Parliamentary Standing Committee on Railways had broadly supported the Budget proposals. The recommendations made by the Standing Committee would be taken into consideration and the Government would take appropriate steps wherever required after due deliberations. The Government had take a number of steps to check the wasteful expenditure. There should be no wasteful expenditure and such a tendency would not be tolerated at any cost. A Railway Safety Review Committee was set up under the Chairmanship of a retired Judge of the Supreme Court. The Committee would comprise of a member each from the Lok Sabha and the Rajya Sabha and also experts. The Committee would submit its report within six months. The freight rates were increased in the Budget with regard to certain goods. The parcel rates were also hiked which included a 20 per cent hike in the parcel rate in the case of magazine, though newspapers had been exempted from it. However, in view of the persistent demand made in this regard, it was decided to withdraw the hike proposed for the magazines as well.

* Others who took part in the discussion were: Sarvashri Rajveer Singh, Rupchand Pal, Shailendra Kumar, S. Mallikarjuniah, Surendra Prasad Yadav, Kanchi Panneerselvam, Ramdas Athawale, Prabhat Lumar Samantaray, C. Kuppsami, Francisco Sardinha, Pramothas Mukherjee, Varkala Radhakrishnan, B.M. Menasinakal, K. Natwar Singh, Sansuma Khunggur Bwiswuthiary, Mitrasen Yadav, Kantilal Bhuria, Harpal Singh Sathi, Hira Lal Roy, Ravi Prakash Verma, Bhagwan Shankar Rawat, Lal Muni Chaubey, Motilal Vora, Prof. Jogendra Kawade, Dr. Ranjit Kumar Panja, Dr. Madan Prasad Jaiswal, Smt. Lakshmi Panabaka, Smt. Geeta Mukherjee, Smt. Bhavana Devrajbhai Chikhaliya and Smt. Suryakanta Patil.

All the Demands for Grants (Railways) 1998-99 were voted in full and the Appropriation (Railways) No.3 Bill was passed.

Rise in Prices of Essential Commodities: Initiating the discussion under Rule 193 on 9 July 1998, Shri Basudeb Acharia said that within 106 days of the Government coming into power, the prices of almost all the commodities, particularly essential commodities, had been rising everyday. The Government was aware, when it came to power, that there would be shortage in oilseeds production, edible oil and in wheat production also. The common man, particularly the poor, are facing lot of hardships because of the price rise. Regarding the annual rate of inflation, he pointed out that it was 325.8 per cent, 32.9 per cent, 26.6 per cent and 100 per cent in respect of potato, onion, tea and mustard oil, respectively. The Government should call a Chief Ministers' Conference as soon as possible to find out the ways and means to curb the price rise and curtail the inflationary situation. The Government should expand the Public Distribution System and all the essential commodities should be distributed through it. There should be a temporary ban on the export of the essential commodities.

Participating in the discussion*, Shri Lalu Prasad said that the housewives had been affected the most by the steep increase in the price of potato, onion and mustard oil. The Government should make an assessment of the quantity of commodities, be it vegetables or grains, required in the country. He suggested that the period of imprisonment for blackmarketeers should be increased from 7 years to 10 years.

Kumari Mamata Banerjee said that the Central Government should covecnce a meeting of the Chief Ministers to discuss the rise in prices of essential commodities. The Central Government should discuss with the State Governments the measures which could be taken up to control the price rise. The Government should pay attention to curtail the prices of life saving drugs. It should also pay attention to constructing cold storage facilities and also develop a proper procurement system. The farmers should be encouraged to cultivate vegetables in the non-traditional areas. Attention should be given to check the prices of vegetables, sugar, edible oils and baby food. Drastic action should be taken against those who indulge in hoarding and black marketing.

* Others who took part in the discussion were: Sarvashri Jagat Vir Singh Drona, Mohan Singh, Rupchand Pal, Prabhunath Singh, Shalendra Kumar, Anant Gangaram Geete, H.P. Singh, Arif Mohammed Khan, T.R. Baalu, Bikram Keshari Deo, Pramothas Mukherjee, S. Mallikarjunalah, Harpal Singh Sathi, Dr. Laxmi Narayan Pandey, Dr. Ulhas Vasudeo Patil, Prof. Jogendra Kawade, Dr. V. Saroja, Prof. A.K. Premajam, Smt. Suryakanta Patil, Smt. Jayanti Patnaik and Smt. Geeta Mukherjee.

Replying to the discussion, the Minister of Chemicals and Fertilizers and the Minister of Food and Consumer Affairs, Sardar Surjit Singh Barnala said that the rise in prices of essential commodities was due to decline in supply and increase in the demand of specific commodities. Due to excess heat, vegetable production had declined. Potato crops were destroyed entirely due to fog. Prices of vegetables went up and production declined due to vagaries of weather. To meet the shortage of vegetables, 25 to 30 mobile vans would carry vegetables to areas mostly inhabited by the poor and the weaker sections. The shortages of edible oil had been compensated by the import of palm oil. The duty on palm oil had been reduced from 25 per cent to 10 per cent. Efforts had been made to acquire more cold storage so that potatoes were not destroyed. The relevant law would be strictly implemented against those who indulged in black-marketing or improper business. Members coming from different States should take the responsibility of implementation of this law in their States. The Minister assured the House that price would be controlled so that everybody would get commodities at proper rates.

Situation in North-Eastern Region due to Insurgency: On 29 July 1998, initiating the discussion under Rule 193, Shri Bhubaneswar Kalita said that the incidents of attacks by insurgents in all States of the North-East region had been on the increase. The reasons behind this insurgency might be the feeling of alienation, the feeling of being swarmed by people from outside the area and also economic backwardness. Development was the answer to tackle the insurgency problem. Though a number of economic packages had been announced little had been done to implement those packages. He hoped that the Government was aware of the requirements for infrastructure development of the region to bring it on par with the rest of the country. The member suggested that two lines of action should be taken together at a time to confront the problem-development as well as negotiations with the insurgent groups.

Participating in the discussion* on 31 July 1998, Kumari Mamata Banerjee said that the communication system and the infrastructural facilities are very poor in the North-Eastern region. The Government should ensure that if the money was sanctioned, it should reach the

* Others who took part in the discussion were: Sarvashri Samar Choudhury, Tapan Sikdar, Tarun Gogoi, Mohan Singh, C. Gopal, Anand Mohan, P.S. Ghatowar, Sansuma Khunggur Bwiswmuthiary, Rajkumar Wangcha, Salkhan Murmu, Bijooy Krishna Handique, P.R. Kyundiah, H. Lallungmuana, K.A. Sangtam, P.A. Sangma and Kumari Kim Gangte.

region. She felt that there should be separate Central Secretariat for the north-eastern Region to properly communicate with the States. The Government should look into all the problems faced by the region and should evolve a proper plan of action to solve them. The Government should consider including members of the Lok Sabha and the Rajya Sabha from the North-Eastern region in the North-Eastern Council.

Shri Lalu Prasad said that arrangements should be made for providing the facility of education and healthcare, along with drinking water, to the people of the North-East. Besides, an all party delegation should visit the region to meet the people personally and guide them to the need for development.

Shri Indrajit Gupta said that the security forces had not been able to contain the insurgency in the region. He felt that a long term permanent agreement would be required and for this the Ministry of Home Affairs, External Affairs and Defence should discuss and co-ordinate.

Dr. Jayanta Rongpi felt that the funds provided for the North-East did not reach the common people, rather it had been misused. A change in the administrative structure of the region and reorganisation of Assam were required for the development work to cover the whole region.

Shri A.F. Golam Osmani emphasised that the Government should monitor the law and order situation in the North-East.

Shri Th. Chaoba Singh felt that insurgency movement in the region could not be suppressed by using force. He stressed the need to strengthen and expand employment opportunities which would certainly scale down the intensity of insurgency.

Replying to the discussion on 31 July 1998, the Minister of Home Affairs, Shri L.K. Advani said that it had been suggested that more and more agencies of Government of India should be active in the North-East, but then the State Government would subsequently feel an encroachment on their jurisdiction. It would not be correct to say that financial assistance for the region had been reduced which had caused problems. Our objective was to increase the areas of peace in the North-East and to reduce areas of insurgency. The Ministries of Surface Transport, Steel, Railways, Agriculture, Science and Technology, Industry, Human Resource Development, Food and Civil Supplies, Electronics, Food Processing Industries, Non-Conventional Energy Sources, Information and Broadcasting, Power, Commerce, Posts, Tourism and Civil Aviation and Water Resources would make 10 per cent of their allocation for the sub plan of the North-East.

B. LEGISLATIVE BUSINESS

*Statutory Resolution Re: Disapproval of High Court and Supreme Court Judges (Conditions of Service) Amendment Ordinance and the High Court and Supreme Court Judges (Conditions of Service) Amendment Bill 1998**: On 4 July 1998, Dr. T. Subbarami Reddy said that the Bill would provide for the revision of salary and other benefits to the judges of the High Court and the Supreme Court. He proposed that the salary of the Chief Justice of High court should be forty thousand rupees per mensem and the salary of a judge of a High court should be thirty six thousand rupees per mensem. The Chief Justice of India should be paid a salary of forty-three thousand rupees per mensem and a judge of the Supreme Court should be paid a salary of forty thousand rupees per mensem.

Regarding the interference of the Courts in many cases and ordering inquiries into the affairs of political leaders or bureaucrats, the member observed that this trend is very dangerous for democracy and should be stopped. The judicial authorities should function independently without the interference of the Executive or the Legislature. The Executive should consult the Chief Justice of India in the appointment of judges.

Moving the Bill, the Minister of Power, Shri P.R. Kumaramangalam said that salaries of the High Court and the Supreme Court judges were last revised with effect from 1 April 1986 when the pay scales of the Central Government employees were revised on the basis of the Fourth Central Pay Commission report. Since then, the Fifth Central Pay Commission had recommended the revision in the salaries and allowances of the Central Government employees, including members of the All India Services. The Government had accepted a majority of the recommendations. The revised pay rules were deemed to have come into force on 1 January 1996. Having considered all aspects of the matter, it became necessary to increase salaries of the judges with effect from 1 January 1996.

Participating in the discussion*, Shri Lalu Prasad said that the need of the hour was that we should not only think about the enhancement of salaries of the judges but also about the participation of backward

* The Bill was introduced in the Lok Sabha on 10 December 1998.

* Others who took part in the discussion were: Sarvashri Satya Pal Jain, Suresh Kurup, Ajit Kumar Panja, Mohan Singh, Girdhari Lal Bhargava, Sushil Kumar Shinde, Shivraj V. Patil, S. Mallikarjuniah, Prabhunath Singh, B.M. Menasinakal, T.R. Baalu, Ajay Chakraborty and Prof. P.J. Kurien.

class in the Judiciary. He also urged the Government to increase the number of Judges proportionately for the speedy disposal of these cases. Reservation for the Dalit community should be made in the appointment of Judge to the Supreme Court and High Courts. This should be done through the Judicial Commission.

Prof. Saifudden Soz said the Chief Justice of the Supreme Court and the Judges of the Supreme Court and the High Courts must get salary and perks that would be necessary to maintain the dignity of their high offices.

Replying to the discussion, the Minister of Power, Shri P.R. Kumaramangalam said that with the present revision, the salaries of the High Court Judge and the Cabinet Secretary would be at the same level. About the modernisation of the courts, the Minister informed that computers had been provided in the Supreme Court and the High Courts and they were linked to the network in the National Informatics Centre. The Government had also been providing financial assistance to the State Governments to provide infrastructural facilities on a 50:50 basis.

By way of reply to the debate on his Resolution, Dr. T. Subbarami Reddy said that the vacancies of judges should be filled up as early as possible. The Supreme Court must have Benches in important cities all over the country.

The Statutory Resolution was withdrawn by leave of the House. The motion for consideration of the Bill was adopted and the Bill was passed.

*Statutory Resolution Re: Disapproval of the Lotteries (Regulation) Ordinance And Lotteries (Regulation) Bill, 1998**: On 4 July 1998, Dr. T. Subbarami Reddy, moving the Statutory Resolution, said that the conduct of certain types of lotteries in the country, the malpractices thereof and their impact on the poorer sections of the society had been under scrutiny of the Government for quite some time. It was felt that a Central legislation to regulate the conduct of lotteries would be necessary to protect the interest of the poor people. Shri Reddy proposed that the draw of lotteries should be reduced to once in a month instead of once in a week. The number of bumper draws should be reduced from six to three in a year. He also proposed that the period of imprisonment for deceiving the poor and the innocent people should be increased from two years to five years.

Moving the motion for consideration of the Lotteries (Regulation)

* The Bill was introduced in the Lok Sabha on 27 May 1998.

Bill, 1998, which sought to replace the Lotteries (Regulation) Ordinance, 1998, the Minister of Home Affairs, Shri L.K. Advani said that the Bill on introduction was referred to the Departmentally-related Parliamentary Standing Committee of Home Affairs for consideration and the report of the Committee was placed on the Table of the House. Stating the salient features of the Bill, the Minister said that the Bill would ban the conduct and sale of single-digit instant lotteries in the country. It would regulate the conduct and sale of other types of lotteries by stipulating certain conditions. It would enable the State Governments to ban the sale of lotteries of other States in their jurisdiction.

Intervening in the discussion, the Minister of Parliamentary Affairs and Tourism, Shri Madan Lal Khurana said that as the Chief Minister of Delhi, he had banned all types of lotteries. As a result, the State exchequer suffered a loss of about Rs. 105 crore per year. He felt that a Bill should be brought in the House for banning all types of lotteries so that nobody could take advantage of the loopholes.

Participating in the discussion*, Shri Lalu Prasad said that lottery is a kind of gambling and gambling should not be legally permitted.

Prof. Saifuddin Soz expressed his happiness on the regulation of lotteries and the total unanimity expressed by members in the House.

Shri K. Yerrannaidu requested the Home Minister to convene a Chief Ministers' meeting as early as possible during the next Session for passing a legislation to ban all the States lotteries.

Replying to the discussion, the Minister of Home Affairs, Shri L.K. Advani said that imposing ban on single digit lotteries and sparing three digit or five digit lotteries would not be proper. A Bill seeking to completely ban lotteries would be brought after consulting the States in this regard.

By way of reply to the debate on his Resolution, Dr. T. Subbarami Reddy said that the banning of single digit lottery should be done with perfection and nobody would be able to go to court.

The Statutory Resolution was withdrawn by leave of the House. The motion for consideration of the Bill was adopted and the Bill, as amended, was passed.

* Others who took part in the discussion were: Sarvashri Moti Lal Vora, Varkala Radhakrishnan, Bhubaneswar Kalita, Mohan Singh, Aditya Nath, Satya Pal Jain, Pawan Singh Ghatowar, Baswaraj Patil Sedam, Mitrasen Yadav, Raghuvansh Prasad Singh, Shailendra Kumar, Virendra Singh, Sansuma Khunggur Bwiswmuthiary, Prof. P.J. Kurien and Smt. Minati Sen, Smt. Bhavana Devrajibhai Chikhalia.

The Finance (No.2) Bill 1998: On 15 July 1998, moving the motion for consideration of the Finance Bill, the Finance Minister, Shri Yashwant Sinha said that suggestions made by the members of Parliament, the Standing Committee of Parliament, trade associations various Chambers of Commerce and individual taxpayers regarding withholding of tax on external commercial borrowings, taxing gifts as income, exemption of educational and medical institutions and exemption of income of infrastructure capital funds had been the subject matter of intense debate. Regarding information technology, the Minister said that the Prime Minister had constituted the National Task Force on Information Technology and Software Development. The recommendations contained in the Report submitted by the Task Force would cover a wide spectrum of issues relating to finance, banking revenue, commerce, etc. He said that members would agree that the recommendations regarding tax incentives accepted by the Government should be incorporated in the budget even at late stage. The Minister, therefore, sought to introduce some amendments. The definition of computer software as appearing in Section 80HHE of the income tax Act would be widened to include transmission of data pertaining to information technology. This would enable the I.T. sector to avail of the benefits of 100 per cent deduction on their export earnings from this important activity. The exemption of withholding tax on interest on external commercial borrowings would also be extended to the I.T. Sector. There would be no Gift Tax on gift of computers. The Minister proposed to exempt from the levy of customs duty computers and computer peripherals imported under 100 per cent EOU/EPZ/STP/EHTP schemes when donated to recognised educational institutions, government organisations and registered charitable hospitals after use for a period of two years from the date of import from the levy of customs duty. These changes would be given effect to from 16 July 1998. The Minister hoped that the technology would reach the masses in rural areas and small towns and would give the country a significant place in the emerging knowledge-driven global economy.

Participating in the discussion*, Shri Lalu prasad said that contrary

* Others who took part in the discussion were: Sarvashri Prithviraj D. Chavan, Bhagwan Shankar Rawat, Rupchand Pal, Shanti Lal Chaplot, Mohan Singh, Ramarajan, Konijeti Rosaiah, V.V. Raghavan, Sudip Bandopadhyay, Chinmayanand Swami, Tapan Sikdar, V.K. Chinnasamy, N.K. Premachandran, P.C. Chacko, Varkala Radhakrishnan, Kharabela Swain, T.R. Baalu, Inderjit Singh Rao, S. Mallikarjunaiah, Shailendra Kumar, Shyam Bihari Mishra, S. Murugesan, K. Bapiraju, B.M. Mensinkai, S.K. Bwiswmuthiary, Motilal Vora, Rajendra Agnihotri, Prof. Prem Singh Chandumajra, Prof. Chaman Lal Gupta, Dr. T. Subbarami Reddy and Dr. Raghuvansh Prasad Singh.

to the Finance Minister's assertion that sanctions imposed in the wake of the Pokhran tests would have no impact on India, the country stood isolated today. The Government should come up with measures to bring the backward States to the level of advanced states. The resources should be distributed as per the Gadgil formula. He also suggested that land ceiling should be given effect to and land should be given to the tillers. There should be redistribution of land after taking over the cultivable lands of the country.

Participating in the discussion on 16 July 1998, Shri R.S. Gawai called upon the Finance Minister to clarify on the impact of sanctions imposed on India by USA and other countries.

Shri P. Chidambaram drew the attention of the Finance Minister to the 'Third Report' presented by the Standing Committee of Finance, particularly to the comment on fiscal deficit. He urged the Finance Minister to rein in the fiscal deficit by addressing the issue of expenditure.

Prof. Saifuddin Soz wanted the Finance Minister to consider and change the whole structure of sales tax. He emphasised that since the common people do not have access to E-Mail, fax, telephone and telex, there should be no increase in the cost of postcard or inland letter or envelope.

Participating in the discussion, Shri G.M. Banatwalla said that the hike in excise duty would create inflationary pressures on our economy. He urged the Government to look into the Central investments in Kerala which were at a pitifully low level.

Replying to the discussion on 17 July 1998, Shri Yashwant Sinha said that the Standing Committee of Finance had made some very valuable suggestions. The Minister accepted the suggestion that certain categories of persons such as agriculturists and foreign tourists should be exempted from quoting the Permanent Account Number. Senior Citizens would be exempted from filing the return. He also assured the House that the special additional duty of customs was designed not as a protectionist measure but would be used to remove the disability which had been suffered by indigenous goods on account of Central Sales Tax and other local taxes. He proposed to restore the excise duty exempted on branded ghee, coir mattresses, writing ink, skimmed milk, spectacle lenses (except costly lenses), butter and cheese. Excise duty that was imposed on sweet meats and branded spices and namkeens was withdrawn. Four specified drugs for AIDS treatment were exempted from customs duty. It was most unfortunate that in the last many years,

no major investment had taken place in the country either in the private sector or in the public sector. We should try to encourage both kinds of investment. It was the intention of the Government to impart momentum to the economy and to take it out of the slow down phase in which it had been caught.

The Bill as amended was passed.

The Electricity Laws (Amendment) Bill, 1998: Moving the motion to consider the Bill on 20 July 1998, the Minister of Power, Shri P.R. Kumaramangalam said that an earlier Bill which was introduced in the Lok Sabha on 13 March 1997 was referred to the Standing Committee on Energy on 20 March 1997 which presented its report on 3 December 1997. The Standing Committee had made several important recommendations and suggested modifications to the Bill. The Government had accepted all these recommendations of the Standing Committee on Energy which were included in the Electricity Laws (Amendment) Bill, 1998. The Bill would provide a legal framework for recognising transmission as a distinct activity and for regulating transmission through licensing and for fixation of transmission tariff. The Central sector transmission was designed to deliver power to the States based on their share of power from the Central generation stations. In 1989, the Power Grid Corporation of India Ltd. was set up to move blocks of power from the central generating agencies and also transfer surplus within and across regions.

A critical problem in the power sector is the inadequacy of the transmission and distribution network. The expenditure incurred in generation as compared to that on transmission and distribution had been of the order of 1:0.46 which was much below the recommended standard norm of 1:1 recommended by the Rajyadhyaksha Committee on Power. The Minister said that it would be necessary to correct the imbalance by providing a legal framework under which private investment could supplement the efforts of Powergrid Corporation and the SEBs. Licences would be granted to private transmission licensees whose responsibility would be only to construct and maintain the transmission lines. The Powergrid or SEBs, under an agreement with the transmission licensees, would have the exclusive use of the transmission system. There was a need for creating redundancy in the transmission arena so that in the event of any mishap or any unfortunate situation, circuiting power away through another route would also be possible.

The Minister stated that 2000 MW of surplus power in the Eastern region was available and its market was there in the South. Due to lack

of transmission links, power could not be transferred to the South. The investment needed for transmitting 2000 MW would be substantial. Until we achieve a situation where, nationally, power can be transmitted from one part of the country to another part of the country where there is shortage, we really would not be meeting the demand of a modern growing nation. The Minister clarified that transmission would not be privatised. Investment would be made in the transmission sector to build and maintain but the real operation would remain within the control of the Government and its agencies.

On 23 July 1998, participating in the discussion*, Prof. Saifuddin Soz described the Bill as a progressive measure because of two reasons, firstly that transmission is seen as an activity independent of generation and distribution, and secondly any activity could go to the private sector.

Replying to the discussion, the Minister of Power, Shri P. Kumaramangalam said that the Act's primary purpose would be to give legal status to the Powergrid Corporation Ltd. and to separate transmission as an independent activity. The Powergrid Corporation Ltd. is a generation company in terms of licences. Without this amendment, we would have a situation where a company, which is basically a transmission Company, is being treated as a generation company because the statute does not provide for looking at transmission separately. The Bill would not provide for privatisation of transmission. Instead, it would make sure that transmission would remain in the Central Sector and with the SEBs in the State sector. The Act would facilitate somebody to invest for providing facilities, which could be at a charge by transmission utility. The charges would be decided by the Regulatory Authority or the Commission.

The motion that the Bill be passed was adopted and the Bill was passed.

C. QUESTION HOUR

During the Second Session of the Twelfth Lok Sabha in all 23,108 notices of questions (19,311 Starred, 3,763 Unstarred, 34 Short Notice

* Others who took part in the discussion were: Sarvashri Prithviraj D. Chavan, V. Dhananjaya Kumar, Varkala Radhakrishnan, Prabhu Dayal Katheria, Mohan Singh, Prabhunath Singh, Prabhat Kumar Samantaray, Ram Narain Meena, Jwal Oram, R.L. Jallappa, Virendra Singh, N.K. Premchandran, Rajo Singh, Om Prakash, Prakash Yashwant Ambedkar, Konijeti Rosaiah, Francisco Sardinha, K.D. Sultanpuri, Prof. Ajit Kumar Mehta, Prof. Prem Singh Chandumajra, Dr. V. Saroja, Dr. T. Subbarami Reddy, Dr. Raghuvansh Prasad Singh and Dr. V. Saroja.

Questions) were received. Out of these, 621 were admitted as starred and 6,230 as Unstarred but none was admitted as Short Notice Question.

There was no Question Hour from July 30 to August 6, 1998.

Daily average of Questions: On an average three Starred Questions were orally answered persitting. The maximum number of Starred Questions answered was four on May 29, June 1, 2, 4, 8, 9, 10, 12 and July 7, 9, 16, 21, 24 and 29, 1998 and the minimum number was two on June 3, 1998.

The average number of questions in the Unstarred List was 200 and, the minimum number was 133 on July 22, 1998 and the maximum was 237 on June 2, 1998.

Half-an-Hour Discussion: Thirty seven notices of Half-an-Hour Discussion were received out of which, four were admitted but only two notices were discussed.

D. OBITUARY REFERENCES

On 3 July 1998, obituary references was made to the passing away of Shri Chandubhai Deshmukh, a sitting member. During the session, obituary references were also made to the passing away of Shri M.R. Masani, member, Central Legislative Assembly, Constituent Assembly, Provisional Parliament and Second and Fourth Lok Sabha.

Besides, obituary references were made to the passing away of Sarvashri Vijayasinhrao Ramrao Daffe, ER. Krishan, V. Mayavan, D. Balaram Raju, Chandra Kishore Pathak and Maj. Gen. Robert G. Williams, Darbara Singh, Ratansinh Rajda, Purushottam Kakodkar, Teja Singh Dardi and Shikiho Sema, all former members.

On 10 June 1998, the Speaker, Lok Sabha, Shri G.M.C. Balayogi made a reference to the victims of the tragedy caused due to the severe cyclones in Saurashtra and Kutch regions of Gujarat and Jalore district of Rajasthan.

RAJYA SABHA

ONE HUNDRED AND EIGHTY-FOURTH SESSION*

The Rajya Sabha, which met for its One Hundred and Eighty-fourth Session on 27 May 1998, was adjourned on 29 May 1998. It was

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

reconvened on 1 June 1998 and was adjourned on 12 June 1998. It was convened again on 3 July 1998 and adjourned *sine`die* on 4 August 1998. The House was then prorogued by the President on 10 August 1998. A resume of some of the important discussions held during the period 3 July to 4 August 1998 and other business transacted during the entire Session is given below:*

A. DISCUSSIONS/STATEMENTS

Statement by the Prime Minister on his visit to Colombo in connection with the SAARC Summit: On 3 August 1998, the Prime Minister, Shri Atal Bihari Vajpayee made a Statement regarding the tenth SAARC Summit, India's relations with Pakistan and the ARF and ASEAN dialogue meetings. He said that the SAARC Summit reaffirmed the common desire of Member States to strengthen cooperation in the region and it was agreed that the SAARC must move purposefully towards setting up a Free Trade Area, and a group of experts would be set up to negotiate a comprehensive legal framework for incorporating schedules for liberalised trade and facilitation measures, taking into account the concerns of the least developed countries. Referring to the steps taken by the Government in that regard, the Prime Minister said that it had been decided to lift all the quantitative restrictions preferentially, on imports from SAARC countries, with effect from 1 August 1998. India was ready to enter into bilateral free trade arrangements with interested SAARC countries. It was recognised that the benefits of trade liberalisation would be more extensive and balanced through promoting trade-related joint ventures, investment and trade-in-services such as tourism. In the social sector, important initiatives had been taken, including a Social Charter for SAARC, and the agreement to finalise a Convention to combat Illegal Trafficking in Women and Children which would be signed at the next SAARC Summit. A regional Convention on Child Welfare would also be developed. The importance of cooperation in the field of energy through networking, and the utility of cooperation in traditional systems of medicine had also been underlined.

India had reiterated its commitment to developing peaceful and friendly ties with Pakistan. The two nations would have to work together to develop trust and avail of the many opportunities for mutually ben-

* For the Sessional Review covering the period 27 May to 12 June 1998, see *The Journal of Parliamentary Information*, Vol.XLIV, No.3, September 1998, pp. 320-29

official cooperation in the economic, social and other fields so that the lives of the people could be improved.

The Prime Minister said that India had also participated in the ASEAN Post-Ministerial Conference held from 24 to 29 July 1998 which had provided India an opportunity to clarify its policy once again, on nuclear disarmament in the context of the recent tests, as well as to demonstrate its continued engagement in the economic and political stability of the region and share perceptions on regional and international developments. He assured the ASEAN countries that India fully respected the status of the Nuclear Weapons Free Zone in South East Asia.

Discussion on the Working of the Ministry of External Affairs: The discussion on the working of the Ministry of External Affairs took place on 9 and 10 July 1998. Initiating the discussion on 9 July 1998, Shri Pranab Mukherjee said that though the Prime Minister had indicated in the National Agenda for Governance that there would be consensus on major issues, the Government had made a major departure in the area of 'nuclear policy'. Nuclear disarmament continued to be an important ingredient of the Government's foreign policy. The Government should educate the nation as to how it would handle the post-Pokharan scenario. If it wanted to evolve a consensual policy, then there must be institutional arrangements for consultations. As regards economic sanctions, if the Government would know the extent of available sources, then it could think of supplementing that.

Participating in the discussion*, Shri J. Chitharanjan said that instead of resorting to weaponisation, the Government should try to mobilise world opinion for nuclear disarmament. It should try to improve relations with neighbours and stand for peace.

Replying to the discussion on 10 July 1998, the Prime Minister said that there had always been a consensus in regard to the foreign policy of India. The policy of the Government had always been to have an independent foreign policy, to encourage self-reliance, to protect the country's interests, to contribute to bringing peace in the world and to develop good relations with the neighbours. The Prime Minister ex-

* Others who took part in the discussion were; Sarvashri Arun Shourie, Nilotpal Basu, Kuldip Nayyar, C. Ramachandraiah, Ish Dutt Yadav, K.K. Birla, Naresh Yadav, K.R. Malkani, Sanatan Bisi, N. Thalavai Sundaram, John F. Fernandes, Sanjay Nirupam, K. Rahman Khan, Dr. M.N. Das, Dr. L.M. Singhvi, Dr. B.B. Dutta, Prof. M. Sankaralingam and Shrimati Kamla Sinha

pressed the hope that India and Pakistan would continue their efforts to improve relations and the problems could be solved under the Simla Agreement without any mediation.

The nuclear test in Pokharan had been conducted keeping in view the security of the country and the atmosphere around it. Regarding economic sanctions, the Prime Minister said that external aid would continue to be provided for humanitarian causes and even the assistance which was in the pipeline would also be given to India. The Government would be converting the moratorium on further tests into *de jure* law. He expressed the need for India and Pakistan to have an agreement on 'No first Use' and asked the nuclear countries to evolve a time-bound programme to eliminate their nuclear weapons. He said that the Government was prepared to talk on CTBT. The issue of security should be tackled in a peaceful manner.

Discussion on the Working of the Ministry of Human Resource Development: The discussion on the working of the Ministry of Human Resource Development was held on 13, 14 and 15 July 1998. Initiating the discussion on 13 July 1998, Shri O. Rajagopal said that importance had been given to the rural sector and education in the Budget allocations for the Ministry of Human Resource Development. Education would be considered the key vehicle for social transformation. With the enhanced allotment of funds, it would be possible for the Government to fulfil its commitment to give free and compulsory education to children up to the fifth standard. In the field of sports, physical culture would have to be properly encouraged and talent from rural areas mobilised. He urged the Government to take proper care of the content of education.

On 14 July 1998, Shri Satishchandra Sitaram Pradhan* said that sponsorship of sports by Public Sector Undertaking, Railways, Banks, etc., would have to be encouraged.

Replying to the discussion on 15 July 1998, the Minister of Human Resource Development, Dr. Murli Manohar Joshi said that both the Government and the society would have to mobilise their resources to make all the people literate. The State Governments were moving to-

* Others who took part in the discussion were: Sarvashri Kapil Sibal, Sanatan Bisi, Ram Nath Kovind, Rama Shanker Kaushik, Ranganath Misra, C.P. Thirunavukkarasu, Dina Nath Misra, Nagendra Nath Ojha, P. Soundararajan, B.P. Singhal, K. Rahman Khan, Dr. C. Narayana Reddy, Dr. B.B. Dutta, Dr. Ramendra Kumar Yadav Ravi, Prof.(Shrimati) Bharati Ray, Shrimati Urmilaben Chimanbhai Patel and Shrimati Veena Verma

wards directly negotiating with foreign agencies to get funds. A National Reconstruction Corps had been established with the aim of engaging the youth in the development work of education, environment, medical care, etc. The society should cooperate with the Government in the field of education. Literacy rate in the country had to be increased from 50 per cent to 80 or 90 per cent.

The Department of Education in the Ministry of Human Resource Development had set up a committee to work out a strategy as well as a methodology of operationalising a country-wide programme for teaching fundamental duties in every educational institution.

As regards the contours of the new education policy, there would be consultations with the State Governments, Education Ministers and educationists. The shape and functioning of educational institutions and their rights would have to be decided with consensus. The main goal of the Government was to promote primary and elementary education but efforts would be made to bring excellence and quality in higher education also. The Minister also stated that there would be consultations with the Planning Commission and others on the question as to on what basis the country could progress in the next 10-15 years and the areas in which industrialists could make their contributions.

In the National Agenda, the Government had given importance to distant education. Information Technology would be playing a very prominent role in the country's future economic development. The Government would set up many centres in the country for imparting education in Information Technology. He further stated that the Government had decided to set up at least 20 schools for sports in the country.

Discussion on the Working of the Ministry of Environment and Forests: The discussion on the working of the Ministry of Environment and Forests was held on 21 and 22 July 1998. Initiating the discussion on 21 July 1998, Dr. Y. Radhakrishna Murty said that the protection, and preservation of the environment and the prevention of its degradation were virtually connected with the survival and well-being of man. Industrial effluents were a major factor in increasing the level of pollution while the compliance of mandatory strict control measures was very poor and often deceptive. Regarding pollution of the Ocean, he said that industrial effluents and urban domestic sewages were often being let out into the sea, polluting the coastal waters to the detriment of fish and other marine life. With regard to forests, the member observed that the country was losing 3 per cent of forest annually. Vast tracts of land were subjected to salinity and were not useful for further use.

On 22 July 1998, Shri Ram Gopal Yadav*, suggested the setting up of a separate Standing Committee for Forests and Environment instead of clubbing it with the Standing Committee on Science and Technology. He also called for a ban on plastic bags for domestic purposes.

Replying to the debate on 22 July 1998, the Minister of Environment and Forests, Shri Suresh Prabhu said, that for the first time, the Demands for Grants of the Ministry of Environment and Forests had been discussed in Parliament. He informed the members that environment education would be made a compulsory subject for bringing awareness among the people. The Government had prepared a concrete action plan as to how 33 per cent forest cover would be attained as per the forest policy. To mobilise the people in protecting the forests, it had decided to start a scheme called 'Green Guards'

As regards pollution control, the Minister informed that the Government had set up 71 effluent treatment plants to curb industrial pollution. As an initiative on marine life, the Government had undertaken 'Project Turtle'. Special attention would be given to the development of mangroves. The Government had already set up a Commission in the Ministry to draw an action plan to deal with plastic and plastic bags. As regards protection of wildlife, if the economic linkage of poaching could be broken, the problem of poaching could be solved, the Minister added.

The Situation arising out of the Suicides Committed by the Farmers in different parts of the Country due to Crops Failure and their Indebtedness to Private Money Lenders: On 7 July 1998, Shri Gurudas Das Gupta called the attention of the Minister of Agriculture in this regard.

Replying to the Calling Attention, the Minister of State in the Ministry of Agriculture, Shri Sompal said that the Governments of Andhra Pradesh, Karnataka and Maharashtra had reported suicidal deaths by the farmers. The main reasons cited for the suicides included damage to crops due to adverse weather conditions, pest attack and indebtedness of the farmers. The Government of Punjab had also stated that 52 farmers had committed suicide during 1 January 1996 to 31 May 1998 due to crop loss, indebtedness and other factors.

Considering the large scale crop loss in certain districts of Andhra

* Others who took part in the discussion were: Sarvashri Sangh Priya Gautam, John F. Fernandes, Adhik Shirodkar, Manohar Kant Dhyani, Prem Chand Gupta, Yoginder K. Alagh, Ramji Lal, Drupad Borgohain, V.P. Duraisamy, O.S. Manian, M.P.A. Samad Samadani, Ranganath Misra, Dr. Ranbir Singh, Dr. Arun Kumar Sarma, Shrimati Shabana Azmi, Shrimati Kamla Sinha, Shrimati Chandresh Kumari and kumari Mabel Rebello

Pradesh, the Government of Andhra Pradesh and RBI/NABARD had decided to provide a package of relief for the affected farmers who were facing debt trap due to damage to crops. These included provision of a house under Indira Awas Yojana, admission of children in residential schools and hostels, pension under social security scheme to old persons in the family, rescheduling of bank loans, no recovery of either principal or interest of an agricultural loan for a period of two years, etc. The Central Government had also constituted a Study Group to examine in-depth the nature and extent of indebtedness among the farmers in the State and to suggest remedial measures.

The Minister stated that the Government of Maharashtra had also taken steps to assist the affected farmers which included the rehabilitation of families below poverty line, Government subsidy and loan through bank under the IRDP Scheme from the point of view of self-employment, conversion of short-term crop loans into medium term loans for availing new crop loans, waiving of interest on crop loans taken by deceased farmers, etc.

The Government had included pest attack due to adverse seasonal conditions in the list of natural calamities to qualify for assistance from the Calamity Relief Fund (CRF) and the National Fund for Calamity Relief (NFCR). In consideration of the memoranda, received from the Government of Andhra Pradesh, Karnataka, Punjab and Rajasthan, seeking additional assistance from the NFCR, Central teams had visited the affected areas for an on-the-spot assessment of the extent of damage and relief assistance required. Based on the report of the Central team, an assistance of Rs. 12 crore had been approved by the National Calamity Relief Committee (NCRC) from the NFCR.

Replying to the points raised by the members, the Minister said that the Government had already taken a decision to bring out a comprehensive, modified crop insurance scheme based on payment of premium by the farmers. To assist the States in case of natural calamities, there was a system instituted under the Tenth Finance Commission by which on the first day of every quarter, money would go directly from the Ministry of Finance to the State Governments. But in the case of a calamity of rare severity, the Centre would also contribute to the State from the CRF. The Government had also decided to enhance credit flows to the agriculturists and simplify the exercise of giving credit. The Insecticides Act, by which sellers of spurious insecticides could be prosecuted would soon be amended to make it more stringent and effective.

Failure of Non-Banking Financial Institutions in the Country: On 27 July 1998, Shri Gurudas Das Gupta called the attention of the Minister of Finance to the failure of a large number of Non-Banking Financial Institutions all over the country to return public deposits amounting to over Rs. 50,000 crore and the action taken by the Government in regard thereto.

Replying to the Calling Attention, the Minister of Finance, Shri Yashwant Sinha said that the Non-Banking Financial Companies (NBFCs) had become prominent financial intermediaries in a wide range of activities like hire-purchase finance, housing finance, equipment leasing finance, etc. Because of the inherent higher risk in the operations of NBFCs, instances of their failure had also shown an increasing trend. In January 1998, the Reserve Bank of India (RBI) had issued a new NBFC policy in terms of which the NBFCs accepting public deposits needed to have at least investment grade credit rating and had to comply with prudential norms on income recognition, accounting standards, asset classification, provisioning for bad and doubtful debts, capital adequacy and credit/investment concentration norms. The NBFCs were required to go in for compulsory registration with the RBI. Ceilings had been imposed on the quantum of deposits which could be raised as well as on interest rates which could be offered. If any NBFC failed to repay deposits, the aggrieved depositor could file a complaint with the concerned Regional Bench of the Company Law Board (CLB) under whose jurisdiction the registered office of the Company was situated. Complaints could also be filed with the Consumers Disputes Redressal Forum under the Consumers Protection Act. The RBI could also launch prosecution proceedings against the defaulting companies.

Replying to the points raised by the members, the Minister said that the basic question was how to safeguard the interests of the depositors. As far as the stock market and the NBFCs were concerned, without proper safeguards especially for the small investors, there would never be enough investible resources in the country to meet the requirements of economic growth. The Government would examine the matter of setting up of a separate agency other than the RBI or the Company Law Board. But, within the RBI, the Government could think in terms of setting up a separate organisation which would look after the NBFCs and regulate them.

Steep Rise in Inflation and its Adverse Impact on the Economy and the People: On 28 July 1998, Shri Gurudas Das Gupta called the attention of the Minister of Finance in this regard.

Replying to the Calling Attention, the Minister of Finance, Shri Yashwant Sinha, said that the output of the potato and onion crop in 1997-98 was low due to a prolonged wet spell in the Rabi season followed by a hot dry spell in May-June which, in turn, had an adverse effect on prices. In 1997-98, pulses production had declined by about 14 lakh tonnes. The spurt in edible oil prices was the result of a decline in oilseeds production by about 13 lakh tonnes. The situation had been further aggravated by high international prices of edible oil. The Government's intervention for managing supplies of seasonal and perishable commodities such as vegetables had its limitations, since one could not import on short notice and such products were not available in large volumes.

Regarding the measures taken by the Government, the Minister said that the PDS continued to be the dominant measure of intervention by the Government to ensure availability of the most important essential commodities such as rice, wheat and sugar. To supplement availability of some essential commodities, he said that the Government had in place a trade policy regime that made it easier for private traders to import pulses and edible oils since both were not adequately produced in the country. The Government had reduced the import duty on edible oils from 25 per cent to 15 per cent as a price reduction measure.

Regarding short term measures to control vegetable prices, the State Governments had been advised to invoke the Essential Commodities Act to check hoarding.

Since imports had fallen due to the rise in the price of Palmolen in Malaysian and Indonesian markets, the Government had taken steps and provided rebate in import duty by ten per cent. Edible oils would be imported from the East Asian countries and sold through PDS, he added.

Functioning of World Trade Organisation (WTO) and participation of India in the International Trade Negotiations: Initiating a short duration discussion in this regard on 27 July 1998, Shri Pranab Mukherjee said that India had to actively engage itself in the process of studying the Multilateral Agreement of Investment (MAI), within the purview of the framework of the WTO agreements, by the Working Group set up by the core WTO countries.

He said that the Government would have to take a decision in regard to the commitment made on Trade Related Intellectual Property Rights (TRIPs). Necessary amendment to the legislation to provide a mailbox facility and exclusive marketing rights in India's Patent Act of 1970 would have to be complied with by 19 April 1999.

Participating in the discussion, Shri J. Chitharanjan* said that the Marrakesh Treaty was weighted more in favour of the developed countries and to that extent it adversely affected the interests of all the developing countries, including India. There was a possibility of unifying all the developing countries in the world to exert pressure inside the WTO to see that conditions were revised, reviewed and made equitable and more favourable to them.

Shri S. Viduthalai Virumbi expressed his concern that the WTO would resort to the voting pattern in future and do away with the consensus concept. He observed that liberalisation did not lead to the development of infrastructure as those who were investing their money in the developing countries were more particular about manufacturing consumer goods where they were able to earn more profit.

Participating in the discussion, Shri R. Margabandu said that as regards the WTO, the Government would have to work out a way to protect the indigenously manufactured goods, the indigenous labour and also the interest of the nation.

Replying to the discussion, the Minister of Commerce, Shri Ramakrishna Hegde said that trade as an instrument for development would have to be the cornerstone of all deliberations, decisions and actions of India in the forums of the WTO. The Government had already anticipated the protectionist measures adopted by the developed countries which restricted market access for goods and services produced in the developing countries. The Government had proposed to conduct an elaborate exercise jointly with the Ministry of Agriculture and with inputs from the National Council of Applied Economic Research to prepare for the review of the Agreements on Agriculture commencing in the year 2000.

B. LEGISLATIVE BUSINESS

*The Lotteries (Regulation) Bill***, 1998: Moving the motion for the consideration of the Bill on 6 July 1998, the Home Minister, Shri L.K. Advani said that the Bill had been referred to the Standing Committee of the Ministry of Home Affairs. The Government had accepted the most important suggestion of the Committee which was to put a ban on all kinds of lotteries and for that a comprehensive Bill would have to be

* Others who took part in the discussion were: Sarvashri Ashok Mitra, Vayalar Ravi, Dr. Mahesh Chandra Sharma and Prof. Vijay Kumar Malhotra

** The Bill, as passed by the Lok Sabha, was laid on the Table on 6 July 1998

brought forward in consultation with the State Governments and the Union territories.

Replying to the debate on 7 July 1998, the Minister said that lottery was a social evil and not a criminal offence unless legally declared. According to the Constitution of India, gambling and betting were in the State List and lotteries organised by the Government of India or the State Governments were in the Union List. The Union Government would have to consult the States and examine the aspect of private lotteries and, thereafter, bring out a comprehensive Bill if consensus demanded, he added.

The motion for the consideration of the Bill, clauses, etc. was adopted and the Bill was passed.

C. QUESTION HOUR

During the One Hundred and Eighty-fourth Session of the Rajya Sabha, 9,578 notices of questions (9,105 Starred and 473 Unstarred) were received. Out of these, 620 were admitted as starred questions and 4,745 as unstarred questions. Out of three Short Notice Questions received, none was admitted.

Daily Average of Questions: For all the days, the lists of Starred Questions contained 20 questions each. On an average, 3.9 questions were orally answered per sitting. The maximum number of questions orally answered on a particular day was 8 on 13 July 1998 and the minimum number of questions orally answered on any day was 2 on 10 June 1998.

The minimum number of Unstarred Questions listed on any day was 127 on 27 May 1998 and the maximum number was 155 on various days. The average of Unstarred Questions listed during the entire Session was 153.

Half-an-Hour Discussion: Nineteen notices of Half-an-Hour Discussion were received out of which sixteen were admitted and discussed.

D. OBITUARY REFERENCES

During the Session, obituary references were made to the passing away of Shri Gyan Ranjan, sitting member and Sarvashri Purushottam Kakodkar, S.S. Mariswamy, Bishambar Nath Pande, A.K. Refaye, P. Babul Reddy and B.V. Abdulla Koya, all former members. Members stood in silence as a mark of respect to the deceased.

STATE LEGISLATURES**MAHARASHTRA LEGISLATIVE ASSEMBLY***

The Second Session of the Maharashtra Legislative Assembly commenced on 20 July 1998 and was prorogued on 7 August 1998. There were 13 sittings in all.

Legislative business: During the Session, the following Bills were passed by the House: (i) The Maharashtra District Planning Committees (Constitution and Functions) Bill, 1996; (ii) The Maharashtra Tax on Entry of Motor Vehicles into Local Areas (Amendment) Bill, 1997; (iii) The Bombay Civil Courts (Amendment) Bill, 1998; (iv) The Bombay Entertainments Duty (Amendment) Bill, 1998; (v) The Maharashtra Tax Laws (Levy and Amendment) Bill, 1998; (vi) The Maharashtra Godawari Marathwada Irrigation Development Corporation Bill, 1998; and (vii) The Maharashtra (Second Supplementary) Appropriation Bill, 1998.

Obituary references: During the Session, obituary references were made to the passing away of Sarvashri Homi Jehangir Taleyarkhan, Ravindra Narayan Raut and Liladhar Shamji Vyas, former Ministers, and Dattatraya Govind Valse-Patil, Vithal Laxman Reelkar, Aabasaheb Baburao Killedar, Vishnu Gopal Valvi, Ramchandra Jagoba Gharphalkar-Kadu, Baburao Bapuji Tanpure, Dhanji Maharu Bonde, Vijaysinh Ramrao Daphale, Shanker Dhondi Patil and Smt. Prabhavatibai Jayvant Jaktardar and Smt. Kamala Raman, all former members of the Legislative Assembly.

MIZORAM LEGISLATIVE ASSEMBLY**

The Third Mizoram Legislative Assembly, which commenced its Seventeenth Session on 14 July 1998, was adjourned *sine die* on 30 July 1998. The House was prorogued the same day. There were 13 sittings in all.

Legislative business: On 28 July 1998, the Mizoram Appropriation (No.3) Bill, 1998 was introduced in the House and later passed.

Financial business: During the Session, the Finance Minister, Shri Pu J. Lalsangzuala, presented the Budget for the year 1998-99 on 19 March, 1998. The General Discussion on the Budget took place on 15 and 16 July 1998. All the 59 Demands for Grants were moved and discussed

* Material contributed by the Maharashtra Legislature Secretariat

** Material contributed by the Mizoram Legislative Assembly Secretariat

for 6 days. Thereafter, the demands were put to vote and were passed by the House.

Obituary references: During the Session, obituary references were made to the passing away of a former member of the Legislative Assembly, Shri Pu Khawtinkhuma.

ORISSA LEGISLATIVE ASSEMBLY*

The Eleventh Orissa Legislative Assembly, which commenced its Twelfth Session on 16 March 1998, was adjourned *sine die* on 31 March 1998. The House was prorogued on 27 April 1998. There were 12 sittings in all.

Address by the Governor: The Governor of Andhra Pradesh, who was holding charge of the Government of Orissa, addressed the House on 16 March 1998. The Motion of Thanks to the Governor for his Address was moved by the Chief Whip the same day. The motion was discussed for two days and was adopted by the House.

Legislative business: During the Session, the following Bills were passed by the House : (i) The Orissa Cooperative Societies (Amendment) Bill, 1998; (ii) The Indian Penal Code (Amendment) Bill, 1998; (iii) The Orissa Education (Amendment) Bill, 1998; (iv) The Orissa Appropriation Bill, 1998; and (v) The Orissa Appropriation (Vote on Account) Bill, 1998. The Orissa Land Reforms (Amendment) Bill, 1998 was referred to the Select Committee.

Financial business: On 17 March 1998, the Second Supplementary Statement of Expenditure for the year 1997-98 was presented in the House. The discussion on Demands for Grants relating to the Home and Revenue Departments were taken up and the rest of the Demand's were guillotined. The Appropriation Bill on the Second Supplementary Statement of Expenditure, 1997-98 was also passed. The Budget for the year 1998-99 was presented in the House on 18 March 1998. The Motion on the Vote on Account for four months was moved on 18 March 1998, which was adopted on 30 March 1998. Thereafter, the Appropriation (Vote on Account) Bill, 1998-99 was passed on 31 March 1998.

Obituary references: During the Session, obituary references were made to the passing away of former Prime Minister, Shri Gulzarilal Nanda, a former Minister of Orissa, Dr. Radhanath Rath, a sitting member, Shri Prasanna Kumar Panda and Sarvashri Lokanath Mishra, Prafulla

* Material contributed by the Orissa Legislative Assembly Secretariat

Mishra, Bishnu Prasad Mishra, Loknath Mishra and Trilochan Jani, all former members of the Legislative Assembly. Obituary references were also made to the passing away of Smt. Malati Devi Choudhary, a freedom fighter and eminent social worker. The House also paid tributes to the memory of 22 persons in Baleswar district, who were killed in a tornado which hit the area.

RAJASTHAN LEGISLATIVE ASSEMBLY*

The Rajasthan Legislative Assembly, which met for its Eleventh Session on 6 July 1998, was adjourned *sine die* on 31 July 1998. The House was prorogued on 21 August 1998. There were 18 sittings in all.

Election of the Speaker/Deputy Speaker: On 24 July 1998, Shri Samarth Lal Meena of the BJP was unanimously elected the Speaker of the Legislative Assembly. On 28 July 1998, Smt Tara Bhandari of the BJP was unanimously elected the Deputy Speaker.

Legislative business: During the Session, the following Bills were passed by the House : (i) The Rajasthan Appropriation (No. 3) Bill, 1998; (ii) The Rajasthan Finance Bill, 1998; (iii) The Rajasthan Imposition of Ceiling on Agriculture Holdings (Amendment) Bill, 1998; (iv) The Rajasthan Stamp Bill, 1998; and (v) The Rajasthan Sanskrit University Bill, 1998.

Financial business: On 9 July 1998, the Finance Minister, Shri Hari Shankar Bhabhra presented the revised Budget for the year 1998-99. After three days' General Discussion, the Budget was passed on 28 July 1998. The House also discussed the Demands for Grants for the year 1998-99.

Obituary references: During the Session, obituary references were made to the passing away of the Governor of Rajasthan, Shri Darbara Singh and fourteen other leading personalities.

WEST BENGAL LEGISLATIVE ASSEMBLY**

The Twelfth West Bengal Legislative Assembly commenced its Fifth Session on 12 June 1998, was adjourned *sine die* on 6 July 1998. The House was prorogued on 8 July 1998. There were 18 sittings in all.

Legislative business: During the Session, six Bills were introduced and all but one were passed by the House. On a motion moved by the Chief Government Whip, the West Bengal Apartment Ownership (Amend-

* Material contributed by the Rajasthan Legislative Assembly Secretariat

** Material contributed by the West Bengal Legislative Assembly Secretariat

ment) Bill, 1998 was referred to a Select Committee with the direction to submit its report to the House by the next Session.

Financial business: During the Session, the House discussed and voted different Demands for Grants for individual Departments except 40 which were guillotined on 3 July 1998. On 4 July 1998, the Appropriation Bill, 1998 was passed. (A Vote-on-Account to meet the expenditure for the first four months of the current financial year was earlier passed during the Fourth Session. In between the Fourth and Fifth Sessions, different Subject Committees of the Assembly scrutinised the Budgets of the concerned Departments and presented their reports to the House after it assembled for the Fifth Session).

Obituary references: During the Session, obituary references were made to the passing away of former Deputy Speaker of the West Bengal Legislative Assembly, Shri Pijush Kanti Mukherjee, the Governor of Rajasthan, Shri Darbara Singh, the veteran freedom fighter and eminent constitutional expert, Shri Masani, Gazal Maestro and playback singer, Shri Talat Mahmood, eminent journalist and Chairman of the Prasar Bharti Corporation, Shri Nikhil Chakravarty, and some other leading personalities. Obituary references were also made to the passing away of those who lost their lives due to cyclone in Gujarat and Rajasthan on 10 June 1998.

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APPENDIX I
STATEMENT SHOWING THE WORK
TRANSACTIONED DURING THE SECOND SESSION
OF THE TWELFTH LOK SABHA

1.	PERIOD OF THE SESSION	27 May to 6 August 1998
2.	NUMBER OF SITTINGS HELD	38
3.	TOTAL NUMBER OF SITTING HOURS	280 Hours and 57 minutes
4.	NUMBER OF DIVISIONS HELD	Nil
5.	GOVERNMENT BILLS	
	(i) Introduced	28
	(ii) Laid on the Table as passed by the Rajya Sabha	5
	(iii) Referred to Joint Committee	1
	(iv) Reported by Standing Committee	6*
	(v) Referred to Departmentally-related Standing Committees by Speaker/Chairman, Rajya Sabha	11
	(vi) Discussed	23
	(vii) Passed	22
	(viii) Part-discussed	1
	(ix) Returned by the Rajya Sabha without any recommendation	10
6.	PRIVATE MEMBERS' BILLS	
	(i) Introduced	57
	(ii) Discussed	2
	(iii) Withdrawn	1
	(iv) Part-discussed	1
	(v) Pending at the end of the Session	56
7.	NUMBER OF DISCUSSIONS HELD UNDER RULE 193 (Matters of Urgent Public Importance)	
	(i) Notices received	108
	(ii) Admitted	10
	(iii) Discussions held	10
8.	(NUMBER OF STATEMENTS MADE UNDER RULE 197) (Calling Attention to Matters of Urgent Public Importance)	4

* This includes the Electricity Laws (Amendments) Bill, 1997 which lapsed on the dissolution of the Eleventh Lok Sabha

9. NUMBER OF STATEMENTS MADE UNDER RULE 372	36
10. HALF-AN-HOUR DISCUSSIONS HELD	2
11. STATUTORY RESOLUTIONS	
(i) Notices received	80
(ii) Admitted	10
(iii) Moved	10*
(iv) Negatived	1
(v) Withdrawn	8
(vi) Referred to Joint Select Committee	1*
12. GOVERNMENT RESOLUTIONS	
(i) Notices received	2
(ii) Admitted	2
(iii) Moved	2
(iv) Adopted	2
13. PRIVATE MEMBERS' RESOLUTIONS	
(i) Received	10
(ii) Admitted	9
(iii) Discussed	2
(iv) Withdrawn	1
(v) Part-discussed	1
14. GOVERNMENT MOTIONS	
(i) Notices received	3
(ii) Admitted	2
(iii) Discussed	2
15. PRIVATE MEMBERS' MOTIONS	
(i) Notices received	204
(ii) Admitted	83
16. TOTAL NUMBER OF VISITORS' PASSES ISSUED DURING THE SESSION	25, 315
17. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY AND DATE ON WHICH ISSUED	974 on 4.8.1998
18. NUMBER OF ADJOURNMENT MOTIONS	29
Consent withheld by Speaker outside the House	29

* A Statutory Resolution seeking disapproval of the Essential Commodities (Amendment) Ordinance, 1998 (13 of 1998) moved in the House, was not disposed of by the House. The Bill seeking to replace the ordinance was referred to a Joint Select Committee of the House.

19. WORKING OF PARLIAMENTARY COMMITTEES

S.I No.	Name of the Committee	No. of sittings held during the period 1 April to 30 September 1998	No. of Reports presented
1	2	3	4
i)	Business Advisory Committee	—	—
ii)	Committee on Absence of Members	—	—
iii)	Committee on Public Undertakings	2	—
iv)	Committee on Papers Laid on the Table	—	—
v)	Committee on Petitions	3	—
vi)	Committee on Private Members Bills and Resolutions	—	—
vii)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes	—	—
viii)	Committee on Privileges	—	—
ix)	Committee on Government Assurances	—	—
x)	Committee on Subordinate Legislation	2	—
xi)	Estimates Committee	2	—
xii)	General Purposes Committee	—	—
xiii)	House Committee	—	—
	a) Accommodation Sub-Committee		
	b) Sub-Committee on Amenities		
xiv)	Public Accounts Committee	3	—
xv)	Railway Convention Committee	—	—
xvi)	Rules Committee	—	—

JOINT/SELECT COMMITTEES

i)	Joint Committee on Offices of Profit	—	—
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STANDING COMMITTEES

i)	Committee on Agriculture	6	11
ii)	Committee on Communications	—	5
iii)	Committee on Defence	—	2
iv)	Committee on Energy	4	9
	Sub Committee on Energy	6	—
v)	Committee on External Affairs	7	1
vi)	Committee on Finance	7	9
vii)	Committee on Food, Civil Supplies and Public Distribution	—	4
viii)	Committee on Labour and Welfare	—	6
ix)	Committee on Petroleum and Chemicals	—	6
x)	Committee on Railways	—	6
xi)	Committee on Urban and Rural Development	20	10
xii)	Committee on the Empowerment of Women	—	—
20.	NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE		5
21.	PETITIONS PRESENTED		5
22.	NUMBER OF NEW MEMBERS SWORN IN WITH, DATE		538

- (i) 2 members on 27.5.1998
- (ii) 1 member on 8.6.1998
- (iii) 2 members on 10.6.1998

APPENDIX II

**STATEMENT SHOWING THE WORK TRANSACTED
DURING THE ONE HUNDRED AND EIGHTY-FOURTH
SESSION OF THE RAJYA SABHA**

1. PERIOD OF THE SESSION	27 May to 4 August 1998
2. NUMBER OF SITTINGS HELD	35
3. TOTAL NUMBER OF SITTING HOURS	234 Hours and 29 minutes
4. NUMBER OF DIVISIONS HELD	Nil
5. GOVERNMENT BILLS	
(i) Pending at the commencement of the Session	33
(ii) Introduced	6
(iii) Laid on the Table as passed by the Lok Sabha	18
(iv) Returned by the Lok Sabha with any amendment	Nil
(v) Referred to Select Committee by the Rajya Sabha	Nil
(vi) Referred to Joint Committee by the Rajya Sabha	Nil
(vii) Referred to the Departmentally related Standing Committees	10
(viii) Reported by Select Committee	Nil
(ix) Reported by Joint Committee	Nil
(x) Reported by the Departmentally- related Standing Committees	5
(xi) Discussed	23
(xii) Passed	22*
(xiii) Withdrawn	Nil
(xiv) Negatived	Nil
(xv) Part-discussed	2
(xvi) Returned by the Rajya Sabha without any recommendation	8

* Including one Bill, viz. the Appropriation (No. 2) Bill, 1998 which could not be passed by the Rajya Sabha and was later deemed to have been passed by the Houses of Parliament under the provisions of article 109(5) of the Constitution.

(xvii) Discussion postponed	2
(xviii) Pending at the end of the Session	35
6. PRIVATE MEMBERS BILLS	
(i) Pending at the commencement of the Session	110
(ii) Introduced	18
(iii) Laid on the Table as passed by the Lok Sabha	Nil
(iv) Returned by the Lok Sabha with any amendment and laid on the Table	Nil
(v) Reported by Joint Committee	Nil
(vi) Discussed	3
(vii) Withdrawn	2
(viii) Passed	Nil
(ix) Negatived	Nil
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	1
(xii) Discussion postponed	1
(xiii) Motion for circulation of Bill negatived	Nil
(xiv) Referred to Select Committee	Nil
(xv) Lapsed due to retirement of Member-in-charge of the Bill	12
(xvi) Pending at the end of the Session	114
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176 (Matters of Urgent Public Importance)	
(i) Notices received	47
(ii) Admitted	23*(on 5 subjects)
(iii) Discussions held	5
NUMBER OF STATEMENTS MADE UNDER RULE 180 (Calling attention to Matters of Urgent Public Importance).	
8. Statements made by Ministers	4
9. HALF-AN-HOUR DISCUSSIONS HELD	16
10. STATUTORY RESOLUTIONS	
(i) Notices received	27

* Including one notice of Private Members' Motion admitted under Rule 176.

(ii) Admitted	27 (on 7 subjects)
(iii) Moved	5
(iv) Adopted	Nil
(v) Negatived	1
(vi) Withdrawn	4
11. GOVERNMENT RESOLUTIONS	
(i) Notices received	1
(ii) Admitted	1
(iii) Moved	1
(iv) Adopted	1
12. PRIVATE MEMBERS' RESOLUTIONS	
(i) Received	12
(ii) Admitted	12
(iii) Discussed	2
(iv) Withdrawn	1
(v) Negatived	1
(vi) Adopted	Nil
(vii) Part-discussed	Nil
(viii) Discussion postponed	Nil
13. GOVERNMENT MOTIONS	
(i) Notices received	6
(ii) Admitted	6
(iii) Moved	2
(iv) Adopted	Nil
(v) Part-discussed	Nil
14. PRIVATE MEMBERS' MOTIONS	
(i) Received	52*
(ii) Admitted	1
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Part-discussed	Nil
(vi) Negatived	Nil

* Excluding one notice of Private Members' Motion which was converted into Short Duration Discussion.

(vii) Withdrawn	NII
15. MOTIONS REGARDING MODIFICATION OF STATUTORY RULE	
(i) Received	NII
(ii) Admitted	NII
(iii) Moved	NII
(iv) Adopted	NII
(v) Negatived	NII
(vi) Withdrawn	NII
(vii) Part-discussed	NII
(viii) Lapsed	NII
16. NUMBER, NAME AND DATE OF PARLIAMENTARY COMMITTEE CREATED, IF ANY	01 in M.A. Section**
17. TOTAL NUMBER OF VISITORS' PASSES ISSUED	2,583
18. TOTAL NUMBER OF VISITORS	3,667
19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED	92(15.7.98)
20. MAXIMUM NUMBER OF VISITORS ON ANY SINGLE DAY AND DATE	261(4.6.98)
21. TOTAL NUMBER OF QUESTIONS ADMITTED	
(i) Starred	620
(ii) Unstarred	4,745
(iii) Short Notice Questions	NII
22. DISCUSSION ON THE WORKING OF THE MINISTRIES	3
(i) Ministry of External Affairs	
(ii) Ministry of Human Resource Development	
(iii) Ministry of Environment and Forests	

** Committee on members of Parliament Local Area Development Scheme (Rajya Sabha) on 5 September 1998.

23. WORKING OF PARLIAMENTARY COMMITTEES

S.I No.	Name of the Committee	No. of meetings held during the period 1 April to 30 June 1998	No. of meetings held during the period 1 July to 30 September 1998	No. of Reports presented during the 184th Session
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1	2	3	4	5
i)	Business Advisory Committee	8 (27 May–4 Aug. 1998)	Nil	Nil
ii)	Committee on Subordinate Legislation	04	04	05
iii)	Committee on Petitions	04	03	02
iv)	Committee on Privileges	NIL	NIL	NIL
v)	Committee on Rules	NIL	NIL	NIL
vi)	Committee on Government Assurances	01	04	02
vii)	Committee on Papers Laid on the Table	06	02	02
viii)	General Purposes Committee	NIL	NIL	NIL
ix)	House Committee	02	01	NIL

DEPARTMENTALLY-RELATED STANDING COMMITTEES ON:

x)	Commerce	07	12	03
xi)	Home Affairs	05	08	05
xii)	Human Resource Development	06	07	07
xiii)	Industry	06	03	03
xiv)	Science & Technology, Environment & Forests	08	07	07
xv)	Transport and Tourism	06	07	03

OTHER COMMITTEES

xvi)	Ethics Committee	5	2	NIL
xvii)	Committee on Provision of Computers to the Members of Rajya Sabha	1	3	NIL
xviii)	Joint Parliamentary Committee on the Functioning of Wakf Boards	Nil	Nil	Nil
xix)	Committee on Members of Parliament Local Area Development Scheme (Rajya Sabha)	Nil	Nil	Nil

24. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE

03

25. PETITIONS PRESENTED

01

26. NAME OF NEW MEMBERS SWORN IN WITH DATES

Sl.No.	Name of Member	Party	Date
1	Shri N.R. Dasari	C.P.I.	27.5.1998
2.	Shri Yadlapati Venkat Rao	T.D.	-do-
3.	Shri Drupad Borgohain	C.P.I.	-do-

Sl.No.	Name of Member	Party	Date
4.	Dr. Arun Kumar Sarma	A.G.P.	-do-
5.	Shri Prafull Goradia	B.J.P.	-do-
6.	Shri Anil Sharma	Himachāl Vikas Congress	-do-
7.	Shri Kushok Thiksey	J & K National Conference	-do-
8.	Shri S.R. Bommai	J.D.	-do-
9.	Shri H.K. Javare Gowda	J.D.	-do-
10.	Prof. A. Lakshmisagar	J.D.	-do-
11.	Shri M. Venkaiah Naidu	B.J.P.	-do-
12.	Shri Korambayil Ahammed Haji	M.L.	-do-
13.	Shri M.J. Varkey Mattathil	Kerala Congress	-do-
14.	Shri C.O. Poulose	C.P.I.(M)	-do-
15.	Shri A. Vijaya Raghavan	C.P.I.(M)	-do-
16.	Shri C. Apok Jamir	I.N.C.	-do-
17.	Miss Frida Topno	I.N.C.	-do-
18.	Sardar Balwinder Singh Bhundar	Shiromani Akali Dal	-do-
19.	Shri Sukh Dev Singh Dhindsa	-do-	-do-
20.	Shri Barjinder Singh Hamdard	Independent	-do-
21.	Shri Lajpat Rai	B.J.P.	-do-
22.	Sardar Gurcharan Singh Tohra	Shiromani Akali Dal	-do-
23.	Shri Khagen Das	C.P.I.(M)	27.5.1998
24.	Shri Oscar Fernandes	I.N.C.	1.6.1998
25.	Shri P. Prabhakar Reddy	T.D.	9.6.1998
26.	Shri C. Ramachandriah	-do-	10.6.1998
27.	Shri Rumandla Ramachandriah	-do-	-do-
28.	Shri K. Kalaventaka Rao	-do-	-do-
29.	Shri Ram Rao Bhandary	R.J.D.	3.7.1998
30.	Shri Balkavi Bairagi	I.N.C.	-do-
31.	Shri Jhumuk Lal Bhendia	-do-	-do-
32.	Miss Mabel Rebello	-do-	-do-
33.	Shri Dilip Singh Judev	B.J.P.	-do-
34.	Shri O. Rajagopal	-do-	-do-
35.	Dr. M.N. Das	I.N.C.	-do-

Sl.No.	Name of Member	Party	Date
36.	Shri Ramachandra Khuntia	-do-	-do-
37.	Shri Ranganath Misra	-do-	-do-
38.	Shri S. Agniraj	D.M.K.	-do-
39.	Shri M.K. Kadar	-do-	-do-
40.	Shri M. Sankaralingam	-do-	-do-
41.	Shri Sivasubramanian	-do-	-do-
42.	Shri S. Vidhuthalai Virumbi	-do-	-do-
43.	Shri Vijay J. Darda	Independent	6.7.1998
44.	Dr.(Shrimati) Najma Heptulla	I.N.C.	-do-
45.	Shri Suresh Kalmadi	Maharashtra Vikas Aghadi	-do-
46.	Shri Pritish Nandy	Shiv Sena	-do-
47.	Shri Satishchandra Sitaram Pradhan	-do-	-do-
48.	Shri Raj Mohinder Singh	Shiromani Akali Dal	-do-
49.	Shri Sukhdev Singh Libra	-do-	-do-
50.	Shri Santosh Bagrodia	I.N.C.	-do-
51.	Shri Jaswant Singh	B.J.P.	6.7.1998
52.	Shri L.M. Singhvi	-do-	-do-
53.	Shri G.K. Moopnar	T.M.C. (Moopnar)	-do-
*54.	Shri T.N. Chaturvedi	B.J.P.	-do-
55.	Shri Sangh Priya Gautam	-do-	-do-
56.	Shri Munavvar Hasan	S.P.	-do-
57.	Shri Kanshi Ram	B.S.P.	-do-
58.	Shri Rama Shankar Kaushik	S.P.	-do-
59.	Shri Dina Nath Mishra	B.J.P.	-do-
60.	Shri Arun Shourie	-do-	-do-
61.	Shri B.P. Singhal	-do-	-do-
62.	Shri D.P. Yadav	Independent	-do-
63.	Prof. Ram Gopal Yadav	S.P.	-do-
64.	Shri Khan Ghufan Zahidi	I.N.C.	-do-
65.	Dr. Akhtar Hasan Rizvi	Independent	-do-
66.	Shri Parmeshwar Kumar Agarwalla	B.J.P.	9.7.1998

Sl.No.	Name of Member	Party	Date
67.	Shri Anil Kumar	R.J.D.	-do-
68.	Shrimati Saroj Dubey	-do-	-do-
69.	Shri Gaya Singh	C.P.I.	-do-
70.	Dr. Ramendra Kumar Yadav Ravi	R.J.D.	-do-
71.	Shri Kapli Sibai	I.N.C.	-do-
72.	Shri Pramod Mahajan	B.J.P.	-do-
73.	Shri Aimaduddin Ahmad Khan (Durrus)	I.N.C.	-do-
74.	Shri Shibu Soren	Jharkhand Mukti	16.7.1998
75.	Shri Devi Lal	Haryana Lok Dal (Rashtriya)	3.8.1998
76.	Shri Swaraj Kaushal	Haryana Vikas Party	-do-

27. OBITUARY REFERENCES

Sl. No.	Name	Sitting member/Ex-member/dignitary
1.	Shri Gyan Ranjan	Sitting member
2.	Shri Purushottam Kakodkar	Ex-member
3.	Shri S.S. Mariswamy	-do-
4.	Shri Bishambar Nath Pande	-do-
5.	Shri A.K. Refaye	-do-
6.	Shri P. Babul Reddy	-do-
7.	Shri B.V. Abdulla Koya	-do-

APPENDIX III
STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF THE STATES AND
UNION TERRITORIES DURING THE PERIOD 1 JULY TO 30 SEPTEMBER 1998

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
1	2	3	4	5	6	7	8
STATES							
Andra Pradesh L.A.**	—	—	—	—	—	—	—
Arunachal Pradesh L.A.**	—	—	—	—	—	—	—
Assam L.A.**	—	—	—	—	—	—	—
Bihar L.A.	26.6.98 to 21.7.98	—	—	—	—	—	—
	18.9.98 to 23.9.98	23	7(7)	—	(1243)	(1508)	(77)
Bihar L.C.**	—	—	—	—	—	—	—
Delhi L.A.	24.9.98 to 30.9.98	4	6(8) ^(a)	—	(80)	198	—
Goa L.A.	29.6.98 to 29.7.98	—	—	—	—	—	—
	8.9.98 to 8.9.98	23	8(7)	—	942(695)	327(163)	—
Gujarat L.A.	29.6.98 to 29.7.98	—	—	—	—	—	—
	11.9.98 to 11.9.98	23	16(20)	(16)	—	654(640)	45(7)
	21.7.98 to 29.7.98	7	12	—	274(184)	13(12)	—
Haryana L.A.	—	—	—	—	—	—	—
Himachal Pradesh L.A.	—	—	—	—	—	—	—
Jammu & Kashmir L.A.	17.8.98 to 29.8.98	9	3(2)	2	449(410)	321(301)	1
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—

Notes:

- a) Out of 8 Bills passed, 3 had been introduced in the previous sessions and 5 during the Sixteenth session
- b) (+ bracketing 845)
- c) This includes questions which were originally tabled as starred questions but converted as unstarred questions
- d) (+ bracketing 390)
- e) This includes questions which were originally tabled as starred question but converted as unstarred question
- f) Non Session Period:

Notices received : 20

Notices admitted : 18

APPENDIX III (Contd.)

COMMITTEES AT WORK/NUMBER OF SITTINGS HELD AND NUMBER OF REPORTS PRESENTED DURING THE PERIOD 1 JULY TO 30 SEPTEMBER 1998

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Business Advisory Committee																
Committee on Govt. Assurances																
Committee on Petitions																
Committee on Private Members Bills and Resolutions																
Committee on Privileges																
Committee on Public Undertakings																
Committee on Subordinate Legislation																
Committee on the Welfare of SC and ST																
Estimates Committee																
General Purposes Committee																
House/Accommodation Committee																
Library Committee																
Public Accounts Committee																
Rules Committee																
Joint Select Committee																
Other Committees																

STATES

Andhra Pradesh L.A.** —

Andhra Pradesh L.A.** —

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Assam L.A.	—	—	5	—	4	8	—	2	1	—	1	1	5	—	—	9(a)
Bihar L.A.	2(2)	33	18	—	—	17(1)	51	21	63	—	32	31	31	—	—	235(b)
Bihar L.C.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Delhi L.A.	1(1)	6(1)	—	1(1)	—	6	—	2(1)	—	—	—	1	4	—	2	31(4)(c)
Goa L.A.	1(1)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Gujarat L.A.	5(2)	1	—	5	—	7	—	3	9	1	1	—	6(1)	—	—	7(d)
Haryana L.A.	1(1)	12	—	—	1	18	10	14	15	—	11	12	18	—	—	—
Himachal Pradesh L.A.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir L.A.	1(1)	5	2	—	—	13	1	—	3	—	—	—	9	—	—	5(e)
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Karnataka L.A.	—	10	10(3)	—	8	8(4)	8	10	10(1)	—	5	2	8(1)	—	20(1)	34(f)
Karnataka L.C.	—	8	8(1)	—	6	—	—	—	—	—	4	—	—	—	—	—
Kerala L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Madhya Pradesh L.A.	3(3)	6	5(2)	1(1)	—	2(16)	3(1)	2	6(1)	—	1	3	4(12)	—	—	9(5)(g)
Maharashtra L.A.	2(1)	14	3	3(3)	6(1)	12(2)	8	20(1)	20(3)	—	—	1	16	—	—	51(3)(h)
Maharashtra L.C.	2(1)	1	3	2(2)	—	12(2)	8	20(1)	20(3)	—	—	1	16	—	—	51(3)(i)
Manipur L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Meghalaya L.A.	—	4	4	—	1	2	1	3	—	—	3	3	4	—	—	2(j)
Mizoram L.A.	1(1)	1(1)	—	—	—	—	1	—	—	—	—	—	5	—	—	—
Nagaland L.A.	1	1	—	—	—	1	—	—	2	—	—	—	—	—	—	—

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Orissa L.A.	10	2	7	—	3	7	7	3	6	—	5	3	8	1	—	14
Punjab L.A.*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Rajasthan L.A.	3(3)	15(2)	17(1)	15	—	17(7)	18	20	17	—	14	11	18(10)	3	—	35(10)
Sikkim L.A.*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Tamil Nadu L.A.	—	16	2	—	—	5	2	—	15	—	7	1	9	—	—	—
Tripura L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Uttar Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Uttar Pradesh L.C.	8	9	—	—	—	—	—	—	—	—	—	—	—	—	—	116
West Bengal L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
UNION TERRITORIES																
Pondicherry L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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

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

- (a) Employment Review Committee-1 Sitting; Act Implementation Committee-1 Sitting; Committee on OBC & MOBC-2 Sitings; Departmentally-related standing Committee on Education-1 Sitting; On development Department-3 Sitings; On Empowerment of Women-1 Sitting
- (b) Nivedan Committee-49 Sitings; Question and Calling Attention Committee-35 Sitings; Internal Resources Committee-82 Sitings; Women and Child Welfare Development Committee-37 Sitting; Zila Parishad Panchayati Committee-32 sitings
- (c) Question and Reference Committee-1 sitting; Committee on Women and Child Welfare-1 Sitting; Committee on Chavan Rishi Apartments-8 Sitings and 1 report; Committee on encroachment on Gaon Sabha/Govt. Land-8 sitings and 1 report; Committee on MLA Fund-9 sitings and 1 report
- (d) Committee on Panchayati Raj-4 sitings; Committee on Welfare of Socially & Educationally Backward classes-1 sitting; Committee on Papers Laid on the Table-1 sitting; and Committee on absence of Members-1 sitting (House Committee on promotion of Urdu Language with J&K State-5 sitings)
- (e) House Committee on Promotion of Urdu Language in the J&K-5 sitings
- (f) Library Sub-Committee-5 sitting Women and Child Welfare Committee-10 sitings; Backward Classes and Minorities Committee-10 sitings; and Committee on paper laid on the Table-9 sitings

- (g) Women & Children Committee-3 sittings and 3 reports; Question and Reference Committee-1 sitting and 1 report; and Committee to Examine the papers Laid on the Table-2 sittings and 1 report
- (h) Committee on Welfare of Virumkta Jatis & Namadic Tribes -10 sittings; Committee on Employment Guarantee Scheme-11 sittings; Committee on Leave of Absence of Members from sittings of the House-1 sitting and 1 report; Panchayati Raj-22 sittings and 2 reports; and Catering Committee-7 sittings
- (i) Committee on Welfare of Virumkta Jatis & Nomadic Tribes-10 sittings; Committee on Employment Guarantee Scheme-11 sittings; Committee on Leave of Absence of Members from sittings of the House-1 sittings and 1 report; Panchayati Raj-22 sittings and 2 reports; and Catering Committee-7 sittings
- (j) Committee on Empowerment of Women-2 sittings
- (k) House Committee on Administrative Reforms-1 sitting; Ethics Committee-1 sitting; Sub-Committee of Ethics Committee-3 sittings; House Committee on Women & Child Welfare-3 sittings; House Committee on Environment-1 sitting; and Committee on Papers Laid on the Table-5 sittings
- (l) Women and Child Welfare Committee-16 sittings and 1 report; and Question and Reference Committee-19 sittings
- (m) Vittiya Evam Prashashkiya Vilamb Samiti-6 sittings; Pradeshiya Vidyut Vaivastha Sambandhi Samiti-14 sittings; Prashan Evam Sandarbh Samiti-6 sittings; Dr. (Smt.) Indira Hridayesh, Sadasya, Vidhan Parishad ke Sath Ghatit Ghatna Ki Janch Samiti-6 sittings; Adesiya Pariwad Sambandhi Janch Samiti-6 sittings; Yachika Samiti-6 sittings; Sansadiya Evam Samajik Sadbhav Samiti-15 sittings; Visheshadhikar Samiti-7 sittings; Nigam Punarikashan Samiti-14 sittings; Sansadiya Adhyan Samiti-7 sittings; Vidhai Samadhikar Samiti-6 sittings; Uttar Pradesh Prashnow Ke Kram Niradharan Aur Prakriya Niyaman Samiti-5 sittings; Vinischay Samkalan Samiti-6 sittings; and Lucknow Nagar Nigam Evam Vibhinya Vikas Pradhikar me se Sambandhit Samiti-12 sittings.

APPENDIX IV

**LIST OF BILLS PASSED BY THE HOUSES OF
PARLIAMENT AND ASSENTED TO BY THE
PRESIDENT DURING THE PERIOD**

1 JULY TO 30 SEPTEMBER 1998

Sl. No.	Title of the Bill	Date of assent by the President
1	2	3
1.	The Electricity Regulatory Commissions Bill, 1998	2.7.1998
2.	The Appropriation (No. 2) Bill, 1998	7.7.1998
3.	The Finance (Amendment) Bill, 1998	7.7.1998
4.	The Lotteries (Regulation) Bill, 1998	7.7.1998
5.	The High Court and Supreme Court Judges (Conditions of Service) Amendment Bill, 1998	7.7.1998
6.	The Appropriation Railways (No. 3) Bill, 1998	17.7.1998
7.	The Appropriation (No. 3) Bill, 1998	22.7.1998
8.	The Finance (No. 2) Bill, 1998	1.8.1998
9.	The Electricity Laws (Amendment) Bill, 1998	10.8.1998
10.	The Interest on Delayed Payments to Small Scale and Ancillary Industrial Undertakings (Amendment) Bill, 1998	10.8.1998
11.	The Beed Workers Welfare Cess (Amendment) Bill, 1998	20.8.1998
12.	The President's Emoluments and Pension (Amendment) Bill, 1998	20.8.1998
13.	The Salaries and Allowances of Officers of Parliament (Amendment) Bill, 1998	20.8.1998
14.	The Governors (Emoluments, Allowances and Privileges) (Amendment) Bill, 1998	20.8.1998
15.	The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1998	20.8.1998

APPENDIX V**LIST OF BILLS PASSED BY THE
LEGISLATURES OF THE STATES AND THE
UNION TERRITORIES DURING THE PERIOD****1 JULY TO 30 SEPTEMBER 1998****BIHAR LEGISLATIVE ASSEMBLY**

1. The Bihar Appropriation (No. 2) Bill, 1998
2. The Bihar Appropriation (No. 3) Bill, 1998
3. The Jharkhand Area Autonomous Council Bill, 1998
4. The Bihar State University (Amendment) Bill, 1998
5. The Patna University (Amendment) Bill, 1998
6. The Bihar Registration (Bihar (Amendment) Bill, 1998
7. The Bihar Special Security Force Bill, 1998

DELHI LEGISLATIVE ASSEMBLY

- *1. The Delhi Tax on Luxuries (Amendment) Bill, 1997
- *2. The Delhi Bhartiya Chhikitsa Parishad Bill, 1998
- *3. The Members of the Legislative Assembly of the National Capital Territory of Delhi (Salaries, Allowances, Pension, etc. (Second) Amendment) Bill, 1998
- *4. The Appropriation No. (3) Bill, 1998
- *5. The Delhi Chit Fund Bill, 1998
- *6. The Delhi Sikh Gurdwaras (Amendment) Bill, 1998
- *7. The Delhi Agricultural Produce Marketing (Regulation) Bill, 1998
- *8. The Indraprastha Vishwavidyalaya (Amendment) Bill, 1998

GOA LEGISLATIVE ASSEMBLY

1. The Goa Appropriation Bill, 1998
2. The Goa Civil Courts (Amendment) Bill, 1998
3. The Goa Supplementary Appropriation Bill, 1998
4. The Goa Oil Palm (Regulation of Production and Processing) Bill, 1998
5. The Goa Medical Council (Validation of Appointment and Processing) Bill, 1998
- *6. The Societies Registration (Goa Second Amendment) Bill, 1998
7. The Goa School Education (Amendment) Bill, 1998

GUJARAT LEGISLATIVE ASSEMBLY

1. The Gujarat Panchayats (Amendment) Bill, 1998.
2. The Gujarat State Guarantee (Amendment) Bill, 1998

3. The Gujarat Tax on Luxuries (Hotels and Lodging Houses) (Amendment) Bill, 1998
4. The Gujarat Entertainment Tax (Amendment) Bill, 1998
5. The Bombay Stamp (Gujarat Amendment) Bill, 1998
6. The Bombay Motor Vehicles Tax (Gujarat Amendment) Bill, 1998
7. The Gujarat Lokayukta (Amendment) Bill, 1998
8. The Gujarat Appropriation Bill, 1998
9. The Gujarat Sales Tax (Amendment) Bill, 1998
10. The Gujarat Appropriation (Excess Expenditure) Bill, 1998
- 1 i. The Gujarat Appropriation (Excess Expenditure) (Second) Bill, 1998
12. The Gujarat Appropriation (Excess Expenditure) (Third) Bill, 1998
13. The Gujarat Appropriation (Excess Expenditure) (Fourth) Bill, 1998
14. The Gujarat Appropriation (Excess Expenditure) (Fifth) Bill, 1998
15. The Gujarat Appropriation (Excess Expenditure) (Sixth) Bill, 1998
16. The Gujarat Salaries and Allowances of Members, Speaker and Deputy Speaker of Gujarat Legislative Assembly, Ministers and Leader of the Opposition Laws (Amendment) Bill, 1998

HARYANA VIDHAN SABHA

- *1. The Punjab Ayurvedic and Unani Practitioners (Haryana Amendment) and Validation Bill, 1998
2. The Haryana Municipal (Amendment) Bill, 1998
3. The Haryana Rural Development (Amendment) Bill, 1998
4. The Punjab Excise (Haryana Third Amendment) Bill, 1998
- *5. The Haryana Cooperative Societies (Amendment) Bill, 1998
- *6. The Punjab New Capital (Periphery) Control (Haryana Amendment) Bill, 1998
7. The Haryana Appropriation (No. 3) Bill, 1998
8. The Haryana Appropriation (No. 4) Bill, 1998
9. The Haryana Legislative Assembly Speaker's and Deputy Speaker's Salaries & Allowances (Amendment) Bill, 1998
10. The Haryana Legislative Assembly (Allowance and Pension of Members) Amendment Bill, 1998
11. The Haryana Legislative Assembly (Facilities to Members) Amendment Bill, 1998
12. The Haryana Salaries and Allowances of Ministers (Amendment) Bill, 1998

MAHARASHTRA LEGISLATIVE ASSEMBLY

1. The Maharashtra District Planning Committee (Constitution and Functions) Bill, 1996
2. The Maharashtra Tax on Entry of Motor Vehicles into Local Area (Amendment) Bill, 1997
3. The Bombay Civil Courts (Amendment) Bill, 1998

4. The Bombay Entertainments Duty (Amendment) Bill, 1998
5. The Maharashtra Tax Laws (Levy and Amendment) Bill, 1998
6. The Maharashtra Godawari Marathwada Irrigation Development Corporation Bill, 1998
7. The Maharashtra (Second Supplementary) Appropriation Bill, 1998

MIZORAM LEGISLATIVE ASSEMBLY

1. The Mizoram Appropriation (No. 3) Bill, 1998

NAGALAND LEGISLATIVE ASSEMBLY

1. The Appropriation (No. 7) Bill, 1998

PUNJAB VIDHAN SABHA

1. The Punjab Motor Spirit (Taxation of Sales) Repeal Bill, 1998
2. The Punjab General Sales Tax (Second Amendment) Bill, 1998
3. The Punjab Rural Development (Amendment) Bill, 1998
4. The Punjab Infrastructure Development Bill, 1998

RAJASTHAN LEGISLATIVE ASSEMBLY

1. The Rajasthan Appropriation (No. 3) Bill, 1998
2. The Rajasthan Finance Bill, 1998
- *3. The Rajasthan Imposition of Ceiling on Agriculture Holdings (Amendment) Bill, 1998
- *4. The Rajasthan Stamp Bill, 1998
- *5. The Rajasthan Sanskrit University Bill, 1998

ORISSA LEGISLATIVE ASSEMBLY

1. The Orissa Survey & Settlement (Amendment & Validation) Bill, 1998
- *2. The Orissa Public Demands Recovery (Amendment) Bill, 1998
3. The Orissa Appropriation (No. 2) Bill, 1998
- *4. The Orissa Aided Educational Institutions (Appointment of Lecturers Validation) Bill, 1998
- *5. The Orissa District Planning Committee Bill, 1998
6. The Western Orissa Development Council Bill, 1998
7. The Orissa Legislative Assembly Deputy Speaker's Salary and Allowances (Amendment) Bill, 1998
8. The Orissa Ministers' Salary & Allowances (Amendment) Bill, 1998
9. The Orissa Legislative Assembly Speakers' Salary and Allowances (Amendment) Bill, 1998
10. The Orissa Legislative Assembly Members' Salary, Allowances & Pension (Amendment) Bill, 1998.

APPENDIX VI
ORDINANCES PROMULGATED BY THE UNION AND STATE GOVERNMENTS DURING THE PERIOD
1 JULY TO 30 SEPTEMBER 1998

Sl. No.	Subject	Date of Promulgation	Date on which laid before the House	Date of cessation	Remarks
UNION GOVERNMENT					
1.	The Central Vigilance Commission Ordinance, 1998	25.8.1998	—	—	—
2.	The Prasar Bharati (Broadcasting Corporation of India) Amendment Ordinance, 1998	28.8.1998	—	—	—
3.	The Oilfields (Regulation and Development) Amendment Ordinance, 1998	3.9.1998	—	—	—
STATE GOVERNMENTS					
BIHAR					
1.	The Bihar Registration/Bihar Amendment (Second Ordinance) Bihar Ordinance, 1998	29.4.1998	—	—	—
2.	The Jharkhand Area Autonomous Council (Amendment) Ordinance, 1998	29.4.1998	—	—	—

	MAHARASHTRA				
1.	The Maharashtra Tax Laws (Levy and Amendment) Ordinance, 1998	1.5.1998	20.7.1998	30.8.1998	Replaced by Legislation
2.	The Bombay Entertainments Duty (Amendment) Ordinance, 1998	1.6.1998	20.7.1998	30.8.1998	-do-
3.	The Maharashtra University of Health Sciences Ordinance, 1998	3.6.1998	20.7.1998	30.8.1998	—
4.	The Maharashtra Contingency Fund (Second Amendment) Ordinance, 1998	3.6.1998	20.7.1998	30.8.1998	—
5.	The Maharashtra Pre-School Centres (Regulation of Admission) (Amendment) Ordinance, 1998	2.7.1998	20.7.1998	12.8.1998	—
	RAJASTHAN				
1.	The Rajasthan Housing Board (Amendment) Ordinance, 1998	7.4.1998	6.7.1998	18.8.1998	Referred to Select Committee on 31.7.1998
2.	The Rajasthan Imposition of Ceiling on Agricultural Holdings (Amendment) Ordinance, 1998	7.4.1998	6.7.1998	18.8.1998	Replaced by Legislation
	ORISSA				
1.	The Orissa Sales Tax (Amendment) Ordinance, 1998	22.9.1998	—	—	—

TAMIL NADU

1.	The Tamil Nadu Municipal Laws (Amendment) Ordinance, 1998	23.7.1998	—	22.1.1999	—
2.	The Tamil Nadu Entertainments Tax (Second Amendment) Ordinance, 1998	23.7.1998	—	22.1.1999	—
3.	The Tamil Nadu Prohibition of Eve Teasing Ordinance, 1998	30.7.1998	—	29.1.1999	—
4.	The Tamil Nadu Agricultural Produce Marketing (Regulation) Amendment Ordinance, 1998	17.9.1998	—	16.3.1999	—
5.	The Tamil Nadu Panchayats (Fifth Amendment) Ordinance, 1998	29.9.1998	—	28.3.1999	—

UTTAR PRADESH

1.	The Uttar Pradesh High School Tatha Intermediate College (Adhyapakon Tatha Anya Karam-chariyon ke Vetan ka Bhugtan) (Sanshodhan) Adhyadesh, 1998	6.8.1998	22.9.1998	—	—
2.	The Uttar Pradesh Krishi Utpadan Mandi (Sanshodhan) Adhyadesh, 1998	14.8.1998	22.9.1998	—	—
3.	The Uttar Pradesh Ouadhygik Vikas (Sanshodhan) Adyadesh, 1998	14.8.1998	22.9.1998	—	—
4.	The Uttar Pradesh Adhivakta Kaliyan Nidhi (Sanshodhan) Adhyadesh, 1998	10.9.1998	22.9.1998	—	—

APPENDIX VII

A. PARTY POSITION IN LOK SABHA
(AS ON 9 DECEMBER 1998)

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

19. Punjab	13	3	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	8	—	—	—	—	1	13	—							
20. Rajasthan	25	5	17	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1(l)	1	24	1							
21. Sikkim	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1(m)	—	—	—							
22. Tamil Nadu	39	3	—	—	—	3	5	—	—	—	—	—	—	—	—	—	—	1	—	—	—	26(n)	1	39	—							
23. Tripura	2	—	—	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—							
24. Uttar Pradesh	85	57	—	—	—	—	—	—	20	—	—	—	—	—	—	—	—	—	—	—	—	—	1(o)	1	85	—						
25. West Bengal	42	1	1	—	24	—	—	—	—	—	—	—	—	—	—	—	—	3	—	—	—	—	—	—	42	—						
UNION TERRITORIES																																
26. Andaman and Nicobar Island	1	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—						
27. Chandigarh	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—						
28. Dadra and Nagar Haveli	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—						
29. Daman and Diu	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—						
30. The NCT Delhi	7	6	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	7	—						
31. Lakshadweep	1	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—						
32. Pondicherry	1	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—						
33. Nominated	2*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—						
TOTAL	545	182	140	6	32	3	6	3	20	12	6	5	9	8	13	95	6	544	1													

*Dr. (Mrs.) Beatrix D' Souza, one of the nominated members, joined Samata Party w.e.f. 9.6.1998

(a) All India Majlis-E-Ittehadul Muslimeen-1

(b) Arunachal Congress-2

(c) Autonomous State Demand Committee-1; United Minorities Front-1

(d) All India Rashtriya Janata Party-1; Rashtriya Janata Dal-17

- (e) Haryana Vikas Party-1; Indian National Lok Dal-4
- (f) National Conference-3;
- (g) Lok Shakti-3
- (h) Muslim League-2; Revolutionary Socialist Party-1; Kerala Congress (M)-1
- (i) Republican Party of India-4; Peasants and Workers Party-1
- (j) Manipur State Congress Party-1
- (k) Biju Janata Dal-9
- (l) All India Indira Congress (Secular)-1
- (m) Sikkim Democratic Front-1
- (n) All India Anna Dravida Munnetra Kazagam-18; Pattal Makkal Kachchi-4; Marumalarchi Dravida Munnetra Kazagam-3; Janata Party-1
- (o) Samajwadi Janata Party (Rashtriya)-1
- (p) West Bengal Trinamool Congress-7; Revolutionary Socialist Party-4; All India Forward Block-2

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
19. Punjab		7	—	1	—	—	—	—	—	—	—	—	—	—	5	1	7	—	
20. Rajasthan		10	4	6	—	—	—	—	—	—	—	—	—	—	—	—	10	—	
21. Sikkim		1	—	—	—	—	—	—	—	—	—	—	—	—	1(i)	—	1	—	
22. Tamil Nadu		18	—	—	—	—	—	—	—	—	6	6	—	—	4(j)	2	18	—	
23. Tripura		1	—	—	1	—	—	—	—	—	—	—	—	—	—	—	1	—	
24. Uttar Pradesh		34	3	15	—	—	—	—	8	—	—	—	—	—	4(k)	4	34	—	
25. West Bengal		16	1	—	11	—	—	—	—	1	—	—	—	—	3(l)	—	16	—	
UNION TERRITORIES																			
Delhi		3	—	3	—	—	—	—	—	—	—	—	—	—	—	—	3	—	
Pondicherry		1	—	—	—	—	—	—	—	—	1	—	—	—	—	—	1	—	
Nominated		12	3	—	—	—	—	—	1	—	—	—	—	—	—	8	12	—	
TOTAL		245	65	45	17	11	9	9	9	7	7	6	5	5	29	21	245	—	

(a) A.G.P.-2; A.S.D.C.-1

(b) J.M.M.-1

(c) H.L.D.(R)-1; H.V.P.-1

(d) H.V.C.-1

(e) J&K N.C.-3

(f) M.L.-2; K.C.-1

(g) M.V.A.-1

(h) B.J.D.-3

(i) S.S.P.-1

(j) T.M.C.-3; A.I.A.D.M.K. (II)-1

(k) B.S.P.-4

(l) F.B.-2; R.S.P.-1

❶ Excluding Speaker

- Information received from the State/Union territory Legislature contained NIL report.
- ** Information not received from the State/Union territory Legislature
- a) Asom Gana Parishad-63; Autonomous State Demand Committee 5; and UMF-2
- b) Rashtriya Janata Dal-146; Jharkhand Mukti Morcha (Maradi) 2; Jharkhand Mukti Morcha (Soren)-16; Samata Party-8; CPI(Male)-6; Marxist Coordination Party-2; Jharkhand Peoples Party-2; Bahujan Samajwadi Party-2; Champaran Vikas Party-1; and Nominated-1
- c) Goa Rajiv Congress-10; and Maharashtra Gomantak Party-8
- d) All India Rashtriya Janata Party-4; and Samajwadi Party-1
- e) Haryana Vikas Party-34; and Haryana Lok Dal (Rashtriya Party)-22
- f) National Conference-57; BSP-4; R.P.-1; Awami League-1; and Nominated-2
- g) Karnataka Congress Legislature Party (Prajaipara)-4; Kannada Chaluvali Vatal Paksha-1; Karnataka Rajya Raiitha Sangha Party-1; Bahujan Samaj Party-1; Bharatheeya Republican Paksha-1; AIADMK(T)-1; and Nominated-1
- h) Separate Legislature Group of JD-5; and Lok Shakti-2
- i) Bahujan Samaj Party-11; Janata Party-1; Chattisgarh Mukti Morcha-1; Indian Republican Party-1; Gondwana Republican Party-1; Samajwadi Party-1; and Nominated-1
- j) Shiv Sena-75; Peasants and Workers Party-6; Samajwadi Party-4; Maharashtra Vikas Congress-1; Nagvaidarbha Andolan Samiti-1; and Nominated-1
- k) Shiv Sena-15; Republican Party of India-1; Akhil Bharatiya Maratha Mahasangh Party-1; and Bharipa Bahujan Mahasangh Party-1
- (l) Meghalaya Parliamentary Forum-46; United Parliamentary Forum-10; Others-3; and Member Under Suspension-1
- m) Mizo National Front-6; and Mizo National Front (Unity)-2
- n) Biju Janata Dal-27; J.M.M.-4; and J.P.P.-1
- o) DMK-166; T.M.C. (Moopanan)-39; Indian National League-5; Pattali Makkal Katchi-1-3; Pattali Makkal Katchi-II-1; AIADMK-3; All India Forward Bloc-2; M.G.R.A.D. M.K.-1; Puthiya Tamilagam-1; and Nominated-1
- p) Samajwadi Party-23; Bahujan Samaj Party-9; Bharatiya Kisan Kamgar Party-1; Bharatiya Lok Tantrik Congress-1; and Shikshak Dal (Non-political)-10.

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