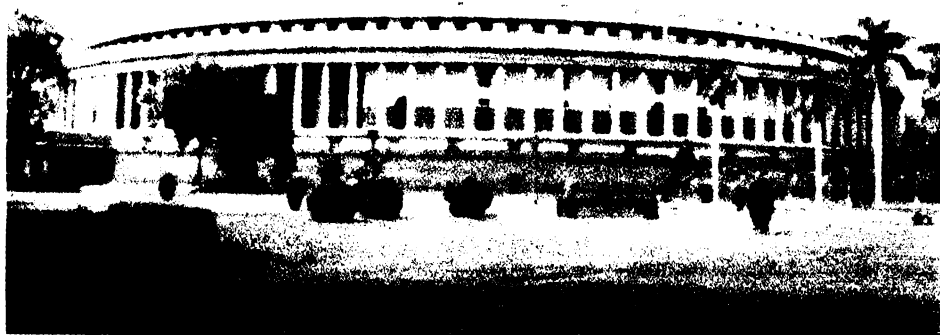


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THE JOURNAL OF PARLIAMENTARY INFORMATION

EDITOR: P.D.T. Achary

The Journal of Parliamentary Information, a quarterly publication brought out by the Lok Sabha Secretariat, aims at the dissemination of authoritative information about the practices and procedures in Indian and foreign Legislatures. The *Journal* serves as an authentic recorder of important parliamentary events and activities. It provides a useful forum to members of Parliament and State Legislatures and other experts for the expression of their views and opinions, thereby contributing to the development and strengthening of parliamentary democracy in the country.

The Editor would welcome articles on constitutional, parliamentary and legal subjects for publication in the *Journal*. A token honorarium is payable for articles, etc. accepted for publication. The articles should be type-written on only one side of the paper.

The latest books on parliamentary and constitutional subjects are reviewed in the *Journal* by members of Parliament and scholars. Books intended for review should be sent to the Editor.

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EDITORIAL NOTE

India's struggle for independence was not just a movement to achieve freedom from the British colonial rule; it was as much a crusade to free ourselves from various social evils and socio-economic iniquities and discriminations. To uplift the deprived and marginalized sections of the society and to give all an equal opportunity to participate and contribute in the overall development of the country, our Founding Fathers, at the dawn of Independence, opted for a democratic polity based on parliamentary system of governance.

Working within the parliamentary framework, during the past six decades, we have made significant progress in almost all areas of our national life, strengthened our democratic edifice by making it more participatory and transparent and emerged as the single largest working democracy in the world. In this process of democratic consolidation, our Parliament has rendered commendable service by pursuing the path of social engineering with a great sense of responsibility. To ensure that our democratic institutions function more effectively, it is imperative that more and more people come forward and identify themselves with the system. The Speaker, Lok Sabha, Shri Somnath Chatterjee delivered the Jawaharlal Nehru Memorial Lecture on the topic, 'Status of Parliamentary Democracy in India' organised by the Jawaharlal Nehru University, New Delhi on 14 November 2007 on the occasion of the Birth anniversary of Pandit Jawaharlal Nehru, one of the towering leaders and a true democrat. We reproduce in this issue of the *Journal* the full text of the Lecture delivered by him on that occasion.

In democratic countries the world over, Legislators are required to abstain from accepting any office which gives them pecuniary benefits or power or patronage. The underlying idea is that the Legislators should not allow themselves to be influenced by any allurements which may be offered by the Government and which has the potential of deflecting them from their duty towards the House. Acceptance of any such office results in the disqualification of the Legislator for being a member of the House.

Article 102(1)(a) of the Constitution of India provides that a person shall be disqualified for being chosen as, and for being, a member of either House of Parliament, if he holds an office of profit under the Government of India or the Government of any State, other than an

office declared by Parliament by law not to disqualify its holder. Article 191(1)(a) contains an analogous provision in respect of the members of the State Legislatures. Despite the presence of elaborate provisions in the Constitution with regard to the offices of profit that may lead to disqualification of the members, the expression "holds any office of profit under the Government" has nowhere been defined precisely. What constitutes an 'Office of Profit' has generated intensive discussion on the subject in the recent past. In his article titled, 'The Law on Offices of Profit', the author examines in detail the evolution of the concept, definition and subsequent interpretations, the constitutional provisions, judicial pronouncements and measures adopted by the Parliament to dispel the ambiguity that prevails on the issue.

In continuing our endeavor to honour the selfless sacrifices of the stalwarts who have contributed immensely to the national cause, the statues and portraits of illustrious personalities are being installed from time to time in the Parliament House Complex. On 5 December 2007, the Speaker, Lok Sabha, Shri Somnath Chatterjee unveiled the portrait of Shri Bipin Chandra Pal and the joint portrait of Shri Joachim Alva and Smt. Violet Alva in the Central Hall of Parliament House. Shri Bipin Chandra Pal was an ardent social activist and one of the foremost leaders of the nationalist movement. Shri Joachim Alva and Smt. Violet Alva were the first ever couple to be elected to the Indian Parliament. We include in this issue of the *Journal*, a Short Note on Unveiling of the Portraits in the Parliament House.

We also carry in this issue the other regular features, viz. Parliamentary Events and Activities, Privilege Issues, Procedural Matters, Parliamentary and Constitutional Developments, Documents of Constitutional and Parliamentary Interest, Sessional Review, Recent Literature of Parliamentary Interest and Appendices.

In our constant pursuit of making the *Journal* more enriching and useful, we always look forward to suggestions for its further improvement. We also welcome practice and problem oriented, non-partisan articles in the field of parliamentary procedures and institutions from members of Parliament and State Legislatures, scholars and all others interested in the field of parliamentary political science.

—P.D.T. Achary
Editor

**ADDRESS BY THE SPEAKER, LOK SABHA,
SHRI SOMNATH CHATTERJEE AT THE
JAWAHARLAL NEHRU MEMORIAL LECTURE
ON 'STATUS OF PARLIAMENTARY
DEMOCRACY IN INDIA'**

The Speaker, Lok Sabha, Shri Somnath Chatterjee delivered the Jawaharlal Nehru Memorial Lecture on 'Status of Parliamentary Democracy in India' at Jawaharlal Nehru University, New Delhi on 14 November 2007.

We reproduce below the text of the Lecture delivered by the Speaker, Lok Sabha, Shri Somnath Chatterjee.

—Editor

Prof. B.B. Bhattacharya, the distinguished Vice-Chancellor; other eminent Professors and the members of the Faculty; Distinguished invitees; Dear Students; Ladies and Gentlemen:

I feel greatly honoured and privileged to have been invited to deliver a Lecture as part of the Lecture series instituted in the memory of Pandit Jawaharlal Nehru, one of the tallest leaders and chief architects of modern India, in this prestigious University, named after him.

As a premier institution of our country, Jawaharlal Nehru University is deservedly acknowledged as a centre of academic and intellectual excellence of the highest standard. It provides an eclectic mix of noted and eminent academicians and dynamic and promising youth. Having attracted bright young talents from different parts of the country, as also from various countries of the world, the University has added to the knowledge-base of our country by producing highly acclaimed academics, eminent scientists, administrators of high calibre and leaders of stature in different fields, including politics. Its remarkable teacher-student ratio, vast range of disciplines of study, inter-disciplinary approach and its many Study Centres being declared as 'Centres of Excellence' by the University Grants Commission—have all combined to make this University an exceptional Centre of learning, of which the whole Nation is proud. The student community here is known for its active involvement in intellectual debates on issues of public importance

along with their academic pursuits. As the Speaker, Lok Sabha, I have the benefit of having two of your products in my personal staff, and the Lok Sabha Secretariat, particularly its Research Division, has a sizeable presence of JNUites.

I compliment the Vice-Chancellor and the University Administration for organising this Lecture on the 'Status of Parliamentary Democracy in India' today, a topic of great contemporary relevance. The country had the great benefit to start its journey under the enlightened leadership of Pandit Jawaharlal Nehru during the defining years of its freedom, and a great line up of visionary and sagacious men and women provided effective leadership in the task of consolidating democracy and in laying the institutional foundations of our republic. Long before we freed ourselves of colonialism from our land, Jawaharlal Nehru, as the President of the Indian National Congress, in 1936, had declared that India's ultimate objective was 'the establishment of a democratic state', a sovereign state of India which would promote and foster 'full democracy' and usher in an era of a new social and economic order.

Pandit Nehru was a democrat by instinct and temperament and contributed immensely towards inculcating the true parliamentary spirit and values in our people. Although he commanded absolute majority in the House, he never believed in steam-rolling the Opposition and always showed the utmost respect to them and listened to their views with rapt attention and tried to accommodate them as far as possible. He always recognized the due space of dissent in a true democracy, favouring healthy and constructive criticism, from all sections of the House. As you may be aware, some of his strongest critics in the Parliament happened to be his greatest admirers and perhaps there cannot be a better compliment to Pandit Nehru's democratic credentials than this fact.

Throughout his years at the helm of affairs in the country, he strove ceaselessly towards the establishment of a tolerant, egalitarian and inclusive society in which all kinds of diversities could co-exist, drawing strength from each other and in the process strengthening our national fabric itself. The nation that he visualized was to be driven only by modern and progressive ideas and there was no room for pettiness and narrow-mindedness within that. Such a society is incomplete without the secular mosaic which Pandit Nehru ceaselessly strove to establish and which continues to be the hall-mark of our democratic polity today. His constant focus was on strengthening the emotional integration of our diverse population. In fact, belief in secularism and scientific temperament and a broad world-view were distinctive attributes

of his personality. Under the liberal and modern education that he visualized for the country, there was no room for mixing mythology with science or for reason with faith in the pursuit of learning.

More than anything else, Jawaharlal Nehru was a builder of institutions. He believed that democracy was best suited for a country of India's diversities and pluralities and to address the myriad challenges facing the nascent Republic with the active participation of the people. He had visualized a developmental model for the country in which the State, in partnership with the private initiative, whenever necessary, would play a significant role. According to him, in the formative years, the Public Sector establishments were to act as the engine of growth for the country and India's most important Public Sector Undertakings were founded under his inspiring leadership. Central to his vision was the acknowledgement of the primacy of the people and the fundamental rights of the citizens for a dignified existence, politically, socially and economically. He held the view that the full potential of the individual would be realized under conditions facilitated by the flowering of democracy. As he said once:

We have definitely accepted the democratic process. Why have we accepted it? ... Because we think that in the final analysis, it promotes the growth of human beings and of society; because as we have said in our Constitution, we attach great value to individual spirit of man to grow ... We do want high standards of living, but not at the cost of man's creative spirit, his creative energy, his spirit of adventure ... of all those fine things of life which have ennobled man throughout the ages. Democracy is not merely a question of elections. Unquote.

The visionary Statesman in him came out at its best when he, as the Prime Minister of India, sought to mobilize the exploited and the colonized peoples across the world, particularly in Africa and Asia, and provided a new non-aligned platform for them away from the destructive game of power-politics being played by the imperialist forces. These nations gained a new identity, self-respect and self-confidence under the statesmen like Nehru and a few other like-minded leaders whom he mobilized.

One wonders how far over the years have we tried to live up to his dreams and hopes, the fulfillment of which would have given proper respect to his outstanding leadership and personality. I pay my respectful homage to his memory.

Friends, we have completed this year six decades of freedom and

observed the 150th Anniversary of one of the most heroic and epoch-making events in our struggle for freedom—our First War of Independence of 1857. This year also marks the birth centenary of one of the greatest heroes of our Freedom Movement, Shaheed Bhagat Singh. We should remember the values that guided our Freedom Movement and the numerous struggles and sacrifices of millions of our people led by visionary men and women, who plunged themselves into the long-drawn struggle and, in many cases, made supreme sacrifices.

Our struggle for Independence was not just a movement to achieve freedom from the bondage of the British Rule. It was as much a crusade to free ourselves from the various social evils and socio-economic iniquities and discriminations, to lift the deprived and the downtrodden from the mire of poverty and to give them a stake in the overall transformation of the country. It was with this larger national objective that a democratic polity, based on parliamentary system was established in the wake of freedom. Our Founding Fathers, visionary and sagacious as they were, perceived that such a system would respond effectively to the problems arising out of our vast array of diversity as also to the myriad socio-economic factors that we were faced with, when we achieved freedom through a massive People's movement after centuries-long humiliation of being a slave nation. With that objective, in the political system that we established, a place of pre-eminence has been given to our Parliament, the only organ directly representative of the people and as such accountable to them, with very extensive powers which should rightly belong to the highest people's forum.

In our political system, as the body representing the free people of the democratic set-up, the Parliament rightly occupies the pivotal position. It is the vital link between the institutions of democracy and the people. It is in this great people's institution, constituted of their representatives, that the sovereign will of the people finds true expression. As such, the whole machinery of governance in the country is tuned to revolve around it. By the scheme of the Constitution itself, it is invested with the power, among other things: to make laws, to exercise control over the nation's purse, to make the Executive accountable to the Parliament, and when considered necessary, even to amend the Constitution, its own creator. Thus, if the Parliament does not function effectively, discharging its duties and obligations and the assigned role seriously, the whole machinery of our governance structure not only loses its robust effectiveness, but the very democratic set-up itself comes under greatest strain.

Over the past six decades, our people have shown to the world their commitment to work a democratic system in the country and have proven, time and again, that their political judgment cannot be taken for granted. They have been doing so by demonstrating exceptional prudence and uncanny wisdom in the exercise of their franchise. It is this quality that was reflected when they brought about changes in the Central Government 6 out of 14 occasions that we went through the General Elections—in most cases, proving the political *pundits* and the astrologers wrong. In fact, every succeeding election has reflected a deeper commitment of our people to parliamentary democracy.

This democratic consolidation, preserving and protecting the unity of such a heterogeneous country with one billion plus people, practicing different religions, speaking innumerable languages, and home to a wide variety of customs and practices, has indeed been a gigantic challenge that our people have largely met, to the envy of many.

The first General Election of 1952 was the biggest free electoral exercise known till then anywhere in the world. As against 35 million voters in the election to the Provincial Legislative Assemblies that elected the members of the Constituent Assembly, the 1952 election saw 176 million voters. Today our democratic exercise involves nearly 700 million people.

As a free country working on democratic principles India had to grapple with the challenging task of having to blend tradition with modernity, deeply entrenched customs with the laws, and to reconcile issues of divergent faiths with the demands of modern administration and governance. Over the years, through effective State intervention, we have striven with varying degrees of success, to address the issue of the political, social and economic exclusion of a sizable segment of our population and of their empowerment by bringing them into our national mainstream.

Sustenance of a vibrant parliamentary democracy all these years, no doubt, has been one of our significant achievements since the attainment of our freedom, earning worldwide recognition. The Parliament, no doubt, has rendered great service by charting the path of social engineering with a great sense of responsibility.

It is through the legislatures that the people in a representative democracy hold the Executive or the Government accountable to the people, which constitutes the most distinctive feature of a parliamentary system of government. In fact, the very status of our Parliament in our constitutional set-up, its extensive powers, the various parliamentary

devices like the Question Hour, the Zero Hour, the Half-an-Hour Discussion, the Short Duration Discussion, the Calling Attention Notices, the Adjournment Motions, the No-confidence Motion, the System of Committees, and even the Special Mentions, etc., are all meant to facilitate the Parliament discharging the crucial function of ensuring Executive accountability to the people at large through their duly chosen representatives.

To discharge its constitutional duties, it is essential that the Parliament functions smoothly and by the rules of procedure which are devised to facilitate its orderly functioning. To raise appropriately the issues of people's concern, their expectations, their demands, their fears, frustrations and anxieties before the House, to draw the Government's attention and thereby to obtain assurances from the Ministers on the floor of the Houses, it is essential for the members to follow strictly the rules of procedure and conduct themselves with the utmost sense of responsibility and with dignity and decorum.

The Question Hour, has a special significance in ensuring Executive accountability to the Parliament. It is during the Question Hour that the members can elicit information about the different aspects of administration and governmental activity which has a bearing on the day-to-day lives of the people. This is the most effective device to enforce Executive accountability to the Parliament.

The Parliamentary Committees, play a vital role in ensuring accountability in governance. A good deal of our parliamentary work is transacted by the Parliamentary Committees, which are treated as mini-Parliament. They play an important role in scrutinizing governmental expenditure and in overseeing policy formulation. In my humble experience our Committee system functions with efficiency, professionalism, unity of purpose and commitment to the larger national causes, as the honourable members usually rise above partisan considerations, in dealing with the matters before the Committees.

Today, however, unfortunately, after six decades of our Independence, we have come to a stage, nowadays, when questions are being asked about the utility and relevance of Parliament in our polity and, indeed, about the workability of our democratic set-up based on the Parliamentary system as such.

Because of the competitive and confrontational politics that has overtaken the country today, the Parliament cannot appropriately discharge its essential functions. While the public perceives a general decline in all our institutions of governance, it is the Parliament and the State

Assemblies that have come in, it seems justifiably, for strong criticism. Debates and discussions, the hallmarks of democracy, have been over-shadowed by disruptions, confrontations and other non-democratic alternatives, which have made the great institution itself a subject of ridicule, inviting public opprobrium.

One would not be wrong to say that confrontational politics in our country have sharpened religious, linguistic and casteist divisions in the society and worryingly political power has got polarised around identities of caste, religion and language. In the continuous non-functioning of our Parliament, of late, people are beginning to see a pattern designed to undermine the system from within. To quote the eminent Columnist Kuldip Nayar:

'Sometimes I wonder whether the political parties which stall Parliament and Assemblies are not targeting the system which demands some order and some accommodation. ... People are sick and tired of MPs not letting Parliament function'. Unquote.

Some sections within the Parliament and the State Legislatures are viewing many of our well-conceived parliamentary procedures as dispensable luxuries for our system. Of late, devices like the Question Hour are being seen as totally avoidable democratic extravaganzas. Forced adjournments of the House amount to the denial of opportunities to raise and discuss important issues in the Parliament thereby undermining the greatness and vitality of the most important constitutional institution, to the detriment of the people as a whole.

It is a matter of agony for the Presiding Officers that several legislations of far-reaching importance are passed by our Parliament without any serious discussions. The most glaring instance where the concept of Executive accountability to the Parliament is compromised is with regard to the management of the financial business of the Government, including the presentation, discussion and passage of the budgetary proposals, the Demand for Grants and others. There is a growing feeling of resentment and concern in the country and justifiably so, when the budget of a billion plus people is passed without any discussion, due to wholly unmerited disruption of the proceedings.

A recent study has indicated that in the first three years of the 14th Lok Sabha, already 26 per cent of the Parliamentary time has been lost due to disruptions. During the Budget Session this year, the Lok Sabha lost a total of 73 hours (34 per cent of its scheduled time) due to frequent disorders. Only 11 of the slotted 25 Bills were passed

in the recent Monsoon Session of the Parliament. In that Session, the Lok Sabha lost 40 per cent of its time due to adjournments and the Rajya Sabha lost 49 per cent. As many as four Bills were passed without any discussion in the Lok Sabha. If the Lok Sabha worked 124 hours in the Monsoon Session of 2006, it worked only 65 hours in the Monsoon Session of 2007. With each minute of parliamentary time costing the public exchequer, to the tune of about Rs.26000/- such disruptions, result in wastage of tax payer's money and amount to a great disservice to the country and to its democratic order.

Almost all the leading newspapers in the country carried editorial comments expressing disapproval and concern about the non-functioning of our Parliament and in the premature end of the Monsoon Session this year. To share the excerpts from one of these comments with you: I quote:

... Walk-outs, slogan-shouting, boycotts, unruly scenes and adjournments have lost their sting. India's latest contribution to the regimen of parliamentary protest is scrapping of a session. The tragedy is that those 'manning' the institution are least bothered about the disrepute they consistently bring to what was once hailed as the temple of democracy. The compilation of hours and money wasted, the number of disruptions, the admonition from the Chair, etc. all add up to nothing. This is not merely shameful, it points to a shameless enemy within. So shameless that it remains immune to scathing criticism. ... our MPs have collectively created conditions in which the efficacy of a parliamentary system is being increasingly questioned. Unquote.

I have quoted these comments, at the risk of inviting tedium, to convey the extent of the growing sense of dismay and criticism of the people about the way our institutions are functioning. Most alarmingly, intolerance, divisiveness, corruption, confrontations and disrespect for dissent are increasingly vitiating our socio-political system. Added to this is the attempt by some institutions to malign and marginalize important people's fora with an intent to occupy larger space than what is ideally feasible or constitutionally permissible in a representative democratic system.

The much talked about Judicial Activism of today is sought to be justified because of the perceived decline in the effectiveness of parliamentary accountability. It will do us good to remember that such frequent interventions with the exclusive jurisdiction of the legislature, will only contribute to further eroding the authority of the Parliament. Not many seem to notice that once the Judiciary gets involved with

an issue, which falls within the Executive domain, it precludes the possibility of the Legislature exercising its assigned role of ensuring Executive accountability through effective legislative scrutiny.

We need to introspect and realize that the parliamentary democracy can be strengthened only if those who indulge in or abet in activities or behaviour incompatible with the established norms are made to account for such conduct individually or as groups, separating them from the institutions they happen to be associated with. It should be from this perspective that we need to seriously ponder and address the issues of corruption, criminalisation and the communalisation of politics, the vicious role being played by money and muscle powers and, more significantly, growing signs of intolerance in our society shown by different segments. There is today an imperative need for effective political polarisation around policies and programmes that are vital to all the classes and categories of our diverse population.

Today democratic India, presents a contrasting picture of affluence and deprivation. On the one hand is the India of the rich, of those who have had the benefit of modern education and are intellectually and materially empowered and, on the other, is the India of those who live under conditions of poverty, deprivation, squalor, illiteracy, ignorance, intolerance and prejudices. With a stratified social structure, characterized by inequity, gender-based discrimination, lopsided development, regional imbalances, with a sizeable section living below the poverty line experiencing unemployment and under employment, and with substantial sections of our people denied of the benefits of modern science and technology, without access to safe drinking water, dependable energy supply, and good health-care, we have to concede that we have not been able to take fullest advantage of democratic governance in the past six decades. The polity fractured on religious, caste, regional and linguistic basis and influenced by confrontational politics is greatly weakening our democratic structure and simultaneously stifling the country's progress, and it needs serious attention and sincere national efforts to reverse the process.

Our democratic institutions can function effectively, as visualized by our Founding Fathers, only if more and more people come forward to identify themselves with the system and to address the imperfections within it. We cannot expect to accomplish this through any external agents. I felt quite encouraged to see some conscientious and responsible citizens organizing themselves and coming out to express their anguish about and disapproval of the frequent disruptions in the proceedings of Parliament recently. I am sure, if more and more citizens come

forward to voice their concern against the aberrations in the system, a salutary effect will be achieved. The educated youth and the intelligentsia have a great responsibility in this. It is of little use to be just critical of the incongruities and imperfections in the society.

The negative public perception of politics and of those in public life should not be permitted to affect the minds of the younger generations. Rather, they should be made to recognize that it is our collective and common responsibility to evolve ways and means to perfect our system of governance, rather than finding fault with it and running away from their responsibilities, expecting someone else to apply the correctives. Can anyone guard our democracy better than the citizens themselves?

Nobody talks of an alternative to or substitute for Parliamentary Democracy today. Therefore, with the realization that it is out of our Parliament that the leadership that runs the affairs of our country emerges, we have to ensure that political workers, specially young men and women with commitment and dedication to the cause of the people, come into the Parliament and actively participate in working the system. We must always remind ourselves that the country has a vested interest in having a robust and functional Parliament, so that it remains strong with a pro-people and progressive governance structure.

As the Presiding Officer of the popular House of our Parliament, it has been my humble endeavour to help enhance its image before our citizens. In recent years, we have taken several initiatives to take the Parliament closer to the people. The introduction of a full-fledged 24 hours Lok Sabha Television Channel and Parliamentary Lecture Series, the creation of various Parliamentary forums to ensure more effective involvement of the people's representatives in matters that require concerted national attention, particularly on issues that could have a bearing on the future of the country; creation of more and more opportunities for the members to have discussions and interactive sessions with social activists, intellectuals, academia, etc. are all meant to ensure more effective interface between the civil society and the representative body of the people.

By expelling ten members of Parliament for their involvement in the 'cash for query' scam, and by suspending others for different periods for various misdemeanors involving them, the Parliament, I believe, has set an example before the country. But these positive initiatives are not projected properly to help enhance people's respect for democratic institutions in the country. The media, rather than becoming the prophets of doom and contributing to the loss of people's

faith in the institutions, should endeavour to reinforce their trust in them. They would do well to remember that only in a democracy does a free media flourish. The market-driven competitive journalism will hurt the long-term interest of our political system beyond repair. Remember, once democratic institutions lose popular trust, it could very well herald the beginning of anarchy.

The cynicism that is creeping into the minds of the people, specially the youth, about our democratic structure should be removed by proper functioning of the people's most important institution, so that bright young citizens do not get disinterested about participation in public affairs and politics. All stakeholders in our democracy have to unitedly work with dedication, commitment, cooperation and self-discipline to find lasting solutions to safeguard parliamentary democracy from the tremendous strains experienced today and on the other hand strengthen it.

The question that we all, particularly, today's youth, need to ask ourselves today is, should we always be the beneficiaries of the system or should we not come forward to contribute to transform the quality of our polity and to make a positive impact on the socio-economic fortunes of the people. Attracting the right talents—the honest, well-meaning, public-spirited and educated youth—into the arena of politics and public life is an important challenge before our democracy today. Analysing the cause of the fall of the Roman Empire, the great thinker Gibbon said and I quote:

When the people of Rome wanted not to give to society, but for society to give them, when the freedom they wished foremost was a freedom from responsibility, then it was that Rome ceased to be free.

Whether you like it or not, whether you involve yourself in it or not, politics decides your and your country's future. Doesn't it then make sense that you decide what your politics be and be pro-active about it? If you remain on the periphery joining the national debates only to express your disapproval of the overall functioning of our democracy, you may only remain a passive spectator. As Pandit Jawaharlal Nehru said 'When the *status quo* itself is rank injustice, those who desire to maintain it must be considered upholders of that injustice.'

Our youth and particularly the students have to take on the onus of addressing the aberrations and for removing the various ills plaguing our society and to provide dynamic and committed leadership to

change the system for the better. Politics in the country today carries with it an image of intrigue, venality, disorder and anarchy. We need to correct it urgently, so that our people begin to view politics as a respectable profession in the service of the society as was perceived during the long years of our struggle for freedom. Only the youth can help correct this image. Remember that only the democracy gives you the power to participate in the political process, express your opinion and thus to be a factor in bringing about positive changes in the socio-economic condition of the country.

I hope this University will continue to stand as a testimony to Jawaharlal Nehru's vision of an ideal University which is synonymous 'with humanism, with tolerance, with reason, with progress, with the adventure of ideas, with the search for truth and with the onward march of the human race towards higher objectives'. Those associated with this great institution should continue to pose the question that Pandit Nehru himself posed to them: '... if the temple of learning itself becomes a home of narrow bigotry and petty objectives, how then will the nation progress or a person grow in stature?' I am sure that the bright young students of this University will continue to maintain its great intellectual traditions and contribute to the solution of the problems faced by our people.

I convey my best wishes to you all on the Founders' Day of this prestigious University. Once again, I pay my homage to the memory of the great leader Jawaharlal Nehru, and wish to convey my sincere gratitude to the Vice-Chancellor, to the faculty and the students for giving me this opportunity to share some of my thoughts with this distinguished assembly.

Thank you.

THE LAW ON “OFFICES OF PROFIT”*

SHRI P.D.T. ACHARY

In a democracy, the credibility of parliamentary institutions is determined by the level of commitment that their members show towards the high standards of public life. As representatives of the people, members enjoy an exalted position that requires them to be sensitive to the supreme status of the Legislatures in any work they undertake or any interest they serve. To meet this criterion, they need to avoid any situation in which matters in their private domain overlap with the discharge of their legislative or public duties. Even if there is no obvious proof of any self-interest, whether pecuniary or otherwise, that a member may have had or may be expecting to have, a situation of conflict of interest may be seen as a case of irregularity that may imperil the faith reposed in him by the people. Most of the democracies and their parliamentarians have experienced this dilemma.

It is against this background that the concept of “Office of Profit”, as enshrined in the Constitution of India, has emerged as an important parliamentary issue. In modern times, the task of representing people has become complex and a member needs to have a deep insight and a higher degree of specialization into diverse issues of public interest to examine and suitably reshape executive actions. To perform this onerous duty within the broad framework of the democratic norm of separation of powers, it is the prohibition for accepting an Office of Profit from the executive that is central to the functioning of the Legislatures.

It should also be borne in mind that with the phenomenal growth in welfare and developmental activities in all walks of our life, the jurisdiction of governmental activities has expanded exponentially. The complex nature of various routines involved with these activities presupposes that there exists a number of specialized bodies-boards,

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committees and other bodies—to coordinate, implement and evaluate various policies and programmes concerning public welfare. In this context, it has also become a widely accepted democratic norm in democracies around the world that the elected representatives of the people should be involved with such bodies to aid and advise them as they are in a better position to appreciate ground realities and to mould public opinion on various key issues. It is, therefore, ensured that while creating various statutory bodies, the members are suitably and sufficiently represented in such bodies. While analysing the constitutional and legal provisions governing the term Office of Profit, it is necessary that the specific cases are seen in this wider context.

Underlying principle

As natural agents of the process of social change, it is rightly expected of the people's representatives that they keep their personal considerations subservient to the larger interests of the society. Realizing this, the makers of our Constitution laid down both negative and positive qualifications for the membership of either House of the Parliament. Insofar as the positive qualifications are concerned, article 84 of the Constitution lays down various qualifications for standing as a candidate for membership of either House of Parliament. On the other hand, articles 102 and 191 lay down the negative qualifications. Here, it is also important to note that the makers of the Constitution designed these articles in such a manner that they lay down the same set of disqualifications for election as well as continuing as a member, thereby providing both pre-existing and supervening disqualifications.

Our visionary forefathers were also of the opinion that in matters of public utility, it should be ensured that political expediency does not affect legislative commitment to serve the people at large. They firmly believed that if the members succumbed to any outside pressure or benefit offered by the executive, it might amount to legislative misdemeanour and, more alarmingly, the subversion of the Constitution.

To emphasize and sanctify this, they inserted article 102(1)(a) in the Constitution which stresses the need for neutrality and impartiality in public service, particularly while representing the people. The article provides that a person shall be disqualified for being chosen as, and for being, a member of either House of the Parliament if he holds any office of profit under the Government of India or the Government of any State, other than an office declared by the Parliament by law not to disqualify its holder. As regards the authority to decide cases involving the offices of profit, article 103 stipulates that if any question

arises as to whether a member of either House of the Parliament has become subject to any of the disqualifications mentioned in Clause (1), article 102, the question shall be referred for the decision of the President and his decision shall be final. However, it has been provided that before giving any decision on any such question, the President shall obtain the opinion of the Election Commissioner and shall act according to such opinion.

Similarly, article 191(1)(a), which deals with the offices of profit in different States and Union territories, states that a person shall be disqualified for being chosen as, and for being, a member of the Legislative Assembly or Legislative Council of a State if he holds any Office of Profit under the Government of India or the Government of any State specified in the First Schedule, other than an office declared by the Legislature of the State by law not to disqualify its holder. As regards the authority to decide such cases, it has been provided under article 192 of the Constitution that if any question arises as to whether a member of a House of the Legislature of a State has become subject to any of the disqualifications mentioned in article 191, the question shall be referred for the decision of the Governor and his decision shall be final. However, like in the case of article 103, before giving any decision on any such question, the Governor shall obtain the opinion of the Election Commission and shall act according to such opinion.

What constitutes an Office of Profit?

It is pertinent to note that although the Constitution of India contain provisions for disqualifying a member of the Legislature on the ground that he holds an Office of Profit, the expression, "holds any Office of Profit under the Government" has, nowhere been defined precisely. What constitutes an Office of Profit has, therefore, been the subject matter of a large number of cases decided by the courts and election tribunals in India. While doing so, the election tribunals, the High Courts and the Supreme Court have analyzed the concept and laid down various tests to determine whether an office is an Office of Profit under the Government.

Broadly speaking, the word "office" connotes a definite position or right to exercise a public or private employment and to claim remuneration in lieu of that. Wharton's *Law Lexicon* describes an "office" as an employment, either, judicial, municipal, civil, military, ecclesiastical and "profit" as a pecuniary advantage.

On the other hand, "profit" may be understood as advantage or

benefit that accrues out of the assumption of an office. In the usual sense, it is considered to be a monetary gain or something that leads to monetary advantage. The *New Oxford Dictionary of English* defines profit as a financial gain, an advantage, or benefit. In this context, an Office of Profit may be construed as one to which some executive authority is attached or which carries some sort of authority or prestige to the incumbent thereof.

It may be said that an Office of Profit, in general terms, means an office which brings financial gain to the holder and which is influenced by executive discretion. Here, it may also be seen that an Office of Profit presupposes the existence of an office that should be independent of the holder. If the office has been created only for the holder and no one will succeed him or her to such office, it would not satisfy the requirements of an office. Even if the holder of such a position gets remuneration, he or she will not come within the ambit of article 102(1)(a) or 191(1)(a) since he or she is not holding any office within the meaning of these articles.

The Supreme Court accepted Rowlatt, J.'s definition in *Great Western Railway Co. v. Bater* as the appropriate meaning to be applied to the word "office":

Now it is argued, and to my mind most forcibly, that shows that what those who use the language of the Act of 1842 meant, when they spoke of an office or employment, was any office or employment that was a subsisting, permanent, substantive position, which had an existence independent from the person who filled it, which went on and was filled in succession by successive holders; and if you merely had a person who was engaged on whatever terms, to do duties which were assigned to him or her, the employment to do those duties did not create an office to which those duties were attached. He or she merely was employed to do certain things and that is an end of it; and if there was no office or employment existing in the case as a thing, the so-called office or employment was merely an aggregate of the activities of the particular man for the time being.

Despite this, the term remains elusive and it is not easy to define it. But, it is hardly necessary to point out that to be an Office of Profit it must first be an "office" to which any profit—pay, salary, emolument or allowance—is attached. This apart, it is necessary that the office concerned must be held under the Government. Here, the word "profit" is important that connotes the idea of pecuniary gain. It has been held by the courts in several cases that if there is really a gain, its

quantum or amount would not be material, but the amount or money(s) receivable by a person in connection with the office he holds may be material in deciding whether the office really carries any profit.

If an analysis of various judicial pronouncements is made, it will be found that the law regarding the question whether a person holds an Office of Profit should be interpreted reasonably having regard to the circumstances of the case and the class of persons who are party to such a case. Some of the tests or principles for determining whether a person holds an Office of Profit under the Government, that have been evolved over the years by the election tribunals and the courts, may be summarized as under:

- Firstly, it is the authority of the Government to appoint a person in office or to revoke his appointment at the discretion that assumes significance.
- To constitute an Office of Profit, it is the payment out of the Government revenues, excluding compensatory allowance, that is an important factor in determining whether a person is holding an Office of Profit or not of the Government.
- The incorporation of a body corporate and entrusting the functions to it by the Government may suggest that the statute intended it to be a statutory corporation independent of the Government. But it is not conclusive on the question whether it is really so independent. Sometimes, the form may be that of a body corporate independent of the Government, but in substance, it may just be the alter ego of the Government itself.
- The true test of determination of the said question depends upon the degree of control the Government has over it, the extent of control exercised by other bodies or Committees, and its composition, the degree of its dependence on the Government for its financial needs and the functional aspect, whether the body is discharging any important governmental function or just some function that is merely optional from the point of view of the Government.

Another point which should be taken into account here is that the Constitution recognizes the authority of the Parliament or the State Legislatures to declare by law that the holder of an office would not be disqualified for being chosen as a member. The word "declare" in these articles requires special mention. In fact, it may be implied that the language in the concerned articles, particularly the word "declare",

empowers the Parliament or the State Legislatures to declare an office outside the purview of disqualifications enumerated under these articles. More importantly, the declaration can be made from a retrospective effect also.

But, is it an unrestrained power? The Supreme Court has hinted that it may intervene to strike down a law passed by the Legislature in this regard if it feels that the executive power under articles 102 and 191 has not been exercised reasonably and with due restraint.

Evolution of the idea

A clear and precise statement in matters relating to the Office of Profit was first made by the Government of India Act, 1935. For the first time, the Central and the State Legislatures were authorized to declare offices by law that were not to disqualify their holders. Later, in a significant move, the Governor-General promulgated an Ordinance in 1942 to declare certain officers in the service of the Crown in India, the holders of which were not disqualified for election or continuance as a member of either Chamber of the Indian Legislature. By this Ordinance, certain offices not exempted by the Government of India Act, 1935 were exempted under this Ordinance from incurring disqualification.

In independent India, the Government of India Act 1935 with consequential changes was reproduced in the Constitution of India as articles 102(1)(a) and 191(1)(a), respectively. While stipulating disqualification for holding an Office of Profit, these articles empower the Parliament and the State Legislatures to declare by law the offices of which would not disqualify a member. In exercise of this power, the Parliament enacted the Parliament (Prevention of Disqualification) Act, 1950; the Parliament (Prevention of Disqualification) Act, 1951; and the Prevention of Disqualification (Parliament and Part C States Legislatures) Act, 1953.

Despite these constitutional efforts, there was a popular perception that none of the above enactments had decided the matter adequately covering all the necessary aspects of the problem. To remove this anomalous situation, the Speaker of Lok Sabha, in consultation with the Chairman of the Rajya Sabha, responded to the desire of the members by constituting a Joint Committee on the Office of Profit under the Chairmanship of Pandit Thakurdas Bhargava, MP, to study various matters relating to the disqualification of members under article 102(1)(a) and 191(1)(a) of the Constitution. The Committee recommended the setting up of a Standing Committee of the Parliament

to undertake a continuous scrutiny of the Offices of Profit that may be created in future and held by the members of the Legislatures and stressed the need to bring a comprehensive legislation in this regard.

In pursuance of the recommendations of the Bhargava Committee, the Government introduced in the Lok Sabha, the Parliament (Prevention of Disqualification) Bill, which was referred to a Joint Committee of the Parliament. The report of the Joint Committee was presented to the Lok Sabha on 10 September 1958; it reiterated the recommendations of the Bhargava Committee for the constitution of a Standing Committee. The Bill, as further amended and passed by the Parliament came to be known as the Parliament (Prevention of Disqualification) Act, 1959. Some of the States have also passed legislations exempting holders of certain offices from disqualification.

As recommended by the Bhargava Committee, a Joint Committee on Offices of Profit is constituted after each Lok Sabha is constituted. It consists of 10 members of the Lok Sabha and five of the Rajya Sabha. After the constitution of the Committee, all the ministries of the Government of India and Chief Secretaries of the State and Union territory Governments are requested to furnish the particulars of the Committees, Commissions, Boards, etc., constituted by them that have not been examined by the Committee. They are also requested to provide information about the Committees, Commissions, Boards, etc. which, though examined, have undergone changes in terms of constitution and payment of compensatory allowances. After collecting such information, the secretariat examines them and places them before the Committee in the form of memoranda to be examined. If a particular case meets any of the tests determined by the Committee, then the office in question will lead to disqualification.

How has the term been defined subsequently?

What our forefathers actually wished to allow was that a person who is elected to the Parliament or a State Legislature should be free to carry on his or her duties fearlessly without succumbing to the pressure from the Executive. It is in this background that the term "Office of Profit", as used in articles 102 and 191, is of wider import than a post held under the Government which is dealt with Part XIV of the Constitution.

As stated earlier, one of the important tests in this context is that to be an Office of Profit, the office in question must exist independently of the holder of the office. In case an employment has been made only to attend to a particular work or to perform duties of specific

nature and there is an end of the employment after that work or duties are over, it will not constitute as an Office of Profit. It is also applicable in the case of a contract under the Government, even though the person may be included in a list of recognized contractors. There may be a situation where in order to make use of the special knowledge, talent or experience of some people, special posts are created that exist only during the tenure of the person concerned. In this context, the Supreme Court has observed:

The word "*office*" has various meanings and we have to see which is the appropriate meaning to be ascribed to this word in the context. It seems to us that the words "its holders" occurring in article 191(1)(a) indicate that there must be an office which exists independently of the holder of the office. Further, the very fact that the Legislature of the State has been authorized by article 191 to declare an office of profit not to disqualify its holder, contemplates existence of an office apart from its holder. In other words, the Legislature of a State is empowered to declare that an Office of Profit of a particular description or name would not disqualify its holder and not that a particular holder of an Office of Profit would not be disqualified.

In a different case, the question before the Supreme Court was to decide whether the post of a Chairman of the Board of School of Education of the State of Himachal Pradesh appointed under Section 18 of the Himachal Pradesh Board of School Education Act, 1968 was an Office of Profit under the State Government. The Court, while holding that the said office was an office under the State Government, held that since the candidate concerned was appointed in an honorary capacity without any remuneration even though the post carried remuneration, he was not holding an Office of Profit and thus he was not disqualified under article 191(1) (a) of the Constitution.

Here, it is also pertinent to note that there is no need of a relationship of master-servant for holding an Office of Profit. Rather, an Office of Profit involves two elements, namely, that there should be an office and that it should carry some remuneration. What the Supreme Court asserted was that the power of the Government to appoint a person to an Office of Profit or to continue him in that office or remove his appointment at their discretion and the payment out of Government revenues are important factors in determining whether that person is holding an Office of Profit under the Government. Of course, payment from a source other than Government revenue is not always a decisive factor. A person who cannot be dismissed either by

the Government or a person authorized by it cannot be said to be holding an Office of Profit under the Government.

Similarly, while deciding the question as to whether *Patels* and *Shanbhogs*, who were holders of hereditary village officers governed by the Mysore Village Officers Act, 1908, were disqualified under article 191(1)(a) of the Constitution for being chosen as members of the State Legislative Assembly, the Supreme Court answered the question in the affirmative and observed:

We then come to this that *Patels* and *Shanbhogs* are officers, who are appointed to their offices by the Government though it may be that the Government has no option in certain cases but to appoint an heir of the last holder; that they hold their office by reason of such appointment only; that they work under the control and supervision of the Government, that their remuneration is paid by the Government out of the Government funds and assets; and that they are removable by the Government and that there is no one else under whom their offices could be held. All these clearly establish that *Patels* and *Shanbhogs* hold Office of Profit under the Government.

Deciding the question regarding control of the Government on an elective office, the Election Commission opined that a Mayor does not hold an Office of Profit under the Government as he is not appointed by the Government. He is elected by the Municipal Councillors and the election is not subject to the approval or concurrence of the Government. The power of control of the Mayor also is not vested in the Government. The power of dismissal vested in the Government under the law is not sufficient to bring an elective office under the category of Office of Profit.

On various occasions, the Courts have held that while deciding whether an office is an Office of Profit or not, it is not the form of the law but the substance that matters. On one occasion, the Supreme Court had to decide whether the appellant was disqualified under article 102(1)(a) of the Constitution from being chosen as a member of the Lok Sabha for having been appointed as Auditor of two Government companies, and thereby for holding an Office of Profit under the Union Government and the Government of West Bengal. While pleading his case, the appellant contended that on a true construction of article 102(1)(a) of the Constitution he could not be said to hold an Office of Profit under the Government of India because the various tests, viz. the Government had the power to appoint, the Government had the right to remove, the Government paid the remuneration and the Government

controlled the functions and duties of the holder of the office did not coexist and that the fulfilment of some of the said tests alone did not make the office an Office of Profit under the Government. He contended that his remuneration was paid by the companies and not by the Governments and that he performed the functions for the companies and that his duties were controlled by the Comptroller and Auditor-General who was different from the Government. The court rejected the above-mentioned pleas of the appellant holding that what had to be considered was the substance of the matter and not the form.

It may, therefore, be said that the underlying principle behind incorporating article 102(1)(a) and 191(1)(a) is to ensure that the legislators remain independent in the discharge of their duties as the representatives of the people. On the other hand, these provisions also check the government from holding out allurements to the members of the Legislatures, so that the latter could work uninfluenced by any consideration of personal loss or gain. More importantly, it has been the consistent stand of the Judiciary in a series of cases that the question whether a person holds an Office of Profit requires to be interpreted in a realistic manner having regard to the facts and circumstances of each case and relevant statutory provisions. In this context, the Supreme Court held:

While “a strict and narrow construction” may not be adopted which may have the effect of “shutting off many prominent and other eligible persons to contest the elections” but at the same time “in dealing with a statutory provision which imposes a disqualification on a citizen it would be unreasonable to take merely a broad and general view—and ignore the essential points”. The approach which appeals to us to interpret the expression “Office of Profit” is that it should be interpreted with the flavour of reality bearing in mind the object for enactment of article 102(1)(a) namely to eliminate or in any event to reduce the risk of conflict between the duty and interest amongst members of the Legislature by ensuring that the Legislature does not have persons who receive benefits from the executive and may thus be amenable to its influence.

What stands excluded from Office of Profit?

As stated above, even though an office may be termed as an Office of Profit, its holder is not disqualified if the Parliament so declares by enacting a law. Accordingly, the Parliament (Prevention of Disqualification) Act, 1959, as amended from time to time, has been passed by the Parliament. Such a declaration for the purpose of

removing any prospects of disqualification of a member has been left to the legislative discretion in recognition of the supreme status of the Parliament and the State Legislatures in our constitutional scheme. More importantly, these provisions allow the Legislatures to declare an Office of Profit outside the ambit of disqualification from a retrospective effect. In this context, the Supreme Court, while dealing with the power of validating election retrospectively by law, held as under:

It is true that (the power) gives an advantage to those who stand when the disqualification was not so removed as against those who may have kept themselves back because the disability was not removed. That might raise questions of the propriety of such retrospective legislation but not the capacity to make such laws.

Besides the Parliament (Prevention of Disqualification) Act, 1959 that takes various offices outside the purview of articles 102(1)(a) and 191(1)(a), specific provisions exist by way of declaratory clauses made in particular enactments to the effect that offices created thereunder are deemed not to be an Office of Profit within the meaning of these articles. Some of these enactments include the Coffee Act, 1942; the Rubber Act, 1947; the Wakf Act, 1995; and the Press Council Act, 1978.

As regards the members of Parliament and the Legislative bodies, they have been kept outside the purview of disqualifying provisions as they are neither appointed by the Government nor are they removable by the Government although they draw their salaries and allowances from the resources in the control of the Government.

It has been opined in various judicial pronouncements that the appointment made by an authority other than in his capacity in which he or she exercises the executive power of the State, cannot be deemed to be an appointment by the Government. In this context, the court has held that the office of the Vice-Chancellor does not entail disqualification as appointment to this office was made by the Governor in his capacity as the Chancellor of the University, which is distinct from his office as head of the Executive.

As regards the question whether a person serving as a teacher in a grant-in-aid school holds an Office of Profit or not, it was held that the said person did not hold an Office of Profit under the Government merely because the school received grants from the Government for payment of a portion of the dearness allowance and the pay of teachers. Notably, it was held that the most important test for determining

whether an office is held under the Government is whether the power of appointment and dismissal is vested in the Government.

Toward a comprehensive definition

In view of the sensitive nature of the subject and its immense bearing on the working of parliamentary institutions and their members, the matter was also considered in depth by the National Commission to Review the Working of the Constitution, which recommended that the Constitution should be amended suitably to empower the Election Commission to identify which offices should be deemed to be Offices of Profit and which not. However, this has to be enacted as a law by the Parliament. Until that happens, the Commission was of the opinion that the criterion fixed by the Supreme Court may be deemed as the "settled law".

Despite the lack of a concise definition and other procedural infirmities or ambiguities that have been pointed out by various commentators ever since it was first enacted by the Parliament in 1959, the legislation on the offices of profit has continued to act as an important democratic device to preserve and promote the cause of independence of the Legislatures in the country. But, it was an election petition filed against the Samajwadi Party MP, Smt. Jaya Bachchan, that not only necessitated a methodical review of the relevant provisions on the Offices of Profit, but also emerged as a probable precursor to deciding the shape and form of legislative approach to deal with the problem.

Having obtained the opinion of the Election Commission as provided under article 103(2) of the Constitution, the President, in exercise of his powers conferred under article 103(1) disqualified Smt. Bachchan from being a member of the Rajya Sabha. Aggrieved by the above-said order, she challenged the said decision of the President as well as the opinion of the Election Commission rendered by it to the President. While pleading the case, the counsels of the petitioner relied on various decisions and also referred to *Bihari Lai Dobray v. Roshan Lai Dobray* (AIR 1984 SC 385). They contended that the post of the Chairperson of the Uttar Pradesh Film Development Council and the conferment of the rank of Cabinet Minister were only decorative and the client did not draw any remuneration or monetary benefit or other facilities from the State Government. After careful examination of the facts and various decisions relied upon by the petitioner, the Supreme Court held that it was well settled that where the office carried with it certain emoluments or the order of the appointment states that the person appointed was entitled to certain emoluments,

then it will be an office of profit, even if the holder of the office chooses not to receive or draw such emoluments. More importantly, the Court held that what was relevant was whether pecuniary gain is "receivable" in regard to the office and not whether pecuniary gain was, in fact, received or received negligibly. Accordingly, the Court saw no merit in the writ petition and it was dismissed.

Ever since the disqualification of Smt. Bachchan, there had been an intense debate over whether other members holding similar offices would also be considered for disqualification. The situation got aggravated when a number of petitions were forwarded to the President, seeking disqualification of a number of members for having accepted offices of profit. Ultimately, responding to the volatile situation created by these developments, the Government decided to table the Parliament (Prevention of disqualification) Amendment Bill, 2006 that provided exemption of 55 posts, including the chairpersonship of the National Advisory Council, from being considered the Office of Profit.

It is discernible from the objects of the Bill that the instantaneous ground behind the introduction of the Bill was to ward off the imminent threat to the membership of almost 40 members. The Bill was passed by the Rajya Sabha and the Lok Sabha on 16 and 17 May 2006, respectively. Thereafter, as provided under article 111 of the Constitution, the Bill was forwarded to the President for his assent. But, on 30 May 2006, President Dr. A.P.J. Abdul Kalam returned the amended Bill to Parliament for reconsideration. However, after a consideration of the issues raised by the President, the Cabinet decided to place the Bill in the same form, which was passed by the Rajya Sabha on 27 July 2006. On 31 July 2006, the Lok Sabha also passed the Bill after nearly seven hours of animated debate.

Joint Parliamentary Committee

It was against the backdrop of the long-standing demand for a close scrutiny of the legislation that the Lok Sabha approved on 17 August 2006 the setting up of a 15-member Joint Parliamentary Committee (JPC) for suggesting a comprehensive definition of an Office of Profit. The JPC is mandated to examine the interpretation of the expression "Office of Profit" in article 102 of the Constitution and the underlying principles to suggest a comprehensive definition of it. It is also expected to recommend the evaluation of generic and comprehensive criteria that are fair and reasonable in relation to an Office of Profit and can be applied to all the States and the Union territories. Besides, the JPC will examine the feasibility of the adoption

of a law relating to the prevention of disqualification of members. Thereafter, on 18 August 2006, the President gave his assent to the Bill, saving about 40 members from being disqualified.

In a nutshell, the way the provisions regarding the Offices of Profit have been defined so far and, more particularly, what happened during the course of the developments after the Jaya Bachchan case suggest that there is an urgent need to get over the sense of *ad hoc-ism* and ambiguity that prevails on the issue. For example, at present, besides the non-existence of a clear definition of the term, what the existing legislation lacks is a definite procedure that could be used to take a *prima facie* view of complaints to dispose of the same at the threshold only. This only adds to the high degree of ambiguity as all cases have to pass through a rigorous and pre-determined process. No doubt, there is a feeling of dissatisfaction among many over the manner in which the parliamentary prerogative was exercised to declare some offices from the ambit of disqualification.

In this background, the constitution of the JPC is certainly a welcome step. It now remains to be seen how effectively it analyses and defines the issue. The JPC assumes added significance in the light of the fact that the Parliament (Prevention of Disqualification) Act, 1959, as amended in 2006, has already been challenged in the Supreme Court. One may genuinely hope it will respond to this hitherto unanswered question in a clear and authentic manner so that the vagueness in the existing legislation is done away with, and ensuring that it could withstand judicial scrutiny.

UNVEILING OF PORTRAITS IN PARLIAMENT HOUSE

On 5 December 2007, the Speaker Lok Sabha, Shri Somnath Chatterjee unveiled the portrait of Shri Bipin Chandra Pal and the joint portrait of Shri Joachim Alva and Smt. Violet Alva in the Central Hall of Parliament House.

Bipin Chandra Pal occupies a prominent place in the history of freedom movement in India. One of the triumvirate of the three great freedom fighters, popularly known as—'*Lal Bal Pal*', he stood strong by the idea of *Swaraj* or complete political freedom, which could only be achieved through courage, self-help and self-sacrifice. He preached a composite patriotism which implied a universal outlook. Bipin Chandra Pal was a multi-faceted personality and his talent was well reflected in his various vocations as a Teacher, Journalist, Writer, Orator, Librarian, Social and Political Activist. A torchbearer of the renaissance in Bengal, he cultivated the spirit of protest and criticism against the social dogmas and conservatism in the minds of the people. He championed the cause of national education and was associated with the National Council of Education from its very inception. Bipin Chandra's writings and speeches in Bengali and English bear remarkable testimony to his profound command over Bengali and English languages and also to his erudition and freehand expressions.

The portrait of Shri Bipin Chandra Pal, painted by Prof. Zagar Zahoor, was donated by the Bipin Chandra Pal Memorial Trust, New Delhi. The Vice-President of India and Chairman, Rajya Sabha, Shri Mohammad Hamid Ansari felicitated the artist on the occasion.

Shri Joachim Alva was a veteran freedom fighter, distinguished parliamentarian, a fearless journalist, and an orator *par excellence*. His association with the Parliament began in 1950 when he became a Member of the Provisional Parliament. Later, he had the distinction to serve three consecutive Lok Sabhas from 1952 to 1967 and subsequently Rajya Sabha from 1968 to 1974. Shri Alva was a crusader for the public sector and advocated state control over major industries.

Smt. Violet Alva was a versatile personality who left an indelible mark in the socio-political firmament of the country with her innumerable achievements. A ardent patriot, outstanding parliamentarian, an enthusiastic

and active social worker and a renowned lawyer, Smt. Violet Alva proved her mettle in whatever fields she was associated with, including politics, education, journalism and the legal profession. During her long and illustrious parliamentary career, she held eminent positions and contributed greatly to the development of parliamentary traditions and conventions. As the first ever lady Presiding Officer of Parliament, she conducted the proceedings of the Rajya Sabha with such adroitness and competence that she earned the admiration of all sections of the House. She brought dignity and prestige to the office of the Deputy Chairman which she occupied for more than eight years and set a very high example of noble service, self-respect, decency and decorum.

Smt. Violet Alva and her husband Shri Joachim Alva were elected to the Rajya Sabha and the Lok Sabha, respectively in 1952, both from the Bombay State. They were the first ever couple to be elected to the Indian Parliament under adult franchise.

The joint portrait of Shri Joachim Alva and Smt. Violet Alva, painted by Shri Suhas Bahulkar, was donated by Shri Niranjan Alva and family. The Prime Minister, Dr. Manmohan Singh felicitated the artist on the occasion.

The function, unveiling of the portraits, was attended, among others, by Smt. Sonia Gandhi, Chairperson, United Progressive Alliance; Shri I.K. Gujral, former Prime Minister; Shri L.K. Advani, Leader of the Opposition in Lok Sabha; Shri Jaswant Singh, Leader of the Opposition in Rajya Sabha; Shri Shivraj Patil, Minister of Home Affairs; Shri Sushilkumar Shinde, Minister of Power; Shri Priyaranjan Dasmunsi, Minister of Parliamentary Affairs and Minister of Information & Broadcasting; Shri Charnjit Singh Atwal, Deputy Speaker, Lok Sabha; Kumari Selja, Minister of State (Independent Charge) of the Ministry of Housing and Urban Poverty Alleviation; Shri Praful Patel, Minister of State (Independent Charge) of the Ministry of Civil Aviation; Shri Pawan Kumar Bansal, Minister of State in the Ministry of Finance; Smt. Sheila Dikshit; Chief Minister of Delhi; members of Parliament and other distinguished guests.

The booklets containing the profile of these leaders, brought out in both Hindi and English by the Lok Sabha Secretariat, were distributed among the dignitaries on the occasion.



Dignitaries after the unveiling of the portrait of Shri Bipin Chandra Pal and the joint portrait of Shri Joachim Alva and Smt. Violet Alva in the Central Hall of Parliament House on 5 December 2007

PARLIAMENTARY EVENTS AND ACTIVITIES

CONFERENCES AND SYMPOSIA

The 117th Assembly of the Inter-Parliamentary Union at Geneva, Switzerland: The 117th Assembly of the Inter-Parliamentary Union (IPU) was held at Geneva, Switzerland from 8 to 10 October 2007. The Indian Delegation to the Assembly was led by the Speaker, Lok Sabha, Shri Somnath Chatterjee. The other members of the Delegation were: the Deputy Chairman, Rajya Sabha, Shri K. Rahman Khan; the Deputy Speaker, Lok Sabha, Shri Charnjit Singh Atwal; the Minister of State in the Ministry of Human Resource Development, Smt. Daggubati Purandeswari; Sarvashri Bhartruhari Mahtab; Su. Thirunavukkarasar; Prof. Lalit Mohan Suklabaidya; all members of Parliament; the Secretary-General, Lok Sabha, Shri P.D.T. Achary and the then Acting Secretary-General, Rajya Sabha, Shri N.C. Joshi. Shri N.K. Sapra, Joint Secretary, Lok Sabha Secretariat was the Secretary to the Delegation.

The Assembly mainly held panel discussions on the following three subject items chosen for debate during the 118th Assembly at Cape Town in South Africa in April 2008:

- The Role of Parliaments in Striking a Balance between National Security, Human Security and Individual Freedoms, and in Averting the Threat to Democracy (First Standing Committee);
- Parliamentary Oversight of State Policies on Foreign Aid (Second Standing Committee); and
- Migrant Workers, People Trafficking, Xenophobia and Human Rights (Third Standing Committee)

The Committee on United Nations Affairs held its first meeting on the occasion of the 117th Assembly. The Committee has been set up on a trial basis as a subsidiary body of the Assembly by the Governing Council. Pending a final decision by the Council, the Committee will elaborate on the definition of its mandate and its working methods and draft rules to govern its proceedings.

The Report of the Committee on United Nations Affairs prepared

by the Drafting Committee was subsequently discussed by the full Committee, which made a number of minor amendments. The Report was approved by acclamation in the Assembly.

The following emergency item submitted by Indonesia was included:

“The urgent need to immediately stop the widespread human rights violations and to restore the democratic rights of the people of Myanmar.”

The emergency item was referred by the Assembly to a Drafting Committee comprising the representatives of the delegations of 13 participating countries. The Deputy Chairman, Rajya Sabha, Shri K. Rahman Khan represented India in the Drafting Committee. The Draft Resolution was adopted unanimously by the Assembly on 10 October 2007 after a brief discussion.

The First Global Parliamentary Meeting on HIV/AIDS in Manila: An Indian Parliamentary Delegation led by Dr. Karan Singh Yadav, MP, Lok Sabha attended the First Global Parliamentary Meeting on HIV/AIDS in Manila from 28 November to 1 December 2007.

The other members of the Delegation were: Shri Jesudasu Seelam; Shri Robert Kharshiing; Chaudhary Lal Singh; Smt. Minati Sen and Smt. Ranjeet Ranjan, all members of Parliament. Shri Cyril John, Deputy Secretary, Lok Sabha Secretariat was the Secretary to the Delegation.

During the Meeting, the following subjects were discussed:

- Parliaments and Leadership in Combating HIV/AIDS;
- Stigma and Discrimination: What can Members of Parliament do?
- Affordability of Drugs: Presentation and Discussion of IPU Position Paper;
- What can Parliaments do for Vulnerable Groups?
- Legalization and Criminalization Issues;
- Budgeting: Powers of Oversight to Tailor Government Budgets more Closely to HIV/AIDS Needs; and
- Resource Mobilization (International and National)

The Second Seminar for Members of Parliamentary Committees on Status of Women and other Committees dealing with Gender Equality at Geneva, Switzerland: An Indian Parliamentary Delegation

led by Smt. Krishna Tirath MP and Chairperson of the Committee on Empowerment of Women attended the Second Seminar for Members of Parliamentary Committees on Status of Women and other Committees dealing with Gender Equality in Geneva, Switzerland from 6 to 8 December 2007. The other members of the Delegation were Smt. P. Satheedevi and Smt. Pramila Bohidar, both members of Parliament. Smt. Abha Singh Yaduvanshi, Deputy Secretary, Lok Sabha Secretariat was the Secretary to the Delegation.

The Seminar was organized by the Inter Parliamentary Union in collaboration with the International Labour Organization at Geneva, Switzerland to address the theme of Women and Work. This included questions related to women's entrepreneurship, equal pay, and discrimination or exploitation at work.

The main aim of the Seminar was to identify key priority areas for action and adequate parliamentary initiatives and strategies for achieving equality between men and women in the labour market. The Seminar provided an opportunity to raise awareness amongst Parliamentarians regarding new challenges related to women and work.

The 6th CPA Canadian Parliamentary Seminar in Ottawa: The 6th Annual Canadian Parliamentary Seminar was organized by the CPA Canadian Branch along with the CPA Secretariat at Ottawa, Canada from 21 to 27 October 2007. The theme of the Seminar was "*Strengthening Democracy and the Role of Parliamentarians: Challenges and Solutions*". The India Union Branch was represented by Smt. Sumitra Mahajan, MP, Lok Sabha at the Seminar.

CPA / Wilton Park / World Bank Institute Conference in West Sussex, United Kingdom : The CPA / Wilton Park / World Bank Institute Conference on '*Democracy for Development*' was held in West Sussex, United Kingdom from 22 to 25 October 2007. The Conference was attended by Shri Mohammad Salim, MP, Lok Sabha.

CPA UK Branch International Conference in London: The CPA UK Branch International Conference on '*Climate Change—Tackling Causes; Managing Impacts*' was held at London from 26 to 30 November 2007. Shri Suresh P. Prabhu and Smt. Ingrid Mcleod, members of Parliament represented the CPA India Union Branch at the Conference.

CPA Parliamentary Staff Development Workshop for Asia and South East Asia Regions in Sri Lanka: The CPA Parliamentary Staff Development Workshop for Asia and South East Asia Regions was

hosted by CPA Sri Lanka Branch in Colombo from 17 to 21 December 2007. Shri M. Rajagopalan Nair, Additional Secretary, Lok Sabha Secretariat was a Resource Person of the CPA at the Workshop. The Workshop, *inter-alia*, held discussion on the Commonwealth, CPA and Regional Issues, Parliament in Government Systems, Core Parliamentary Functions and Parliament and Development.

Unveiling of portraits in the Parliament House: On 5 December 2007, the Speaker, Lok Sabha, Shri Somnath Chatterjee, unveiled the portrait of Shri Bipin Chandra Pal and the joint portrait of Shri Joachim Alva and Smt. Violet Alva in the Central Hall of Parliament House.

The portrait of Shri Bipin Chandra Pal, one of the foremost leaders of the nationalist movement, an ardent social activist, journalist, writer and skilled orator, was painted by Prof. Zagar Zahoor and had been donated by the Bipin Chandra Pal Memorial Trust, New Delhi.

The joint portrait of Shri Joachim Alva and Smt. Violet Alva, the first couple to be elected to the Indian Parliament, was painted by Shri Suhas Bahulkar and has been donated by Shri Niranjana Alva and family. Shri Joachim Alva was a veteran freedom fighter, an eminent parliamentarian, a distinguished journalist and an orator *par excellence*. Smt. Violet Alva was an outstanding parliamentarian, an active social worker and a renowned lawyer.

On the occasion the booklets containing the profile of these leaders, brought out by the Lok Sabha Secretariat, were distributed among the dignitaries.

BIRTH ANNIVERSARIES OF NATIONAL LEADERS

On the birth anniversaries of national leaders whose portraits adorn the Central Hall of Parliament House, functions are organized 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 brought out on the occasion.

The birth anniversaries of the following leaders were celebrated during the period 1 October to 31 December 2007.

Mahatma Gandhi and Shri Lal Bahadur Shastri: On the occasion of the birth anniversaries of Mahatma Gandhi and Shri Lal Bahadur Shastri, a function was held on 2 October 2007 in the Central Hall,

Parliament House. The Prime Minister of India, Dr. Manmohan Singh; the Speaker, Lok Sabha, Shri Somnath Chatterjee; the Minister of Parliamentary Affairs and Minister of Information & Broadcasting, Shri Priyaranjan Dasmunsi; Minister of Science & Technology and Minister of Earth Sciences, Shri Kapil Sibal; the Minister of State in the Ministry of Personnel, Public Grievances & Pensions and Minister of State in the Ministry of Parliamentary Affairs, Shri Suresh Pachauri; the Minister of State in the Prime Minister's Office, Shri Prithviraj Chavan; members of Parliament; former members of Parliament and other dignitaries paid floral tributes.

Sardar Vallabhbhai Patel: On the occasion of the birth anniversary of Sardar Vallabhbhai Patel, a function was held on 31 October 2007. The Prime Minister of India, Dr. Manmohan Singh; the Speaker, Lok Sabha, Shri Somnath Chatterjee; the Chairperson, United Progressive Alliance, Smt. Sonia Gandhi; the Leader of the Opposition in Lok Sabha, Shri L.K. Advani; the Minister of Parliamentary Affairs and Minister of Information & Broadcasting, Shri Priyaranjan Dasmunsi; members of Parliament; former members of Parliament and other dignitaries paid floral tributes.

Deshbandhu Chittaranjan Das: On the occasion of the birth anniversary of Deshbandhu Chittaranjan Das, a function was held on 5 November 2007. The Speaker, Lok Sabha, Shri Somnath Chatterjee; the Leader of the Opposition in Lok Sabha, Shri L.K. Advani; members of Parliament; former members of Parliament and other dignitaries paid floral tributes.

Maulana Abul Kalam Azad: On the occasion of the birth anniversary of Maulana Abul Kalam Azad, a function was held on 11 November 2007. The Speaker, Lok Sabha, Shri Somnath Chatterjee; the Leader of the Opposition in Lok Sabha, Shri L.K. Advani; members of Parliament; and former members of Parliament and other dignitaries paid floral tributes.

Pandit Jawaharlal Nehru: On the occasion of the birth anniversary of Pandit Jawaharlal Nehru, a function was held on 14 November 2007. The Prime Minister of India, Dr. Manmohan Singh; the Speaker, Lok Sabha, Shri Somnath Chatterjee; the Chairperson of the United Progressive Alliance, Smt. Sonia Gandhi; the Leader of the House and Minister of External Affairs, Shri Pranab Mukherjee; the Leader of the Opposition in Lok Sabha, Shri L.K. Advani; the Minister of Home Affairs, Shri Shivraj V. Patil; the Minister of Law and Justice, Shri H.R. Bhardwaj; the Minister of Parliamentary Affairs and Minister

of Information & Broadcasting, Shri Priyaranjan Dasmunsi; the Minister of Petroleum & Natural Gas, Shri Murli Deora; the Deputy Chairman, Rajya Sabha, Shri K. Rahman Khan; the Minister of State in the Ministry of Personnel, Public Grievances & Pensions and Minister of State in the Ministry of Parliamentary Affairs, Shri Suresh Pachauri; the Minister of State in the Ministry of Chemicals & Fertilizers and Minister of State in the Ministry of Parliamentary Affairs, Shri B.K. Handique; the Minister of State in the Ministry of Home Affairs, Shri Shriprakash Jaiswal; the Minister of State in the Ministry of Mines, Dr. T. Subbarami Reddy; members of Parliament; and former members of Parliament and other dignitaries paid floral tributes.

Smt. Indira Gandhi: On the occasion of the birth anniversary of Smt. Indira Gandhi, a function was held on 19 November 2007. The Prime Minister of India, Dr. Manmohan Singh; the Speaker, Lok Sabha, Shri Somnath Chatterjee; the Chairperson of the United Progressive Alliance, Smt. Sonia Gandhi; the Leader of the House and Minister of External Affairs, Shri Pranab Mukherjee; the Minister of Defence, Shri A.K. Antony; the Minister of Home Affairs, Shri Shivraj V. Patil; the Minister of Tribal Affairs, Shri P.R. Kyndiah; the Minister of Law and Justice, Shri H.R. Bhardwaj; the Minister of Water Resources, Prof. Saif-ud-din Soz; the Minister of Parliamentary Affairs and Minister of Information & Broadcasting, Shri Priyaranjan Dasmunsi; the Minister of Petroleum & Natural Gas, Shri Murli Deora; the Minister of State (Independent Charge) of the Ministry of Women and Child Development, Smt. Renuka Chowdhury; the Deputy Chairman, Rajya Sabha, Shri K. Rahman Khan; the Minister of State in the Ministry of Personnel, Public Grievances & Pensions and Minister of State in the Ministry of Parliamentary Affairs, Shri Suresh Pachauri; the Minister of State in the Ministry of Chemicals & Fertilizers and Minister of State in the Ministry of Parliamentary Affairs, Shri B.K. Handique; the Minister of State in the Ministry of Law and Justice, Shri K. Venkatapathy; the Minister of State in the Ministry of Social Justice and Empowerment, Smt. Subbulakshmi Jagadeesan; the Minister of State in the Ministry of Textiles, Shri E.V.K.S. Elangovan; the Minister of State in the Ministry of Finance, Shri Pawan Kumar Bansal; the Minister of State in the Ministry of Mines, Dr. T. Subbarami Reddy; members of Parliament; former members of Parliament and other dignitaries paid floral tributes.

Dr. Rajendra Prasad: On the occasion of the birth anniversary of Dr. Rajendra Prasad, a function was held on 3 December 2007. The

Prime Minister of India, Dr. Manmohan Singh; the Speaker, Lok Sabha, Shri Somnath Chatterjee; the Leader of the Opposition in Lok Sabha, Shri L.K. Advani; the Minister of Parliamentary Affairs and Minister of Information & Broadcasting, Shri Priyaranjan Dasgupta; the Deputy Chairman, Rajya Sabha, Shri K. Rahman Khan; the Deputy Speaker, Lok Sabha, Shri Charanjit Singh Atwal; the Minister of State in the Ministry of Chemicals & Fertilizers and Minister of State in the Ministry of Parliamentary Affairs, Shri B.K. Handique; members of Parliament; former members of Parliament and other dignitaries paid floral tributes.

Shri C. Rajagopalachari: On the occasion of the birth anniversary of Shri C. Rajagopalachari, a function was held on 10 December 2007. The Speaker, Lok Sabha, Shri Somnath Chatterjee; the Leader of the House and Minister of External Affairs, Shri Pranab Mukherjee; the Minister of Finance, Shri P. Chidambaram; the Minister of Panchayati Raj, Minister of Youth Affairs & Sports and Minister of Development of North-Eastern Region, Shri Mani Shankar Aiyar; the Minister of State (Independent Charge) of the Ministry of Statistics and Programme Implementation, Shri G.K. Vasan; the Minister of State in the Ministry of Chemicals & Fertilizers and Minister of State in the Ministry of Parliamentary Affairs, Shri B.K. Handique; members of Parliament; former members of Parliament and other dignitaries paid floral tributes.

Chaudhary Charan Singh: On the occasion of the birth anniversary of Chaudhary Charan Singh, a function was held on 23 December 2007. The Prime Minister of India, Dr. Manmohan Singh; the Leader of the Opposition in Lok Sabha, Shri L.K. Advani; the Minister of State in the Ministry of Personnel, Public Grievances & Pensions and Minister of State in the Ministry of Parliamentary Affairs, Shri Suresh Pachauri; former members of Parliament and other dignitaries paid floral tributes.

Pandit Madan Mohan Malaviya: On the occasion of the birth anniversary of Pandit Madan Mohan Malaviya, a function was held on 25 December 2007. Former members of Parliament and others paid floral tributes.

EXCHANGE OF PARLIAMENTARY DELEGATIONS

Foreign Parliamentary Delegation Visiting India

Bahrain: A 14-member Parliamentary Delegation from Bahrain led by Mr. Khalifa Bin Ahmed Al-Daharani, Chairman of the Council of

Representatives, Kingdom of Bahrain visited India from 28 November to 2 December 2007.

On 28 November 2007, the Delegation called on the Speaker, Lok Sabha, Shri Somnath Chatterjee, who hosted a banquet in honour of the Delegation the same evening. The banquet was preceded by a cultural programme.

On 29 November 2007, the Delegation called on the President of India, Smt. Pratibha Devisingh Patil. On the same day, the Delegation called on the Vice-President and Chairman, Rajya Sabha, Shri Mohammad Hamid Ansari. On 30 November 2007, the Delegation called on the Leader of the Opposition in Lok Sabha, Shri L.K. Advani. The Delegation also had meetings with the members of the Standing Committees on External Affairs and Commerce the same day.

BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period 1 October to 31 December 2007, the Bureau of Parliamentary Studies and Training (BPST) organized the following courses/programmes:

Lecture Series for Members of Parliament: As part of the Lecture Series for members of Parliament, a Lecture Session on "How to make Parliament Accountable?" by Shri Kuldip Nayar, former member of Parliament, was organized on 30 November 2007.

Study Visits: During the period, the following Study Visits were conducted by the Bureau: (i) Visit by 88 Delegates from Icelandic Lawyers' Association on 29 October 2007; (ii) Visit by 8 officials from the President's Secretariat of Mongolia on 5 and 6 November 2007; (iii) Visit by a delegation of 10 officials from Canada on 6 November 2007; (iv) Visit by Mr. Andrew Ellis, Director of Operations, International Institute for Democracy and Electoral Assistance (IIDEA) on 7 November 2007; (v) Visit by four officials from the Ministry of Parliamentary Affairs, Algeria on 20 November 2007; (vi) Visit by a 14-member Parliamentary Delegation from Bahrain on 29 November 2007; (vii) Visit by 29 Senators from Afghanistan Parliament from 3 to 7 December 2007; (viii) Visit by 8 officials from the National Assembly of Bhutan from 10 to 20 December 2007; (ix) Visit by 18 officers from the House of Representatives of Thailand on 12 December 2007; and (x) Visit by 15 officers from the Parliament of Malaysia from 27 to 28 December 2007. In addition, 7 other Study Visits for the benefit of

officials / students / trainees of various organizations / institutes / schools were organised.

Appreciation Courses: Four Appreciation Courses in Parliamentary Processes and Procedures were organized for: (i) Probationers of the Indian Foreign Service from 15 to 19 October 2007; (ii) Probationers of the Indian Police Service from 3 to 6 December 2007; (iii) Senior Accounts Officers from the Office of the Comptroller and Auditor General of India from 10 to 14 December 2007; and (iv) Probationers of the Indian Railways Stores Services (IRSS) from 17 to 20 December 2007.

Training Classes/Courses: During the period, the Bureau organised Training Classes/Courses for: (i) Librarians of Lok Sabha, Rajya Sabha and State Legislature Secretariats from 29 October to 2 November 2007; and (ii) Hindi Assistants, Translators and the Editors of the Lok Sabha, Rajya Sabha and State Legislature Secretariats from 19 to 23 November 2007.

International Training Programme: The 23rd Parliamentary Internship Programme (PIP) for foreign parliamentary officials was conducted from 1 to 30 November 2007. In all, 47 officials from 24 countries participated in the programme.

PRIVILEGE ISSUES

LOK SABHA

During the period (1 October 2007 to 31 December 2007), no sitting of Committee on Ethics was held. The Committee of Privileges held two sittings on 31 October and 16 November 2007. The Committee to Inquire into Misconduct of Members of Lok Sabha held 2 sittings on 6 and 23 November 2007.

I

Committee of Privileges

The Committee of Privileges at their sitting held on 31 October 2007 adopted Sixth, Seventh and Eighth Reports on matters relating to the petitions under the Tenth Schedule given by Shri Rajesh Verma, MP against Shri Mohammed Shahid, Shri Rama Kant Yadav and Shri Bhal Chandra Yadav, MP. The Chairman, Committee of Privileges presented the Reports to the Speaker, Lok Sabha on 12 November 2007.

At their sitting held on 16 November 2007, the Committee adopted their Ninth Report on the matter regarding question of privilege against Shri Ronen Sen, India's Ambassador to United States of America for allegedly casting aspersions on members of Parliament in an interview.

The Report was presented to the Speaker, Lok Sabha on 19 November 2007 and was laid on the Table of the House on 22 November 2007.

II

Committee to Inquire into Misconduct of Members of Lok Sabha

At their sittings on 6 and 23 November 2007, the Committee held further deliberations on the matter regarding various facets of misconduct and basic attributes of 'Standards of Conduct / Behaviour expected of members'.

RAJYA SABHA
Committee of Privileges

During the period (1 October to 31 December 2007), the Committee of Privileges held 3 meetings on 15 October 2007, 2 November 2007 and 20 November 2007. The details of business transacted during each of these meetings are given below:

The Committee at its meeting held on 15 October 2007 (i) considered the draft Report on the petition submitted by Smt. Sushma Swaraj, Member, Rajya Sabha, under the provisions of the Tenth Schedule to the Constitution in relation to Shri Jai Narain Prasad Nishad, another Member of Rajya Sabha; (ii) considered the memorandum on the matter of alleged derogatory remarks against members of Parliament by India's Ambassador in U.S.A., Shri Ronen Sen in the matter; and (iii) heard the views of Shri Isam Singh, Member, Rajya Sabha on the petition submitted by Shri Veer Singh, member, Rajya Sabha under the provisions of the Tenth Schedule to the Constitution seeking disqualification of Shri Isam Singh.

The Committee at its meeting held on 2 November 2007 heard the views of Shri Ronen Sen, India's Ambassador in U.S.A. on the alleged derogatory remarks made by him against members of Parliament as reported in the *Asian Age* newspaper. Shri Sen tendered his sincere and unqualified apology for his impugned remarks and stated that it was never his intention to belittle the prestige of members of Parliament let alone the institution of Parliament.

The Committee at its meeting held on 20 November 2007 (i) considered the draft Report on the alleged derogatory remarks against members of Parliament by India's Ambassador in U.S.A., Shri Ronen Sen, as reported in the *Asian Age* newspaper and adopted the same. The said Report was presented in the Rajya Sabha on the 26 November 2006, and (ii) considered the draft Report on the petition submitted by Smt. Sushma Swaraj, Member, Rajya Sabha, under the provisions of the Tenth Schedule to the Constitution in relation to Shri Jai Narain Prasad Nishad, another Member of Rajya Sabha and adopted the same. The Report was forwarded to the Chairman, Rajya Sabha for his consideration and decision.

PROCEDURAL MATTERS

Instances when the Chair allowed members to lay their written speeches on the Table of the House: On 28 November 2007, during combined discussion on the Supplementary Demands for Grants (General)–2007-2008 and the Demands for Excess Grants (General)–2005-2006, the Speaker permitted one member (Shri M. Shivanna) to lay some portion of his speech on the Table of the House.

On the same day, during discussion on the Indo-US Nuclear Agreement under Rule 193, the Speaker permitted eight members Sarvashri D.K. Audikesavulu, M. Shivanna, Naveen Jindal, Francis Fanthome, Ganesh Singh, S.K. Kharventhan, Dr. C. Krishnan and Smt. Botcha Jhansi Lakshmi to lay their written speeches and one member (Shri Mohan Rawale) to lay some portion of his written speech on the Table of the House.

On 29 November 2007, during combined discussion on the Supplementary Demands for Grants (General)–2007-2008 and the Demands for Excess Grants (General)–2005-2006, the Speaker allowed five members Sarvashri Avinash Rai Khanna, Virendra Kumar, Sukdeo Paswan, Hansraj G. Ahir and Ganesh Singh to lay their written speeches and one member (Shri S.K. Kharventhan) to lay some portion of his written speech on the Table of the House.

On the same day, during discussion on the Supplementary Demand for Grants (Railway)–2007-2008, the Speaker permitted thirty-six members to lay their written speeches and ten members to lay some portion of their written speeches on the Table of the House.

On 4 December 2007, during further discussion on the need for harmonious functioning of three organs of the State *i.e.*, Legislature, Judiciary and Executive under Rule 193, the Speaker permitted four members Shri M. Appadurai, Dr. Thokchom Meinya, Smt. Botcha Jhansi Lakshmi and Smt. Sangeeta Kumari Singh Deo to lay their written speeches on the Table of the House.

On 5 December 2007, during further discussion on the Indira Gandhi National Tribal University Bill 2007, the Chair allowed one member (Smt. Botcha Jhansi Lakshmi) to lay her written speech on the Table of the House.

Instances when the Chair allowed members, whose names were

not in the List of Business, to ask clarificatory questions on the Calling Attention Motions: On 27 November 2007, the Speaker allowed two members Sarvashri Shailendra Kumar and Mohan Singh whose names were not in the List of Business, to ask clarificatory questions on Calling Attention regarding the situation arising out of spread of Encephalitis in the country and steps taken by the Government in regard thereto.

On 3 December 2007, the Speaker allowed ten members Sarvashri Hemlal Murmu, Kirip Chaliha, Ramji Lal Suman, Baju Ban Riyan, Rupchand Murmu, Shibu Soren, Narayan Chandra Borkataky, Lalit Mohan Suklabaidya, Anwar Hussain and Dr. Rameshwar Oraon whose names were not in the List of Business, to ask clarificatory questions on Calling Attention regarding violence during and after the recent demonstration by All Adivasis Students Association of Assam (AASAA).

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 OCTOBER TO 31 DECEMBER 2007)

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

Parliament Session: The Twelfth Session of the Fourteenth Lok Sabha and the Two Hundred and Twelfth Session of the Rajya Sabha commenced on 15 November 2007. Both the Houses of Parliament were adjourned *sine die* on 7 December 2007. The President of India, Smt. Pratibha Devisingh Patil prorogued the two Houses on 12 December 2007.

Lok Sabha By-election Result: On 3 November 2007, Shri Fransisco Sardinha of the Indian National Congress (INC) was declared elected to the Lok Sabha from Mormugao (Goa) Constituency, by-election for which was held on 31 October 2007. Shri Sardinha took oath/affirmation on 15 November 2007.

Death of Lok Sabha Member: On 13 November 2007, Shri Vijay Kumar Khandelwal, a Bharatiya Janata Party (BJP) member of the Lok Sabha from Madhya Pradesh passed away.

Death of Rajya Sabha Member: On 18 December 2007, Shri Motiur Rahman, a Rashtriya Janata Dal (RJD) member of the Rajya Sabha from Bihar passed away.

AROUND THE STATES

ANDHRA PRADESH

Resignation of Congress MLA: On 7 November 2007, Shri Vangaveeti Radhakrishna, an INC MLA from Vijayawada East resigned from the

State Legislative Assembly, in "protest" against the Government's decision to regularize prime land market valued at Rs.120 crore belonging to Kankipadu MLA, Shri Devineni Rajasekhar in violation of rules.

GUJARAT

Resignation of BJP MLA: On 20 November 2007, Shri Dhanraj Kella, a BJP MLA resigned from the State Legislative Assembly and the party following the denial of party ticket for the Gujarat Assembly elections.

Assembly Election Results: Elections to the State Legislative Assembly were held on 11 and 16 December 2007. The party position following the elections is as follows: Total seats: 182; Bharatiya Janata Party (BJP): 117; Indian National Congress (INC): 59; Nationalist Congress Party (NCP): 3; Janata Dal (United) (JD-U): 1; and Independents: 2.

New Chief Minister: On 25 December 2007, Shri Narendra Modi of the BJP was sworn in as Chief Minister.

HIMACHAL PRADESH

Assembly Election Results: Elections to the State Legislative Assembly were held on 14 November and 19 December 2007. The party position following the elections is as follows: Total seats: 68; Bharatiya Janata Party (BJP): 41; Indian National Congress (INC): 23; Bahujan Samaj Party (BSP): 1; and Independents: 3.

New Chief Minister: On 30 December 2007, Shri Prem Kumar Dhumal of the BJP was sworn in as Chief Minister.

JAMMU AND KASHMIR

Deputy Chief Minister Sworn in: On 10 December 2007, Shri Muzzaffar Hussain Baig was sworn in as the Deputy Chief Minister.

By-Election Result: On 15 December 2007, Shri Jahangir Hussain of the Indian National Congress (INC) was declared elected from Poonch-Haveli Assembly Constituency, by-election for which was held on 12 December 2007.

KARNATAKA

Political Developments: On 2 October 2007, all the 17 BJP Ministers including Deputy Chief Minister, Shri B.S. Yediyurappa in the Janata

Dal (Secular)–BJP coalition Government resigned from the Council of Ministers. The resignations were in protest against what the BJP termed as “failure of the JD(S) to honour the power sharing agreement reached between them 20 months ago”. According to the agreement, the JD(S) incumbent was to have stepped down to make way for a BJP Chief Minister.

On 6 October 2007, the BJP withdrew support to the Government.

Resignation of Chief Minister: On 8 October 2007, Shri H.D. Kumaraswamy submitted his resignation letter to the Governor, Shri Rameshwar Thakur, following which the Governor recommended to the President that the Assembly be dissolved and President's rule imposed.

President's rule imposed: On 9 October 2007, on the recommendation of the Union Cabinet, the President, Smt. Pratibha Devisingh Patil imposed the Central rule putting the State Legislative Assembly under suspended against pending Parliament's approval of the proclamation.

New Ministry Sworn in: On 12 November 2007, a five-member BJP Ministry headed by Shri B.S. Yediyurappa was sworn in. Sarvashri R. Ashok, Jagadish Shettar, V.S. Acharya and Govind Karjol also took oath as Cabinet Ministers.

On 19 November 2007, the BJP led-coalition Government collapsed after Chief Minister Shri B.S. Yediyurappa, faced with the withdrawal of support by the Janata Dal (Secular), decided to quit rather than face a trust vote in the Assembly.

President's Rule imposed for the second time: On 20 November 2007, the State came under President's Rule for the second time in over a month as President Smt. Pratibha Devisingh Patil signed the proclamation after receiving the Cabinet's recommendation.

President's Rule Approved: On 26 November 2007, the Parliament unanimously approved the imposition of President's Rule in Karnataka and keeping the Assembly in suspended animation.

State Assembly Dissolved: On 28 November 2007, President Smt. Pratibha Devisingh Patil, acting on the recommendation of the Union Cabinet, dissolved the Twelfth Karnataka Legislative Assembly.

MADHYA PRADESH

By-Election Result: On 3 November 2007, Shri Kishor Samrite of the Samajwadi Party (SP) was declared elected from Lanji Assembly Constituency, by-election for which was held on 30 October 2007.

UTTAR PRADESH

Resignation of Minister: On 6 November 2007, the Minister of State of Food Processing, Shri Anand Sen Yadav resigned from the Council of Ministers.

EVENTS ABROAD**ARGENTINA**

New President: On 28 October 2007, Ms. Cristina Fernández de Kirchner was elected as the new President. She was sworn in on 10 December 2007, succeeding her husband, incumbent President Mr. Néstor Kirchner.

AUSTRALIA

Legislative Elections: The elections to the 150-seat House of Representatives (the lower house of the Federal Legislature) was held on 3 December 2007. The party position following the elections is as follows: Australian Labour Party: 83; Liberal Party: 55; National Party: 10; and Independents: 2.

BERMUDA

Legislative Elections: The elections to the 36-seat House of Assembly (the lower house of Parliament, the Bicameral Legislature) were held on 18 December 2007. The Progressive Labour Party secured 22 seats while the United Bermuda Party won 14 seats.

BOSNIA-HERZEGOVINA

Resignation of Prime Minister: Mr. Nikola Spiric, a Bosnian Serb, resigned as the Prime Minister of the all-Bosnian Council of Ministers on 1 November 2007. Mr. Spiric's resignation was accepted by the country's collective presidency on 12 November 2007.

CROATIA

Legislative Elections: The elections to the 153-seat *Sabor* (the Unicameral Legislature) were held on 25 November 2007. The party position following the elections is as follows: Croatian Democratic Union: 66; Social Democratic Party of Croatia: 56; Croatian Peasants' Party-Croatian Social Liberal Party-Primorian Goranian Union: 8; Croatian People's Party: 7; Croatian Democratic Assembly of Slavonia and Baranja: 3; Istrian Democratic Assembly: 3; Croatian Pensioners'

Party: 1; Croatian Party of Rights: 1; Non-partisan Minority Representatives: 2; and Representatives of Croatsians Abroad: 6.

DENMARK

Legislative Elections: The elections to the 179-seat *Folketing* (the Unicameral Legislature) were held on 13 November 2007. The party position following the elections is as follows: Liberal Party: 46; Social Democratic Party: 45; Danish People's Party: 25; Socialist People's Party: 23; Conservative People's Party: 18; Social Liberals: 9; New Alliance: 5; Red-Green Unity List: 4; and Regional Seats: 4.

ETHIOPIA

Re-election of President: On 9 October 2007, the Bicameral Legislature, comprising the Council of People's Representatives (the lower chamber) and the Federal Council (the upper chamber), re-elected Mr. Girma Woldegiorgis for a second six-year term as the President of the Federal Democratic Republic of Ethiopia.

GIBRALTAR

Legislative Elections: The elections to the 17-seat House of Assembly (the Unicameral Legislature) were held on 11 October 2007. The Gibraltar Social Democrats secured 10 seats while the Gibraltar Socialist Labour Party won 7 seats.

GUATEMALA

New President: On 4 November 2007, Mr. Alvaro Colom Caballeros was elected as the new President.

JORDAN

New Prime Minister: A new Cabinet headed by Mr. Nader Dahabi as the Prime Minister was sworn in before King Abdullah II on 25 November 2007.

KIRIBATI

New President: Incumbent President Mr. Anote Tong was re-elected to a second term in a presidential election held on 17 October 2007.

KYRGYZSTAN

Legislative Elections: The elections to 90-seat *Dzhogorku Kenesh* (the Unicameral Legislature) were held in 16 December 2007. The

party position following the elections is as follows: Ak-Dzhol: 71; Social Democratic Party: 11; and Communist Party of Kyrgyzstan: 8.

New Speaker: On 24 December 2007, Mr. Adakhan Madumarov was appointed as the new Speaker.

LATVIA

New Government: On 20 November 2007, the *Saeima* (the Unicameral Legislature) by 54-43 approved a new Government with Mr. Ivars Godmanis of the Latvia First Party-Latvia's Way as the Prime Minister.

MOROCCO

New Prime Minister: On 15 October 2007, King Mohammed VI appointed Mr. Abbas el-Fassi as Prime Minister.

MYANMAR

Death of Prime Minister: On 12 October 2007, Prime Minister Lt.-Gen. Soe Win died of leukaemia in Rangoon.

NAURU

New President: On 18 December 2007, Mr. Marcus Stephen was elected as the new President by the 18-member Parliament (the Unicameral Legislature).

NIGERIA

Resignation of Speaker: Ms. Patricia Etteh, the first female Speaker of the House of Representatives (the lower chamber of the Bicameral Legislature), resigned on 30 October 2007 following her indictment over the misappropriation of public funds. The Deputy Speaker, Mr. Babangida Nguoroje, also resigned, because of his alleged complicity in the case. Mr. Perngu Tsengba was appointed as the Speaker *pro tempore*.

New Speaker: On 1 November 2007, Mr. Dimeji Bankole was elected as the new Speaker of the House of Representatives.

PAKISTAN

New President: On 6 October 2007, President Gen. Pervez Musharraf was elected as the President by an electoral college comprising the National Assembly and the Senate (the lower and upper houses, respectively, of the Bicameral Federal Legislature) and the Provincial Assemblies. He was sworn in on 28 November 2007.

Assassination of former Prime Minister: On 27 December 2007, Mrs. Benazir Bhutto, former Prime Minister and Chairperson of the Pakistan People's Party (PPP), was assassinated after addressing a political rally in Rawalpindi.

POLAND

Legislative Elections: The elections to the 450-seat *Sejm* and the 100-seat Senate (the lower and upper houses, respectively, of the Federal Legislature) were held on 21 October 2007. The party position following the elections to the 450-seat *Sejm* is as follows: Citizens' Platform: 209; Law and Justice: 166; Left and Democracy: 53; Polish Peasants' Party: 31; and German Minority: 1.

The party position following the elections to the 100-seat Senate is as follows: Citizens' Platform: 60; Law and Justice: 39; and others: 1.

RUSSIA

Legislative Elections: The elections to the 450-seat *Duma* (the Lower House of the Bicameral Legislature) were held on 2 December 2007. The party position following the elections is as follows: Unified Russia: 315; Communist Party of the Russian Federation: 57; Liberal Democratic Party of Russia: 40; and Just Russia: Motherland, Pensioners, Life: 38.

SENEGAL

New Speaker: On 4 October 2007, Mr. Pape Diop was elected as the Speaker of the Senate (the upper chamber of the Bicameral Legislature).

SLOVENIA

New President: Mr. Danilo Turk was elected as the President, elections to which were held in two rounds on 21 October and 11 November 2007, respectively. He was sworn in on 22 December 2007.

SOLOMON ISLANDS

New Prime Minister: On 20 December 2007, the National Parliament appointed Mr. Derek Sikua, as the new Prime Minister.

SOMALIA

Resignation of Prime Minister: On 29 October 2007, Mr. Ali Mohammed Gedi resigned as the Prime Minister following differences with the

President Mr. Ahmed Abdullahi Yusuf, over the issues of oil rights and judicial corruption. Mr. Salim Aliyow Ibrow, the Deputy Prime Minister and Minister of Culture and Higher Education, was appointed as the acting Prime Minister.

New Prime Minister: On 22 November 2007, President Mr. Ahmed Abdullahi Yusuf appointed Mr. Nur Hassan Hussein (*alias* Nur Adde) as the Prime Minister.

SOUTH KOREA

New President: Mr. Lee Myung Bak was elected as the President in the election held for the post on 19 December 2007.

SWITZERLAND

Legislative Elections: The elections to the 200-seat *Nationalrat* (the lower house of the Federal Legislature) were held on 21 October 2007. The party position following the elections is: Swiss People's Party: 62; Social Democratic Party: 43; Radical Democratic Party: 31; Christian Democratic People's Party: 31; Green Party of Switzerland: 20; Liberal Party of Switzerland: 4; Protestant People's Party: 2; and others: 7.

TOGO

Legislative Elections: On 14 October 2007, Elections to the 81-seat National Assembly (the Unicameral Legislature) were held. The party position following the elections is as follows: Togolese People's Rally: 50; Union of Forces for Change: 27; and Action Committee for Renewal: 4.

New Prime Minister: On 3 December 2007, Mr. Komlan Mally was appointed as the new Prime Minister by the President Mr. Faure Gnassingbe.

TRINIDAD AND TOBAGO

Legislative Elections: Elections to the 41-seat House of Representatives (the lower house of the Bicameral Legislature) were held on 5 November 2007. The People's National Movement secured 26 seats while the United National Congress Alliance won 15 seats.

UKRAINE

Legislative Elections: The elections to the 450-seat *Verkhovna Rada* (the Unicameral Legislature) were held on 30 September 2007.

The party position following the elections is: Party of Regions: 175; Yuliya Tymoshenko Bloc: 156; Our Ukraine-People's Self-Defence Bloc: 72; Communist Party of Ukraine: 27; and Lytvyn Bloc: 20.

New Prime Minister: On 18 December 2007, Mr. Yuliya Tymoshenko was appointed as the new Prime Minister.

UZBEKISTAN

Re-election of Karimov: On 23 December 2007, incumbent President, Islam Karimov was re-elected as the President.

YEMEN

Death of Speaker: On 30 December 2007, Shaikh Abdullah bin Hussain al-Ahmar, the Speaker of the House of Representatives (the Lower Chamber of the Bicameral Legislature) died.

DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST

The “Delhi Laws (Special Provisions) Act, 2006” was enacted to address on priority the several orders and directions passed by the Supreme Court and the High Court of Delhi in cases pending before them regarding a number of burning issues which the city of Delhi was confronting at that time, namely unauthorised constructions, commercial use of residential premises, encroachment on public land by slum dwellers and Jhuggi-Jhopri clusters (JJ clusters), problems relating to urban street vendors which were affecting the lives of millions of people. The Act, *inter alia*, had provided the Union Government with a time period of one year to take all possible steps to finalise norms, policy guidelines and feasible strategies to deal with the problem of unauthorised development with regard to mixed land use not conforming to the Master Plan, construction beyond sanctioned plans, and encroachment by slum and JJ dwellers, hawkers and urban street vendors. It also provided for *status quo* as on 1 January 2006, to be maintained in respect of these categories of unauthorised development, subject to certain conditions notwithstanding any judgment, decree or order of any court. Similarly, it stipulated that all notices issued by the local bodies for initiating action against these categories of unauthorised developments shall be deemed to have been suspended and that no punitive action shall be taken during the said period of one year.

The Delhi Laws (Special Provisions) Act, 2006 was effective for a period of one year and lapsed on 18 May 2007. In the intervening period, the Master Plan for Delhi 2021 was notified on 7 February 2007, incorporating extensive amendments in respect of provisions governing mixed land use, and for construction beyond sanctioned plans, thus providing much needed relief in the case of unauthorised development with regard to mixed land use not conforming to the Master Plan and to construction beyond sanctioned plans. However, the policy guidelines and feasible strategy or scheme to deal with problems of unauthorised development in certain categories such as slum and JJ dwellers, urban street vendors and hawkers, farm houses, schools, dispensaries, religious institutions, cultural institutions built in rural areas on agricultural land were yet to be finalised. Therefore, since it was felt that some more time was required for making orderly arrangements for preparing policy guidelines, feasible strategies, or schemes for these categories of unauthorised developments, the National Capital Territory of Delhi Laws (Special Provisions) Ordinance, 2007 was promulgated on 4 July 2007.

Accordingly, the National Capital Territory of Delhi Laws (Special Provisions) Bill, 2007 was introduced in the Lok Sabha on 17 August 2007. Subsequent to introduction of the Bill in the Lok Sabha and before the same could be taken up for consideration, certain amendments to the Bill became necessary in view of some important developments in regard to sealing of commercial premises. Based on the recommendations of the Monitoring Committee, the Supreme

Court had ordered that within a period of three weeks from 27 August 2007, commercial uses in unauthorised colonies shall stop functioning from the premises except to the extent that the 24 categories which were permitted in the regular areas shall not affect those commercial premises if they were up to 20 square metres of area. Similarly, based on representations received and discussions held, it was felt that storages, warehouses and godowns meant for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land also needed to be included in the list of unauthorised development to be protected so as to avoid any adverse impact on account of their sudden closure by sealing.

In view of the above developments, it was considered necessary that the scope of the proposed National Capital Territory of Delhi Laws (Special Provisions) Bill, 2007 shall be widened to maintain *status quo* in respect of unauthorised colonies as well as storages, warehouses and godowns meant for agricultural inputs or produce (including dairy and poultry) in rural area built on agricultural land, which was approved by the Union Cabinet, at its meeting held on 6 September 2007. Before the aforementioned official amendments could be moved for consideration and approval, the Monsoon Session of Parliament which was scheduled up to 14 September 2007, was adjourned *sine die* and as a result, the Ordinance became liable to lapse on the expiration of six weeks from the date of the reassembly of Parliament as per the provisions of article 123 of the Constitution. In view of the exigencies explained, it became necessary to promulgate the Second Ordinance to maintain *status quo* so that no punitive action was taken during this period in respect of unauthorised development as given above. It was decided that the scope of proposed Ordinance be widened to also include the village *abadi* and its extension. This decision was taken to prevent loss and damage to people living in a large number of villages in the National Capital Territory of Delhi.

It was thus felt that the *status quo* be maintained in respect of the following categories of unauthorised development: slum dwellers and JJ clusters, hawkers and urban street vendors, unauthorised colonies, village *abadi* areas and its extension, existing farm houses involving construction beyond permissible building limits and schools, dispensaries, religious institutions, cultural institutions and storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land. The Parliament was not in session and the circumstances existed which rendered it necessary to take immediate action to give continued effect to the plan, scheme and policies aforesaid, to promulgate the National Capital Territory of Delhi Laws (Special Provisions) Second Ordinance, 2007 on 15 September 2007, with a further duration up to 31 December 2008, so as to complete the aforesaid course of action.

The National Capital Territory of Delhi Laws (Special Provisions) Bill, 2007 sought to replace the National Capital Territory of Delhi Laws (Special Provisions) Second Ordinance, 2007. The Bill to achieve the above-mentioned objectives was passed by the Lok Sabha and the Rajya Sabha on 27 November and 29 November 2007, respectively. It was assented to by the President on 5 December 2007.

We reproduce here the text of the above Act.

—Editor

**THE NATIONAL CAPITAL TERRITORY OF DELHI LAWS
(SPECIAL PROVISIONS) ACT, 2007**

An Act to make special provisions for the National Capital Territory of Delhi for a further period up to 31st December, 2008 and for matters connected therewith or incidental thereto.

WHEREAS there had been phenomenal increase in the population of the National Capital Territory of Delhi owing to migration and other factors resulting in tremendous pressure on land and infrastructure leading to encroachment or unauthorised developments which are not in consonance with the concept of planned development as provided in the Master Plan of Delhi, 2001 and the relevant Acts and building bye-laws made thereunder;

AND WHEREAS the Master Plan of Delhi, 2001 has been extensively modified and notified by the Central Government on 7th February, 2007 with the perspective for the year 2021 keeping in view the emerging new dimensions in urban development *vis-a-vis* the social, financial and other ground realities;

AND WHEREAS the Master Plan of Delhi with the perspective for the year 2021 specifically provides for strategies for housing for urban poor as well as to deal with the informal sector;

AND WHEREAS a revised policy for relocation and rehabilitation of slum dwellers in the National Capital Territory of Delhi is also under consideration of the Central Government;

AND WHEREAS a strategy and a scheme has been prepared by the local authorities in the National Capital Territory of Delhi for regulation of urban street vendors in accordance with the National Policy for Urban Street Vendors and the Master Plan for Delhi, 2021;

AND WHEREAS some time is required for making orderly arrangements in accordance with the revised policy for relocation and rehabilitation of slum dwellers of Delhi as well as for putting in place the scheme for regulation of urban street vendors in terms of the Master Plan of Delhi, 2021 and also the national policy in this regard;

AND WHEREAS the Central Government has considered and finalised a policy regarding regularisation of unauthorised colonies, village *abadi* area and its extension, as existed on the 31st day of March, 2002 for which the guidelines are being framed;

AND WHEREAS the Central Government require time to take a considered view on the policy regarding existing farm houses involving construction

beyond permissible building limits and regarding schools, dispensaries, religious institutions and cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land, *inter alia*, in the light of recommendations of the Expert Committees constituted by the Central Government in the year 2006;

AND WHEREAS the National Capital Territory of Delhi Laws (Special Provisions) Ordinance, 2007 for making special provisions for the areas of the National Capital Territory of Delhi for a further period of one year promulgated on 4th July, 2007 will cease to operate from the 21st day of September, 2007;

AND WHEREAS the National Capital Territory of Delhi Laws (Special Provisions) Bill, 2007 introduced in Parliament to replace the National Capital Territory of Delhi Laws (Special Provisions) Ordinance, 2007 could not be taken up for consideration and passing since Parliament adjourned *sine die*;

AND WHEREAS it is expedient to have a law in terms of the Master Plan of Delhi, 2021, in continuation of the said Act for a period up to 31st December, 2008 to provide temporary relief and to minimise avoidable hardships and irreparable loss to the people of the National Capital Territory of Delhi against any action by the concerned agency in respect of persons covered by the policies referred to above which are expected to be finalised within the period so extended;

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

1. *Short title, extent commencement and duration.* (1) This Act may be called the National Capital Territory of Delhi Laws (Special Provisions) Act, 2007.

(2) It extends to the National Capital Territory of Delhi.

(3) It shall be deemed to have come into force on the 19th day of May, 2007.

(4) It shall cease to have effect on the 31st day of December, 2008 except as respects things done or omitted to be done before such cesser, and upon such cesser section 6 of the General Clauses Act, 1897, shall apply as if this Act had then been repealed by a Central Act.

2. *Definitions.* (1) In this Act, unless the context otherwise requires,—

(a) “building bye-laws” means bye-laws made under section 481 of the Delhi Municipal Corporation Act, 1957 or the bye-laws

made under section 188, sub-section (3) of section 189 and sub-section (1) of section 190 of the Punjab Municipal Act, 1911, as in force in New Delhi or the regulations made under sub-section (1) of section 57 of the Delhi Development Act, 1957, relating to buildings;

- (b) "Delhi" means the entire area of the National Capital Territory of Delhi except the Delhi Cantonment as defined in clause (11) of section 2 of the Delhi Municipal Corporation Act, 1957;
- (c) "encroachment" means unauthorised occupation of Government land or public land by way of putting temporary, semi-permanent or permanent structure for residential use or commercial use or any other use;
- (d) "local authority" means the Delhi Municipal Corporation established under the Delhi Municipal Corporation Act, 1957, or the New Delhi Municipal Council established under the New Delhi Municipal Council Act, 1994, or the Delhi Development Authority established under the Delhi Development Act, 1957, legally entitled to exercise control in respect of the areas under their respective jurisdiction;
- (e) "Master Plan" means the Master Plan for Delhi with the perspective for the year 2021 notified, *vide* the notification number S.O.141(E), dated 7th February, 2007 under the Delhi Development Act, 1957;
- (f) "notification" means a notification published in the Official Gazette;
- (g) "punitive action" means action taken by a local authority under the relevant law against unauthorised development and shall include demolition, sealing of premises and displacement of persons or their business establishment from their existing location, whether in pursuance of court orders or otherwise;
- (h) "relevant law" means in case of—
 - (i) the Delhi Development Authority, the Delhi Development Act, 1957;
 - (ii) the Municipal Corporation of Delhi, the Delhi Municipal Corporation Act, 1957; and
 - (iii) the New Delhi Municipal Council, the New Delhi Municipal Council Act, 1994;
- (i) "unauthorised development" means use of land or use of building or construction of building or development of colonies, village *abadi* area and its extension, carried out in contravention

of the sanctioned plans or without obtaining the sanction of plans, or in contravention of the land use as permitted under the Master Plan or Zonal Plan or layout plan, as the case may be, and includes any encroachment.

(2) The words and expressions used but not defined herein shall have the meanings respectively assigned to them in the Delhi Development Act, 1957, the Delhi Municipal Corporation Act, 1957 and the New Delhi Municipal Council Act, 1994.

3. Enforcement to be kept in abeyance. (1) Notwithstanding anything contained in any relevant law or any rules, regulations or bye-laws made thereunder, the Central Government shall before the expiry of this Act, take all possible measures to finalise norms, policy guidelines and feasible strategies to deal with the problem of encroachment or unauthorised development in the form of encroachment by slum dwellers and *Jhuggi-Jhopri* clusters, hawkers and urban street vendors, unauthorised colonies, village *abadi* area and its extension, existing farm houses involving construction beyond permissible building limits and schools, dispensaries, religious institutions, cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land, as mentioned below:

- (a) policy for relocation and rehabilitation of slum dwellers and *Jhuggi-Jhopri* clusters in accordance with provisions of the Master Plan of Delhi, 2021 to ensure development of Delhi in a sustainable, planned and humane manner;
- (b) strategy for regulation of urban street vendors in consonance with the national policy for urban street vendors and hawkers as provided in the Master Plan of Delhi, 2021;
- (c) scheme containing guidelines for regularisation of unauthorised colonies, village *abadi* area and its extension, as existed on the 31st day of March, 2002, and where construction took place even beyond that date and up to the 8th day of February, 2007;
- (d) policy regarding existing farm houses involving construction beyond permissible building limits; and
- (e) policy regarding schools, dispensaries, religious institutions, cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land.

(2) Subject to the provisions contained in sub-section (1) and notwithstanding any judgment, decree or order of any court; *status quo*—

- (i) as on the 1st day of January, 2006 in respect of encroachment or unauthorised development; and
- (ii) in respect of unauthorised colonies, village *abadi* area and its extension, which existed on the 31st day of March, 2002 and where construction took place even beyond that date and up to the 8th day of February, 2007, mentioned in sub-section (1),

shall be maintained.

(3) All notices issued by any local authority for initiating action against encroachment or unauthorised development referred to in sub-section (1), shall be deemed to have been suspended and no punitive action shall be taken till the 31st day of December, 2008.

(4) Notwithstanding any other provision contained in this Act, the Central Government may, at any time before the 31st day of December, 2008, withdraw the exemption by notification in respect of encroachment or unauthorised development mentioned in sub-section (2) or sub-section (3), as the case may be.

4. *Provisions of this Act not to apply in certain cases.* During the period of operation of this Act, no relief shall be available under the provisions of section 3 in respect of the following encroachment or unauthorised development, namely:—

- (a) encroachment on public land except in those cases which are covered under clauses (a), (b) and (c) of sub-section (1) of section 3;
- (b) removal of slums and *Jhuggi-Jhopri* dwellers, hawkers and urban street vendors, unauthorised colonies or part thereof, village *abadi* area and its extension, in accordance with the relevant policies approved by the Central Government for clearance of land required for specific public projects.

5. *Power of Central Government to give directions.* The Central Government may, from time to time, issue such directions to the local authorities as it may deem fit, for giving effect to the provisions of this Act and it shall be the duty of the local authorities to comply with such directions.

6. *Repeal and savings.* (1) The National Capital Territory of Delhi Laws (Special Provisions) Second Ordinance, 2007 is hereby repealed.

(2) *Order 7 of 2007:* Notwithstanding such repeal, anything done or any action taken under the National Capital Territory of Delhi Laws (Special Provisions) Second Ordinance, 2007, shall be deemed to have been done or taken under the corresponding provisions of this Act.

SESSIONAL REVIEW

FOURTEENTH LOK SABHA

TWELFTH SESSION

The Twelfth Session of the Fourteenth Lok Sabha commenced on 15 November 2007 and was adjourned *sine die* on 7 December 2007. The House was prorogued on 12 December 2007. In all, the House sat for 17 days.

A résumé of some of the important discussions held and other business transacted during the period from 15 November to 7 December 2007 is given below:

A. DISCUSSIONS / STATEMENTS

Discussion under rule 193 regarding the proposal to set up Special Economic Zone in Nandigram, West Bengal and consequent large scale violence: Initiating a discussion in this regard in the House on 21 November 2007, the Leader of the Opposition, Shri L.K. Advani (BJP) said that the Nandigram incident had been going on for months together and had taken a serious turn. He said that it was imperative for the dignity of the Parliament that wherever such incidents took place, a discussion should be held on these issues with an open mind. Shri Advani urged the Minister of Home Affairs to consider about improving the situation there. To get authentic information regarding Nandigram, he suggested that an all-party delegation should be sent to Nandigram and thereafter the Government should consider as to what could be done in this regard. He wanted that the kith and kin of the deceased and the rape victims should be compensated as per the directions of the Court.

Intervening in the discussion, the Minister of Parliamentary Affairs and the Minister of Information and Broadcasting, Shri Priyaranjan Dasmunsi stated that incidents of violence in Nandigram had its basis in the concept of forming an SEZ with four thousand acres of land to start with and later to be increased to ten thousand acres. On 2 and 3 January, a notice was issued in the office of the Block Development Officer (BDO) which provoked the people there because their lands were

supposed to be acquired. Immediately, it spread like a fire in Nandigram and this was followed by violence on 3 January. It was not a fight between the Maoists or the Naxalites. It was done by the common people, overwhelming bulk of whom supported and stood by the party which was in power, right from the Panchayats, Assembly and the Parliament.

The Minister said that things would have taken a different turn had the persons identified by the Police been booked and brought to justice right from day one. He said that the entire national media, all television channels were witness to what had happened there from 3 to 9 January and from 13 to 14 March 2007. He reiterated that those responsible should first be brought to justice and then a dialogue started with the responsible parties. In this regard, he said that a very senior leader of the Left Front tried to start that process with all sincerity but he could not take it to its logical conclusion because by that time things had taken a different turn. Stating that an objective introspection was required in the whole matter, he suggested that the people who were in the refugee camp and others who were outside their village should be brought to their homes in safe custody.

Participating in the discussion*, Prof. Ram Gopal Yadav of the Samajwadi Party (SP) said that it was necessary to rise above petty politics to solve such type of problems. He wanted that compensation should be provided to the kith and kin of those who had been killed and adequate efforts should be made to construct houses for them.

Shri Gurudas Dasgupta (CPI) said that he had a deep-rooted feeling that there was an attempt to destabilize the constitutionally elected Government of West Bengal, and the pretext was Nandigram. He wanted that no one should take a one-sided view of the situation but consider the problem in all its totality. West Bengal needed a fair deal and there was a need for deep introspection on all sides, he added.

Shri Braja Kishore Tripathy (BJD) said that the incidents at Nandigram were an insult to democracy and urged the Union Government to restore peace and harmony in Nandigram.

Shri Prabhunath Singh (JD-U) said that the incidents in Nandigram had brought disgrace and therefore appealed to the CPI(M) to create

* Others who participated in the discussion were: Sarvashri Mohammad Salim, Devendra Prasad Yadav, Ilyas Azmi, Anantrao Gudhe, M.A. Kharabela Swain, Jai Prakash, Sanat Kumar Mandal, Syed Shahnawaz Hussain, Abu Hasem Khan Choudhury, Madhusudan Mistry and Dr. Rattan Singh Ajnala

harmonious conditions in Nandigram and also to pay compensation as advised by the High Court.

Prof. M. Ramadass (PMK) suggested that the Central Government and the West Bengal Government must work for a healing touch so that there could be peace and order in the State. The Government should take an enlightened view and try to create SEZ without affecting the farmers.

Shri Asaduddin Owaisi (AIMIM) said that the concept of SEZ had been borrowed from China where land could be acquired. But in India, land could be taken only for public purpose. If the UPA Government was going to bring in a legislation, it should very clearly state that any industrialist or any company willing to acquire land should go directly and purchase the land. He wanted that the common man should not suffer for it.

Shri Subrata Bose (AIFB) said that a determined effort should be made to bring back peace in Nandigram. The responsibility rests primarily on the Government of West Bengal and on the Chief Minister. He appealed to all the parties to cooperate in bringing back peace in West Bengal and Nandigram, in particular.

Shri Basudeb Acharia (CPI-M) said that during the last 30 years, there was complete harmony in the State of West Bengal and there had not been a single communal riot in the State. He suggested that all the political parties should come forward for restoration of peace and harmony.

Replying to the discussion, the Minister of Home Affairs, Shri Shivraj V. Patil said that the West Bengal Government had clearly stated that if the farmers did not want the SEZ, it would not be created but would be taken to some other places like Haldia or any island. After such assurance, he said that the agitation should have come to naught at once but it did not happen. The Minister stated that the people of Nandigram were away from their homes for 10-11 months and efforts made to bring them back were in vain. However, it was indeed a good thing that they had now come back. The Minister said that their property should be protected and adequate compensation should also be provided to them. So far as SEZ was concerned, he said that majority of the members had the opinion that only those lands should be acquired which were barren. The Government had also thought over this and it was of the same opinion. That was the reason why they were formulating the land acquisition and rehabilitation policy and very soon it would be made known to the members and then they could give their views on

it which would be taken in high esteem. The Minister said that the most important matter was that there should not be any fear psychosis. Once this fear was created in the minds of the people then it becomes very difficult to overcome. Therefore, the Government had to take necessary steps to minimize such fear.

Regarding, Shri Advani's query whether it was possible to send an All Party Delegation, the Minister stated that it was naturally before the House and other parties should be consulted to arrive at a decision. But at this point of time, he was not in a position to say 'yes' or 'no'. So far as the flag march by the Army in that area was concerned, it was not necessary for the State Government to consult the Union Government to obtain the assistance of the Army. If they so require they can ask for the assistance on their own. Regarding CBI's investigation on the matter, he said that it was either for the State Government to suggest whether the CBI should inquire into it or the Court to suggest that the matter had to be inquired by the CBI.

The discussion was concluded.

Statutory Resolution regarding approval of the proclamations issued by the President on 20 November 2007 under Article 356 of the Constitution in relation to the State of Karnataka: On 26 November 2007, the Minister of Home Affairs, Shri Shivraj V. Patil moved the following statutory resolution—"That this House approves the proclamation issued by the President on 20 November 2007 under Article 356(1) of the Constitution in relation to the State of Karnataka." The Minister said that elections to constitute the Legislative Assembly of Karnataka were held in April 2004 which resulted in a hung Legislative Assembly. On 28 May 2004, a coalition Government comprising Janata Dal (S) and the Congress was formed. However, in January 2006, a group of 39 MLAs of JD(S) led by Shri H.D. Kumaraswamy broke away from the alliance and formed a Government with the support of the BJP with Shri H.D. Kumaraswamy as the Chief Minister. There was an understanding between the two coalition partners that the JD(S) would hold the Chief Minister's post for the first 20 months and the BJP for the next 20 months. The period of 20 months for the JD(S) ended on 3 October 2007. Seventy-nine MLAs of the BJP presented themselves before the Governor and withdrew support to the coalition Government on 6 October 2007. On 8 October 2007, the leaders of the Congress party also submitted a memorandum to the Governor stating that the Ministry headed by Shri H.D. Kumaraswamy had been reduced to a minority and demanded the dismissal of the Government. Thereafter, the Chief Minister met the Governor and submitted his resignation on 8 October

2007. The Governor in his report dated 8 October 2007, recommended invoking President's Rule in the State of Karnataka as there was no possibility of any party or person being in a position to form a Ministry with majority support in the Assembly. The report of the Governor was considered by the Union Government and the President's Rule was proclaimed on 9 October 2007 in the State of Karnataka under article 356(1) of the Constitution keeping the Legislative Assembly under suspended animation. Then, on 27 October 2007, a group of JD(S) and BJP leaders met the Governor and staked their claim to form a Government led by the BJP leader Shri B.S. Yeddyurappa. In view of the political developments in the State, the Governor concluded that in spite of his reservations about stability, the President may consider affording an opportunity to Shri B.S. Yeddyurappa to form a Government and revoke the Presidential Proclamation. The Union Government considered the report of the Governor and revoked President's rule in the State of Karnataka on 12 November 2007. Shri B.S. Yeddyurappa took oath on 12 November 2007. The Chief Minister was given eight days time from the date of assumption of the office of the Chief Minister to prove his majority on the floor of the House.

The Minister said that prior to the Vote of Confidence on 19 November 2007, the JD(S) reportedly issued a whip to the JD(S) Legislators to vote against the Confidence Motion. Shri B.S. Yeddyurappa got up to speak but left midway stating that he was leaving for the Raj Bhawan to tender his resignation and did not want any further discussion on the Confidence Motion. The Governor in his report indicated that he had accepted the resignation tendered by Shri B.S. Yeddyurappa at 4.45 p.m. on 19 November 2007. He was of the opinion that no party or individual was in a position to form the Government in the State of Karnataka with majority support and that he was satisfied that a situation had arisen in the State in which the Government of the State could not be carried on in accordance with the provisions of the Constitution. The Governor, therefore, recommended that President's Rule under article 356(1) of the Constitution of India may be imposed with immediate effect after dissolving or suspending the Legislative Assembly of the State of Karnataka. The Union Government considered the report of the Governor and proclaimed President's Rule in the State of Karnataka under article 356(1) of the Constitution on 20 November 2007 keeping the Legislative Assembly under suspended animation. Hence, the Minister said that he commended that the Proclamation issued on 20 November 2007 under article 356(1) of the Constitution in relation to the State of Karnataka be upheld by the House.

Replying to the discussion*, the Minister of Home Affairs, Shri Shivraj V. Patil said that almost all the members who had spoken, had said that the Proclamation should be ratified. Some members had gone to the extent of saying that the House might also be dissolved, without any delay. In view of these statements, he requested that the motion might be put to the vote of the House.

The resolution was adopted.

Discussion under rule 193 regarding need for harmonious functioning of the three organs of the State i.e., Legislature, Judiciary and Executive: A discussion in this regard took place in the House on 3 and 4 December 2007. Initiating the discussion on 3 December 2007, Shri Gurudas Dasgupta of the Communist Party of India said that the harmonious functioning of the three organs of the State as envisaged by the Constitution of India had of late become a matter of deep controversy. There were instances of popular approval of judicial intervention to restrain the arm of the State from doing something or to compel the Executive to do something. There was a potential danger of concentration of excessive power in either of the arms of the State. Hence, there was a need for checks and balances in the constitutional governance of the country and also in the political regime.

Shri Dasgupta said that the Constitution provided for an independent, neutral, effective Judiciary and a judicial system for interpreting the Constitution; to do judicial review; to act as the custodian of the rights of the people; and to uphold the Constitution. Judicial review meant review of any act of Parliament or any action of the Executive to find out whether it was in consonance with the provisions of the Constitution, whether it impinged upon the fundamental rights of the people and whether it was inconsistent with the mandatory provisions of the Constitution. Of late, he said that there had been a number of cases of judicial over-activism, which was not entirely within the domain of the judicial review. There was misuse of contempt of judicial system. If the parliamentary system was tampered with, the judicial over-activism poked its nose and interfered more frequently, he added.

* Those who participated in the discussion were: Sarvashri Ananth Kumar, Varkala Radhakrishnan, Mohan Singh, Bhartruhari Mahtab, Ajoy Chakraborty, Prahlad Venkatesh Joshi, N.Y. Hanumanthappa, Ramesh Chandappa Jigajinagi, R.L. Jalappa, Karunakara G. Reddy, Manjunath Kunnur, H.D. Devegowda and Dr. (Smt.) Tejasvini Gowda

Participating in the discussion*, Shri Ramdas Athawale of the Republican Party of India said that the Judiciary should deliver its judgment within the limits of the laws enacted by the Parliament. It was the duty of the members to strengthen parliamentary democracy. All the three organs of the State should maintain harmonious relations and work towards the progress and prosperity of India.

Intervening in the discussion on 4 December 2007, the Minister of Parliamentary Affairs and Minister of Information and Broadcasting, Shri Priyaranjan Dasgupta said that there was no substitute to parliamentary democracy in India today. If members feel that something more was to be done, they should seek the mandate of the people, translate it into action, convince the people, convince the Judiciary and come out with the right kind of suggestion. He said that this was the right kind of harmony and a system could be evolved without disrespect to anyone. Harmony could only be achieved if accountability was set in motion.

Prof. M. Ramadass (PMK) said that, in a parliamentary democracy, all activities of the Government should be designed and directed towards promotion of the greatest happiness of the greatest number. To accomplish this task, the three organs of the State must understand their respective roles, only then it would be able to satisfy the aspirations of the people.

Shri M.P. Veerendra Kumar (JD-S) said that the question today was, who should be supreme. In this regard, he said that the Constitution must be supreme because the Constitution was for the people of India.

Replying to the discussion, the Minister of Law and Justice, Shri H.R. Bhardwaj said that the discussion on harmonious functioning of the three organs of the State reflected the vibrancy and success of the democracy. All the pillars of the State were independent. The power of judicial review must be understood in its correct perspective. If a law passed by the Parliament was *ultra vires* of the Constitution, certainly courts could go into it. The courts could go only into a limited area to

* Others who participated in the discussion were: Sarvashri M.A. Kharabela Swain, V. Kishore Chandra S. Deo, Varkala Radhakrishnan, Mohan Singh, Devendra Prasad Yadav, A. Krishnaswamy, Suresh Prabhakar Prabhu, Prasanna Acharya, Suravaram Sudhakar Reddy, Lakshman Singh, S.K. Kharventhan, A.R. Shaheen, Suresh Kurup, Virchandra Paswan, Vijayendra Pal Singh, Kirip Chaliha, N.Y. Hanumanthappa, Mitrasen Yadav, M. Appadurai, Brahmananda Panda, Bikram Keshari Deo, Dr. P. Koya, Dr. Sebastian Paul, Dr. Thokchom Meinpa, Prof. Rasa Singh Rawat, Smt. Botcha Jhansi Lakshmi, Smt. Ranjeet Ranjan, Smt. Kiran Maheshwari and Smt. Sangeeta Kumari Singh Deo

see whether it was constitutionally valid. The Government should also exercise its power in conformity with the law and the procedure established by the law. In a democratic country, the Legislature, the Executive and the Judiciary have to do exactly what has been assigned by the Constitution. So far, he said, the present House had exhibited the strength and the resolution to deal with the responsibility entrusted to it although there might have been little shortcomings somewhere.

The Minister said that India is not a small democracy or a small republic. Here, problems are too many, still standards of our Parliamentary life need to be maintained. In the Judiciary, never was heard that there was any corruption. However, some problems have come to light. The three wings of the State should therefore have separate mechanisms to introduce probity in public life and there should immediately be a law in position to fix accountability and control corruption. The Minister further stated that currently 400 crore cases were pending in the trial courts and that was the real problem. Every State would therefore have to devote attention to this aspect by giving more funds for modernizing the judicial manpower and finding Alternative Dispute Resolution methods to dispose of the cases. Moreover, the Minister informed that he had already got permission from the Cabinet to appoint 7,000 *Grameen* Courts for the villages. He also stated that there was National Legal Aid Authority in the country at all levels to provide legal aid.

The discussion was concluded.

Statement by the Minister of Agriculture and Minister of Consumer Affairs, Food and Public Distribution regarding the National Policy for Farmers, 2007: Making a Statement in this regard in the House on 26 November 2008, the Minister of Agriculture and Minister of Consumer Affairs, Food and Public Distribution, Shri Sharad Pawar informed the House that the Government had approved the National Policy for Farmers, 2007. The Policy was primarily based on the recommendations of the National Commission on Farmers chaired by Prof. M.S. Swaminathan. The terms of reference of the Commission included, *inter alia*, the methods of enhancing productivity, profitability and sustainability of the major farming systems in different agro-climatic regions of the country; suggesting measures to attract and retain educated youth in farming; and working out a comprehensive medium term strategy for food and nutrition security.

Based on the draft policy suggested by the Commission and the comments and suggestions received from various Central Ministries/ Departments and State Governments, the Minister said that the National

Policy for Farmers, 2007 had been formulated and approved by the Government of India. The Policy, *inter alia*, aims to improve the economic viability of farming by substantially improving the net income of farmers in addition to improving productivity, profitability, land, water and support services and provide appropriate price policy, risk management measures, etc. In order to operationalise the Policy, the Department of Agriculture and Cooperation would constitute an Inter-Ministerial Committee for preparing a suitable plan of action for the purpose. Laying the National Policy for Farmers, 2007 on the Table of the House, the Minister expressed hope that the new Policy would help in rejuvenating the farm sector and bringing lasting improvement in the economic condition of the farmers.

Statement by the Minister of Home Affairs regarding Bomb Blasts at Lucknow, Varanasi and Faizabad in Uttar Pradesh: Making a Statement in this regard in the House on 26 November 2008, the Minister of Home Affairs, Shri Shivraj V. Patil informed the House of the tragic incidents of terrorist violence that occurred in the court premises in Varanasi, Faizabad and Lucknow on 23 November 2007. Five bomb blasts took place in these three cities within a span of about 20 minutes. There were two blasts in the Varanasi court premises in which nine persons including three lawyers and one twelve-year old boy were killed and 56 others were injured. In the Court premises in Faizabad, there were two blasts in which four persons, including one advocate, lost their lives and 24 persons were injured. In Lucknow, there was one bomb blast but it did not cause any loss of life or injury.

The Minister said that the *modus operandi* adopted in these blasts was that explosives with a battery operated timer device in a bag were kept on bicycles parked close to the area where lawyers/litigants sat. Teams of NSG personnel had visited the blast sites for post-blast investigations. The investigations into these blasts had been given to the Special Task Force (STF) by the State Government. The Central agencies were also helping the State Police in this regard. The State Government had announced compensation of Rs.5 lakh to the next of kin of those deceased and Rs.1 lakh for those seriously injured. The Uttar Pradesh Government had also given directions to enhance and strengthen the security of all the district courts. It had also increased vigil at sensitive and crowded places, educational institutions, etc. The Minister said that the Government strongly condemned these incidents of mindless terrorist violence, and reiterated its firm resolve to combat terrorism. He said that the fight against terrorism had to be at different levels. Besides the Government, political parties, civil society, media

and the public at large, all had to play an important role in countering such forces. He said that these anti-national forces should not be allowed to disturb peace and communal harmony in the country and also conveyed heart-felt condolences to the affected families.

Responding to the points raised by several members, the Minister stated that a number of steps were required to be taken towards combating terrorism. The first and foremost was the enhancement of the budget meant for the police activities by both the Central and the State Governments. Secondly, the special branches had to be strengthened by taking a number of steps like providing electronic gadgets to IB and increasing their strength as well. Thirdly, the Government had to increase the strength of the police force as well. Similarly, the communication system in the police stations had to be modernized.

B. LEGISLATIVE BUSINESS

*The All-India Institute of Medical Sciences and the Post-Graduate Institute of Medical Education and Research (Amendment) Bill, 2007**: Moving the Motion for consideration of the Bill in the House on 22 November 2007, the Minister of Health and Family Welfare, Dr. Anbumani Ramdoss said that the Bill was just a small amendment which the Government would like to bring to the notice of the members of Parliament for fixing the tenure of 65 years for the Directors of both the All-India Institute of Medical Sciences (AIIMS) as well as the Post Graduate Institute of Medical Education and Research (PGIMER), Chandigarh.

Presently, the appointment, terms and conditions of service of the Directors of the AIIMS and the PGIMER, Chandigarh have been regulated under the All-India Institute of Medical Sciences Act, 1956, the Post-Graduate Institute of Medical Education and Research, Chandigarh, Act, 1966 and the rules framed thereunder. However, in a recent order announced on 29 March 2007, the Delhi High Court held that the Director was an employee of the Institute but that the provisions of regulation 30, which prescribed the age of superannuation for non-teaching employees as sixty-two years and for teaching faculty as sixty years, did not apply for the post of Director. The Court held that the appointment to the Director's post was a "tenure appointment" and was incapable of being curtailed except for justifiable reason and with notice to the Director, and that too in accordance with the law. The Court had

* The Bill was introduced in the Lok Sabha on 20 August 2007

also directed the Government of India and the Institute's Governing Body to formulate a policy covering the various facets and conditions of service of its employees including the Director of the Institute in accordance with the law and to uniformly apply such policy in the times to come.

The litigation over the tenure of the post of Director at AIIMS had highlighted the deficiencies in the existing rules and regulations pertaining to the tenure of the Directors of AIIMS and PGIMER. It was imperative that the deficiencies in the existing Acts, rules and regulations as had been highlighted by the Delhi High Court order were rectified immediately to stem the deterioration in governance in the Institute, to comply with the directions of the High Court. It was, therefore, considered desirable that the tenure of office of the Directors should not be left for determination through the mechanism of subordinate legislation. Rather it should be made a part of the All-India Institute of Medical Sciences Act, 1956 and the Post-Graduate Institute of Medical Education and Research, Chandigarh, Act, 1966. This would ensure that any modification in the tenure of the Director in future would require the approval of Parliament. This would also strengthen the autonomous status of the Institutes.

Participating in the discussion*, Shri Braja Kishore Tripathy of the Biju Janata Dal said that the Faculty members of AIIMS had threatened mass resignation against the AIIMS (Amendment) Bill, 2007. They contended that the AIIMS Act needed a comprehensive amendment and review in the light of the Valiathan Committee report. He wanted that the Minister should come out with some amendments for the AIIMS Act which would incorporate the recommendations of the Valiathan Committee.

Shri Anant Gangaram Geete (Shiv Sena) said that 70 per cent of the population in the country lived in rural areas. The medical facilities that should have been available there were unfortunately not available even today. It was a challenge for the Minister of Health to improve the health of the people of the country and to be concerned for the health of the 70 per cent of the rural population.

Replying to the discussion, the Minister of Health and Family

* Others who participated in the discussion were: Sarvashri Ram Kripal Yadav, Rajiv Ranjan 'Lalan' Singh, Shailendra Kumar, Prabodh Panda, S.K. Kharventhan, Varkala Radhakrishnan, Dr. Karan Singh Yadav, Dr. Ram Chandra Dome, Dr. R. Senthil, Dr. K.S. Manoj, Prof. Rasa Singh Rawat and Smt. Maneka Gandhi

Welfare, Dr. Anbumani Ramdoss said that the Government was bringing forward the amendment because the High Court had asked it to fix the tenure of the Director and that was why it was fixing the age at 65 years for the Director of AIIMS as well as the PGIMER, Chandigarh. The Minister stated that amending the Bill was not an issue between himself and Director Dr. Venugopal, neither was it an issue between the BJP and the Government. He wanted that the Institute should move forward in a big way on the lines of the John Hopkins Institute and the Harvard University.

Being a professional, the Minister said that he wanted to professionalize the entire structure. He would be the last person to impede the autonomy of the Institutes. But then autonomy did not mean that there was no accountability to Parliament. He said that there had been so many allegations about flouting of reservation policy which was a constitutional obligation. There had been complete chaos, confusion and misadministration in the Institute. In this scenario, it had become necessary for him to interfere as the Head of the Governing Body. Regarding allegations that funds were not being given he said that these were blind allegations. When he took over as the Minister, he stated that the funds of the AIIMS were approximately Rs.250 crore and in three years, he had taken it to Rs.500 crore. He assured that the Government would definitely not interfere into any autonomous functioning of the Institutions. On the contrary, the Government would like to give more autonomy to the Institutions. But these Institutions should also have their constitutional obligations. He requested all the members to support the Amendment Bill.

The Bill, as amended, was passed.

*Statutory Resolution regarding Disapproval of the National Capital Territory of Delhi Laws (Special Provisions) Second Ordinance, 2007 and The National Capital Territory of Delhi Laws (Special Provisions) Second Bill, 2007**: Moving the Statutory Resolution on 27 November 2007, Shri Varkala Radhakrishnan of the Communist Party of India (Marxist) said that the Parliament had enacted the Delhi Special Provisions Act in 2006. In that Act, one-year time was given to the Government to prepare the Master Plan for the city and also to implement it but the Government could not take any action in the matter. Since this one-year period given in this statute was expiring, the

* The Bill was introduced in the Lok Sabha on 22 November 2007

the Government thought it prudent to bring in an Ordinance. The first Ordinance was promulgated in 2007 demanding extension of time. That Ordinance had to be converted into an Act. The Ministers could have brought a Bill to replace the Ordinance. But they did not bring the Bill at that particular time. Therefore, that Ordinance had lapsed and a second Ordinance was issued. Condemning the Government for misuse of power and not taking action at the right time, he said that it was only under three special circumstances when an Ordinance could be promulgated. First, if the House was not in Session; second, it should be an unforeseen and unexpected circumstance; and third, there should be an eventuality to meet such a particular situation. He said that he could understand if an Ordinance was being issued under a special circumstance once but this had happened twice. He, therefore, strongly expressed his disapproval for the Ordinance.

Moving the Motion for consideration of the Bill, the Minister of Urban Development, Shri S. Jaipal Reddy said that he was clearly opposing the statutory Resolution for the simple reason that promulgation of the Ordinance became necessary at that time since there were circumstances which could not be foreseen warranting re-issue of the Ordinance.

The Delhi Laws (Special Provisions) Act, 2006 was enacted to address on priority the several orders and directions passed by the Supreme Court and the High Court of Delhi in cases pending before them regarding a number of burning issues which were confronting the city of Delhi at that time. The Act, *inter alia*, provided the Central Government with a time period of one year to take all possible steps to finalise the norms, policy guidelines and feasible strategies to deal with the problem of unauthorized development with regard to mixed land use not conforming to the Master Plan, construction beyond sanctioned plans, and encroachment by slum and *Jhuggi-Jhopri* (JJ) dwellers, hawkers and urban street vendors. It also provided for *status quo* as on January 2006 to be maintained in respect of these categories of unauthorized development, subject to certain conditions notwithstanding any judgment, decree or order of any court. Similarly, it provided that all notices issued by the local bodies for initiating action against these categories of unauthorized developments should be deemed to have been suspended and that no punitive action should be taken during the said period of one year.

The Delhi Laws (Special Provisions) Act, 2006, was effective for a period of one year and lapsed on 18 May 2007. In the intervening period, the Master Plan for Delhi 2021 was notified on 7 February 2007,

incorporating extensive amendments in respect of the provisions governing mixed land use, and for construction beyond sanctioned plans. However, the policy guidelines and feasible strategy or scheme to deal with the problems of unauthorized development in certain categories such as slum and JJ dwellers, urban street vendors and hawkers, farm houses, schools, dispensaries, religious institutions, cultural institutions built in rural areas on agricultural land were yet to be finalized. Therefore, since it was felt that some more time was required for making orderly arrangements for preparing the policy guidelines, feasible strategies, or schemes for these categories of unauthorized developments, the National Capital Territory of Delhi Laws (Special Provisions) Ordinance, 2007 was promulgated on 4 July 2007.

Accordingly, the National Capital Territory of Delhi Laws (Special Provisions) Bill, 2007 was introduced in the Lok Sabha on 17 August 2007. Subsequent to introduction of the Bill in Lok Sabha and before the same could be taken up for consideration, certain amendments to the Bill became necessary in view of some important developments in regard to sealing of commercial premises. Based on the recommendations of the Monitoring Committee, the Supreme Court ordered that within a period of three weeks from 27 August 2007, commercial uses in unauthorized colonies should stop functioning from the premises except to the extent that the 24 categories which were permitted in the regular areas should not affect those commercial premises if they were up to 20 sqm. Similarly, based on representations received and discussions held, it was felt that storages, warehouses and godowns meant for agricultural inputs or produce (including dairy and poultry) in rural areas built on the agricultural land also need to be included in the list of unauthorized development to be protected so as to avoid any adverse impact on account of their sudden closure by sealing.

In view of these developments, it was considered necessary that the scope of the proposed National Capital Territory of Delhi Laws (Special Provisions) Bill, 2007 might be widened to maintain *status quo* in respect of the above mentioned unauthorized colonies which was approved by the Union Cabinet, at its meeting held on 6 September 2007. Before the aforementioned official amendments, could be moved for consideration and approval, the Monsoon Session of Parliament which was scheduled up to 14 September 2007 was adjourned *sine die* and as a result, the Ordinance became liable to lapse on the expiration of six weeks from the date of the reassembly of Parliament as per the provisions of article 123 of the Constitution.

In view of these exigencies, it became necessary to promulgate the

Second Ordinance to maintain *status quo* so that no punitive action was taken during this period in respect of unauthorized development as given above. It was decided that the scope of the proposed Ordinance be widened to also include the village *abadi* and its extension. The decision was taken to prevent loss and damage to the people living in a large number of villages in the National Capital Territory of Delhi. It was felt that the *status quo* was to be maintained in respect of the following categories of unauthorized development: slum dwellers and JJ clusters, hawkers and urban street vendors, unauthorized colonies, village *abadi* areas and its extension, existing farm houses involving construction beyond permissible building limits and schools, dispensaries, religious institutions, cultural institutions and storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land. Parliament was not in session and the circumstances existed which rendered it necessary to take immediate action to give continued effect to the plan, scheme and policies aforesaid, to promulgate the National Capital Territory of Delhi Laws (Special Provisions) Second Ordinance, 2007 on 15 September 2007 with a further duration up to 31 December 2008 so as to complete the aforesaid course of action.

Participating in the discussion*, Shri Braja Kishore Tripathy of the Biju Janata Dal felt that the Master Plan should have been revised much earlier, taking into consideration all the points that were in question now. The Master Plan was being prepared in piece meal say only for five, ten or fifteen years. He, therefore, requested the Minister to come out with a perspective plan for all the urban areas of the country.

Shri Anant Gangaram Geete (Shiv Sena) said that the entire responsibility of providing facilities to the common citizens residing in Delhi rested with the MCD, NDMC and DDA. The DDA could not protect its own land and encroachment kept on going for years on its land. If at all any action was to be taken, he said that it had to be taken against these authorities for remaining a mute spectator for so many years.

Replying to the discussion, the Minister of Urban Development, Shri S. Jaipal Reddy said that all the members might be aware that the Master Plan of Delhi was notified on 7 February 2007 and the very next

* Others who participated in the discussion were: Sarvashri Sajjan Kumar, Swadesh Chakraborty, Mohan Singh, Ram Kripal Yadav, Syed Shahnawaz Hussain, Jagdish Tytler, Bikram Keshari Deo, Prof. Vijay Kumar Malhotra and Smt. Krishna Tirath

day the Central Cabinet had cleared the proposal for regularization of the unauthorized colonies. There were nearly 1,500 unauthorized colonies in which more than 40 lakh people lived. The Government had now framed the guidelines in respect of the unauthorised colonies and sent them to the DDA which was in the process of framing the regulations. The Minister also said that it would be difficult for the DDA alone to handle the task of framing the regulations. As such, the private sector must be allowed to enter into the fray and share the burden.

The Minister stated that the Government was trying to provide protection to various categories such as slum dwellers, street vendors, unauthorized colonies, village *abadi* areas and its extensions, existing farm houses, schools, dispensaries, religious institutions, cultural institutions and warehouses and godowns which were all in rural areas and built on agricultural land. It was also envisaging constitution of a regulatory authority so that such issues might be sorted out in a legal way. He said that the Government had applied its mind to every aspect before taking a view. It would do its best to see that all the deserving get relief and rehabilitation and Delhi really become a world-class city in due course as the Commonwealth Games were being organized here in 2010 and it was busy building the infrastructure for the Commonwealth Games.

The Statutory Resolution was, by leave, withdrawn.

The Bill, as amended, was passed.

C. QUESTION HOUR

During the session, 12,783 notices of questions (9,115 Starred, 3,656 Unstarred and 12 Short Notice Questions) were received. Out of these, 340 notices were admitted as Starred; 3,334 as Unstarred and none was admitted as Short Notice Question.

On 15 November 2007, as the House adjourned for the day after obituary references, Starred Questions were not called for oral answers. Due to interruptions in the House on 19 November and 6 December 2007, Starred Questions were not called for oral answers. Replies to the Starred Questions listed for those days were treated as Unstarred and their answers, together with the answer to Unstarred Questions, were printed in the official report for those days.

As per the decision taken by the Business Advisory Committee at its sitting held on 15 November 2007, the sitting of the Lok Sabha fixed for 16 November 2007 was cancelled. The replies to both Starred and Unstarred Questions listed for 16 November 2007, were treated as

Unstarred and their answers together with the answers to Unstarred Questions were printed in the official Report for the next sitting, *i.e.*, 19 November 2007.

In order to complete the essential items of business, a sitting of the Lok Sabha was fixed on 1 December 2007. However, there was no Question Hour on that day.

Daily Average of Questions in the List of Questions: The average number of Starred Questions answered orally in the House during the session was 4.11. The maximum number of Starred Questions answered orally on a day was 8 on 3 December 2007.

The average number of Questions appearing in the Unstarred List came to 196 per day against the prescribed limit of 230, the minimum being 110 Questions on 15 and 16 November 2007.

Half-an-Hour Discussion: In all, 12 notices of Half-an-Hour Discussion were received during the Session. Out of those, 6 notices were admitted but only one of them was discussed on the floor of the House.

D. OBITUARY REFERENCES

During the Session, obituary references were made on the passing away of Shri Vijaykumar Khandelwal, sitting member; and Sarvashri Manjay Lal, Yashwant Borole, Lala Ram Ken, Channaiah Odeyar, T.A. Patil, Sarju Prasad Saroj and Dr. L.M. Singhvi, all former members.

Besides, references were also made to the loss of several thousands of lives and large scale damage to property caused by severe cyclone, 'Sidr' that struck the coastal areas of Bangladesh; to the loss of lives and injuries to many in the serial bomb blasts that took place at Faizabad, Varanasi and Lucknow in Uttar Pradesh on 23 November 2007; to the loss of lives in bomb blasts in Assam; to the incident of land mine blast at Dantewara district in Chhattisgarh on 29 November 2007 resulting in the death of 12 persons including 10 Jawans of Second Mizoram Reserve Police Battalion; and also on the occasion of World Disability Day.

Members stood in silence for a short while as a mark of respect to the memory of the deceased.

RAJYA SABHA**TWO HUNDRED AND TWELFTH SESSION***

The Rajya Sabha, which met for its Two Hundred and Twelfth Session on 15 November 2007, was adjourned *sine die* on 7 December 2007. The House was then prorogued by the President on 12 December 2007.

A résumé of some of the important discussions held and other business transacted during the Session is given below:

A. STATEMENTS/DISCUSSIONS

Statements regarding serial bomb blasts in the State of Uttar Pradesh: Making a Statement in the House on 23 November 2007, the Minister of State in the Ministry of Home Affairs, Shri Shriprakash Jaiswal informed the members about the serial blasts that took place in Uttar Pradesh at Lucknow, Varanasi and Faizabad. He stated that six blasts took place adjacent to the court premises, in all the three places. The Minister said that no information had been received regarding the type of explosives, mechanism and the involvement of any group or organisation till then.

Making another Statement on 26 November 2007 on the same subject, Shri Jaiswal informed the House that five bomb blasts took place in the three cities within a span of twenty minutes. In Varanasi, nine persons had been killed and fifty-six injured, in Faizabad, four persons had lost their lives and twenty-four persons injured. In Lucknow, there was one bomb blast but there was no loss of life or injury.

The Minister said that as a follow up action, the teams of National Security Guards (NSG) personnel had visited the blast sites for post-blast investigations. The investigations into these blasts had been given to the Special Task Force (STF). The State Government had announced compensation to the next of kin of those deceased and for the seriously injured. It had also given directions to enhance and strengthen the security of all the district courts and an increased vigil at sensitive and crowded places, educational institutions, etc.

Reiterating the Government's firm resolve to combat terrorism, he

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

said that sustained efforts by the security and intelligence agencies continued to neutralise such extremist and terrorist elements through preventive measures. In order to fight terrorism, all, including the Government, political parties, civil society, media and the public had to play an important role.

Statement regarding devastation caused by recent cyclone in Bangladesh: On 19 November 2007, the Minister of External Affairs, Shri Pranab Mukherjee made a Statement in the House on the cyclone in Bangladesh and the devastation caused by it. He stated that an estimated 2.7 million people had been affected, thousands of livestock killed and standing crops and infrastructure severely damaged due to the cyclone. The Government had decided to send a comprehensive relief package including medicines, food items, milk powder, tents, blankets, first-aid kits and other relief items to Bangladesh. The Minister said that India had always responded readily to such requests from Bangladesh earlier and was supplying essential food items and would continue to extend all possible assistance.

Statement regarding Hindu Rights Action Force (HINDRAF) demonstration in Malaysia: Making a Statement in the House on 30 November 2007, the Minister of External Affairs, Shri Pranab Mukherjee said that some members had expressed their concern regarding the alleged harassment of participants of the rally organized by the Hindu Rights Action Force (HINDRAF) in Kuala Lumpur on 25 November 2007 and subsequent related matters. He stated that the purpose of the rally was to hand over a petition to the British High Commission in Kuala Lumpur seeking the support of Queen Elizabeth II for a class action suit filed in the UK for the exploitation of Indians who had been brought to Malaysia as indentured labour. The Minister said that the Government remained deeply solicitous for the welfare of the people of Indian origin living abroad, including Malaysia and was in touch with the Malaysian authorities in the related matter.

Short Duration Discussion on the proposal to set up Special Economic Zone (SEZ) in Nandigram, West Bengal and consequent large-scale violence: A discussion in this regard took place in the House on 22 and 23 November 2007. Initiating the discussion on 22 November 2007, Smt. Sushma Swaraj of the Bharatiya Janata Party said that the incidents of violence in Nandigram was considered unlawful and non-acceptable by the Governor of West Bengal and was declared unconstitutional and unjustified by the Calcutta High Court. Nandigram, she said had become the victim of violence thrice in a

year. In January and March violence broke out at village Sonachuda in Nandigram. The villagers had constituted a *Bhoomi Uchchedh Pratirodh Samiti* to save their land. The Chief Minister of West Bengal had assured that the notification of land acquisition in Nandigram would be withdrawn. During the second incident, in March, Smt. Swaraj said that the people of Sonachuda had conveyed that they were fired at by the police during the celebrations of the birthday of *Gaurang Mahaprabhu*. The Government had confirmed the death of fourteen people at that time.

Mentioning about a fact finding Committee's report, she said that the Committee consisting of seven members including two former judges had submitted its report to the then President of India. Doubts had been raised in the report regarding the police action in which fourteen people were killed and not a single policeman was injured. Violence again broke out in Nandigram in November in a planned way. The centre of violence was at Adhikaripada and Satangabadi. She demanded that the President's Rule be imposed in the State and due compensation be given to the affected, and the guilty be punished so that all those who had suffered got justice. She urged that a censure motion be moved on the subject which should be passed unanimously.

Participating in the discussion* Shri Sitaram Yechury [CPI(M)] said that the incident in Nandigram was a direct political challenge to destabilise the elected Government by the use of extremist forces and Maoist violence which was against the interest of the country. The issue was required to be taken up in the larger context. He said that all efforts would be made to restore peace and tranquillity in the affected areas. He assured the House that no crime would go unpunished or ignored and action would be taken. He further assured that as far as his party was concerned, it was committed to democracy.

The Minister of Parliamentary Affairs and Minister of Information and Broadcasting, Shri Priyaranjan Dasmunsi while referring to the aspect of SEZ said that the rehabilitation and resettlement was the

* Others who took part in the discussion were: Sarvashri Amar Singh, Ram Jethmalani, D. Raja, S.S. Ahluwalia, Ravula Chandra Sekar Reddy, Mahmood A. Madani, Ekanath K. Thakur, Abdul Wahab Peevee, Abani Roy, Sharad Anantrao Joshi, Dinesh Trivedi, Dr. V. Maitreya, Dr. Abhishek Manu Singhvi, Dr. Barun Mukherjee, Dr. Chandan Mitra, Prof. Ram Deo Bhandary and Shrimati Brinda Karat

basic issue of any place where land was taken up either for the purpose of development or for any other purpose. The NDA Government, he said, had brought a Resolution in January 2004 thereby finalising the resettlement and rehabilitation process. Contrary to this approach, the UPA Government was of the view that the current approach towards SEZ was not comprehensive with regard to land reforms, land distribution, rehabilitations, etc. He also stated that the previous Government's policy was not giving justice to the settlers, people living below the poverty line (BPL) category and the landless people, as there was no time frame within which they were to be identified and rehabilitated. The Minister informed that as a consequence, after due deliberations, a Group of Ministers had come out with a legislation which would be introduced in the ongoing session. The Bill, after being debated in the Standing Committee, would provide a comprehensive approach to deal with the matter of land in respect of SEZ.

The Minister informed that the bulk of the population in Nandigram consisted of poor Scheduled Castes and Muslims. He stated that it had been conveyed to the Chief Minister of West Bengal that the notification issued by the Haldia notification authority had created the problem as the people felt that their fertile land would be taken away. He further stated that his party did not believe in Maoism or Leninism and the incidents of violence had been condemned, at the AICC Session. The Party, he said, was committed to address the collective problems of the people.

Replying to the discussion on 23 November 2007, the Minister of Home Affairs, Shri Shivraj Patil said that the Government was trying to implement the suggestions forwarded by the members during the discussion. He stated that whenever the Government wanted to acquire land for industrial purpose, the small farmers never agreed to vacate it as it was the only source of their livelihood, and in the present case also this was the main cause of agitation in West Bengal. He further stated that though the Chief Minister of West Bengal had assured that the land would not be acquired, some vested interests had instigated the people for the agitation.

The Minister stated that it was the responsibility of the Government to rehabilitate the affected people, provide protection to them and to punish the guilty. Clarifying the aspect regarding acquisition of land to establish industrial hubs, he assured that fertile agricultural land would not be acquired and due compensation would be given to those whose

land would be acquired. A new policy, he said, would be framed with respect to land acquisition and rehabilitation of the displaced.

Dismissing the claims made by the terrorist groups that the Government could be changed by the use of bullet, the Minister called upon such forces to adopt democratic means for bringing change in the system. As regards the suggestions made by the members regarding the imposition of articles 355 and 356, Shri Patil stated that the Constitution had made provisions that the Union Government, in certain circumstances may discuss with the State Government to bring about coordination and cooperation on certain important issues for which directions could be given and advisories could be sent. Holding discussions held and giving directions did not imply that article 356 would automatically be imposed and the Government would be removed. The framers of the Constitution had made these provisions with the intention of allowing the Union Government to take appropriate action in certain situations, but these articles have to be used carefully.

Short Duration Discussion on situation arising out of misuse of funds provided by the Central Government under National Rural Employment Guarantee (NREG) Programme: A discussion in this regard took place in the House on 5, 6 and 7 December 2007. Initiating the discussion on 5 December 2007, Shri V. Narayanasamy of the Indian National Congress said that there were reports from NGOs and some independent bodies that the funds meant for National Rural Employment Guarantee Scheme were being misused in the country. The Scheme, implemented two years back envisaged that in the rural areas, the *Adivasis*, the Scheduled Castes, the backward classes, the farm labour and the unemployed would get employment for 100 days in a year. Under the Scheme, ninety per cent of the funds were provided by the Central Government and ten per cent by the State Government. He stated that it was unfortunate that at the State level, there was lot of corruption, mismanagement and misuse of the funds at the implementation stage. He said that jobs also were not being given as per the guidelines issued by the Government of India.

Speaking on the implementation of the NREG Scheme in some States, Shri Narayanasamy pointed out that the State Governments showed increased number of job cards issued to the people receive more funds from the Central Government. Thereafter, as they received money, they spent only 60 to 70 per cent of the total money and the remaining 30 per cent got siphoned off. Several surveys, he said, had been conducted by the NGOs which pointed that the poor did not get

the benefit of the scheme. The then President of India, Dr. Abdul Kalam had also asked the Comptroller and Auditor General of India to look into the matter and make the programme more transparent. Shri Narayanasamy urged the Minister to appoint a monitoring committee so that the funds were not used for the purpose of furthering the interest of any political party. The funds, he said, should be used for the poor people and the State Governments should be asked to take action against corruption and misuse of the funds.

Participating in the discussion*, Shri Ajay Maroo (BJP) said that the implementation of the National Rural Employment Guarantee Programme in the State of Jharkhand was very poor. The sole objective of the Scheme was to provide benefits to 27 per cent people of the tribal community living in the rural areas. Contrary to this, people were not getting the intended minimum wages. He also demanded that the audit of the State Government's report be done by a team sent by the Central Government, only thereafter, the deserving persons would receive the benefits of the Scheme.

Dr. K. Malaisamy (AIADMK) said that the bureaucracy and the political executive should work in coordination to run the administration. He said that the whole spirit of the Scheme was defeated by hiring big machines for earthworks such as desilting of tanks, etc. instead of using manual labour. The Public Accounts Committee had noticed that there was maladministration, misuse of funds, diversion of funds, corruption, etc. in the implementation of the Scheme. He suggested that the members of Parliament and Legislative Assemblies be involved in monitoring the Scheme apart from the local party functionaries and the NGOs. He stressed upon the need for a high level monitoring system at the State as well as at the national level.

Smt. N.P. Durga (TDP) said that as per the National Rural Employment Guarantee Act, 2005, the principal authorities for planning and implementation of the Scheme at the district, intermediate and village-levels are the *Panchayats*. It was unfortunate, that despite it being a Central Scheme, many States were canvassing and implementing

* Others who took part in the discussion were: Sarvashri Brij Bhushan Tiwari, Mangani Lal Mandal, Arjun Kumar Sengupta, Lalit Kishore Chaturvedi, Nand Kishore Yadav, Tiruchi Siva, Ekanath K. Thakur, Rajniti Prasad, Mani Shankar Aiyar, Dr. M.S.Gill, Dr. Radhakant Nayak, Smt. Brinda Karat, Kumari Nirmala Deshpande and Ms. Anusuiya Uikey.

the Scheme as the State Scheme. As per the guidelines of the Scheme, women were not getting the same wages as that of men. There was a need to generate awareness through radio, local cultural resources, inter-personal communication, door-to-door contact campaigns, TV, etc., so that the Scheme got percolated to the beneficiary, she added. In order to prevent duplication of work, Smt. Durga suggested that each work should be allocated a unique number and the maps of the physical assets so created be mentioned so that the sanctioning of money for the same work could be avoided. The States which were found diverting the funds should be penalized and those States which implement the programme well should be rewarded by grant of more funds.

Replying to the discussion on 7 December 2007, the Minister of Rural Development, Shri Raghuvansh Prasad Singh said that the programme was initially implemented in those 200 districts which were having a majority of Scheduled Castes and Scheduled Tribes. A decision, he said, had been taken to implement it in all the districts of the country. One of the main causes of poverty is unemployment and it could be eliminated through the Employment Guarantee Scheme. The Minister stated that it was due to the Employment Guarantee Act that 90 crore mandays had been created in 200 districts of the country. He stated that the evaluation of the programme had been done by the Indian Institute of Management (IIM), Bangalore, Jawaharlal Nehru University (JNU) and various other institutes which concluded that the programme had a good impact on steady distress migration.

As regards the rate of minimum wages, the Minister said that the rates were variable in different States and was governed by Section 3 of the Minimum Wages Act, 1948. If necessary, the Central Government would announce better rates. So far, the Scheme had proved that it was rural-oriented and poor people's scheme, he added. Referring to the monitoring measures, he said that the States had been directed that social audit of each work of the NREGA should be completed. Muster Roll verification was being done by the district authorities. Apart from this, National Level Monitors (NLMs) had made 219 visits in all the Phase One districts and 112 districts of Phase Two. The Area Officers of the Ministry also visited various districts to oversee the progress of the Act. A web-based system had also been implemented to provide transparency to the Scheme. There was no discrimination between men and women as far as the wages were concerned, the Minister stated. The provision of life insurance and health insurance

cover to the labourers working under the Scheme was also under consideration, he added.

B. LEGISLATIVE BUSINESS

*The All India Institute of Medical Sciences and the Post-Graduate Institute of Medical Education and Research (Amendment) Bill, 2007**: On 28 November 2007, the Minister of Health and Family Welfare, Dr. Anbumani Ramdoss moved the motion for consideration of the Bill in the House. As mentioned in the Objects and Reasons of the Bill, the appointment, terms and conditions of service of the Directors of the All-India Institute of Medical Sciences, Delhi and the Post-Graduate Institute of Medical Education and Research, Chandigarh were regulated under the All-India Institute of Medical Sciences Act, 1956, Post-Graduate Institute of Medical Education and Research Chandigarh Act, 1966, respectively. The Delhi High Court, in a recent order had held that the Director is an employee of the Institute but the prescribed age of superannuation for non-teaching faculty as sixty-two years, did not apply to the post of the Director. The Court held that the appointment to the Director's post is a "tenure appointment" and could not be curtailed except for justifiable reason and without giving proper notice in accordance with the law. The Court had also directed the Government of India and the Institute's Governing Body to formulate a policy covering the various facets and conditions of service of its employees including the Director of the Institute in accordance with law which could be uniformly applicable in future.

It was considered desirable that the tenure of office of the Director should not be left for determination through the mechanism of subordinate legislation. Rather, it should be made a part of the two principal Acts. This would ensure that any modification in the tenure of the Director in future would require the approval of Parliament and would thus strengthen the autonomous status of the Institutes.

Replying to the debate,** Dr. Ramdoss assured the members that the autonomy of the Institute would be protected.

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

* The Bill, as passed by the Lok Sabha, was laid on the Table on 22 November 2007

** Those who took part in the discussion were: Sarvashri V. Narayanasamy, Amar Singh, Mangani Lal Mandal, D. Raja and Smt. Brinda Karat

The Maintenance and Welfare of Parents and Senior Citizens Bill, 2007*: Moving the motion for consideration of the Bill on 6 December 2007, the Minister of Social Justice and Empowerment, Smt. Meira Kumar said that the population of the aged people had increased tremendously in the previous two decades. As per the 2001 census, people aged above 60 years constituted 6.9 per cent of the total population. This was expected to increase upto 12.4 per cent by the year 2026. More than 30 per cent of the aged were living below the poverty line. As the number of joint families was decreasing, the aged were losing social security and were feeling helpless. On several occasions the members had expressed their concern on the subject. The Minister said that extensive deliberations had taken place for the preparation of the draft Bill. The Bill was introduced in the Lok Sabha on 20 March 2007 and was thereafter referred to the Standing Committee.

Replying to the debate**, the Minister of Social Justice and Empowerment, Smt. Meira Kumar said that the important recommendations of the Standing Committee had been accommodated in the Bill. It was provided in the Bill that the State Government should within a period of six months from the date of the commencement of the Act, constitute one or more Tribunals for each sub-division for the purpose of adjudicating and deciding upon the order for maintenance. Any officer of the rank of Sub-Divisional Officer could become its Chairman. As a deterrent, it was provided in the Bill that whoever, having the responsibility of care or protection of the parents, neglects it, would be liable to punishment with imprisonment for a term of three months. It would also be the Government's resolve to provide old age homes for at least 150 senior citizens in each district.

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

The National Capital Territory of Delhi Laws (Special Provisions) Bill, 2007***: Moving the motion for the consideration of the Bill on

* The Bill, as passed by the Lok Sabha was laid on the Table on 6 December 2007

** Those who took part in the discussion were: Sarvashri B.S. Gnanadesikan, Nand Kishore Yadav, Ekanath K. Thakur, Tarlochan Singh, Tapan Kumar Sen, C. Perumal, Balihari Babu, Rajniti Prasad, Lalit Kishore Chaturvedi, Dr. Gyan Prakash Pilania, Dr. Narayan Singh Manaklao, Dr. K. Malaisamy, Prof. Ram Deo Bhandary and Kumari Nirmala Deshpande

*** The Bill, as passed by the Lok Sabha, was laid on the Table on 28 November 2007.

29 November 2007, the Minister of Urban Development, Shri S. Jaipal Reddy said that the Delhi Laws (Special Provisions) Act, 2006 was enacted in order to address on priority and in view of the several directions/orders passed by the Supreme Court and the High Court of Delhi in cases pending before them regarding issues such as unauthorized constructions, commercial use of residential premises, encroachment on public land by slum dwellers, JJ clusters etc. which were affecting the lives of millions of the people of Delhi at that time. The Act, *inter alia*, provided the Central Government to take all possible steps to finalize the norms, policy guidelines and feasible strategies to deal with the problems within a period of one year. The Act, provided for *status quo* as on 1 January 2006 to be maintained in respect of the unauthorized developments, and the Act lapsed on 18 May 2007 after remaining effective for a year. In the intervening period, the Master Plan for Delhi 2021 was notified on 7 February 2007 which incorporated extensive amendments in respect of the provisions. The Minister stated that the National Capital Territory of Delhi Laws (Special Provisions) Ordinance, 2007 was promulgated on 4 July 2007 to make orderly arrangements for preparing policy guidelines, feasible strategies or schemes for certain categories of unauthorized developments. Subsequent to the introduction of the Bill, in Lok Sabha on 17 August 2007 certain amendments to the Bill became necessary in view of the developments in regard to sealing of commercial premises, the recommendations of the Monitoring Committee and the Supreme Court's orders. It was therefore considered necessary that the scope of the proposed Bill may be widened. As the previous Ordinance was liable to lapse and the Parliament was not in session, a second Ordinance was promulgated which received the Government's approval on 13 September 2007. It was also decided to include the village *abadi* and its extension in the Ordinance. The NCT of Delhi Laws (Special Provisions) Bill, 2007 sought to replace the NCT of Delhi (Special Provisions) Second Ordinance, 2007 by an Act of Parliament.

Replying to the debate*, Shri S. Jaipal Reddy, the Minister of Urban Development' said that guidelines needed to be framed while regularizing the unauthorized colonies. In the Delhi Master Plan, considering

* Those who took part in the discussion were: Sarvashri Jai Parkash Aggarwal, Nand Kishore Yadav, A. Vijayaraghavan, Rajniti Prasad, Syed Azeez Pasha, Mangani Lal Mandal, Dr. Chandan Mitra and Dr. (Smt.)Prabha Thakur

the scarcity of land, in India in general, and in Delhi in particular, suggestions had been made for encouraging vertical growth besides taking care of the basic services. The Minister assured that it would be the Government's sincere endeavour to address all aspects of the Bill.

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

C. QUESTION HOUR

During the session 5,046 notices of Questions (4,205 Starred and 841 Unstarred) were received. Out of these, 340 Questions were admitted as Starred and 2,094 Questions as Unstarred. The total number of notices of Questions received in Hindi was 1,244.

Daily average of Questions: For all days, the list of Starred Questions contained 20 Questions each. On an average, 2.76 Questions were orally answered per sitting. The maximum number of Questions orally answered was six on 22 November 2007 and the minimum number of Questions orally answered was two on 21 November 2007.

The list of Unstarred Questions contained 43 Questions on 15 and 16 November 2007. On the rest of the days, it contained 155 Questions each.

Half-an-Hour Discussion: In all, 7 notices of Half-an-Hour Discussion were received, however none was admitted.

Short Notice Questions: In all, 4 Short Notice Questions were received. However, none was admitted.

D. OBITUARY REFERENCES

During the Session, obituary references were made on the passing away of Shri Jana Krishnamurthy K., sitting member of Rajya Sabha and Sarvashri S.R. Bommai, Jagdish Prasad Mathur and Dr. L.M. Singhvi, all former members.

Members stood in silence for a short while as a mark of respect to the memory of the deceased.

STATE LEGISLATURES

ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY*

The Fourth Arunachal Pradesh Legislative Assembly, which commenced its Ninth Session on 17 December 2007, was adjourned *sine die* on 19 December 2007. There were three sittings in all.

Legislative business: During the Session, following Bills were introduced, considered and passed by the House: (i) The Arunachal Pradesh Urban and Country Planning Bill, 2007; (ii) The Arunachal Pradesh Municipal Bill, 2007; (iii) The Central Laws (Extension to Arunachal Pradesh) Bill, 2007; and (iv) The Assam Forest Regulation, 1891 (No.7 of 1891) (Amendment Bill), 2005.

Obituary references: During the Session, obituary references were made on the passing away of Shri Tadar Taniang, former Minister of Arunachal Pradesh.

ASSAM LEGISLATIVE ASSEMBLY**

The Twelfth Assam Legislative Assembly, commenced its Sixth Session on 12 November 2007. The House was adjourned *sine die* 16 November 2007 and prorogued by the Governor on the same day. There were five sittings in all.

Financial business: On 12 November 2007, the Supplementary Demands for Grants and the Supplementary Appropriation for the year 2007-2008 was presented in the House. The listed Supplementary Demands were voted and passed by the House on 14 November 2007. The Assam Appropriation (No.IV) Bill was also passed by the House after consideration and discussion on the same day *i.e.* on 14 November 2007.

Obituary references: During the Session, obituary references were made on the passing away of 11 prominent persons.

DELHI LEGISLATIVE ASSEMBLY***

The Third Delhi Legislative Assembly, which commenced its Twelfth Session on 26 December 2007, was adjourned *sine die* on 28 December 2007. There were 3 sittings in all.

* Material contributed by the Arunachal Pradesh Legislative Assembly Secretariat

** Material contributed by the Assam Legislative Assembly Secretariat

*** Material contributed by the Delhi Legislative Assembly Secretariat

Legislative business: During the Session, (i) The National Law School, Delhi University, Bill 2007; (ii) The Bharat Ratna Dr. B.R. Ambedkar University (Amendment) Bill, 2007; (iii) The Indraprastha Institute of Information Technology-Delhi Bill, 2007; and (iv) The Prevention of Defacement of Property Bill, 2007 were considered and passed by the House.

Obituary references: During the Session, obituary references were made on the passing away of Shri S.S. Bajwa, Deputy Mayor of Delhi Municipal Corporation and Smt. Benazir Bhutto, former Prime Minister of Pakistan.

MADHYA PRADESH LEGISLATIVE ASSEMBLY*

The Thirteenth Session of the Twelfth Madhya Pradesh Legislative Assembly which commenced on 26 November 2007 was adjourned *sine die* on 28 November 2007. There were 3 sittings in all.

Legislative business: During the Session, three Bills were introduced and passed by the House.

Financial business: The Minister of Finance, Shri Raghavji presented the Statement of Second Supplementary Expenditure for the year 2007-2008 on 27 November 2007. The Supplementary Demands were discussed and the Appropriation Bill for the same was passed by the House on 28 November 2007.

Oath by Member: On 26 November 2007, Shri Kishore Samrita, an elected member in by-election from Lanji Assembly Constituency took oath of office.

Obituary references: During the Session, obituary references were made on the passing away of; Shri Vijay Kumar Khandelwal, a sitting Member of Lok Sabha; Shri K. Jana Krishnamurthy, a sitting member of the Rajya Sabha; Shri S.R. Bommai, former Union Minister; Sarvashri Shanker Lal Khatik, former MP; Bol Singh, Nathuram Ahirwar, Mahesh Baghal, Ashok Rao, Shiv Kumar Srivastava, Kamaji Gamira, Ramesh Chandra Mondloi, Vasudeo Chandrakar, Haji Gulam Sipten and Kunjilal Chaudhary, all former members of the State Legislative Assembly.

NAGALAND LEGISLATIVE ASSEMBLY**

The Tenth Nagaland Legislative Assembly commenced its Sixteenth

* Material contributed by the Madhya Pradesh Legislative Assembly Secretariat

** Material contributed by the Nagaland Legislative Assembly Secretariat

Session on 13 December 2007 and was adjourned *sine die* and prorogued on the same day.

Legislative business: During the Session, The Nagaland Retirement from Public Employment Bill, 2007 was considered and passed by the House.

Motion of No-Confidence: On 13 December 2007, the House rejected the Motion of No-Confidence against the Government by 19 votes in favour and 23 against it.

Obituary references: During the Session, obituary references were made on the passing away of Shri Arienba Jamir, former member of the State Legislative Assembly.

PUNJAB LEGISLATIVE ASSEMBLY*

The Thirteenth Punjab Legislative Assembly, which commenced its Third Session on 17 December 2007 was adjourned *sine die* on 24 December 2007.

Legislative business: During the Session, following thirteen Bills were introduced and passed by the House. (i) The Code of Criminal Procedure (Punjab Amendment) Bill, 2007; (ii) The Indian Stamp (Punjab Amendment) Bill, 2007; (iii) The Punjab Tax on Entry of Goods into Local Areas (Amendment) Bill, 2007; (iv) The Punjab Value Added Tax (Second Amendment) Bill, 2007; (v) The Punjab Value Added Tax (Third Amendment) Bill, 2007; (vi) The Punjab Value Added Tax (Fourth Amendment) Bill, 2007; (vii) The Jaagat Jot Sri Guru Granth Sahib Satkar Bill, 2007; (viii) The Punjab Fiscal Responsibility and Budget Management (Amendment) Bill, 2007; (ix) The Punjab Infrastructure (Development and Regulation) Amendment Bill, 2007; (x) The Punjab Education Development (Amendment) Bill, 2007; (xi) The Punjab Affiliated Colleges (Security of Service) Amendment Bill, 2007; (xii) The Punjab Police Bill, 2007; and (xiii) The Punjab Motor Vehicles Taxation (Amendment) Bill, 2007.

* Material contributed by the Punjab Legislative Assembly Secretariat

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

1.	PERIOD OF THE SESSION	15 November 2007 to 7 December 2007	
2.	NUMBER OF SITTINGS HELD		17
3.	TOTAL NUMBER OF SITTING HOURS	90 hours and 07 minutes	
4.	GOVERNMENT BILLS		
	(i) Pending at the commencement of the Session		29
	(ii) Introduced		13
	(iii) Laid on the Table as passed by Rajya Sabha		5
	(iv) Reported by Standing Committee		5
	(v) Discussed		14
	(vi) Passed		14
	(vii) Withdrawn		1
	(viii) Part-discussed		Nil
	(ix) Returned by Rajya Sabha without any recommendation		3
	(ix) Pending at the end of the Session		32
5.	PRIVATE MEMBERS' BILLS		
	(i) Pending at the commencement of the Session		236
	(ii) Introduced		13
	(iii) Discussed		3
	(iv) Passed		Nil
	(v) Withdrawn		2
	(vi) Part-discussed		1
	(vii) Pending at the end of the Session		247
6.	NUMBER OF DISCUSSION HELD UNDER RULE 184		
	(i) Notices received		513
	(ii) Admitted		232
	(iii) Discussed		1
7.	NUMBER OF MATTERS RAISED UNDER RULE 377		186
8.	NUMBER OF MATTERS RAISED ON URGENT PUBLIC IMPORTANCE DURING ZERO HOUR		193
9.	NUMBER OF DISCUSSIONS HELD UNDER RULE 193 (Matters of Urgent Public Importance)		
	(i) Notices received		269

(ii) Admitted	5
(iii) Discussions held	4
(iv) Discussions completed	3
(v) Part-discussed	1
10. NUMBER OF STATEMENTS MADE UNDER RULE 197 (Calling attention to matters of Urgent Public Importance)	7
11. STATEMENTS MADE BY MINISTERS UNDER RULE 372 & DIRECTION 73A	64
12. STATUTORY RESOLUTIONS	
(i) Notices received	8
(ii) Admitted	3
(iii) Moved	3
(iv) Adopted	1
(v) Withdrawn	2
13. GOVERNMENT RESOLUTIONS	
(i) Notices received	2
(ii) Admitted	2
(iii) Moved	2
(iv) Adopted	2
14. PRIVATE MEMBERS' RESOLUTIONS	
(i) Received	6
(ii) Admitted	5
(iii) Discussed	1
(iv) Part-discussed	1
15. NUMBER OF ADJOURNMENT MOTIONS	
(i) Total number of Notices received	13
(ii) Brought before the House	Nil
(iii) Consent withheld by the Speaker, Lok Sabha outside the House	13
16. TOTAL NUMBER OF VISITORS' PASSES ISSUED DURING THE SESSION	8,303
17. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY AND THE DATE ON WHICH ISSUED	786, issued on 28 November 2007
18. TOTAL NUMBER OF QUESTIONS ADMITTED	
(i) Starred	340
(ii) Starred answered orally	70
(iii) Un-starred	3,334

(iv) Short Notice Questions	Nil
(v) Half-an-Hour discussions	1
19. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE	9
20. PETITIONS PRESENTED	1
21. NUMBER OF NEW MEMBERS SWORN-IN WITH DATE	One on 15 November 2007
22. NUMBER OF PRIVILEGE MOTIONS	
(i) Notices received	7
(ii) Brought before the House	Nil

23. WORKING OF PARLIAMENTARY COMMITTEES

Sl. No.	Name of the Committee	No. of sittings held during the period from 1 October to 31 December 2007	No. of Reports presented
1	2	3	4
i)	Business Advisory Committee	—	—
ii)	Committee on Absence of Members from the Sittings of the House	—	—
iii)	Committee on Empowerment of Women	2	1
iv)	Committee on Estimates	4	1
v)	Committee on Ethics	—	—
vi)	Committee on Government Assurances	2	—
vii)	Committee on Members of Parliament Local Area Development Scheme (MPLADS)	1	—
viii)	Committee on Papers Laid on the Table	—	—
ix)	Committee on Petitions	7	5
x)	Committee on Private Members' Bills and Resolutions	3	3
xi)	Committee of Privileges	—	—
xii)	Committee on Public Accounts	—	—
xiii)	Committee on Public Undertakings	6	4
xiv)	Committee on Subordinate Legislation	—	—
xv)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes	4	4
xvi)	General Purposes Committee	—	—
xvii)	House Committee		
	a) Accommodation Sub-Committee	—	—
	b) Sub-Committee on Amenities	—	—

xviii) Library Committee	—	—
xix) Railway Convention Committee	2	—
xx) Rules Committee	—	—

JOINT / SELECT COMMITTEE

i) Joint Committee on Offices of Profit	—	—
ii) Joint Committee on Salaries and Allowances of Members of Parliament	—	—

DEPARTMENTALLY-RELATED STANDING COMMITTEES

i) Committee on Agriculture	3	4
ii) Committee on Chemicals and Fertilizers	1	4
iii) Committee on Coal & Steel	5	3
iv) Committee on Defence	9	—
v) Committee on Energy	4	3
vi) Committee on External Affairs	3	3
vii) Committee on Finance	—	—
viii) Committee on Food, Consumer Affairs and Public Distribution	—	—
ix) Committee on Information Technology	11	4
x) Committee on Labour	7	1
xi) Committee on Petroleum and Natural Gas	4	4
xii) Committee on Railways	7	4
xiii) Committee on Rural Development	4	—
xiv) Committee on Social Justice and Empowerment	2	—
xv) Committee on Urban Development	5	3
xvi) Committee on Water Resources	3	1

CELL ON PARLIAMENTARY FORUM

Sl. No.	Name of Forum	No. of Meetings held during the period from 1 October to 31 December 2007	No. of presentations held
1.	Parliamentary Forum on Children	1	1
2.	Parliamentary Forum on Water Conservation and Management	—	1
3.	Parliamentary Forum on Youth	1	1
4.	Parliamentary Forum on Population and Public Health	1	1

APPENDIX II

**STATEMENT SHOWING THE WORK
TRANSACTIONED DURING THE TWO HUNDRED AND
TWELFTH SESSION OF THE RAJYA SABHA**

1. PERIOD OF THE SESSION	15 November to 7 December 2007
2. NUMBER OF SITTINGS HELD	17
3. TOTAL NUMBER OF SITTING HOURS	84 Hours and 31 Minutes
4. NUMBER OF DIVISIONS HELD	Nil
5. GOVERNMENT BILLS	
(i) Pending at the commencement of the Session	44
(ii) Introduced	1
(iii) Laid on the Table as passed by Lok Sabha	10
(iv) Returned by 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 Department-related Standing Committees	4
(viii) Reported by Select Committee	Nil
(ix) Reported by Joint Committee	Nil
(x) Reported by the Department-related Standing Committees	5
(xi) Discussed	15
(xii) Passed	15
(xiii) Withdrawn	1
(xiv) Negatived	Nil
(xv) Part-discussed	1
(xvi) Returned by the Rajya Sabha without any recommendation	3
(xvii) Discussion postponed	1
(xviii) Pending at the end of the Session	40
6. PRIVATE MEMBERS' BILLS	
(i) Pending at the commencement of the Session	205
(ii) Introduced	13
(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	Nil
(vii) Withdrawn	Nil
(viii) Passed	Nil
(ix) Negatived	Nil
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	1
(xii) Discussion postponed	Nil
(xiii) Motion for circulation of Bill negatived	Nil
(xiv) Referred to Select Committee	Nil
(xv) Lapsed due to retirement/death of Member-in-charge of the Bill	Nil
(xvi) Pending at the end of the Session	218
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176 (Matters of Urgent Public Importance)	
(i) Notices received	88
(ii) Admitted	35 (on 4 subjects)
(iii) Discussions held	4
8. NUMBER OF STATEMENTS MADE UNDER RULE 180 (Calling Attention to Matters of Urgent Public Importance)	
Statement made by Ministers	Nil
9. HALF-AN-HOUR DISCUSSIONS	Nil
10. STATUTORY RESOLUTIONS	
(i) Notices received	1
(ii) Admitted	1
(iii) Moved	1
(iv) Adopted	1
(v) Negatived	Nil
(vi) Withdrawn	Nil
11. GOVERNMENT RESOLUTIONS	
(i) Notices received	Nil
(ii) Admitted	Nil
(iii) Moved	Nil
(iv) Adopted	Nil
12. PRIVATE MEMBERS' RESOLUTION	
(i) Received	28
(ii) Admitted	10
(iii) Discussed	1
(iv) Withdrawn	Nil

(v) Negatived	Nil
(vi) Adopted	Nil
(vii) Part-discussed	1
(viii) Discussion postponed	Nil
13. GOVERNMENT MOTIONS	
(i) Notices received	Nil
(ii) Admitted	Nil
(iii) Moved & discussed	Nil
(iv) Adopted	Nil
(v) Part-discussed	Nil
14. PRIVATE MEMBERS' MOTIONS	
(i) Received	286
(ii) Admitted	348
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Part-discussed	Nil
(vi) Negatived	Nil
(vii) Withdrawn	Nil
15. MOTIONS REGARDING MODIFICATION OF STATUTORY RULE	
(i) Received	Nil
(ii) Admitted	Nil
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Negatived	Nil
(vi) Withdrawn	Nil
(vii) Part-discussed	Nil
(viii) Lapsed	Nil
16. NUMBER, NAME AND DATE OF PARLIAMENTARY COMMITTEE CREATED, IF ANY	Nil
17. TOTAL NUMBER OF VISITORS' PASSES ISSUED	1,065
18. TOTAL NUMBER OF VISITORS	1,805
19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED	130 (on 23.11.2007)
20. MAXIMUM NUMBER OF VISITORS ON ANY SINGLE DAY AND DATE	328 (on 23.11.2007)
21. TOTAL NUMBER OF QUESTIONS ADMITTED	
(i) Starred	340
(ii) Unstarred	2,094
(iii) Short-Notice Questions	Nil
22. DISCUSSIONS ON THE WORKING OF THE MINISTRIES	Nil

23. WORKING OF PARLIAMENTARY COMMITTEES

Sl. No.	Name of Committee	No. of meetings held during the period 1 October to 31 December 2007	No. of Reports presented
(i)	Business Advisory Committee	3	Nil
(ii)	Committee on Subordinate Legislation	4	2
(iii)	Committee on Petitions	5	1
(iv)	Committee of Privileges	3	1
(v)	Committee on Rules	Nil	Nil
(vi)	Committee on Government Assurances	1	1
(vii)	Committee on Papers Laid on the Table	2	Nil
(viii)	General Purposes Committee	Nil	Nil
(ix)	House Committee	Nil	Nil

Department-related Standing Committees:

(x)	Commerce	4	Nil
(xi)	Home Affairs	4	Nil
(xii)	Human Resource Development	3	7
(xiii)	Industry	6	Nil
(xiv)	Science and Technology, Environment and Forests	5	7
(xv)	Transport, Tourism and Culture	5	3
(xvi)	Health & Family Welfare	3	2
(xvii)	Personnel, Public Grievances, Law and Justice	7	Nil

Other Committees

(xviii)	Committee on Ethics	Nil	Nil
(xix)	Committee on Provision of Computers to Members of Rajya Sabha	1	Nil
(xx)	Committee on Member of Parliament Local Area Development Scheme	Nil	Nil
(xxi)	Joint Parliamentary Committee on the Functioning of Wakf Boards	2	Nil

24. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE

Nil

25. PETITIONS PRESENTED

Nil

26. NAME OF NEW MEMBERS SWORN-IN WITH DATES

Sl. No.	Name of Members sworn-in	Party Affiliation	Date on which sworn-in
1	2	3	4
1.	Shri Ambeth Rajan	B.S.P	15.10.2007

27. OBITUARY REFERENCES

Sl. No.	Name	Sitting Member/ Ex-Member
1.	Shri Jana Krishnamurthy K.	Sitting Member
2.	Dr L.M. Singhvi	Ex-Member
3.	Shri S.R. Bommai	-do-
4.	Shri Jagdish Prasad Mathur	-do-

APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF THE STATES AND UNION TERRITORIES DURING THE PERIOD FROM 1 OCTOBER TO 31 DECEMBER 2007

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
1	2	3	4	5	6	7	8
STATES							
Andhra Pradesh L.A.**	—	—	—	—	—	—	—
Andhra Pradesh L.C.**	—	—	—	—	—	—	—
Arunachal Pradesh L.A.	17.12.2007 to 19.12.2007	3	3(4)	—	54(43)	30	—
Assam L.A.	12.11.2007 to 16.11.2007	5	5(5)	—	356(100)	201(184)	131(118)
Bihar L.A.**	—	—	—	—	—	—	—
Bihar L.C.	7.12.2007 to 14.12.2007	6	—(9)	—	—	—	184(144)
Chhattisgarh L.A.	26.11.2007 to 04.12.2007	7	6(6)	—	567(317)	382(216)	—
Goa L.A.*	—	—	—	—	—	—	—
Gujarat L.A.*	—	—	—	—	—	—	—
Haryana L.A.*	—	—	—	—	—	—	—
Himachal Pradesh L.A.*	—	—	—	—	—	—	—
Jammu & Kashmir L.A.**	—	—	—	—	—	—	—
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—
Jharkhand L.A.**	—	—	—	—	—	—	—
Karnataka L.A.	19.11.2007 to 19.11.2007	1	—	—	—	—	—
Karnataka L.C.*	—	—	—	—	—	—	—
Kerala L.A.**	—	—	—	—	—	—	—
Madhya Pradesh L.A.	26.11.2007 to 28.11.2007	3	3(3)	—	1,433(341)	942(1,649)*	—

Maharashtra L.A.**	—	—	—	—	—	—	—	—	—
Maharashtra L.C.**	—	—	—	—	—	—	—	—	—
Manipur L.A.*	—	—	—	—	—	—	—	—	—
Meghalaya L.A.**	—	—	—	—	—	—	—	—	—
Mizoram L.A.*	—	—	—	—	—	—	—	—	—
Nagaland L.A.	13.12.2007 to 13.12.2007	1	1(1)	—	—	2(2)	—	—	—
Orissa L.A.	19.11.2007 to 29.11.2007	9	1(1)	—	—	1,051(602)	1,148(1,508)*	—	—
Punjab L.A.**	—	—	—	—	—	—	—	—	—
Rajasthan L.A.**	—	—	—	—	—	—	—	—	—
Sikkim L.A.*	—	—	—	—	—	—	—	—	—
Tamil Nadu L.A.**	—	—	—	—	—	—	—	—	—
Tripura L.A.*	—	—	—	—	—	—	—	—	—
Uttarakhand L.A.	21.11.2007 to 27.11.2007	4	4(4)	—	—	325(99)	—(234)*	96(19)	—
Uttar Pradesh L.A.	30.10.2007 to 6.12.2007	7	28(22)	—	—	871(114)	338(717)*	176(110)	—
Uttar Pradesh L.C.	30.10.2007 to 6.12.2007	8	—(32)	—	—	593(509)	53(45)	108(96)	—
West Bengal L.A.**	—	—	—	—	—	—	—	—	—
UNION TERRITORIES									
Delhi L.A.	26.12.2007 to 28.12.2007	3	3(2)	—	—	—(60)	—(164)	—	—
Puducherry L.A.**	—	—	—	—	—	—	—	—	—

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

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

⊕ Starred Questions and Short Notices admitted as Unstarred

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Assam L.A.	2	—	1	—	—	2	—	3	—	1	—	—	1	—	—	—
Bihar L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bihar L.C.	1(1)	11	12	11(1)	10	—	11	28	—	9	11	11	—	—	—	65(5) ^(a)
Chhattisgarh L.A.	1(1)	2	—	2	—	—	2	—	—	—	1	—	3	—	—	3 ^(d)
Goa L.A.*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Gujarat L.A.	—	1	—	—	—	1	—	2	1	—	1	—	2	—	—	2 ^(d)
Haryana L.A.	—	20	21	—	15	22	25	16	17	—	—	14	13	—	—	—
Himachal Pradesh L.A.	—	—	—	—	3	8	2	6	6	—	—	—	5	—	—	9 ^(d)
Jammu & Kashmir L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jharkhand L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Karnataka L.A.	—	2	1	—	—	2(1)	2	—	1	—	1	1	—	—	—	4 ^(d)
Karnataka L.C.	—	3	3	—	3	—	—	—	—	—	2	—	—	—	—	—
Kerala L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Madhya Pradesh L.A.	1(1)	5	2	—	2	9	2	6	2	—	3	3	4	—	—	11 ^(d)
Maharashtra L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Maharashtra L.C.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Manipur L.A.	—	—	—	—	1	—	1	2	—	—	—	1	9	1	—	—
Meghalaya L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mizoram L.A.	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	11(1) ^(d)
Nagaland L.A.	1	—	—	—	—	—	—	—	1(1)	—	—	—	—	—	—	1(1) ^(d)
Orissa L.A.	3	5	8	—	—	8	10	4	4	—	1	9	5	1	2	58 ^(d)
Punjab L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Rajasthan L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sikkim L.A.	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—
Tamil Nadu L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Tripura L.A.	—	1	1	—	3	—	1	4	2	—	—	—	6	—	—	—

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Uttarakhand L.A.	4(4)	6	6	—	—	—	—	4	—	—	2	—	6(2)	—	4(1)	3 ^(a)
Uttar Pradesh L.A.	6(6)	6	—	—	—	—	4	1	9	—	—	—	—	1	—	11 ^(a)
Uttar Pradesh L.C.	6	8	4	—	6	—	—	—	—	—	—	—	—	—	—	80 ^(a)
West Bengal L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
UNION TERRITORIES																
Delhi L.A.	1(1)	1	—	1(1)	—	—	—	—	—	—	—	—	1	—	—	1 ^(a)
Puducherry L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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

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

(a) Ad-hoc Committee on Modalities in Tender System-1

(b) Question and Calling Attention Committee-11(1); Human Rights Committee-13(3); Committee on State Language-10; Nivedan Committee-12; Committee on Welfare of Minorities-11; and Zila Parishad and Panchayati Raj Committee-8(1)

(c) Question and Reference Committee-3

(d) Panchayati Raj Committee-1; and Welfare of Socially and Educationally Backward Classes Committee-1

(e) Public Administration Committee-4; Human Resource Development Committee-2; and Rural Planning Committee-3

(f) Committee on Welfare of Women and Children-2; Committee on Papers Laid on the Table-1; and Committee on Backward Classes and Minorities-1

(g) Committee on Welfare of Women and Children-3; Committee on Question and Reference-4; and Committee on Papers Laid on the Table-4

(h) Subject Committees-8(1); and Enquiry Committee-3

(i) Committee-V-1(1)

(j) Standing Committees (I to X)-28; Ethics Committee-2; House Committee on Woman and Child Welfare-6; House Committee on Rehabilitation-1; House Committee on Submissions-9; House Committee on Power Generation-1; House Committee on Cyclone and Flood-1; House Committee on Land Settlement-2; and House Committee on Proceedings-8

(k) Ad-hoc Committee to Suggest Measures to overcome the Problems being faced in issuance of Bonafide / Domicile / Permanent Residence and Caste Certificates-3

- (l) Committee on Parliamentary Research, Reference and Studies-1; Ethics Committee-1 and Committee Relating to Examination of Audit Reports of the Local Bodies of the State-9
- (m) Committee on Reference and Question-15; Committee on Financial and Administrative Delays-7; Committee on Parliamentary Study-6; Committee on Enquiry of House Complaints of U.P. Legislature-3; Parliamentary and Social Welfare Committee-20; Committee on Control of Irregularities in Development Authorities, Housing Board, Zila Panchayats and Municipal Corporation-8; Committee on Enquiry of Provincial Electricity Arrangement-4; Committee on Rules Revision-7; and Committee on Regulation Review-10
- (n) Committee on Rural Issue-1

APPENDIX IV**LIST OF BILLS PASSED BY THE HOUSES OF
PARLIAMENT AND ASSENTED TO BY THE
PRESIDENT DURING THE PERIOD****1 OCTOBER TO 31 DECEMBER 2007**

Sl. No.	Title of the Bill	Date of Assent
1	2	3
1.	The All-India Institute of Medical Sciences and Post-Graduate Institute of Medical Education and Research (Amendment) Bill, 2007	30.11.2007
2.	The National Capital Territory of Delhi Laws (Special Provisions) Bill, 2007	5.12.2007
3.	The Aircraft (Amendment) Bill, 2007	5.12.2007
4.	The Payment of Bonus (Amendment) Bill, 2007	12.12.2007
5.	The Appropriation (No.4) Bill, 2007	12.12.2007
6.	The Appropriation (No.5) Bill, 2007	12.12.2007
7.	The Appropriation (Railways) (No.4) Bill, 2007	12.12.2007
8.	The Indian Boilers (Amendment) Bill, 2007	12.12.2007
9.	The Tyre Corporation of India (Disinvestment of Ownership) Bill, 2007	12.12.2007
10.	The Payment and Settlement Systems Bill, 2007	20.12.2007
11.	The Indira Gandhi National Tribal University Bill, 2007	20.12.2007
12.	The Sashastra Seema Bal Bill, 2007	20.12.2007
13.	The Rajiv Gandhi Institute of Petroleum Technology Bill, 2007	20.12.2007
14.	The Armed Forces Tribunal Bill, 2007	25.12.2007
15.	The Maintenance and Welfare of Parents and Senior Citizens Bill, 2007	29.12.2007

APPENDIX V **LIST OF BILLS PASSED BY THE LEGISLATURES** **OF THE STATES AND THE UNION TERRITORIES** **DURING THE PERIOD**

1 OCTOBER TO 31 DECEMBER 2007

ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY

1. The Forest Regulation, 1891 (Amendment) Bill, 2005
2. The Arunachal Pradesh Urban and Country Planning Bill, 2007
3. The Arunachal Pradesh Municipal Bill, 2007
4. The Central Laws (Extension to Arunachal Pradesh) Bill, 2007

ASSAM LEGISLATIVE ASSEMBLY

1. The Assam Appropriation (No.IV) Bill, 2007
2. The Assam Agricultural Income Tax (Second Amendment) Bill, 2007
3. The Assam Amusement and Betting Tax (Amendment) Bill, 2007
4. The Assam Nagara Raj Bill, 2007
5. The Assam Municipality Disclosure Bill, 2007

CHHATTISGARH LEGISLATIVE ASSEMBLY

1. The Chhattisgarh Police (Sanshodhan) Vidheyak, 2007
2. The Chhattisgarh Rajbhasha (Sanshodhan) Vidheyak, 2007
3. The Chhattisgarh Vinayog (Kramank-4) Vidheyak, 2007
4. The Chhattisgarh Sahkari Society (Nukshan ki Pratipurti) Vidheyak, 2007
5. The Chhattisgarh Shaskiya Sewak (Advarsiki Aayu) (Sanshodhan) Vidheyak, 2007
6. The Chhattisgarh Rajya Pichada Barga Aayoga (Sanshodhan) Vidheyak, 2007

MADHYA PRADESH LEGISLATIVE ASSEMBLY

1. The Madhya Pradesh VAT (Dwitiya Sanshodhan) Vidheyak, 2007
2. The Madhya Pradesh Vinayog (Kramank-4) Vidheyak, 2007
3. The Madhya Pradesh Sahkari Society (Sanshodhan) Vidheyak, 2007

NAGALAND LEGISLATIVE ASSEMBLY

1. The Nagaland Retirement from Public Employment Bill, 2007

ORISSA LEGISLATIVE ASSEMBLY

1. The Orissa Appropriation (No.2) Bill, 2007

UTTARAKHAND LEGISLATIVE ASSEMBLY

1. The Uttarakhand Appropriation (Supplementary 2007-2008) Bill, 2007

2. The Uttarakhand (The Uttar Pradesh Nagar Nigam Adhiniyam, 1959) Adaptation and Modification order, 2002 (Amendment) Bill, 2007
3. The Uttarakhand Cooperative Societies (Amendment) Bill, 2007
4. The Uttarakhand Police Bill, 2007

UTTAR PRADESH LEGISLATIVE ASSEMBLY

1. The Uttar Pradesh State Universities (Second Amendment) Bill, 2007
2. The Uttar Pradesh State Council of Higher Education (Amendment) Bill, 2007
3. The Chhatrapati Shahuji Maharaj Medical University Uttar Pradesh (Amendment) Bill, 2007
4. The Uttar Pradesh Tax on Entry of Goods into Local Areas Bill, 2007
5. The Uttar Pradesh Panchayat Laws (Amendment) Bill, 2007
6. The Uttar Pradesh Krishi Evam Prodyogik Vishwavidyalaya (Sanshodhan) Vidheyak, 2007
7. The Uttar Pradesh Areas Development (Amendment) Bill, 2007
8. The Uttar Pradesh Co-operative Societies (Second Amendment) Bill, 2007
9. The Uttar Pradesh Dr. Bhim Rao Ambedkar Samajik Parivartan Bill, 2007
10. The Chhatrapati Shahuji Maharaj Medical University Uttar Pradesh (Second Amendment) Bill, 2007*
11. The Uttar Pradesh Technical University (Second Amendment) Bill, 2007
12. The Uttar Pradesh District Planning Committee (Amendment) Bill, 2007
13. The Uttar Pradesh Zamindari Abolition and Reforms (Amendment) Bill, 2007
14. The Uttar Pradesh Co-operative Societies (Amendment) Bill, 2007
15. The Uttar Pradesh Urban Local Self Government Laws (Amendment) Bill, 2007
16. The Uttar Pradesh Public Service (Reservation for the Scheduled Castes, Scheduled Tribes and Other Backward Classes) (Amendment) Bill, 2007
17. The Uttar Pradesh Appropriation (Supplementary 2007-2008) Bill, 2007
18. The Uttar Pradesh Control of Organized Crime Bill, 2007*
19. The Uttar Pradesh Senior Officer's Residences (Repeal) Bill, 2007
20. The Uttar Pradesh Secondary Education Service Selection Board (Third Amendment) Bill, 2007*
21. The Uttar Pradesh Motor Vehicles Taxation (Second Amendment) Bill, 2007
22. The Uttar Pradesh Sugarcane (Regulation of Supply and Purchase) (Amendment) Bill, 2007
23. The Uttar Pradesh State Legislature (Member's Emoluments and Pension) (Second Amendment) Bill, 2007
24. The Uttar Pradesh Higher Education Services Commission (Second Amendment) Bill, 2007*
25. The Uttar Pradesh Co-operative Societies (Third Amendment) Bill, 2007
26. The Uttar Pradesh Public Premises (Eviction of Unauthorised Occupants) (Amendment) Bill, 2007*
27. The Code of Criminal Procedure (Uttar Pradesh Amendment) Bill, 2007*
28. The Uttar Pradesh Prohibition of Ragging in Educational Institutions Bill, 2007*

UTTAR PRADESH LEGISLATIVE COUNCIL

1. The Uttar Pradesh Dr. Bhimrao Ambedkar Samajik Parivartan Sthal (Sanrachan Aur Anurachan Vidheyak, 2007
2. The Uttar Pradesh Viniyog (2007-2008 Ka Anupurak) Vidheyak, 2007
3. The Chhatrapati Shahuji Maharaj Chikitsa Vishwavidyalaya Uttar Pradesh (Sanshodhan) Vidheyak, 2007
4. The Uttar Pradesh Shahkari Samiti (Dwitiya Sanshodhan) Vidheyak, 2007
5. The Uttar Pradesh Rajya Vishwavidyalaya (Dwitiya Sanshodhan) Vidheyak, 2007
6. The Uttar Pradesh Zila Yojna Samiti (Sanshodhan) Vidheyak, 2007
7. The Uttar Pradesh Zamindari Vinash Aur Bhumi Vyavastha (Sanshodhan) Vidheyak, 2007
8. The Uttar Pradesh Sahkari Samiti (Sanshodhan) Vidheyak, 2007
9. The Uttar Pradesh Rajya Uchch Siksha Parishad (Sanshodhan) Vidheyak, 2007
10. The Uttar Pradesh Krishi Evam Prodyogik Vishwavidyalaya (Sanshodhan) Vidheyak, 2007
11. The Chhatrapati Shahuji Maharaj Chikitsa Vishwavidyalaya (Sanshodhan) Vidheyak, 2007
12. The Uttar Pradesh Sangathit Aparadha Niyantaran Vidheyak, 2007
13. The Uttar Pradesh Chhetra Vikas (Sanshodhan) Vidheyak, 2007
14. The Uttar Pradesh Panchayat Vidhi (Sanshodhan) Vidheyak, 2007
15. The Uttar Pradesh Uchhatar Siksha Sewa Ayog (Sanshodhan) Vidheyak, 2007
16. The Uttar Pradesh Krishi Utpadan Mandi (Sanshodhan) Vidheyak, 2007
17. The Uttar Pradesh Sthaniya Kshetra Mein Mal Ke Pravesh par Kar Vidheyak, 2007
18. The Chhatrapati Shahuji Maharaj Chikitsa Vishwavidyalaya Uttar Pradesh (Dwitiya Sanshodhan) Vidheyak, 2007
19. The Uttar Pradesh Dr. Bhimrao Ambedkar Samajik Parivartan Sthal Vidheyak, 2007
20. The Uttar Pradesh Pravidhik Vishwavidyalaya (Dwitiya Sanshodhan) Vidheyak, 2007
21. The Uttar Pradesh Nagar Sthaniya Swyatt Shashan Vidhi (Sanshodhan) Vidheyak, 2007
22. The Uttar Pradesh Lok Sewa (Anusuchit Jaatiyon, Anusuchit Jan Jatiyon Aur Anya Pichhara Vargon ke liye Arakshan (Sanshodhan) Vidheyak, 2007
23. The Uttar Pradesh Motor Yan Karadhan (Dwitiya Sanshodhan) Vidheyak, 2007
24. The Uttar Pradesh Madhyamik Siksha Sewa Chayan Ayog (Tritiya Sanshodhan) Vidheyak, 2007
25. The Uttar Pradesh Ganna (Purti tatha Kharid Viniyaman) (Sanshodhan) Vidheyak, 2007
26. The Uttar Pradesh Sahkari Samiti (Tritiya Sanshodhan) Vidheyak, 2007
27. The Uttar Pradesh Ucchatar Siksha Sewa Ayog (Dwitiya Sanshodhan) Vidheyak, 2007
28. The Uttar Pradesh Rajya Vidhan Mandal (Sadasyo ki Uplabdhiya Aur Pension (Dwitiya Sanshodhan) Vidheyak, 2007
29. The Uttar Pradesh Rajya Vidhan Mandal (Sadasyo ki Uplabdhiya Aur Pension (Sanshodhan) Vidheyak, 2007

30. The Uttar Pradesh Jeshtha Adhikari (Nirсан) Videyak, 2007
31. The Danda Prakria Sanhita (The Uttar Pradesh (Sanshodhan) Vidheyak, 2007
32. The Uttar Pradesh Sarvajanik Bhu-Grahadl (Apradhikrit Adhaasiyaon ki Bedakhall) (Sanshodhan) Vidheyak, 2007
33. The Uttar Pradesh Saichhanik Sansthayon may Ragging ka Pratishedh Vidheyak, 2007

APPENDIX VI
ORDINANCES PROMULGATED BY THE UNION AND
STATE GOVERNMENTS DURING THE PERIOD

1 OCTOBER TO 31 DECEMBER 2007

Sl. No.	Title of Ordinance	Date of Promulgation	Date on which laid before the House	Date of Cessation	Remarks
UNION GOVERNMENT					
1.	The Payment of Bonus (Amendment) Ordinance, 2007	27.10.2007	19.11.2007	—	Replaced by Legislation
CHHATTISGARH					
1.	The Chhattisgarh Shaskiya Sevak (Adhivarsiki Ayu (Sanshodhan) Ordinance, 2007	10.9.2007	27.11.2007	—	—
2.	The Chhattisgarh Rajya Pichhara Varg Ayog (Sanshodhan) Ordinance, 2007	12.9.2007	27.11.2007	—	—
3.	The Chhattisgarh Cooperative Societies (Recovery of Losses Ordinance, 2007	19.9.2007	27.11.2007	—	—
GOA					
1.	The Goa Entertainment Tax (Amendment) Ordinance, 2007	13.10.2007	15.01.2008	—	—
2.	The Goa Municipalities (Amendment) Ordinance, 2007	14.12.2007	14.1.2008	—	—

GUJARAT					
1.	The Gujarat Cooperative Societies (Amendment) Ordinance, 2007	8.10.2007	18.1.2008	18.1.2008	Replaced by Legislation
HIMACHAL PRADESH					
1.	The Himachal Pradesh Police (Amendment) Ordinance, 2007	6.10.2007	11.1.2008	—	—
MADHYA PRADESH					
1.	The Madhya Pradesh Sahkari Society (Sanshodhan) Adhyadesh, 2007	5.10.2007	27.11.2007	—	Replaced by Legislation
ORISSA					
1.	The Orissa Cooperative Societies (Amendment) Ordinance, 2007	26.9.2007	—	27.11.2007	—
UTTARAKHAND					
1.	The Uttarakhand (The Uttar Pradesh Nagar Nigam Adhiniyam, 1959) Adaptation and Modification Order, 2002 (Amendment) Ordinance, 2007	11.9.2007	21.11.2007	3.12.2007	Replaced by Legislation
2.	The Uttarakhand Cooperative Societies (Amendment) Ordinance, 2007	18.10.2007	21.11.2007	12.12.2007	Replaced by Legislation
UTTAR PRADESH					
1.	The Uttar Pradesh Trade Tax (Amendment) Ordinance, 2007	15.12.2007	8.2.2008	—	—
2.	The Uttar Pradesh Value Added Tax Ordinance, 2007	20.12.2007	8.2.2008	—	—

APPENDIX VII
A. PARTY POSITION IN 14TH LOK SABHA (AS ON 20 FEBRUARY 2008)

States	No. of Seats	INC	BJP	CPI (M)	SP	RJD	DMK	BSP	NCP	SS	BJD	CPI	JD(U)	SAD	PMK	JMM	TRS	TDP	MD	LJSP	AIFB
Andhra Pradesh	42	30	—	1	—	—	—	—	—	—	—	1	—	—	—	—	5	4	—	—	—
Arunachal Pradesh	2	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Assam	14	9	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bihar	40	3	5	—	—	22	—	—	—	—	—	—	6	—	—	—	—	—	—	4	—
Chhattisgarh	11	2	9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Goa	2	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Gujarat	26	12	14	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Haryana	10	9	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Himachal Pradesh	4	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir	6	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jharkhand	14	6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Karnataka	28	9	16	—	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kerala	20	—	12	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Madhya Pradesh	29	5	23	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Maharashtra	48	13	12	—	—	—	—	—	10	11	—	—	—	—	—	—	—	—	—	—	—
Manipur	2	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Meghalaya	2	1	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—
Mizoram	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Nagaland	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Orissa	21	2	7	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Punjab	13	2	3	—	—	—	—	—	—	—	11	—	—	—	—	—	—	—	—	—	—
Rajasthan	25	4	21	—	—	—	—	—	—	—	—	—	—	8	—	—	—	—	—	—	—
Sikkim	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Tamil Nadu	39	10	—	2	—	—	16	—	—	—	—	2	—	—	5	—	—	—	4	—	—
Tripura	2	—	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Uttarakhand	5	2	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Uttar Pradesh	80	9	10	—	37	—	—	15	—	—	—	—	1	—	—	—	—	—	—	—	—
West Bengal	42	6	—	28	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Nominated	2	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	3
UNION TERRITORIES																					
A & N Islands	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Chandigarh	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Dadra & Nagar Haveli	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daman and Diu	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
The NCT of Delhi	7	6	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Lakshadweep	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Puducherry	1	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—
Total	545	152	128	43	39	24	16	15	11	11	11	10	8	8	6	5	5	4	4	4	3

Abbreviations used in respect of parties represented in the Lok Sabha:

AGP-Asom Gana Parishad; AIFB-All India Forward Bloc; AIMIM-All India Majlis-e-Ittehadul Muslimeen; AITC-All India Trinamool Congress; BJD-Biju Janata Dal; BJP-Bharatiya Janata Party; BNP-Bharatiya Navshakti Party; BSP-Bahujan Samaj Party; CPI(M)-Communist Party of India (Marxist); CPI-Communist Party of India; DMK-Dravida Munnetra Kazhagam; INC-Indian National Congress; IND-Independents; J&KPDP- Jammu & Kashmir Peoples Democratic Party; J&KNC-Jammu & Kashmir National Conference; JD(S)-Janata Dal (Secular); JD(U)-Janata Dal (United); JMM-Jharkhand Mukti Morcha; KC-Kerala Congress; LJP-Lok Jan Shakti Party; MDMK-Marumalarchi Dravida Munnetra Kazhagam; MLKSC-Muslim League Kerala State Committee; MNF-Mizo National Front; NCP-Nationalist Congress Party; NLP-National Loktantrik Party; NPF-Nagaland Peoples Front; PMK-Pattali Makkal Katchi; RJD-Rashtriya Janata Dal; RLD-Rashtriya Lok Dal; RPI(A)-Republican Party of India(A); RSP-Revolutionary Socialist Party; SAD-Shiromani Akali Dal; SDF-Sikkim Democratic Front; SP-Samajwadi Party; SS-Shiv Sena; TDP-Telugu Desam Party; TRS-Telangana Rashtra Samithi

B. PARTY POSITION IN RAJYA SABHA (AS ON 1 FEBRUARY 2008)

Sl. No.	State/Union Territories	Seats	INC	BJP	SP	CPI (M)	AIA-DMK	RJD	TDP	BSP	NCP	JD(U)	*Others	IND	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
STATES																
1.	Andhra Pradesh	18	10	—	—	1	—	—	6	—	—	—	1 ^(a)	—	18	—
2.	Arunachal Pradesh	1	1	—	—	—	—	—	—	—	—	—	—	—	1	—
3.	Assam	7	5	—	—	—	—	—	—	—	—	—	1 ^(b)	1	7	—
4.	Bihar	16	1	3	—	—	—	6	—	—	—	4	1 ^(c)	—	15	1
5.	Chhattisgarh	5	3	2	—	—	—	—	—	—	—	—	—	—	5	—
6.	Goa	1	1	—	—	—	—	—	—	—	—	—	—	—	1	—
7.	Gujarat	11	3	7	—	—	—	—	—	—	—	—	—	—	10	1
8.	Haryana	5	2	—	—	—	—	—	—	—	—	—	2 ^(d)	1	5	—
9.	Himachal Pradesh	3	2	—	—	—	—	—	—	—	—	—	—	—	2	1
10.	Jammu & Kashmir	4	2	—	—	—	—	—	—	—	—	—	2 ^(e)	—	4	—
11.	Jharkhand	6	1	4	—	—	—	—	—	—	—	1	—	—	6	—
12.	Karnataka	12	6	2	—	—	—	—	—	—	—	—	2 ^(f)	2	12	—
13.	Kerala	9	4	—	—	3	—	—	—	—	—	—	2 ^(g)	—	9	—
14.	Madhya Pradesh	11	3	8	—	—	—	—	—	—	—	—	—	—	11	—
15.	Maharashtra	19	6	2	—	—	—	—	—	—	4	—	5 ^(h)	2	19	—
16.	Manipur	1	1	—	—	—	—	—	—	—	—	—	—	—	1	—
17.	Meghalaya	1	—	—	—	—	—	—	—	—	1	—	—	—	1	—
18.	Mizoram	1	—	—	—	—	—	—	—	—	—	—	1 ⁽ⁱ⁾	—	1	—
19.	Nagaland	1	—	—	—	—	—	—	—	—	—	—	1 ^(j)	—	1	—
20.	Orissa	10	2	3	—	—	—	—	—	—	—	—	4 ^(k)	1	10	—
21.	Punjab	7	4	—	—	—	—	—	—	—	—	—	3 ^(l)	—	7	—
22.	Rajasthan	10	4	6	—	—	—	—	—	—	—	—	—	—	10	—
23.	Sikkim	1	—	—	—	—	—	—	—	—	—	—	1 ^(m)	—	1	—
24.	Tamil Nadu	18	3	—	—	—	10	—	—	—	—	—	5 ⁽ⁿ⁾	—	18	—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
25.	Tripura	1	—	—	—	1	—	—	—	—	—	—	—	—	1	—
26.	Uttarakhand	3	3	—	—	—	—	—	—	—	—	—	—	—	3	—
27.	Uttar Pradesh	31	1	6	16	—	—	—	—	6	—	—	2 ^(a)	—	31	—
28.	West Bengal	16	—	—	—	9	—	—	—	—	—	—	6 ^(a)	1	16	—
UNION TERRITORIES																
29.	NCT of Delhi	3	3	—	—	—	—	—	—	—	—	—	—	—	3	—
30.	Puducherry	1	1	—	—	—	—	—	—	—	—	—	—	—	1	—
31.	Nominated	12	—	3	—	—	—	—	—	—	—	—	9 ^(a)	—	12	—
TOTAL		245	72	46	16	14	10	6	6	6	5	5	48	8	242	3

OTHERS

(Break-up of Parties/Groups)

(a) Communist Party of India-1

(b) Asom Gana Parishad-1

(c) Samata Party-1

(d) Indian National Lok Dal-2

(e) Jammu and Kashmir National Conference-1; and Peoples' Democratic Party-1

(f) Janata Dal (Secular)-2

(g) Muslim League-1; and Communist Party of India-1

(h) Shiv Sena-4; and Sadbhavana Party-1

(i) Mizo National Front-1

(j) Nagaland Peoples Front-1

(k) Biju Janata Dal-4

(l) Shiromani Akali Dal-3

(m) Sikkim Democratic Front-1

(n) Dravida Munnetra Kazhagam-3; Pattali Makkal Katchi-1; and Communist Party of India-1

(o) Rashtriya Lok Dal-1; Expelled from Bahujan Samaj Party-1

(p) All India Trinamool Congress-3; Forward Bloc-2; and Revolutionary Socialist Party-1

(q) Nominated-9

C. PARTY POSITION IN STATE / UNION TERRITORY LEGISLATURES

State/Union territories	Seats	INC	BJP	CPI(M)	CPI	NCP	BSP	Janata Dal (U)	Janata Dal (S)	Other Parties	Ind.	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Andhra Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—
Andhra Pradesh L.C.**	—	—	—	—	—	—	—	—	—	—	—	—	—
Arunachal Pradesh L.A. (1.1.2008)	60	43	1	—	—	—	—	—	—	2 ^(a)	14	60	—
Assam L.A.*	—	—	—	—	—	—	—	—	—	—	—	—	—
Bihar L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—
Bihar L.C.*	—	—	—	—	—	—	—	—	—	—	—	—	—
Chhattisgarh L.A. (1.1.2008)	91	34	52	—	—	1	1	—	—	1 ^(a)	—	89	2
Goa L.A. (1.1.2008)	40	16	14	—	—	3	—	—	—	5 ^(a)	2	40	—
Gujarat L.A. (31.12.2007)	182	59	117	—	—	3	—	1	—	—	2	182	—
Haryana L.A. (1.1.2008)	90	66	2	—	—	1	1	—	—	9 ^(a)	10	89*	—
Himachal Pradesh L.A. (28.12.2007)	68	41	17	—	—	—	—	—	—	1 ^(a)	6	65	3
Jammu & Kashmir L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—	—	—	—	—	—	—
Jharkhand L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—
Karnataka L.A. (7.9.2007)	225	65	79	1	—	—	—	5	57	4 ^(a)	13	224*	—
Karnataka L.C. (21.6.2007)	75	34	14	—	—	—	—	3	14	—	4	69*	5

[illegible]

UNION TERRITORIES	70	47	20	—	—	1	—	—	1	—	70
Delhi L.A. (1.1.2008)											
Puducherry L.A.**	—	—	—	—	—	—	—	—	—	—	—

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

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

● Excluding Speaker/Chairman

a) Arunachal Congress-2

b) Nominated-1

c) United Goans Democratic Party-1; Save Goa Front-2; and Maharashtrawadi Gomantak Party-2

d) Indian National Lok Dal-9

e) Lok Jan Shakti Party-1

f) Kannada Chalavali Vatal Paksha-1; Kannada Naadu Paksha-1; Republican Party of India-1; and Nominated-1

g) Samajwadi Party-8; Gondwana Gantantra Party-3; Rashtriya Samanta Dal-2; and Nominated-1

h) Manipur Peoples' Party-5; Rashtriya Janata Dal-3; and National Peoples' Party-3

i) Mizo National Front-23; Mizoram Peoples' Conference-2; and Zoram National Party-2

j) Nagaland Peoples Front-19

k) Biju Janata Dal-61; and Jharkhand Mukti Morcha-4

l) Revolutionary Socialist Party-2; and Indigenous Nationalist Party of Tripura-6

m) Uttarakhanda Party-3; Nominated-1; and Others-3

n) Samajwadi Party-95; Rashtriya Lok Dal-10; Rashtriya Parivartan Dal-2; Jan Morcha-1; and Rashtriya Swabhimaan Party-1

o) Samajwadi Party-38; Rashtriya Lok Dal-6; Sikhhak Dal (Non-Political)-9; and Samajwadi Janata Dal (Rashtriya)-1

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